

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

Case No. IT-09-92-T

IN THE TRIAL CHAMBER

Before: Judge Alphons Orie, Presiding
Judge Bakone Justice Moloto
Judge Christoph Flügge

Registrar: Mr. John Hocking

Date Filed: 16 February 2015

THE PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC

**DEFENSE NOTICE OF DISCLOSURE OF EXPERT REPORTS BY MITAR KOVAC
PURSUANT TO RULE 94BIS**

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

Case No: IT-09-92-T

PUBLIC

**DEFENCE'S NOTICE OF DISCLOSURE OF EXPERT REPORT OF MITAR
KOVAC PURSUANT TO RULE 94BIS**

I. INTRODUCTION

1. Pursuant to Rule 94bis(A) of the Tribunal's Rules of Procedure and Evidence ("Rules"), the Defence hereby provides notice to the Trial Chamber of its disclosure of the expert report of Dr. Mitar Kovac. The Defence seeks the admission of the below listed report and curriculum vitae of Dr. Kovac, pursuant to Rule 94bis(C).

2. Dr. Kovac completed a report on the causes of and motives for the war and armed conflicts in Bosnia and Herzegovina. The report identifies key facts which relate to the structure and command and control within the VRS during the relevant time period as well as problems affecting the same.

3. A full copy of this expert report is attached to this motion as **Annex A**. The expert report contains citations of documents relied on in the preparation of the expert report, which may be used by the Defence during this witness's testimony. Disclosure of the report has been timely and Dr. Kovac will testify and be available for cross-examination if the Prosecution requests under 94bis(B)(ii).

4. A copy of Dr. Kovac's curriculum vitae is attached as **Annex B**.

5. Rule 94bis(B) requires the Prosecution to file a notice within thirty days of disclosure of the report indicating whether it accepts the expert witness statement and whether it wishes to cross-examine the witness.

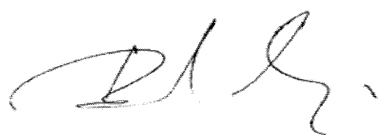
6. The Defence notes that it may further seek to adduce the witness's written evidence pursuant to Rule 92ter.

II. RELIEF REQUESTED

7. For the foregoing reasons, the Defence requests that the Trial Chamber permit the expert report of Dr. Kovac to be admitted pursuant to Rule 94bis.

Word Count: 310

RESPECTFULLY SUBMITTED BY:



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Lead Counsel for Mr. Ratko Mladic



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Dated this 4th February 2015

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

Case No. IT-09-92-T

THE PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC

ANNEX A

**REPORT ON THE COMMAND AUTHORITY OF GENERAL RATKO MLADIC IN THE
WAR IN BOSNIA AND HERZEGOVINA**

(1992 – 1995)

- MILITARY EXPERT REPORT -

Author:
Major General
Dr Mitar KOVAC

Belgrade, 2013

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INTRODUCTION

1. Establishing a fairly accurate truth about the causes of and motives for the war and armed conflicts in Bosnia and Herzegovina (BH) and its participants, as well as identifying facts which point to the responsibility of individuals for events in which crimes were committed is exceptionally difficult because not all documents of the warring parties are as yet available. This in particular refers to documents of the Army of BH (ABH), of the Croatian Army (HV) and of the Croatian Defence Council (HVO) at the strategic and operational levels of command. It is especially difficult to obtain relevant arguments concerning the operation of foreign factors in the civil war in BH, and activities in the course of the armed conflicts doubtlessly demonstrate that the influence of these foreign factors was great in all the periods of the war, in particular at the beginning, in the final operations and in the process of resolution of the crisis. Numerous issues and problems and manipulation by numerous protagonists of international relations in the civil religious war in BH and disinformation related to Sarajevo and Srebrenica, are part of a wider historical context of the Yugoslav crisis and the process of dissolution of the Socialist Federative Republic of Yugoslavia (SFRY).

2. For a sufficiently objective analysis and assessment of what happened during the key events of the war in BH and to first of all identify and comprehend the relations between their protagonists, account must be taken of the conditions in which the war in BH broke out and developed, i.e. an examination undertaken of the broadest historical, social, political and military context which led to a situation of conflict and a war with tragic consequences. Without that dimension it is impossible to understand or appraise in an objective manner the individual events in the war, particularly the operations of the warring sides at the operational and strategic levels. Given the scope of the expert report, which focuses on the strategic, political and military levels, it is neither possible nor necessary to go into individual events except if they impacted the course of the war and had consequences of strategic and operational significance. The level of generality and generalisation does not detract from the objectivity and reliability of the findings in the expert report in terms of the significance of the influence of individuals on decision-making and on the state of affairs in the zone of conflict generally as well as in the particular zones of the battlefield.

3. The area of South-East Europe has been a crisis flashpoint for centuries. It is a crossroads of strategic roads and corridors, religions, nations and cultures. Throughout history its peoples have not been able to resist mighty conquerors and consequently suffered enormous losses and lagged behind other parts of Europe in development. Occupying forces ably manipulated these peoples, sowing divisions among them and fomenting strife and conflicts and mistrust in their relations. All these peoples either had or looked for a greater regional or world power to help them realise their national interests, particularly so in times of major international turmoil and security challenges. Hatred and extremism were fanned on the basis of such divisions. The First and Second World Wars entailed the worst consequences because the peoples and states in the Balkans were divided and pitted against each other and directly engaged in ethnic cleansing and committed crimes against the innocent civilian population.

4. After the First World War, the Serbian people invested its statehood and the state of Serbia and Montenegro, as well as its victories in the Balkan Wars and the First World War in a new state, the Kingdom of Serbs, Croats and Slovenes, and then in the Kingdom of Yugoslavia, only to have the communist movement in the Second World War change the essence and meaning of that state, abolish the monarchy as the form of state order and promote new nations and republics which were constituted to the detriment of the Serbian people. The new communist authorities included many Serbian territories in these new republics, the foundations of which were laid at the Second Session of the AVNOJ /Anti-Fascist Council of the People's Liberation of Yugoslavia/ at Jajce on 29 November 1943. This was done

under the slogan of **so-called brotherhood and unity of peoples**, namely with the borders of the republics only fictitious and formal and not being of substantial significance. In this way, a large number of Serbs remained living in the area of Croatia and BH, but as a constituent people.

5. The Serbs fared the worst in the Balkans over the past five centuries; during the Ottoman Empire the Serbian nation was physically destroyed and assimilated for nearly 500 years. Male children were abducted to become janissaries, the men they did not kill were forcibly converted to Islam, a process called Turkisation in the vernacular. About three million people who are of Serbian origin live in Turkey today.

6. Guided by their freedom-loving traditions and a sense of justice, the Serbs defended their country from aggressors, gave their lives and built a system of values of a proud people. About three million Serbs perished in the two last world wars alone. Unspeakable genocide against the Serbian people was committed in Croatia and Bosnia and Herzegovina. The genocide was perpetrated by the Ustashas of the so-called Independent State of Croatia (NDH), in whose ranks were also Muslims, who were no less cruel and criminal. On the contrary, the notorious Muslim fascist divisions *Handzar* and *Kama* were primarily intended for the ethnic cleansing of Serbs in Bosnia and later became a model which was looked up to in the formation and styling of paramilitary formations, including a number of BH Army units in the 1991-1995 war¹. Ustasha camps in the NDH were notorious worldwide for their crimes. In more recent history there have been various attempts at playing down the number of those who were killed and the consequences of those crimes.²

7. It is difficult to rationally and objectively explain the roots of the hatred between Muslims, who are basically of Serbian origin, and the Orthodox Serbs. It is an historic fact that almost all Muslims (Bosniaks) in the territory of BH and indeed of the former Yugoslavia, have Serbian origins. During formidable challenges posed by history they could not endure the terror of Turkish occupation and for the sake of better holdings and a privileged social status, converted to Islam. Encumbered by the syndrome of treason and also by the attitude and scorn of their brethren and fellow-countrymen, they looked for a new identity in hatred of their own roots and enmity toward Serbs. That is why the saying "...a renegade is the worse enemy..." has gained prominence in Serbian folk wisdom. In this they have to date been assisted by individual Orthodox Serbs, who due to their exclusivism failed to keep them within their national corpus, identifying Orthodoxy with the Serbian people. Only those who returned to the fold of the Serbian nation were allowed readmission into the Orthodox faith. During the Kingdom of Serbia and the Kingdom of Yugoslavia, Muslims were recorded in censuses as Serbs of the Mohammedan faith, which was actually consistent with the historic facts.³ This proper national and religious status of the Muslims was disrupted by the communist movement in the Second World War because it ascribed to them elements and attributes of a nation in order to foment intolerance of the Serbs who were inclined to a monarchy. Many among Muslim intellectuals were perfectly aware of their Serbian origin and returned to its fold. The most famous names are Mesa SELIMOVIC, one of the greatest Serbian writers of the 20th century and Emir KUSTURICA, the famous Serbian director of world fame, and the most recent example of return to one's roots is that of Mehmed BUSATLIJA, a foreign investments consultant, a scion of the CRNOJEVIC ruling dynasty of Zeta, who did so 500 years

¹ Radovan RADINOVIC, Military Expert Testimony on Srebrenica D-160, 2000, p. 2.

² It is an irrefutable fact that Serbs were systematically killed in the Jasenovac camp, it is also undeniable that Jasenovac was the largest concentration camp outside the Third Reich, but there are controversies about the number of Serbs who were killed in this camp. The International Commission on the Truth about Jasenovac established that over 700,000 Serbs, 23,000 Jews and 80,000 Roma were killed, among whom were 110,000 children. The Israeli Yad Vashem Centre gives a number of over 600,000 victims.

³ In this expert report /the word/ Muslims is not capitalised until the 1970's when in the communist SFR Yugoslavia they were accorded the status of a nation on the basis of their religious denomination.

later, embracing the Orthodox faith on 15 February 2014, the feast of the Presentation of Our Lord in the Temple. If these historical facts are borne in mind it is not hard to understand the nature and essence of the national and religious contradictions which came to expression in the civil war in BH.

If in peacetime there was a degree of tolerance between the religious communities, in crisis situations, especially in wars, a large number of Muslims fought alongside the enemy against Orthodox Serbs. This was particularly manifested during the Second World War, when Muslim armed units fought alongside NDH Ustasha units and those of the occupying forces. A small number of Muslims supported the Kingdom of Yugoslavia and joined the movement of General Draza MIHAJLOVIC, fighting in the Yugoslav Army in the Fatherland (JVuO). In the Second World War, most Muslims participated in the National Liberation War (NOR) together with Serbs, fighting for the second Yugoslavia. The main operations in the Yugoslav theatre of war during the Second World War were executed in the area of BH, which caused additional casualties and suffering to Serbs and Muslims. Togetherness and so-called "brotherhood and unity" were soon forgotten when the 1991 war started. The Serbs often forgave the Muslims their crimes and even forgot them, always in the hope that they would return to the Serbian fold, and, if not, that they would at least be tolerant towards Serbs of the Orthodox faith as their fellow-countrymen. This historic enmity and the spiral of violence regrettably did not stop in the process of dissolution of the SFRY or in the war in BH either.⁴

8. Centuries of living in a privileged position during Turkish occupation, coupled with a repressive attitude towards the Orthodox population, instilled in the Muslims a feeling of superiority. Through religious activities, especially the revival of Islamism in a series of Asian and African countries, extremism and intolerance were fostered in some Muslim communities. Since the end of Turkish occupation, in periods of peace, illegal organisations of Young Muslims were reactivated, advocating ideas of an Islamic state and a restoration of old Islamic values.⁵ These ideas were to be put into practice by hook or by crook. In peacetime it was done under the veil of communism, "brotherhood and unity and equality of peoples", and at the time of the Yugoslav crisis by resorting to armed violence. Organisations of Young Muslims existed continually in Bosnia, Herzegovina and the Raska region in Serbia, but their activity was particularly intensified at times of occasional nationalistic ferment. Thus, immediately after the Second World War, the Muslims activated the Young Muslims organisation aiming to undermine the constitutional order of the just established post-war second Yugoslavia.

9. During the dismemberment of the former Yugoslavia, Islamic extremism and radicalism burgeoned primarily in BH territory. Muslim intellectuals, educated in Islamic states and who saw religion as a means of realising political aims, particularly contributed to it. Glorifying the economic prosperity of Islamic countries, generated by their energy potentials, they were in fact glorifying Islam. In this they enjoyed the support of states of political Islam with which the former SFRY had developed cooperation. Generous investments in religious institutions by the leaders of certain Islamic states were accepted gratefully and without any adequate control.

10. The war in BH (1992-1995) was essentially of a religious and ethnic character. The religious and ethnic hatred fanned by extremists were its principal cause and trigger, in addition to a multitude of other factors of regional and international character which contributed to the hatred coming to full expression and to the forefront. It is important to note that it was not an international conflict nor was it

⁴ An illustrative example are the events following the Battle of Mt. Kozara, in July 1942. About 68,500 civilians were dispatched to concentration camps or to work in Germany, of which number 33,398 civilians were killed. The most harrowing is the fact that 11,219 children under 14 years of age were killed, and the data refers to the small area of Kozara and Podkozarje. (source: www.sr.wikipedia.org/). In light of these events the Serbs' fear of a new genocide is understandable.

⁵ Radovan RADINOVIC, Military Expert Testimony on Srebrenica D-160, 2000, pp. 2-5.

any kind of aggression on BH by Yugoslavia. In question was a classical civil war of a religious and ethnic character with a significant participation of the Croatian army in parts of BH throughout the course of the war.

11. The Socialist Republic of Bosnia and Herzegovina was in every respect constitutionally and politically equal to all other Yugoslav republics. Its population comprised three constituent peoples: Muslims, Serbs and Croats. Muslims as a nation are a communist gain, they were declared a nation in the early 1970's by the then federal and republican party leaderships. The dominant religions in BH are Islam, Orthodoxy and Catholicism and the languages Serbian and Croatian, and after the war also the Bosniak language. The political order of the republic as a federal unit of the SFRY was based on equal representation of the constituent peoples in state and party government organs in the federation and the republic and at all lower levels of local self-government organisation. Any form of infringement upon the constitutiveness or abuse of majority by one of the constituent nations in the Socialist Republic of BH led to ethnic and religious conflicts.

12. Bosnia and Herzegovina united and bound together the Yugoslav state space, linking its western part with its eastern part and the southern Adriatic seaboard and the islands. With the secession of Croatia and Slovenia, somewhat later followed by that of Macedonia, this strategic role of BH lost its significance. The question of the survival of BH as a multicultural, multiethnic and multiconfessional entity was posed in even more acute form after the Badinter Commission arbitrarily proclaimed that Yugoslavia had ceased to exist and that all its members had the right to seek international recognition. The SFRY did not come into being as a federal state joined by the republics which came into existence in the Second World War as autonomous political entities. On the contrary, the Kingdom of Yugoslavia came into being and was formed primarily as a result of the struggle of the Serbian people and of the Kingdom of Serbia and the Kingdom of Montenegro in the First World War on the side of the Entente Powers.

The conditions for the domination of Muslims in BH were created in the NDH, and then within the framework of the SFRY and BH as its federal unit, with markedly Islamised elements of a culturological character. Islamism in BH gained in momentum and intensity in the late 1960's and early 1970's. Muslim separatism, fundamentalism and unitarism received their full ideological foundation in Alija IZETBEOVIC's *Islamic Declaration*.⁶ This work was published in the Serbian language only in 1990, but its tenets and ideas were secretly disseminated from the English and Arabic versions so that it became required reading in Muslim religious schools in BH. In this way the ideology of Islam was spread and would become the basis of the political and party activity of the Party of Democratic Action and its military wing, the Patriotic League and the Green Berets.

13. In this political programme, Alija IZETBEOVIC sees Bosnia and Herzegovina as an Islamic state and a state which excludes the constituent Serb and Croat nations as equals from public, political, economic and cultural life. The basic ideas of the book are essentially that modern societies in Western Europe evolved upon foundations of Christian religion and culture and as such were not suited for people of the Islamic faith. However, in contrast to contemporary societies and systems which evolved first in Western Europe where there was a clear secularisation of state versus religious institutions, the book *The Islamic Declaration* does not consider it possible that a society with a Muslim majority can be created and function with there being a distinction between state and religious institutions. Therefore, as the opposite of a modern state order, the book defines the "Islamic order" and the "Islamic system" as the state system. The Islamic order is defined as "a unity of religion and law, upbringing and power, ideal and interest, the spiritual community and the state, willingness and coercion". The pillars of the

⁶ *Islamska deklaracija /The Islamic Declaration/,* Sarajevo, 1990.

Islamic order are Islamic government and Islamic society. “Islamic society without Islamic government is unfinished and impotent; Islamic government without Islamic society is utopia or violence.” In effect, Islam is more than a religion, it is “an integral way of life”. Muslim society is defined as “a community composed of Muslims”.⁷ When IZETBEGOVIC set out to organise Muslims in the former Yugoslavia with the aim of realising the ideas of his *Islamic Declaration*, it became evident that a dangerous strategy was in question and one which also encompassed other areas in which Muslims lived, primarily a part of the Raska region (Sandzak) and Kosovo and Metohija.⁸

14. Following the introduction of a multiparty system in Yugoslavia, the Muslim party – the Party of Democratic Action (SDA) – was among the first to be formed, on 26 May 1990. Immediately after the SDA was founded, the “Muslim Youth Association” (MOS) of the Party of Democratic Action was established. The Muslim youth were being prepared for the realisation of the objectives of the *Islamic Declaration*. By such action, hatred, intolerance and mistrust of Serbs was fomented among the Muslims and on that basis a spiral of fear, conflict and crisis developed.

15. The war in Croatia was in considerable measure the generator of the crisis and of relations between the political factors and the leading political parties in BH. The Party of Democratic Action and the Croatian Democratic Union (HDZ), having struck a coalition upon an anti-Serbian platform, went to the polls in the autumn of 1990. After the elections, the coalition usurped all major ministries and departments in BH. For over a year this coalition employed the method of outvoting Serbs to impose political solutions which were contrary both to the will and to the interests of the Serbs. Such conduct culminated in the adoption of the decision to hold a referendum on the independence of BH as a state. The Serbs boycotted the referendum⁹, because the decision on it was made in opposition to the political options of the Serbs in BH and to the Constitution of SR BH which at that time was still part of the former SFRY.

16. The intentions of the SDA for BH to secede from Yugoslavia involved the planned creation of a unitary Muslim-dominated state and the establishment of a purely Islamic state without Serbs and Croats, who would move out to Serbia and Croatia under pressure. This evoked bad memories of the past and the Serbs viewed this with mistrust. The Serbian Democratic Party (SDS) was founded on 12 July 1990 and then a number of autonomous regions with a predominantly Serbian population were proclaimed. During the crisis and the war, these regions were joined to form first the Serbian Republic of BH and then Republika Srpska (RS). The Serbian Democratic Party had a nationally responsible approach and ideology. It represented the interests of the entire Serbian people in BH. At first, it advocated the idea that BH remain part of Yugoslavia but after the secession of BH it put forward a programme of delineation between the three constituent peoples. The state concept of BH as an autonomous and unitary state directly led to a civil, inter-ethnic and religious war. SDS leaders had been warning of that. The warnings had not been taken seriously. Civil war broke out with grave, long-term and devastating consequences for all the three peoples.

17. The Party of Democratic Action advocated political positions of a unitary state order where Muslims would have supremacy and was prepared to accomplish that objective by war if need be. A three-pronged strategy and several parallel processes were activated, these being: (1) persistent delegitimisation of the JNA and proclaiming it an aggressor; (2) calling upon men and officers born in

⁷ http://sr.wikipedia.org/sr/Islamska_deklaracija.

⁸ R. RADINOVIC, *Ibid.*, pp. 4-7.

⁹ The referendum was held from 29 February to 1 March 1992, the turnout was 64.31% and 99.44% of those who voted were in favour of an independent BH (www.historija.ba/d/4-dan-nezavisnosti-bosne-i-hercegovine/). The legal requirement at the time for affirming the results of a referendum was that over two thirds of the citizens (66%) turn out and for the same number to vote in the affirmative.

BH to leave the JNA and join paramilitary units; over half of the Muslim officers left the JNA, Muslim soldiers deserted their units, and Muslim recruits, as instructed by the SDA, did not respond to the call-up for service in the JNA; (3) creation of an SDA party para-army called the Patriotic League of the People (PLN), with a corresponding staff structure and numerous paramilitary and parapolice units. To that end the Main Staff was set up in Sarajevo, with nine regional staffs, with 103 municipal and numerous other staffs for smaller territorial units, with a large number of units from platoon to brigade rank.¹⁰ By the beginning of August 1992, through these SDA activities, about 170,000 men were armed and organised in 28 brigades, 138 detachments of various purposes and 16 independent battalions.¹¹ Indicative of the true intentions of Alija IZETBEGOVIC and his party (SDA) during the dissolution of the SFRY and BH, is the fact that the tenth PLN regional staff was formed for a territory lying outside the administrative borders of BH, namely for the Raska region (Sandzak). This was a clear expression of territorial claims towards parts of Serbia and Montenegro populated by Muslims. Already on 7 July 1991, party paramilitary units and special operations sabotage platoons were set up within the Patriotic League. The command system was strictly centralised and directly under the SDA headquarters in Sarajevo. Military control of the Patriotic League of the People was entrusted to Lieutenant Colonel Sefer HALILOVIC, who had deserted the JNA in 1991. In August 1992, he was appointed Chief of Staff of the GS /Main Staff/ of the Army of the Republic of BH. He drew up a plan for the blockade of all JNA barracks in BH. By January 1992, all the crisis and regional staffs of the Muslim para-army had precisely elaborated plans and targets of action. They were primarily JNA barracks, depots and military airfields (Dubrava near Tuzla, Bihac, Mostar and Banja Luka), relay centres, transport routes and important facilities along them and areas densely populated by Serbs surrounded by Muslims (e.g. Ozren and Smolucca). He held this post until June 1993.

18. At the beginning of 1991, the SDA organised its activists into regular watches to follow the security situation in the field. Lookouts in the field reported to the personnel on duty in the party on movements of JNA vehicles and all other details pertaining to military and security issues. This information was then processed in the party's headquarters where studies were elaborated to be used in planning and carrying out armed operations against JNA units. The civil, ethnic and religious war in Bosnia-Herzegovina actually began on 1 March 1992. On that day, in downtown Sarajevo, the Serbian flag a Serbian wedding procession was carrying was burned, and Nikola GARDOVIC, the bride's father, was killed.¹² The crime was committed by Muslims as a gesture of triumphalism to mark their victory at the referendum held on 29 February and 1 March 1992, at which the Muslims and Croats declared themselves in favour of a unitary BH, ignoring the will of the Serbs as a constituent people. Still, 6 April 1992 is considered the real beginning of the war in BH. That day, without any valid legal or political arguments, the European Community and the USA decided to recognise BH as an independent state, verifying the result of the February 1992 referendum despite its manifest illegitimacy. The political and military leadership, with Alija IZETBEGOVIC at the helm, proclaimed general mobilisation in order to form the so-called BH Army and to wage a war in which the Muslim part of BH would be one of the warring parties. On 14 April 1992, the Presidency of the Muslim part of BH, as the Supreme Command, issued a Directive ordering the Green Berets and all armed Muslims to attack all military facilities, officers and enlisted men, even including members of their families, and to seize military equipment.

19. The Presidency of Yugoslavia, under strong political, diplomatic, military and media pressure from part of the international community, primarily the USA and the EC, decided on 27 April 1992, to withdraw the JNA from BH by 19 May 1992.¹³ That was the introduction to the chaos of civil war. The

¹⁰ Emphasis added by the author.

¹¹ Sefer HALILOVIC, *Lukava strategija /A Devious Strategy/*, p. 123.

¹² http://www.glassrpske.com/novosti/vijesti_dana/Godisnjica-ubistva-srpskog-svata-na-Bascarsiji/18496.html.

¹³ Order number 5-30 of the SFRY Presidency dated 27 April 1992.

presence of a fully developed military and organisational infrastructure, a system of command, units and military installations of ethnic paramilitary forces – first among the Bosnian Croats, who modelled them on the military organisation of Croatia at the time, and then among the Muslims, could only speed up the process of creating such forces also among the Serbs in BH when it became clear that they would remain without the protection of the federal state and its legal and legitimate organs of power. The ultimatum for the JNA to withdraw to the territory of Serbia and Montenegro could produce no other outcome but a bloody civil war between the three ethnic communities. For such a role, it needed the support of the international community and the official BH authorities. Only after the crisis was defused and long-term interethnic, political and territorial arrangements reached by the three constituent nations, could the JNA withdraw from BH, because all the other forces of the republic, such as the MUP, the police, the Territorial Defence (TO), the Civilian Protection, etc., had already come apart at the ethnic seams. The ordinary people in all the three ethnic communities wanted and hoped for that, but the extremists did not and they worked on a scenario designed to spread the war throughout the SFRY. On May 19, 1992, the rump Presidency of BH (without Serb representatives) promulgated the Decree on the Armed Forces of the Republic of BH, and this can be considered the official date of establishment of the Muslim army and not of the BH Army. Actually the Muslims organised and formed paramilitary units already in May 1991, and started preparing for civil war.¹⁴ The Croatian part of BH had taken such a decision much earlier, already in the fall of 1991, with the Croatian Army present in Western Herzegovina and the Bosnian Posavina. The decision to form VRS was taken on 12 May 1992.¹⁵ That was 35 days after the independence of BH was recognised by the USA and the EC, when it was already clear that the JNA, under pressure of part of the international community, was to leave BH by 19 May, 1992. Also, the Army of Republika Srpska (VRS) was formed much later than Herceg-Bosna formed its own paramilitary units and formalised them as its own army. At the beginning of 1992, only the Serb side in BH did not have an army of its own, not even in the form of paramilitary units.¹⁶

20. The war in BH was both an ethnic and a religious war for territories, the achievement of state national projects and the protection of the national interests of the constituent peoples. Every warring

¹⁴ The *Patriotic League* was a paramilitary unit of the Muslims of Bosnia and Herzegovina at the beginning of the war in Bosnia and Herzegovina. It was founded by General Sefer HALILOVIC and his associates on 2 May 1991 as a party organisation, and already on 10 June 1991, a meeting was held of Muslim leaders from all over Yugoslavia at the Police Social Centre. It was joined by, inter alia, many criminal individuals, who demonstrated their patriotism by assaulting persons of another ethnicity, while proclaiming as their aims the preservation of the sovereignty of Bosnia and Herzegovina and its borders and the protection of the Muslim population in the event of war. The mark of distinction its members used was the coat of arms of Bosnia and Herzegovina with the text *Patriotic League* above it. From the very outset of the war, the League was involved in the killing of JNA soldiers and of persons of a different ethnicity. The Patriotic League was the most successful in Sarajevo where it was the most active and the most numerous at the beginning of the war, to be abolished with the founding of the Army of Bosnia and Herzegovina. Branka MAGAS, Ivo ZANIC, *The War in Croatia and Bosnia and Herzegovina 1991-1995* Routledge. (2013). ISBN 978-1-136-34099-4.

¹⁵ On that day the National Assembly of the Serbian Republic of BH, later Republika Srpska, held a session in Banja Luka and adopted a decision to establish the VRS: "In accordance with Amendments to the Constitution of the Serbian Republic of BH, and having regard to Article 70, item 2 of the Constitution of SRBH, the National Assembly hereby passes the Decision on the Establishment of the Army of the Serbian Republic of BH.

First: The Army of the Serbian Republic of BH is hereby established.

Second: The existing units and headquarters of the Territorial Defence shall be renamed commands and units of the Army whose organisation and establishment shall be determined by the President of the Republic.

Third: General Ratko MLADIC is hereby appointed Commander of the Main Staff of the Army of the Serbian Republic of BH.

Fourth: The Army of the Serbian Republic of BH shall wear uniforms and ranks which were worn by the members of the JNA and Territorial Defence. The basic emblem on the cap shall be the Serbian flag, and on the left sleeve shall be the Serbian flag on a circular base with the inscription Army of the Serbian Republic of BH.

Fifth: This Decision shall come into force on the day of its adoption and shall remain in force pending the promulgation of the Law on the Army of the Serbian Republic of BH."

¹⁶ For details see Radovan RADINOVIC, *Ibid.*, pp. 7-8.

side pursued its different aims, maps of national territory and a vision of the state it was struggling for. The Muslims considered the entire BH their ethnic territory and fought the war for it. The Croats' aim initially was for the part of BH under their control, Herceg-Bosna, to be annexed to Croatia. That being unfeasible as the republican borders could not be changed, in keeping with their historic aspirations of ruling the entire BH as in the time of the NDH, they set themselves a new aim, namely making BH in its entirety a component part of the geopolitical aspirations and interests of Croatia. In pursuit of that strategic objective, a war alliance was struck between the Muslims and the Croats, which would later also lead to their joint political entity, the BH Federation in RBH /Republic of Bosnia and Herzegovina/.

23. /as printed/ The Army of Republika Srpska (VRS) was the armed force of the Serbian people in BH. It consisted of officers and men who lived there before the war or were born in the area. Also, in the VRS there were volunteers from the ranks of all Yugoslav nations and nationalities and from the entire territory of the former SFRY, who had in keeping with the constitutional obligation opposed the breaking-up of the SFRY. The volunteer tradition has a very long history in Serbian struggles for liberation. In terms of its basic typology, the Army of Republika Srpska was a people's army. This significantly influenced the planning of its use and operational capacity. Apart from volunteers, there were no foreign armed formations fighting on the side of the VRS. In contrast to that, the Croatian Army fought on the side of the HVO, notably in Herzegovina and Posavina, and on the side of the Muslim BH Army there were volunteers and mercenaries, Islamic extremists and terrorists, "dogs of war" from numerous Islamic countries, steeped in wars in Afghanistan, Iraq, the Near East and other world battlefields¹⁷, as well as numerous Muslim and Albanian extremists from Kosovo and Metohija and from the Raska region (Sandzak)¹⁸, etc. Throughout the war, except for a brief period in 1993/94 when they were in conflict, the Muslims and Croats in BH were war allies in the war against the VRS, i.e. against RS, in particular during the final operations when perpetrating crimes and ethnically cleansing the Republic of Serbian Krajina and the western part of RS.

24. Guided by national goals in the war, the parties to the conflict created a political framework for the execution of operations for purposes of defence or capturing territories. Neither the Muslims nor the Croats had the military power to realise their set political goals on their own, so they hoped for and demanded NATO support, staging different incidents and crimes to provoke an intervention. In the end, the Croats and Muslims, assisted by a number of Western countries, managed to obtain a decision on the use of NATO forces. That was decisive in forcing a military defeat on the Serbs in the Republic of Serbian Krajina and the western part of RS. The bombing of RS and the attack of Croatian Army forces resulted in the expulsion of Serbs from municipalities in which Serbs had historically been a majority, accounting for between 74 and 96 % of the population. Croatia was obviously successful in implementing its state project of expansion of the Dalmatian hinterland to the detriment of the Serbs and Muslims in BH.

25. The Serbian side in BH did not set as its strategic objective the general military defeat of the Muslims and Croats. Had it had that objective, it would have achieved it at the time of the Muslim-Croat conflict in 1993 and 1994, as both the Muslims and the Croats offered it alliance. On the contrary, at the time of their mutual conflict the VRS provided refuge to both Muslim and Croat civilians, refusing to militarily join up with either of them in order to defeat the other. The Army of Republika Srpska assumed the strategic defensive and from that time on executed exclusively defensive operations, at the operational command level, which was not a good solution in the military sense, because the

¹⁷ Example: *El Mudzahid* was a unit within the 3rd Corps of the BH Army, founded on the order of Rasim DELIC on 13 August 1993. It was composed of Islamic volunteers of Afro-Asian origin, who arrived in government-controlled BH territory via Croatia. (source: http://bs.wikipedia.org/wiki/El_Mudzahid)

¹⁸ An illustrative example is that of Sefer HALILOVIC, Chief of Staff of the GS of the Army of the Republic of BH, who was born in Serbia.

consequence was passivity of the forces and increased losses in the final operations. Occasional counter-strikes like the one near Bihac (October 1994) and at the Nisici plateau near Sarajevo, were only responses to Muslim offensive operations which they launched from the so-called UN safe areas (Bihac and Sarajevo).

26. It is true that all the three peoples in BH were exposed to ethnic cleansing and crimes. This happened with varying intensity in different periods of the war. Those crimes and ethnic cleansing are hard to compare, being painful by definition for any people, and each of the peoples in BH has its version of the truth and believes itself the greatest loser. This is becoming part of the heritage which is passed on to generations and a part of national history. The Serbs were ethnically cleansed from their ancestral homes in Croatia and then also in a sizeable part of western and central BH. The majority of these expellees and refugees are still today far away from their homes and hometowns, in Serbia, Republika Srpska or abroad. Croatia aggressed on Republika Srpska in 1992 stepping up the effort in the final operations in 1995. Then it occupied an area 88 % of whose population until then were Serbs, in the municipalities of Drvar, Bosansko Grahovo and Bosanski Petrovac.¹⁹ Serbs had been expelled on a massive scale before that in 1992 in the Neretva River valley, where about 35,000 Serbs were banished, as were about 40,000 Serbs from Tuzla and the Tuzla region (Kladanj, Zivinice, Banovici, Gradacac, Kalesija, Gracanica, etc.). From the Muslim-controlled section of the city of Sarajevo over 150,000 Serbs were expelled. Sarajevo is the “largest Serbian tomb” in the civil war in BH. The number of Serbs who were killed in the city of Sarajevo is yet to be precisely and individually determined, but for now over 5,500 people are known to have perished. Crimes were committed over a protracted period, far from the eyes of the international public and amid constant accusations of the Serbian side for the “siege”, encirclement, blockade and shelling of the city of Sarajevo. All that was to a considerable extent a media-constructed picture of the war in BH, especially in Sarajevo and Srebrenica, with a view to asserting the political objectives of the struggle of the Muslim side and winning over as large a part of the international community as possible, namely their support in the war. In this expert report some arguments are advanced about this propaganda which was systematically and deliberately launched in order to demonise the VRS, RS and the Serbian people generally.

27. Following the introductory remarks, which are necessary for a general understanding of the situation and the context of the crisis and conflict in BH, the results of the expert report are presented in five parts. *Part I* describes the conditions and the role of external and internal factors in the civil war, the objectives of the warring parties, the course of the war with particular emphasis on key developments and armed conflicts which defined the character of that war and its picture in the eyes of the international public. In *Part II*, information is presented on the armed forces of the warring parties, their establishment, organisation, chain of command and the relative responsibilities of subordinates and superiors in the preparation and execution of combat actions. *Part III* contains a comprehensive description of the most important armed conflicts as well as the basic characteristics of the operations executed by the warring parties. *Part IV* analyses key developments on the Sarajevo front, which largely influenced the creation of public opinion and the international public as well as the attitude of international factors towards the warring parties. In that sense the place and role of General Ratko MLADIC in those events are analysed from a military aspect. The actual facts change the predetermined picture of Sarajevo and support the thesis that this was basically a divided city in which both Muslims and Serbs got killed and Croats to a lesser extent. The front lines were established at the beginning of the war, in large measure corresponding to the demographic structure of settlements and municipalities and were not significantly altered until the end of the war. All changes of the front lines were of a tactical nature and significance. Neither the VRS nor the BH Army had sufficient forces to change the situation

¹⁹ According to the population census in SR BH 1991: Bosanski Petrovac 74.86 %, Drvar 96.98% and Bosansko Grahovo 94.91 % Serbs.

in the operational and strategic sense. *Part V* analyses the key protagonists and events in the process of planning and executing Operation *Krivaja 95* for Srebrenica, as well as the consequences of that operation, namely the killing of captured Muslim soldiers and a number of civilians in the zone of responsibility of the Drina Corps. In this context, special consideration was given to the role and command responsibility of General MLADIC in the formal and substantive sense. From the military standpoint, at the time of the mass crimes, practically for most of the time after the operation, General MLADIC was not even physically in either the zone of the operation or the zone of the breakthrough of the Muslim forces. This throws a special light on a number of difficult issues, not much about which has been written so far, and probably with reason: why were not the Muslim forces of the 28th Division of the BH Army disarmed and why were operations systematically launched out of the Srebrenica and Zepa safe areas, killing Serbian civilians and VRS soldiers? Why did Naser ORIC, as the war commander of the 28th Division, get out of Srebrenica already in March 1995 and did not return to it? Who needed a mass crime at the end of the war, when the outcome, a solution that was a political compromise in the strategic sense, was on the horizon? Why was not the disarmament of the Muslim forces allowed after their military defeat in Srebrenica and Zepa, but a decision probably brought in Sarajevo for them to break through and come to grief? There are many more whys... ? The answers to them are quite at variance with the commissioned or assumed truths about the responsibility of the political and military leadership of RS, which were constantly promoted by the BH Muslim leadership in the media and at the international plane. In the chaos that ensued after the Muslim forces of the 28th ABH Division attempted a breakthrough, there was no effective control of the situation on the ground by the VRS Main Staff. After the commission of the crimes, the VRS GS basically received some unreliable and unverified information about the crimes which had taken place and which it actually could no longer do anything about. In the *Summary* and the *Conclusions* an attempt has been made to generalise the individual segments of information obtained and thus present as objectively as possible the strategic dimension of the war in BH from the international, political and military aspects. The Attachments, as an integral part of the expert report, comprise maps, schemes, figures, tables, charts and similar.

28. Numerous primary and secondary sources of material were used to prepare this expert report:

Primary sources: Operational documentation of the VRS (directives and orders of the Supreme Command, the VRS GS, Corps Commands and their subordinated units, maps showing the planning and execution of combat actions); some operational documentation of the Muslim ABH army (plans, reports, operational analyses); reports of the Dutch UNPROFOR Battalion; reports of the UN Secretary-General; expert assessments of Richard Butler, Dr Radovan RADINOVIC and Richard Dannatt, as well as supporting documentation of the Tribunal provided with the Indictment (intercepts, tables and graphs, working charts and other);

Secondary sources: This group of sources for the preparation of the Report comprises: thematic studies on operations in BH territory, with focus on the Sarajevo front and the general sector of Srebrenica, namely Podrinje. These are studies, monographs, books, collections of works and articles authored by Muslims, Serbs, Croats and foreign military and civilian experts and those well versed in the developments in the war in BH. The sources are referred to in the footnotes of this expert report and in the bibliography. In dealing with specific parts and aspects of the expert report, first-hand information acquired over the years since the end of the war up to mid-2013 was also drawn upon as well as the author's personal experience and knowledge in the field of military sciences and military doctrine, as well as in other scholarly fields of relevance for understanding the war in BH, with particular attention to the armed conflicts on the Sarajevo front and in Podrinje and focus on the safe areas of Srebrenica and Zepa.

Part I

CONDITIONS SURROUNDING THE ARMED CONFLICTS AND WAR IN BOSNIA AND HERZEGOVINA

1.1. Identifying the causes, conditions, factors, participants, characteristics and consequences of the war in BH requires an examination of the key processes, protagonists and events associated with the break-up of the SFRY. It is of the essence to observe that the relevant global power centres had an interest in the dismemberment of Yugoslavia and in particular in the Yugoslav crisis being resolved by war. Without such an approach the truth about both the civil war in BH as a whole and about the crimes which took place during the war could not be perceived in its entirety. By scrutinising the overall conduct of external and internal factors, as well as developments at the international and internal levels in the course of the war and indeed after it, it is possible to more objectively identify the causal links and come to reliable conclusions and ascertain the guilt for this war drama in which civilians suffered the most on all the sides to the conflict and in which vast damage was inflicted on property that took decades of painstaking work of several post-war generations to acquire. All these events and processes directly and indirectly influenced the military career of General Ratko MLADIC.

1.2. In reviewing and presenting the basic facts on the subject at hand with substantiation, a number of important references have been given for considering other basic questions of relevance to drawing conclusions on the causes, course and basic characteristics of the civil war in BH. To that end it is very important to examine the constitutional, legislative and doctrinal frameworks of the defence function, the system of defence and the armed forces of the SFRY, for in that way the legal grounds can be ascertained for the activity of the individual factors of the Yugoslav crisis at the federal and republican levels, as well as at the level of political parties and paramilitary organisations.

1. Historical context of the ethnic and state-building conflict and war in the territory of BH

1.3. The historical context of the national, religious and state-building question is at the root of the contradictions which under the impact of external and internal factors multiplied to such an extent as to cause a crisis, civil war and massive consequences for the civilian population. Among the group of internal causes, upon the criteria of the aim and importance of the analysis for understanding the essence of the crisis and war in BH territory, the report lays emphasis on information and facts related to the historical aspects of the state, the peoples and the confessions in BH, the population, territory and general legal issues.

1.1. Historical aspects of the state and peoples in the territory of BH

1.4. Initially, the concept of Bosnia as a geographical area comprised within the Serbian state or as a separate Serbian state encompassed the region around the upper and middle course of the River Bosna and dates back to around the 10th century. Such a perception of Bosnia is particularly evident in 12th century literature.²⁰ There exist written testimonies from this period attesting to the use of the Cyrillic script in these parts called *Stara Srbija* /Old Serbia/.²¹ Like all Serbian lands, Bosnia was also subjected to Turkish raids. After the fall of Serbia in 1459, Bosnia acquired exceptional strategic importance for the further advance of the Turks towards Friuli and Dalmatia. Bosnia fell under Turkish rule in 1463, but some parts of Herzegovina remained free until 1481 when all of Herzegovina also fell under Turkish rule.²²

1.5. From the time it fell under Turkish rule until its occupation by Austria-Hungary (1878), BH went through a long and dramatic epoch of Ottoman rule, during which the religious, cultural and spiritual structure of the population underwent the greatest changes which would significantly influence all developments in more recent history, especially in the 20th century. Throughout the period of Turkish rule, BH did not exist in its present borders as a separate state or political entity. In 1463, the Bosnian Sandzak was formed from a large chunk of territory. Until the 17th century its seat was in Sarajevo and Banja Luka and afterwards in Travnik. Somewhat later, in 1470, the Herzegovina Sandzak was established. Parts of Bosnia belonged to other sandzaks, and the borders of the Bosnian Sandzak were frequently redrawn through numerous reforms of the military, judicial and administrative systems.²³ The importance of the Bosnian Sandzak stemmed from its border position (frontier) for almost two centuries during which by guerrilla raids – incursions into the depth of the Habsburg lands conditions were created for the possible conquest of new territories. Precisely because a border area, BH territory suffered the most because of the frequent conflicts of the Turks with European Christian states.

1.6. Influences from outside the region and the existence of several religions were also behind the belated formation of national states in relation to other regions of Europe. The delay is particularly in evidence in a part of the Serbian nation in BH which espoused Islam and then assumed it the foundation for the birth of a new nation. Such an approach was also assisted by the short-sightedness of the communist oligarchy which formed a nation out of a religious community in BH and the SFRY, which in fratricidal civil war promoted itself into a new nation, and even a people, in contravention of the generally accepted criteria for their conception. That is why names began to be subsequently invented for this new nation such as Bosniaks, although the origins of this name lie in the geographical term denoting the region in which both Muslims and Serbs and Croats live. Not even the geographical area criterion was respected because there also exists the region of Herzegovina, in which Croats live in Western Herzegovina, Serbs in Eastern Herzegovina and Muslims mainly in Central Herzegovina, in the Neretva river valley from Konjic to Stolac. Before the war, the constituent peoples in BH were Muslims, Serbs and Croats. During the former communist SFRY, the terms Bosnian or Herzegovinian were used to denote the geographical place of origin or residence and in no way to denote ethnic affiliation. There

²⁰ F. SISIC, *Ljetopis popa Dukljanina* /Chronicle of the Priest of Doclea/, Belgrade, 1920, 307; T. SMICKLAS, *Codex diplomaticus regni Croatiae, Dalmatiae et Slavoniae*, vol. 11, Zagreb, 1904, 207.

²¹ Dr Karlo PAC, *Iz Pljevaljskog Sandzaka*, /From the Pljevlja Sandzak/, Herald of the National Museum of Bosnia and Herzegovina/, book NN1, 119.

²² S. CIRKOVIC, *Herceg Stefan Vukcic-Kosaca i njegovo doba* /Duke Stefan VUKCIC-KOSACA and his Time/, Belgrade, 1964, 1-309.

²³ H. SABANOVIC, *Upravna podjela jugoslovenskih zemalja pod turskom vladavinom do Karlovačkog mira 1690. godine*, /Administrative Division of the Yugoslav Lands under Turkish Rule until the 1690 Treaty of Karlowitz/, Almanac of the BH Historical Society, IV Sarajevo, 1952, 171-204.

are attempts to translate these regional or geographical terms into a new “Bosnian nation”. What remains unclear though, is what about the Herzegovinians...?

1.7. Apart from these unscholarly improvisations around the name of a people whose language made its roots evident and indubitable, BH was also confronted with a series of other predicaments as a consequence of the communist manner of redrawing territories and their perverted perception of the internal order and organisation of the state and attempts to transform the Serbs and Croats into some kind of a new supranational identity of a unitary state they did not want. Three civilisational and confessional circles - Islamic, Orthodox and Catholic - abut and intersect in the area. Historically, mostly Serbs lived in the area of today's BH, as a people a small part of which was converted to Catholicism and Eastern-rite Catholicism and a large part Islamised over a protracted period of time up until the annexation of BH by the Austro-Hungarian Monarchy in 1908, after the 1878 Congress of Berlin and the agreement of the great powers and the military occupation of a part of the Ottoman Empire, and which formally remained within the Ottoman Empire until 1908 with the majority being Serbs of the Orthodox and Islamic faiths. Croats in the area of BH and that of Dalmatia, which was not within Croatia, were predominantly Serbs converted to Catholicism. Espousing the Catholic faith, they automatically accepted Croatian national affiliation.

1.8. Due to Islamisation and religious intolerance, Orthodox Serbs pejoratively called those among them who had converted to Islam “Turk turncoats” and “Turks”, which they never were nor ever became. Maybe the greatest historical mistake of the Orthodox Serbs was that they readily renounced their biological brethren who had converted to Islam and were unable to put national kinship before religious differences. Even peoples who lagged behind in overall social development managed to deal with this, such as the Albanians, one people with three religions. The roots of intolerance, hatred and strife between Orthodox Serbs and Islamised Serbs intensified in times of crisis of the Ottoman Empire. A special reason for conflict was the fact that the Islamised Serbs had significant privileges and ruled in the name and according to the laws of the Turkish Empire, over the ordinary “rayah”/non-Muslim subjects of the Ottoman Empire/, i.e. Serbs of the Orthodox faith. Because of the huge tributes and taxes levied on them, the Orthodox Serbs and the Croats came to loathe Islamised Serbs. Regrettably, this hatred only grew with time and was passed from generation to generation. Serbs of the Orthodox faith in BH became the rayah and Islamised Serbs became the more affluent stratum of society which protected the Ottoman Empire.

1.9. In some periods of Islamic occupation and terror, Orthodox Serbs felt a greater hatred of those converted to Islam than of Turks. The great Serbian poet Petar Petrovic NJEGOS best portrayed the times in his numerous epics and poems, best of all in *The Mountain Wreath*.

“A brother will slaughter his own brother,

Awesome symbols, the Crescent and the Cross;
Their kingdoms are the realms of graveyards...”²⁴

1.10. As a contemporary of the times and the ruler of Montenegro, no one has described in so few words but prophetically as he the tragedy of the Serbian people, its biological and religious stratification and suffering. Evil, hatred and revenge are deeply rooted in that period to be only deepened and expanded afterwards in new historical circumstances. Without this historical dimension of the religious and then also ethnic schism, it is not possible to grasp the key dimensions of the war in BH. This was largely

²⁴ “Petar PETROVIC NJEGOS, *Gorski vijenac /The Mountain Wreath/*, VIZ, Belgrade, 1998.

contributed to by the empires and great powers which ruled or had conflicting interests in the Balkans. This conflict of interests is even today reflected on “the official truth on the 1992 to 1995 war in BH” which still prevails today in international relations. Eighteen years after the war some “prohibited or closed” truths manage to reach the public by dint of circumstance and often thanks to responsible human beings who were contemporaries of or participants in those events. Most often the holders of documents or information dared not or could not publicise them because they did not suit the proclaimed scenario concerning the character of the war in BH and the responsibility of its participants. Nevertheless, for the sake of justice and fairness, it is never too late for the objective truth. Otherwise the history of the war and armed conflicts in the civil war in BH would partially reside upon incorrect data, ones inconsistent with the historical truth and facts.

1.11. The plight of Orthodox Serbs and Islamised Serbs continued in the First and Second World Wars and escalated during the break-up of the SFRY and the war in BH in the form of a civil war between Serbs, Muslims and Croats. That is the key to the contradictions, tribulations and tragedy of the Serbian people in BH, of Serbs of the Orthodox and Islamic faiths, namely of Serbs and Bosniaks (Muslims). These are historical facts, and regrettably politics and the consequences of the conflict have engendered a new reality which further enhances the contradictions rather than national reconciliation and forgiveness by promoting and accepting new peoples upon the religious or geographical criterion. Throughout history there are numerous examples which show that a number of the Muslims had been willing and desired to return to their roots in the national and in fact also the religious sense. This happened on a larger scale after the liberation of Serbia and Montenegro from Ottoman occupation, after which this process of people returning to their own nation and faith evolved only sporadically and symbolically and if there existed information handed down from generation to generation about their origins, the Orthodox families they descended from and what their patron saint feast was. The famous director Emir KUSTURICA is a fairly recent example of returning to one's roots in the national and religious sense; he declares himself to be an Orthodox Serb and keeps stressing that there exist no real reasons for conflicts between Serbs and Muslims (Bosniaks) and that Islamic fundamentalism and other religious and national extremisms are the source of bigotry and intolerance among peoples.

1.12. The role of Croatia in the war in BH is a continuous and specific one. Croatia came into being more through the operation of external powers than by Croatian intentions proper. In addition to Civil /Banska/ Croatia, it also sought to comprise the regions of Slavonia, Dalmatia, Istria and the Serbian Krajina. By giving (Croatian) names to geopolitical areas, Croatia expanded its territorial claims. These territorial claims always targeted the neighbours. They were particularly frustrated by relations with Serbs because the latter were always a constant barrier to their expansion. Being unable to expand northward or westward, Croatia aspired after the east. “The Drina is the unbridled geopolitical fantasy of Croatian /?expansionists/.”²⁵ Croatian geopoliticians always proceeded from the axiom that Croatia was, by historical, ethnic and geopolitical “right” bigger than it was. The Serbs were thus incessantly confronted with a kind of Croatian political gigantism, which sporadically turned into territorial megalomania...”Over the past three centuries Croatia kept growing. In 1630, Banska /Civil/ Croatia, as the *reliquiae reliquiarum* (remnant of the remnants) covered only 10,600 sq.m. ... As a Yugoslav republic, from 1945 to 1990 Croatia spread to 56,538 sq.m.²⁶ Its aspirations were to further annex the Serbian areas of Backa, parts of Srem (up to Belgrade), in the Raska District, in Boka and the rest of the Montenegrin coast.

1.13. Serbian politics has always been short-sighted and unable to counter the aggressive plans of the Croats. During the Austro-Hungarian era, educated Serbs were well versed in relations between Serbs

²⁵ Milos KNEZEVIC, *Geopoliticko okruzenje SFRJ, Geopoliticka stvarnost Srba* /Geopolitical Environment of the SFRY, Geopolitical Reality of the Serbs/, Round Table, Institute of Geopolitical Studies, Belgrade, 1997, p. 323.

²⁶ Ibid., pp. 232 and 233.

and Croats. After 1918, there were few real experts knowledgeable about the Croats, their aspirations and their aims. This trend continued after 1945 as well. In that period, Serbs who could say something about the Croats met with fierce and frontal resistance in both Zagreb and Belgrade. It was forbidden to publicly speak and write, it was a taboo subject under communist control. Today Zagreb, which always worked for breaking up Yugoslavia, writes about it in laudatory terms as a successful policy of Zagreb, because the Serbs never learned and mastered Croatian history adequately and thoroughly enough and were therefore neither able to figure out the geostrategic objectives of the Croats.²⁷

1.14. Among the numerous issues which have strained, strain and will continue to strain and disrupt relations between Serbs and Croats is the geopolitical position of Croatia. In the general assessment of all Croatian politicians and geopoliticians, both former and present ones, the geopolitical position of Croatia is such that it resembles, as the noted Croatian historian Vjekoslav KLARIC wrote, “a sausage astraddle”. Some liken the shape of Croatia to a banana or a crescent moon. Such a Croatia, it is the shared belief of all politically thinking Croats, has no prospects of survival and progress at all. For instance, Frano SUPILO wrote in this connection that: “Croatia without Bosnia would always be a toy in the hands of whoever ruled today’s occupied provinces”, namely Bosnia and Herzegovina.²⁸

1.15. Dr Ivan PILAR, the author of the book *The South Slav Question*, which had four editions within the span of several decades, two in Croatian and two in German, in his brochure *The World War and the Croats, a Test of the Orientation of the Croat People*, published in 1915 and 1917, already before the end of the war openly and clearly impressed upon the general public what is and what must be the Croats’ strategic objective. In this brochure, Dr PILAR, i.e. Dr JURICIC, wrote: “Given their long narrow territory of very small depth, which stretches in two directions (Dalmatia in places only for several kilometres), /the units of/ the Kingdom of Croatia, Slavonia and Dalmatia are individually totally incapable of being the site of any state or political construction, and in this form do not have any future at all as a national and political body. Awareness of this was, in our conviction, the cause of that feverish quest for a wider framework for our national development before the year 1878, and the ultimate cause of the emergence of Illyrianism and Yugoslavianism. The Triune Kingdom shall have elementary conditions for life only when it is joined by BH. The Croatian people in the territory of the Triune Kingdom itself has very slim hopes of continued existence, and BH is perceived as an essential precondition for the national viability and political development of the Croatian people. Limited to just the Triune Kingdom, the Croatian people can only go through the motions of living, but live it can only if it has Bosnia and Herzegovina.”²⁹ In Dr PILAR’s assessment, Croatia, Slavonia and Dalmatia are the shell and BH the kernel of Croatia.³⁰

1.16. Greater-Croatian aspirations for the eastern border of Croatia to be drawn on the Drina are also reflected in the ethnographic map of Nikola Zvonimir BJELOVUCIC. The booklet *Ethnographic Borders of the Croats and Slovenes*, which was published in 1934 in Dubrovnik contains the map “Ethnographic borders of the Croats in the Kingdom of Yugoslavia and the Surrounding Lands”, drawn by BJELOVUCIC in 1933. With a sizeable territorial expansion, the map is definitely evocative of PAVELIC’s Independent State of Croatia.³¹

1.17. On the basis of the above summary alone, even the less initiated reader without any previous knowledge of the Greater-Croatian aspirations of past generations, will easily conclude from which

²⁷ For details see Radovan RADINOVIC, *Sarajevsko ratiste (Ekspertiza za Stanislava Galica) /Sarajevo Battlefield (Expert Report for Stanislav GALIC)/* 2002, pp. 3-18.

²⁸ Frano SUPILO, *Politicki spisi /Political Papers/*, Zagreb, 1970, p.179. (Quotation V. KRESTIC, p. 396).

²⁹ See p. 65 of the mentioned brochure (Quotation V. KRESTIC, p. 396).

³⁰ Dr I. PILAR, *Politicki zemljopis /Political Geography/*, p. 26. (Quotation V. KRESTIC, p. 396).

³¹ V. KRESTIC, *Iz istorije Srba /From the History of the Serbs/*, p. 286 (Quotation V. KRESTIC, p. 398).

founts inspiration is drawn by present-day Croatian politicians who wish to defend Croatia on the River Drina (like Academy member Dalibor BROZOVIC) and who invoke Croatia's state and historical right, the way Franjo TUŠMAN did, laying claim to Boka Kotorska, looking to get hold of Backa, while also wishing to preserve the AVNOJ administrative inter-republican borders.

1.18. Petar BUCIC and Dominican friar LASIC are neither isolated nor dreamers, they are saying what and how they in Croatia thought and think about the future of the state. A certain Radomir MILISIC also subscribes to their views. In the book *The Creation of Croatia, Analysis of the National Strategy* (Zagreb, 1995), this author wrote: "As the fate of Bosnia and Herzegovina, i.e. the fate of the Croats in that state is inseparable from Croatia, namely Croatia and Croats must do everything they can for it to separate from Croatia as little as possible, because the Croats there are a sovereign people, and they can defend that right as such only with the help of the Republic of Croatia, Croatia shall have to constantly keep an eye on and an ear to this area which is so vital to it. The areas which the Croats in BH have organised and successfully defended are actually physically the basis of Croatian sovereignty in that state, as well as proof that without Croats there can be no Bosnia."

1.19. By persistently demanding that BH be a component part of Croatia, "so that it would not go through the motions of living, but live", the Croats, in the assessment of Stjepan RADIC, "learned to think that there can be no free and united Croatia without Bosnia and Herzegovina". If the Croats thought so while they were within the confines of Austria-Hungary and Yugoslavia, and this statement of RADIC's is to be believed, it is certain that this idea has now gained even more currency. By creating an ethnically pure Croatia, the Croats have moved closer to realising their geostrategic objectives vis-à-vis BH. Without the Serbs in Croatia, Slavonia and Dalmatia, without this internal disruptive factor, as they called them, they shall even more forcefully, with fewer hindrances and obstacles and from a considerably more advantageous geopolitical position, pounce upon Bosnia and Herzegovina and on the Serbs and the Muslims.

1.20. Around the perimeter of these circles was also the most turbulent area where the most extreme religious conflicts erupted. In the past, BH served for the settling of scores between global and regional powers. In this wheeling and dealing around the Balkans and BH specifically, nothing has substantially changed to date since the arrival of the Serbs in the Balkans, the Ottoman Empire, the Austro-Hungarian Empire, the Kingdom of Yugoslavia or the SFRY. Only the direct protagonists changed. During the war in BH a greater misfortune befell all its peoples insofar as aggressive Islam under the leadership of Alija IZETBEGOVIC was so brazen as to put under its control the will and freedom of the Serbs and Croats in BH, who had experienced unendurable centuries-long Turkish influence and occupation which instilled in them a sense of anxiety and danger. No wonder then that such an insane idea could have brought nothing but a cruel religious civil war.

1.21. Three great civilisations meet and occasionally tumultuously clash in the area of BH: the western one (which, according to Huntington, coincides with the borders of Western Christianity), the Orthodox and the Islamic. All of them were deeply intertwined in BH on a large area, so that it was difficult to accept Muslim domination and central authority. The historical contradictions and opposing political and military interests and objectives led to the religious civil war in BH, which was very painful and unbearable for primarily the civilian population of all the three warring sides which all waged war against one another in the different periods of the war. With the troops, the people also moved, and physical property was unlawfully usurped, stolen and destroyed on a massive scale. This was done by all the three armies, the BH Muslim Army, the HVO and the VRS.

1.2. Population, territory and language

1.22. More specific and more objective information about the religious and ethnic mix of the BH population is obtained only by opening foreign consulates and archives in Austria, Russia, France, England, Italy and Germany. One such testimony and important historiographic work is also the paper entitled *Supplements to the Geography of BH*, the author of which is Dr Eduard Richter.³² The Serbian population in BH constituted a stable majority both during the Middle Ages as well as in the first half of this century. In mid-15th century there were 37,125 Christian households in Bosnia and only 332 Muslim ones. The Turks gradually intensified their policy of Islamising the local population and converting them to the Islamic faith. Christians espoused Islam for a variety of reasons, namely different facilities and political and economic privileges granted them for adopting the new faith. This is why over time in areas in BH more favourable for living and for economic activity the ethnic group of Islamised Serbs, i.e. Muslims, grew stronger. According to the 1879 population census, inhabitants of the Orthodox faith accounted for 42.8 %, Muslims for 38.7%, and Catholics for 18.08%.³³ Thus in 1865, in the Bosnian vilayet there were 1,211,712 inhabitants, of whom 571,756 or 47% Orthodox, 442,170 or 36% Muslims, 185,504 or 15% Roman Catholics and 12,282 or 1% Gypsies and Jews.³⁴

1.23. The Muslims of Bosnia and Herzegovina today are by origin Serbs Islamised over the centuries of Turkish occupation. Published Turkish censuses from the period basically corroborate this thesis.³⁵ The Austro-Hungarian occupation continued to bring about religious and ethnic population migrations. Thus, it is evident from the official censuses of the Austro-Hungarian authorities from 1879, 1885, 1895 and 1910, that in that period the percentage of the Orthodox population increased slightly from 42.88% to 43.49%; that of Muslims fell from 38.73% to 32.25%, and that of Roman Catholics went up from 18.08% to 22.87%.³⁶ This demonstrates that after the Turks left the region of BH a number of Muslims moved to areas which remained under Turkish rule while others returned to their former religion and people, the Serbs, and a smaller number to Croats. These were predominantly families which had converted to Islam in the past.

1.24. During the Austro-Hungarian occupation, in the 1878-1918 period, a kind of a parapolitical programme was articulated in BH, the postulates of which were instilled in the ethnic consciousness of all the three peoples and which was retained as such until the break-up of Yugoslavia in 1991. In it are the roots of the idea of ethnic cleansing in these parts, and particularly of the cleansing of the Orthodox Serbs west of the Drina. The spiral of crime, which not infrequently families passed on to the next generation and which we witnessed at the close of the last century, dates back to that period. This phenomenon has come to be a key determinant of the strategic options of all the three peoples and cannot therefore be disregarded if analysis of the conflict in the Balkans is to be undertaken in earnest. Bosnia and Herzegovina, as a community of three separate entities, came into being during Turkish rule in the Balkans. There were no official censuses of the entire population at the time so that Turkish figures cannot be taken as credible. As Jovan CVIJIC says, the Turks took censuses of males only. That is why only the censuses conducted by the Austro-Hungarian authorities after their occupation of BH are considered official. The first such census was in 1879 when BH had a total of 1,158,164 inhabitants.

³² Eduard Richter *Prilozi zemljopisu BH* /Supplements to the Geography of BH/, Herald of the National Museum of Bosnia and Herzegovina, book 17, 1905.

³³ Gustav von Thoenne, *Beschreibung des Vilajet Bosnien*, Wien 1867, 76-78.

³⁴ V. PEJANOVIC, *Population of BH*, Social Sciences Department of SANU/ Serbian Academy of Sciences and Arts/ book SSHH1H, Belgrade 1995, 31.

³⁵ *Poimenicni popis sandzaka vilajeta Hercegovina* /A Name List of the Sandzaks of the Herzegovina Vilayet/ prepared by Ahmet S. ALICIC, Sarajevo, 1985. According to this first census conducted in 1475-1477, Muslim families feature only modestly, practically individually, in the entire area along the course of the Drina, and those Muslims were Serbs as evident from the Christian names of their fathers, their last names or the explicit reference – converted.

³⁶ Results of the BH population census of 10 October 1910, Local Government for BH, Sarajevo, 1912.

Serbs (Orthodox) accounted for 42.88%, (496,485); Muslims (Mohammedans) for 38.73% (448,613); and Croats (Roman Catholics) for 18.08% (209,391). Among the others, the most numerous were the Jews (3,426). These figures show that the Serbs were never a minority in BH, that they were a state-building people whose position and political decisions should not have been subjected to majority abuse, with the Muslims and Croats outvoting them and imposing their will in respect of decisions on issues of state.³⁷

1.25. In the following censuses (1885 and 1895), while the overall number of inhabitants increased, interconfessional relations remained almost identical in terms of percentages. As regards the geographical distribution, the Muslim population, as the privileged one during the Ottoman Empire, settled more in the cities and the river valleys in Central and Eastern Bosnia, as a reflection of the privileges granted by the Turkish authorities to all Serbs who espoused Islam as their new religion. This was generally more fertile and more valuable territory and it accounted for approximately 27% of the territory of today's BH. The majority of the Catholics lived in the southwestern part of BH and in some parts of Central and Northern Bosnia, on about 20% of BH territory. The established Franciscan Order (1463)³⁸ protected the Catholic population from being Islamised and from emigration. One could say that in that way the possibility of converting Croats and Serbs who had adopted Catholicism to Islam was greatly reduced, whereas the Orthodox Serbs remained vulnerable to religious and national assimilation.³⁹

1.26. At the beginning of the First World War in 1914, Austro-Hungarian state terror against the Serbs in BH also started. All political, religious, cultural and sports associations of the Serbs were banned as was the Cyrillic script.⁴⁰ Parallel with preparations for attacking Serbia, special troops were organised to deal with the Serbs, the so-called protection companies composed of local Muslims and Catholics.⁴¹ The first concentration camps in modern Europe were set up in BH in 1914. The largest one was the camp in Doboï through which in the period 1915-1917 passed 16,673 men and 16,996 women and children from BH, 9,172 soldiers and civilians from Serbia and 2,950 Serbs from Montenegro.⁴² In addition to this one, notorious for its cruelty was the camp in Arad, which is attested to by the official report after an investigation of the crimes in the camp had been conducted.⁴³ Between the two wars no light was ever shed on the scale of the genocide against the Serbs. Never was the underlying concept of the crime explained, which can be seen as a sacrifice on the altar of Yugoslavianism. Political insistence that the crime be forgotten as quickly as possible prevailed so that the negative state legacy might be deleted. However, the same evil, in even more horrendous and cruel form and of much larger proportions, was repeated in the Second World War as well.

³⁷ For details see Radovan RADINOVIC, *Ibid.*, pp. 7-10.

³⁸ Stanko NISIC, *Strategija Srba*, /The Strategy of the Serbs/, IKP Nikola Pasic, Belgrade, 1995, p. 71.

³⁹ The Franciscans played a prominent role in the historical and cultural life of BH and Croatia. Croatian Franciscan saints are St. Nikola TAVELIC and St. Leopold MANDIC. They came to Bosnia already in 1291 as missionaries, their mission being eradication of the teachings of the Bosnian *krstjani* /Christians -"Good Bosnians"/ and remained there for good, and the Franciscan province Bosna Srebrena is the only establishment which has continuously been active since the Middle Ages to this day. The first Franciscan friary in Bosnia was built in Mile near Visoko around 1340, and later friaries were also built in Sutjeska, Olovo, Srebrenica, Fojnica, Kresevo... In the first half of the 15th century some smaller regions became autonomous and separated, and after the Turks conquered Bosnia, in 1514 the vicary was divided into Bosna Srebrena (in the part under Turkish occupation) and Bosnia-Croatia (in the remaining area), and both these vicaries were elevated to the rank of provinces in 1517. In 1463, Sultan Mehmed El-Fatih issued a document allowing the *Franciscans* continued activity in Bosnia.

⁴⁰ Z.E.B. Zeman: *The Break-up of the Habsburg Empire 1914/1918*, Vienna, 1975, 6.

⁴¹ I. HADZIBEGOVIĆ, *Bosanskohercegovački gradovi na razmeđu 19. i 20. stoleća* /Bosnia-Herzegovina Cities at the Turn of the 20th Century/, Sarajevo, 132-133.

⁴² V. COROVIĆ, *Crna knjiga, Patnje Srba BH za vreme Svetskog rata 1914-1918* /Black Book, The Ordeal of the BH Serbs in the 1914-1918 World War/, Belgrade – Sarajevo 1920, 56-60.

⁴³ *Ibid.*, 95-96, 98-99, 166, 168.

1.27. In 1921, the Orthodox population was dominant in both absolute and relative terms in 27 districts, the Muslims in 16 and the Catholics in 12. According to the 1931 census, the Orthodox were in the majority in 28 districts, the Muslims in 13 and the Catholics in 12 BH districts. In the Sarajevo district, in 1931, Serbs of the Orthodox faith were the majority population with 38%, then Serbs of the Mohammedan faith (Muslims), with 34.9% and Croats - Catholics with 20%. Of the eight municipalities of this district, five (Ilidza, Kosevo, Pale, Rajlovac and Trnovo) had an Orthodox majority, and two municipalities (Ozren and Bjelasnica) had a Muslim majority. At the same time in the city of Sarajevo proper there were 37.9% Muslims, 27.3% Catholics, 23.8% Orthodox and 11% adherents of other religions.

1.28. In the course of the Second World War, the largest number of victims were among the Serbs. The most Serbs fell victim to the NDH genocide and in the struggle against the fascists. Ethnic cleansing forced over 200,000 Serbs from BH to flee to Serbia. In addition to that, in the post-war period there was a planned resettlement into Vojvodina of mostly Serb inhabitants (98% of all those resettled). During the war the Muslim population flocked into the cities from the rural areas and was also resettled from Serbia, Montenegro, Kosmet and Macedonia.

1.29. In the Second World War, BH was occupied and became part of the Independent State of Croatia (NDH) which was created by the occupying fascists as Hitler's construct on the territory of the Kingdom of Yugoslavia. Immediately upon the establishment of the NDH, a sweeping campaign was launched to convert Serbs and Jews to Catholicism and ethnically cleanse them for which purpose a network of concentration camps was put in place: Danica in Koprivnica (established on 29 April 1941), Kerestinec near Zagreb, Lepoglava, Slana near Pag, Gospic, Kruscica near Travnik, Capar, Logorgrad, Sisak, Tenj near Osijek, Jastrebarsko, \akovo and the largest and most infamous Stara Gradiska and Jasenovac which in terms of evil were comparable to Dachau, Mauthausen and Auschwitz.

1.30. All concentration camps had a joint command – the Ustasha Surveillance Service and later the Directorate for Public Order and Security. History is yet to ascertain the exact number of Serbs killed in the NDH, which ranges between 700,000 and 1,000,000. During the war operations 179,000 people were killed, 72% of whom were Serbs, 16.5% Muslims and 4.4% Croats. Apart from that, hundreds of thousands of Serbs, Jews and Gypsies perished at the hands of the Croatian Ustasha. Running for dear life, around 200,000 Serbs left BH. As a consequence of the genocide that was committed, in the 1942-1943 period the Serbs exacted revenge committing crimes against the innocent Muslim population in Foca and the environs, perpetuating thereby the spiral of evil which recurred in the same area in the 1990's in the civil war in BH.

1.31. Because of the Ustasha genocide and the forcible expulsion in the years of the Second World War, as well as because of the organised resettlement of a number of inhabitants from BH to other parts of Yugoslavia, primarily to Vojvodina, the Serbian population numbers in BH sharply dwindled.

Table 1: Population mix according to official censuses (%)

	1948	1953	1961	1971	1981
Serbs	42.29	44.40	42.89	37.19	32.02
Muslims	30.73	31.32	35.69	39.57	39.52
Croats	23.94	22.98	21.71	20.62	18.38

1.32. According to the last pre-war census in 1991 which has not been verified, there were 1,905,829 Muslims in BH (43%), 1,369,258 Serbs (31.4%) and 755,892 Croats (17.3%). Of the 106 BH municipalities, the Muslims were an over 50% majority in 35 municipalities and the Serbs in 32. About 240,000 inhabitants of the Republic (5.5%) at a certain point declared themselves to be “Yugoslavs”, most of whom were Serbs or children from mixed marriages. In 1991, 27% of the marriages in BH were mixed. The Serbs were in the majority in Western Bosnia and Eastern Herzegovina, the Muslims in Central and Eastern Bosnia, and the Croats in Western Herzegovina. Serbs ranked first in the ethnic-territorial composition of BH. They constituted the absolute majority of the population on 53.3% of the Republic’s territory.

1.33. The term Muslims in the sense of a designation of BH population, according to the censuses, evolved from a religious option (1948: Muslims – undeclared) through a designation of ethnic affiliation (1953 - Yugoslavs, 1961– Muslims) to a synonym for nationality according to the 1971 census.⁴⁴ Multinational BH was considered the most tolerant among the republics of the Socialist Yugoslavia. Few believed that interethnic conflicts on its territory could be possible. Even at the time when the republican leaders of the former SFRY were conducting negotiations on the fate of the federation, BH did not decidedly define its position for quite some time. However, events would unfold in the most tragic way afterwards.

1.34. As can be concluded from the adduced facts, the historical basis of the ethnic conflicts in BH was the constitution of a medieval state by rending asunder wider ethnic areas and subsequently uniting three religious, for the most part intolerant, groups. This laid the foundations for all future disagreements. As a consequence of precisely this intolerance and elusive religious peace only foreign occupations (with some hailing the foreigners as liberators and others considering them occupiers) and dictatorships were capable of ensuring a more durable peace. There is no dispute that a war was fought in BH that was in large measure strictly controlled from a number of power centres.

1.35. The ethnic dimension underlying the strategic aims of the parties to the conflict clearly springs from the collective consciousness of each distinct ethnic group, into which the collective memory of past crimes has instilled fear and therefore intolerance and not infrequently a desire to take revenge on the other side. We could also contend that this factor was the most pronounced in the people which had suffered the worst. Without venturing any further characterisation, we can definitely say that it was the Serbian people. Failure to acknowledge or underestimation of this fact inevitably necessitates compromises, such as the existing strictly controlled Dayton peace, as it defined the boundaries of ethnic territories which throughout history have been causes of conflict and suffering. Knowing what belongs to whom can positively affect the development of interethnic relations and promote tolerance.

1.36. Figures on population resettlement out of and into BH in the 1961-1991 period show that about 55% of those who moved out were Orthodox and 35% Catholics. That points to the conclusion that the Muslim population had a privileged position in that communist period in BH, when the Serbs and Croats, outvoted under the veil of brotherhood and unity, could not exercise their rights. That is how the 1991 population census figures were arrived at: 43.7% Muslims; 31.33% Serbs and 17.7% Croats. After 80 years the percentage share of the Muslim population in BH increased by about 11.45%, while the percentage share of Serbs fell by 12.16%. That is essentially how from a country with a Christian majority, over a short period of time in the 20th century, BH was promoted by the communists into a predominantly Islamic federal unit of the SFRY. This trend frustrated both the Croats and the Serbs.

⁴⁴ Yugoslavia 1918-1988, Statistical Almanac, Belgrade 1989.

1.37. According to the 1981 BH population census, Serbian settlements covered about 53.3% of BH territory, extending mainly in rural areas. At the same time, that year Serbs privately owned 51.4% of the land in BH. This percentage does not include the land owned by “Yugoslavs” and socially-owned property, so that a proportionate percentage came to be additionally owned by Serbs after seized land had been restituted.

1.38. Today the empirical and scientifically established criteria for the conception of new nations and languages are not being respected, and particularly not in the area of the former SFRY. For political and state-building reasons, this problem features when nations are promoted basically upon the geographical principle or statehood concept as their national option. This is more or less the case with the Montenegrins and the Bosniaks. Bosniaks replaced their former designation Muslims with Bosniaks in order to as such be the repositories of state-building capacity and completely distinct from their Serb brethren, from whom only their religion distinguishes them.

1.3. Legal and political conditions

1.39. All the complexity of the civil war in BH is evident already from the formulation of the Dayton Peace Agreement, where the international community defines that war as a tragic conflict. All the participants in the crisis and the war in BH, starting with the national elites of the parties to the conflict up to the international community, had their own justification for that. The war in BH was really tragic, but the problem lies in the fact that the key problems and the causes of the consequences in that war are not being sought in an objective way. Each participating side in the civil war attributes guilt exclusively to the other two sides, with the Muslim side portraying the Serbs and Croats as aggressors throughout the war. Each warring party had a different assessment of the character of the war which is an essential element for an overall assessment of the war. The individual peoples considered themselves victims and losers because they failed to fully realise their proclaimed aims. Muslims, Serbs and Croats alike would have the world believe that the war was imposed on them, which is why the political elites of all the constituent peoples defined it as exclusively a defensive war or a war for the homeland or the fatherland. Everyone waged war against everyone, and there were also internal conflicts within a people. NATO with representatives of 16 states also took part in the war on the Muslim and Croat side against the Serbs, which gave it an additional dimension and decisively influenced the acts and decisions of General Ratko MLADIC.⁴⁵

1.40. The basic political conditions in which the conflict of BH was engendered were a wholesale destabilisation of society as the consequence of a political, economic and ideological crisis, paralysis of government, exacerbation and uncontrolled evolution of interethnic strife, also thanks to support to secessionist movements by international organisations and a number of countries. The results of the first multiparty elections in BH, on 18 November 1990, demonstrated that in that area the state had started to fall apart at the ethnic seams already a year or a year and a half before the start of the war, with interethnic boundaries marked with a dotted line.⁴⁶

1.41. The driving force behind the overthrow of the social order and character of SR BH was the separatism of a part of the political elites, but equally the Islamic fundamentalism of the Muslim leadership, whose objective was seceding from the federation and creating an independent Muslim-

⁴⁵ For details see Radovan RADINOVIC, *Ibid.*, pp. 5-9.

⁴⁶ RTS /Radio Television Serbia/ Channel 1 Newsreel, 19 December 1990.

dominated state and eventually also /establishing/ other state or supra-state integrations.⁴⁷ As for the causes of the armed conflicts, a major role in bringing them about was played by the national political elites under the influence of foreign factors which controlled in considerable measure the beginning and the whole course of the war in BH. Extremists from among the ranks of political and national elites took advantage of the existing historical contradictions to stir up nationalistic feelings, as well of as the interests of world power centres and of their client international organisations. Therefore the causes of the war in BH must also be associated with global developments, primarily the break-up of the so-called Eastern Bloc, the concept of the New World Order and the role of NATO.

1.42. Nationalism in the League of Communists of Yugoslavia, as the sole party in power, while smashing up the unified party organisation was also shattering the Yugoslav state. Newly-established national parties won the first multiparty elections. In BH they were: the Croatian Democratic Union, the Party of Democratic Action and the Serbian Democratic Party, whose national, and hence state, projects were directly opposed. Coalitions established to form a government did nothing to stop the collapse of the state. Declaring themselves as opposed to the survival of Yugoslavia, the national movements of the Muslims and Croats sharply opposed the national movement of the Serbs committed to the preservation of the Yugoslav state and of BH within it. There was no cooperation among the leading parties in the BH Assembly and Government. Divisions among the MPs on ethnic grounds came to expression already at the first session of the new parliament. That is when the Muslim-Croat coalition started to be formed in the Assembly. The policy of the Muslims and Croats mirrored the Croatian policy of separatism, and war was on the horizon. Under the Constitution promulgated on Christmas 1990, the HDZ proclaimed the Serbs in Croatia a national minority, which strongly impacted the state of affairs in BH. Such a political sequence of events was interpreted by the Serbs in BH as the possible restoration of the fascist NDH.

1.43. Religious identity has generally been known to come to the fore in situations of crisis so that the armed conflicts had a markedly religious tone. Especially already as of the 1980's there was a marked shift in the mindset of the Bosnia and Herzegovina Muslims towards an Islamic identity that Alija IZETBEOVIC had accentuated in his *Islamic Declaration* which he made into an action programme of the Party of Democratic Action (SDA). The conflicting and irreconcilable interests of the national political echelons in BH with the occasional unprincipled coalition and the ever more frequent interethnic incidents without any legal consequences inevitably led to war. In February 1991, the SDA and the HDZ proposed the Declaration on the Sovereignty of BH to parliament for their consideration. The President of the Presidency of the Republic of BH, IZETBEOVIC, said then: "I would sacrifice peace for the sovereignty of BH, and I would not sacrifice its sovereignty for the sake of peace in BH".⁴⁸ Serbian parliamentarians spoke sharply against the Declaration and the item was taken off the agenda. IZETBEOVIC wavered but soon became an advocate of an independent BH.

1.44. The Serbs in BH were from the very beginning committed to preserving the unity of BH within Yugoslavia. In case that scenario proved unsuccessful, a possible option was cantonisation of the unified Bosnia along ethnic principles with the future annexation of Serbian areas to Yugoslavia. Moderate Muslims who were not extremists and who had respect for Yugoslavia as a multiethnic community,

⁴⁷ On the role of Islamic fundamentalism in the civil war in the area of the former SFRY and the role of A. IZETBEOVIC see: R. SAMARDZIC, *Islamski cinilac u jugoslovenskim sukobima* /The Islamic Factor in the Yugoslav Conflicts/, Vojno delo 6/92, p. 188.

A. IZETBEOVIC, *Islamska deklaracija*, Sarajevo, 1990.

⁴⁸ A. IZETBEOVIC wrote his *Islamic Declaration* already in 1970, and in the view of many analysts it is a distinct manifesto of Islamic radicalism. However, some believe that it had not in fact been written by him at all but that he only translated it from Arabic: Mufti Hamdija JUSUFSPAHIC of Belgrade, interview granted to *NIN*, Belgrade, 18 February 1994.

advocated similar positions. They were aware that if Yugoslavia dissolved, BH, as a multiethnic and multinational community, would not have a future either. Thus, in July 1991, at the initiative of Adil ZULFIKARPASIC and Muhamed FILIPOVIC, the leaders of the Liberal Bosniak Organisation, negotiations started between the Serbian and Muslim sides. ZULFIKARPASIC, realising the political importance of the moment, proposed to Radovan KARADZIC and Nikola KOLJEVIC an historic agreement which would make it possible for war to be avoided. The Muslims agreed to a confederal arrangement of BH within Yugoslavia, with BH remaining a unified and indivisible republic, equal to Serbia and Croatia. Also, the BH leadership would recognise the equality of the three state-building peoples of BH: Serbs, Croats and Muslims. ZULFIKARPASIC's initiative was supported by IZETBEGOVIC, KARADZIC and KOLJEVIC. The Serbs even agreed to abandon the policy of regionalisation of BH. However, this agreement was not destined to be put into practice. Following his visit to America, IZETBEGOVIC consulted with party officials and, as ZULFIKARPASIC recalls, the party hawks won the day. IZETBEGOVIC would no longer sign and reneged on the already reached agreement.

1.45. As the agreement fell through, and given further developments in the SFRY, in the autumn of 1991 the situation in BH rapidly deteriorated. In September 1991, BH Prime Minister Jure PELIVAN observed that the military conflicts in Croatia threatened to spill over into Bosnia, which started to be felt in divisions on ethnic grounds in the government, the assembly and the ministries. The Muslims activated their just established Patriotic League detachment.⁴⁹ The establishment of this, in essence paramilitary organisation, was in the view of many analysts as well as participants, one of the most important events for the war in BH.⁵⁰

1.46. At its session of 12 October 1991, the BH Assembly discussed the issue of the status of the republic in Yugoslavia. The project of a Memorandum which was prepared by the SDA and which the other political parties knew nothing about, was read out in the Assembly. The Memorandum blamed the federal institutions, primarily the JNA, for the dissolution of the federation and proclaimed the independence of BH. The Serbian and Croatian peoples were designated national minorities in the Memorandum. When the session was resumed on 14 October, during a break of an hour, when the Serbian deputies left the hall, the remaining MPs voted in favour of the proposed Memorandum on a sovereign Bosnia. It should be noted that at this session the leader of the Serbian side, Dr Radovan KARADZIC, offered a plan for solving the crisis by cantonisation of BH territory and a division of power upon the ethnic criterion.⁵¹ KARADZIC put forward this proposal once again later (January 1992), but was unsuccessful.⁵² At the same session it was decided that an Islamic information agency and Muslim television would be established immediately. The Ministry of the Interior also gradually passed into the hands of the Muslim-Croat coalition as it was from then on filled with Muslims and Croats. Preparations for the creation of a coalition army were carried out in parallel.

⁴⁹ Alija IZETBEGOVIC said for the 100th issue of *Ljiljan* of 14 December 1994, under the title *Thousands are Carrying and Will Continue to Carry Our Flag*: "On 10 June 1991, namely just before the war in Slovenia and Croatia began and ten months before the beginning of the war in Bosnia, the SDA held a large gathering of responsible figures from all over Bosnia, at which the National Defence Council was established. That was the famous meeting at the Police Social Centre in Sarajevo. The established Council directed the work of the Patriotic League and the people's preparations for defence, including, certainly, its arming. Had it not been for that, Bosnia would have fallen in silence, while this way our resistance thunders up to the skies".

⁵⁰ S. HALILOVIC, *Lukava strategija*, Sarajevo, 1997, 12D21.

S. HODZIC, *Bosanski ratnici /Bosnian Warriors/*, Sarajevo, 1998, 13.

⁵¹ VILIC, TODOROVIC, *Zasto su optuzeni /Why Were They Accused/* 2, Grafomark, Belgrade, 2002, 227.

⁵² It is interesting to note that the substance of this proposal was also contained in the EC proposal for resolving the BH crisis, known as the Cutileiro Plan, and also in the end served as the model for the accepted Dayton Agreement after the great suffering of all the three peoples during the three-year civil war.

1.47. After the adoption of the Memorandum, the Serbs were faced with the impossibility of a unified BH remaining in the SFRY, which lent further impetus to the process of empowerment of Serbian districts. The Serbian districts - Bosanska Krajina, Romanija, North-Eastern Bosnia and Eastern and Old Herzegovina – declared themselves in favour of remaining part of Yugoslavia and that they would no longer honour their obligations vis-à-vis Bosnia and Herzegovina. On 25 October 1991, the Assembly of the Serbian people in BH was convoked to discuss the question of their national fate and their position in the joint state, with one of the central issues being the calling of a referendum of the Serbian people.

1.48. The referendum was held on 9 November 1991, in the Serbian municipalities. 92% of all those who voted were in favour of the creation of a restored joint Yugoslav state.⁵³ On 9 January 1992, the Serbian Republic of BH was proclaimed, but as a federal unit of the SFRY. Over the following three months were formed the Assembly, the Presidency and the Government, and on 27 March 1992, the RS Constitution was also adopted. Until March 1992 the Serbs emphatically advocated the preservation of Yugoslavia, but seeing that this goal was unfeasible, they put forward as a minimal demand that Bosnia be transformed into a confederal republic of three equal peoples. The impossibility of implementing a unified policy within the coalition government and reaching a compromise on the state status of BH resulted in the forming of an unconstitutional coalition between the Muslims and the Croats upon an anti-Yugoslav platform, which significantly further exacerbated the state of affairs and enhanced interethnic delimitation in Bosnia at all levels.

1.49. At that time the International Conference on BH opened in the republic, under the auspices of the European Community (EC) and the chairmanship of Portuguese diplomat J. Cutileiro, who worked out a plan for the future order of Bosnia and Herzegovina as a confederation based on national principles. The International Conference was hard put to reach an agreement on the future order of BH. The Serbs proposed that a confederation of the three peoples be considered. The president of Croatia, F. TU\MAN, also supported the idea of territorial delimitation in BH. However, the Muslim side resolutely advocated the concept of a unitary Muslim state with all the necessary guarantees for national minorities. Although they functioned as an unstable alliance vis-à-vis the Serbs, the Muslims and Croats sharply differed between themselves on many issues too.

1.50. On 25 January 1992, the BH Assembly adopted the decision to schedule a referendum on the sovereignty and independence of the Republic.⁵⁴ The Serbian group of parliamentary deputies refused to take part in the voting and walked out on the session. The referendum was held at the end of February 1992, and the voter turnout was 63.4% (2,073,932 voters), 62.68% of whom voted in favour of a sovereign Bosnia.⁵⁵ Although there actually were no official results, it can be concluded from what the Muslim side claimed, that over 63% of the citizens voted in the referendum, and that the two-thirds majority prescribed by the Constitution, namely 66 %, had not been reached. The Serbs did not vote in the referendum, considering that they had already stated their view through the referendum at the level of RS. On the first day of March, BH practically declared independence. To mark the occasion, the authorities organised a formal reception. The BH leadership addressed the European Community requesting it to recognise its state independence.⁵⁶ That is when the conflict actually started to escalate, particularly after the unofficial results were announced, when outside the Orthodox church in Sarajevo's Bascarsija, in a wedding party the father of the bridegroom, Serb Nikola GARDOVIC, was killed and a priest wounded. The Serbs saw this incident as the beginning of armed conflicts and prelude to war.

⁵³ Newsreel, RTS Channel 1, 10 October 1991.

⁵⁴ The Badinter Arbitration Commission of the EC Conference recommended that a referendum of all citizens be held before consideration is given to recognising the independence of BH.

⁵⁵ Newsreel, RTS, Channel 1, 1 March 1992.

⁵⁶ At one of many press conferences, BH Deputy Prime Minister Rusmir MAHMUT CEHAJIC stated: "I hope that the results of the referendum shall satisfy the requirements of the European Community for recognising the sovereignty of our state".

Already that night about 20 roadblocks were erected in and around Sarajevo. Manning the roadblocks were well-armed Serbian and Muslim young men.

1.51. Appraising only the internal political and security conditions in BH up to the outbreak of the conflict, one can contend that the conflict in Bosnia was brought about by religious and ethnic hatred as well as by different perceptions of the future of the former SFRY and of BH.⁵⁷ The intention and the political interests of the Muslims prevailed, who essentially had significant international support from the very beginning, namely internal conditions necessarily were of bearing but international influence was sufficient and therefore decisive. Without the support of a significant part of the international community, the Muslims would not have ventured to risk the realisation of their political interests at the price of civil war.

2. Basic constitutional, legal and doctrinal options in the concept of defence, the armed forces and the chain of command in SFR Yugoslavia

1.52. At the time of the bipolar division of the world and the existence of two military-political alliances, the SFRY managed to remain relatively independent and non-aligned, as a buffer zone, and as such suited both NATO and the VU /Warsaw Pact/. In such conditions, the massive-scale engagement of people and material resources was a strategic option, which was based on the theory of an armed people. That this concept of defence was a failure was not evident at the time of the communist dictatorship and the rule of Josip Broz Tito. After his death, the historical national contradictions between extreme nationalists and chauvinists in society and then also within the ranks of the League of Communists of Yugoslavia as the strongest political force, increasingly came to expression. The concept was basically no longer viable in the multinational community, becoming its very opposite and a source of human and material resources for a bloody and ruthless fratricidal war.

1.53. All people's defence of the Socialist Federative Republic of Yugoslavia (SFRY) was the defensive concept based on the Constitution, prescribed and regulated as a system by legal provisions and strategic-doctrinal documents. For the most part of the existence of Yugoslavia, the basic legal provisions governing military issues were specified by laws, the most important of which in its final period were the Law on All-People's Defence of the SFRY, brought in 1982, and the Law on Service in the Armed Forces from 1985.

1.54. The Armed Forces of the SFRY consisted of the JNA and the TOs of the republics. The TO included all armed formations which belonged to neither the JNA nor the police. The task of the Armed Forces of the SFRY was to protect the independence, sovereignty, territorial integrity and constitutionally prescribed social order of the SFRY.

1.55. The military doctrine of "all people's defence of the SFRY" was formulated following the Soviet occupation of Czechoslovakia in 1968 and declared the official military doctrine in 1969. All people's

⁵⁷ Participating in a talk show on Sarajevo television on 2 November 1991, R. KARADZIC, A. IZETBEGOVIC and S. KLJUJIC had a heated exchange on their respective visions of the future of BH. IZETBEGOVIC demanded "loyalty to Bosnia" from KARADZIC, in response KARADZIC demanded that IZETBEGOVIC show loyalty to Yugoslavia, underscoring that no one could force the Serbs to leave the SFRY. KARADZIC called the national leaders to unity and democratic dialogue, with respect for the interests of all the BH peoples. He warned of the danger of war, if Muslim and Croat leaders opted for unilateral secession of BH from Yugoslavia. "In Slovenia it was terrible, it was even more terrible in Croatia, and in Bosnia it would be horrendous".
For details see Radovan RADINOVIC, Command Authority of Dr Radovan KARADZIC in the Strategic Command System of the VRS (Military Expert Report), 2012.

defence meant the defence of the country or waging war using all human and material resources and forces of society in the struggle against the aggressor. All people's defence encompassed different forms of struggle and resistance; apart from the armed forces (which are the principal spearheads and pillars of struggle), it included the entire population, those who were fit for combat and resistance, as well as the engagement of all economic and other social potentials in an all-out war.

1.56. The doctrine of all people's defence was later systematically specified in Article 240 of the amended 1974 SFRY Constitution. "The Armed Forces of the Social Federal Republic of Yugoslavia shall protect the independence, sovereignty, territorial integrity and the social system of the Socialist Federal Republic of Yugoslavia established by the present Constitution. The Armed Forces of the Social Federal Republic of Yugoslavia shall make a unified whole and shall consist of the Yugoslav People's Army, as the common armed force of all the nations and nationalities and of all working people and citizens, and of territorial defence, as the broadest form of organised total national armed resistance. Any citizen who with arms or in some other way takes part in resistance against an aggressor shall be a member of the Armed Forces of the Social Federal Republic of Yugoslavia."

1.57. Pursuant to Article 91 of the 1982 Law on ONO, two elements of the armed forces of the SFRY were established: the Yugoslav People's Army and the Territorial Defence. Article 91 of the 1982 Law on All People's Defence lays down that "Any citizen who with weapons or in any other fashion, participates in resistance against the enemy is also considered a member of the Armed Forces. The Armed Forces of the SFRY are comprised of the Yugoslav People's Army and the Territorial Defence. The Yugoslav People's Army is the joint armed force of all the Yugoslav nations and nationalities and all its working people and citizens. The Territorial Defence is the broadest organisational form of working people and citizens for armed struggle and specific tasks of social self-protection and the broadest form of organised total national armed resistance"/.

1.58. As part of the concept of all-people's defence, the JNA constituted the core of the Yugoslav armed forces. Article 99 of the 1982 Law on ONO defines the JNA as follows: "The Yugoslav People's Army is the joint armed force of all the Yugoslav nations and nationalities and all its working people and citizens. The Yugoslav People's Army shall be organised into peacetime and wartime units and installations."⁵⁸

1.59. In 1968, Tito, as the president of the SFRY, ordered the establishment of TO forces in addition to the JNA within the concept of "all-people's defence". To that end a large number of males underwent military training becoming eligible for participating in the defence of the SFRY in locally organised units. These TO units were organised, financed and equipped by the republics.

1.60. The 1982 Law on All People's Defence contained a series of provisions on TO forces, their structure and manner of command. The basic structure of the TO is defined in paragraphs 3 and 4 of Article 102 of the mentioned Law. Among other, this Article lays down that the TO shall consist of all armed structures which are not part of the JNA or the police. "Territorial Defence shall be the broadest form of an organised grassroots resistance. Territorial Defence shall be organised in basic and other organisations of associated labour, at the level of local communities, municipalities, autonomous provinces, republics and other socio-political communities. Territorial Defence shall comprise all armed formations which are not incorporated in the Yugoslav People's Army and the police"/.

1.61. The Territorial Defence shall consist of units, establishments and staffs and other forms of organisation of working people and citizens for all-people's armed resistance. TO units and

⁵⁸ The Law on All-People's Defence, Belgrade, 1982.

establishments and other forms of organisation of working people and citizens for all-people's armed resistance shall be organised and prepared in peacetime and activated in time of war, in the event of an imminent threat of war or in other emergencies, as well as when carrying out exercises and performing other tasks in peacetime as envisaged under this law. TO establishments may be set up in peacetime for the needs of training TO members and the discharge of other tasks and duties in connection with TO preparations.

1.62. Article 103 of the 1982 Law on ONO generally laid down the legal framework within which TO forces were prepared and used. "Territorial Defence shall be organised and set up within a joint system of all-people's defence, in accordance with the Constitution, law, fundamentals of organisation and outlines of plans of development of the armed forces and the plan of their use, the system of command and control of the armed forces, a common system of arms procurement, equipment and training of the armed forces and the decisions and plans of socio-political communities."⁵⁹ Evidently, TO forces were illegally used by part of the republican leadership and executive authorities in BH as well as by the local authorities, in coordination with paramilitary armed units and this in fact led to the outbreak of armed conflicts and civil war.

1.63. Article 110 of the 1982 Law on ONO provides for the possibility of organising "volunteers". This Article defines the circumstances in which volunteers shall be engaged as well as their duties and place within military organisation. Of key importance is paragraph 5, which reads: "Volunteers /"Persons referred to in paragraphs 2 and 4 of this Article"/ shall have the same rights and duties as military personnel and/or military conscripts." This refers to volunteers who place themselves under the command of a military commander and respect the unit which they join and its regulations. Self-organised, so-called volunteers, outside military and police units are paramilitary and parapolice forces and are not subject to these legal obligations of the state and the society. In war, in the event of an imminent threat of war or in other emergencies, as well as for the needs of military exercises and testing of mobilisation readiness and training, the units, establishments and staffs of the armed forces shall be replenished with personnel from the standing and reserve complements of the armed forces, and equipment and materiel from war reserves and the mobilisation fund.

1.64. "The armed forces shall safeguard the independence, sovereignty, territorial integrity and the social order as defined by the SFRY Constitution. The armed forces may carry out certain tasks in relation to social self-protection, providing the conditions stipulated by the federal law are met." The 1983 SSNO manual, *The Strategy of Armed Combat*, precisely lists the tasks and emphasises the role of the SFRY armed forces in preserving the interests of all the SFRY nations and nationalities. That position expresses the essence of the concept and vision of all people's defensive war. "The Armed Forces of the SFRY, together with other forces of all people's defence and social self-protection, protect the interests of all the nations and nationalities and all working people and citizens of socialist, self-managing and non-aligned Yugoslavia and they are an expression of their readiness and determination to defend themselves successfully against any aggression. The armed forces of the SFRY have a national, socialist, revolutionary and defensive character and serve exclusively to defend the country and to ensure a peaceful building of a socialist self-management society and non-aligned foreign policy."⁶⁰ Essentially, this strategic posture proved to be a failure because the armed forces had been prepared for defence against foreign aggression, i.e. a war that did not happen. They were neither prepared for nor capable of preventing internal armed threats and civil war.

⁵⁹ Article 103, Law on All-People's Defence, Belgrade, 1982.

⁶⁰ The Strategy of Armed Combat, SSNO, Belgrade, 1983.

1.65. The SFRY Presidency was the highest organ of command and control of the armed forces. Upon declaration of one of the three states (a state of war, of imminent threat of war or a state of emergency), the SFRY Presidency was to become the Supreme Command, the work of which was to be supported by the Supreme Command Staff consisting of the Federal Secretary of National Defence and his Secretariat, the Chief of General Staff and the General Staff of the JNA. The presidents of the republics were not members of the Supreme Command and did not have any legal authority over the JNA. Nonetheless, they could influence the decision-making through the representatives of the republics in the SFRY Presidency, who were exponents of the policies of their republican leaderships or parts of them, if multinational or multiconfessional republics, such as BH was, were in question.

1.66. The responsible organs in the republics and autonomous provinces, in accordance with the principles of basic mobilisation plans and plans of use of the armed forces, organise and prepare territorial defence, control it and ensure the unity of its organisation, preparations and operations. The Instructions for the work of commands and staffs (proposal) from 1983 define three levels of command and control of the armed forces:

- the strategic level of command and control comprises the SFRY Presidency with a part of the SSNO and the General Staff – the Supreme Command;
- the operational level of command and control comprises army commands and/or republican and provincial TO staffs, corps commands and other operational-strategic commands when these are formed;
- the tactical level of command and control comprises tactical unit commands up to the division command and TO staffs, up to the zone TO staff.

1.67. Article 80 of the 1982 Law on All-People's Defence focuses on the role of the SSNO in organising and preparing the JNA for its role and tasks. The first paragraph specifies that the SSNO is authorised to supervise "the coordination of plans and measures of the JNA with corresponding plans and measures of the TO". Article 110 of the Law on All-People's Defence specifies that command and control of the JNA shall be exercised by the commanding officers of JNA units and installations in accordance with federal law. As well, it states that in his absence the federal secretary of national defence shall be deputised for by the JNA Chief of General Staff. Command and control of the armed forces shall be exercised by the federal secretary of national defence in keeping with the powers delegated to him by the SFRY Presidency pursuant to the SFRY Constitution and in accordance with federal law. Command and control in the Yugoslav People's Army shall be exercised by the commanding officers of the Yugoslav People's Army units and installations in accordance with federal law.

1.68. Article 113 of the 1982 Law on All-People's Defence adds that commanding officers of JNA and TO units and installations shall, within their powers, be responsible to their superior military officers for their work, combat readiness, the use of units and installations and command and control in accordance with the command and control system established by the SFRY Presidency. TO commanders and the commanding officers of units and installations of the Yugoslav People's Army and TO shall be responsible to superior military officers for their work, combat readiness, the use of units and installations and command and control in accordance with the command and control system in the armed forces (Article 10, paragraph 1.3. and Article 112) and within their powers. Command and control of the TO is dealt with in Articles 95 and 115 of the 1982 Law on All-People's Defence. Article 115 specifies that the commanders of republican and provincial TOs shall be responsible to the SFRY Presidency and not to the republican leaderships.

1.69. Organisation, preparations and control of the territorial defence in the republics and autonomous provinces were envisaged to be carried out by the responsible organs, in accordance with their rights and obligations set forth in the Constitution and law. Article 116 of the Law on All-People's Defence

regulates coordination and concerted action of the JNA and TO. "Units and installations of the Yugoslav People's Army and units and installations of the TO, which participate in the execution of a joint combat task, shall be subordinated to the officer under whose control the task is being executed. On temporarily occupied territory, when so required by the combat situation, TO commanders shall also command and control units and installations of the Yugoslav People's Army, unless otherwise specified by a plan or special order. Territorial Defence staffs shall coordinate territorial defence plans and combat actions in their area with the plans and combat actions of the Yugoslav People's Army as well as with the plans and actions of the TO of an adjacent socio-political unit."⁶¹

1.70. The 1983 SSNO Manual, *The Strategy of Armed Combat*, provides additional information on the manner in which the JNA and the TO shall regulate command and control in combat. The manual emphasises the importance of uninterrupted and close cooperation between the JNA and the TO. "TO units shall as a rule be resubordinated to commands of units of the Yugoslav People's Army in defending towns, in large-scale anti-airborne/anti-seaborne assault defence, in operations on the battlefield and in other situations when so necessary. Units of the Yugoslav People's Army shall as a rule be resubordinated to TO staffs in temporarily occupied territory, on secondary axes and in other situations when the territorial defence is in charge of the combat actions."⁶²

1.71. As regards the organisation of the command, initially TO staffs were subordinated along two lines: first, the governments of the republics and provinces had control over their equipment and training, and second, the supreme command was responsible for the combat deployment of territorial defence units. Over the years, and in particular after Tito's death (4 May 1980), JNA officers committed to Yugoslavia became increasingly mistrustful of the territorial defence, because some republican leaderships that were planning secession saw in them their future armed forces, which was proven true at the time of the break-up of the SFRY. They feared that the republics would turn their TO units into their independent armies which would oppose the JNA. According to the Federal Secretary of national defence, Veljko KADIJEVIC, the 1974 Constitution gave the republics and provinces the right of supervision over the TO and placed TO staffs in a subordinated position along two tracks, i.e. in double subordination, to the commands of the armed forces and to the leaderships of the republics and autonomous provinces. KADIJEVIC believed this to be "a superb basis for paralysing the command structure, and even more than that", which was borne out in the process of dissolution of and war in the SFRY.

1.72. The *Jedinstvo* /Unity/ reorganisation plan, adopted in 1986, not only introduced a new military-operational and military-geographical division of the SFRY, but also placed the TO staffs and units of the republics and provinces under the command of the strategic commands of the Armed Forces (the Military Districts). As a result of the *Jedinstvo* plan, the "Chief of General Staff of the JNA" became the "Chief of General Staff of the Armed Forces", which included not only the JNA but also republican TO units. The plan *Jedinstvo* was intended to preclude "the continued disintegration of the defence system and of the armed forces". With the same intention, measures were taken to increase JNA control over TO weapons and ammunition in all the republics. On 14 May 1990, Colonel General Blagoje ADZIC, Chief of General Staff of the Armed Forces of the JNA, issued strictly confidential order no. 19-01 for the "Safekeeping of TO Ammunition and Weapons" to the commanders of the 1st, 3rd and 5th Military Districts, the Naval Military District and the Air Force and Anti-aircraft Defence. Pursuant to this order the JNA took over and was in charge of storing TO weapons and ammunition in its depots.

⁶¹ Law on All-People's Defence, Belgrade, 1982.

⁶² The Strategy of Armed Combat, SSNO, Belgrade, 1983.

1.73. This is the key regulatory and legal framework which was elaborated through laws and strategic and legal documents as well as through command and control documents in accordance with the law. Regrettably, these documents were less and less binding upon the republican and provincial secessionist political elites, who saw Yugoslavia less and less as a joint state. The overt disrespect for the SFRY Constitution gradually evolved into the preparation of para-armies and then also of republican or national armies, as was the case in the war in Croatia and BH. These armies were to militarily secure their independence and the realisation of their political objectives which were only attainable by war. In Croatia and BH not republican but national armies were in fact established. This was the prelude to massive loss of life in the civil war, with widespread crime, ethnic cleansing, extremism, hatred and revenge. All this led to a massive loss of life of civilians and soldiers in the ranks of the belligerent peoples in BH, reflected in the sheer numbers of people who were killed, went missing or were displaced and expelled, as well as in the physical destruction of private, socially- and state-owned property.

3. Onset, development and basic elements of the crisis and war in BH

1.76. /as printed/ The idea of unification of Slav states in the Balkans is centuries-old but was realised at the end of the First World War. The demise of the SFRY in civil war after 70 years of existence begs the question how realistic the idea of unification had actually been in view of the fact that the Yugoslav peoples united in their joint state at different respective levels of national, political, economic and every other development, with pronounced mutual antagonisms. To what extent and in which way did these facts operate as an internal factor? The great world powers, as indubitably also Yugoslavia's neighbouring states, had taken an active part in the creation of the Yugoslav state after both world wars, which also implies an adequate answer to the question how big a role and what role did they play in its demise?

1.77. The second Yugoslavia developed its internal order as well as a substantive part of its foreign policy upon the idea of socialism (Bolshevism). How great and what exactly was the influence of the collapse of socialism as a world process, in particular the dissolution of the USSR on developments in the SFRY? In the last decades of the last century Yugoslavia found itself in deep economic crisis without any clear concept of how to overcome it or any significant outside help. How much did these circumstances contribute to the break-up of the state?

1.78. With the onset of the crisis in the 1990's in the SFRY there was an expressed intention for republican borders to be proclaimed state borders and at the same time for the constitutional right of the Serbian people as a constituent people in Croatia and BH to be abolished. This approach was fatal and one of the key causes of the civil war in BH with religious and ethnic elements. Usurpation of its rights as a constituent people and abuse of majority in its respect imposed war on the Serbian people. Obviously, in Yugoslavia steps were being taken contrary to the rights enshrined in the Geneva Protocol both in terms of the absence of the necessary internal intervention on the part of the state and of impermissible external intervention. This was mostly contributed to by the EC, which, mostly under the influence of Germany, already in October 1991 exerted pressure on the military leadership in Belgrade for rules which apply to international conflicts to be applied in the conflict with the insurgents. Hence the so tragic position of JNA units which the insurgent forces in Slovenia, Croatia and BH surrounded in their barracks, wore down by cutting their supply of power, water and food and treacherously killed their officers and kidnapped members of their families.⁶³

⁶³ In that period JNA units were issued this order by the military leadership: 1) JNA units shall secure full and consistent observance of the rules of international humanitarian law in every area of their responsibility. 2) Attempts at looting property,

1.79. On the other hand, the secessionist forces observed neither legal rules nor minimal moral principles. For western “observers” all this was totally irrelevant. For them the JNA was the “aggressor”. The responsibility that can be ascribed to the JNA is not its alleged aggression but precisely its failure to fulfil its constitutional role of protecting the territorial integrity of the country and all Yugoslav peoples. It is well known that the JNA was considered the fourth-ranking military force in Europe. Unfortunately, this force was incapable, it seems, for it failed to discharge its constitutional role /and/ obligation and quell the armed insurgency in the secessionist republics, whereby the tragedy of all the Yugoslav peoples would have been averted. Apparently, the reason for such weakness of the JNA, as the army of all the peoples of Yugoslavia, lay in the misguided ideology of its leaders, with the communist ideology of the Serbian and military leadership doing the most harm to the Serbian people while playing into the hands of external and internal forces working for the dismantling of Yugoslavia. The enmities between the sides in the civil war in Yugoslavia, and in particular in BH, were fuelled by the hatred which religious intolerance bred. These circumstances are behind the markedly religious character of the civil war in BH.

1.80. To the world public the civil war in BH was presented as a package of crimes committed by Serbs: ethnic cleansing, rape, shelling of Sarajevo, camps, sieges of cities, “Markale” and other media “truths”. Nowhere in the global media could one see truthful reports of the crimes against JNA soldiers in Dobrovoljacka Street in Sarajevo, the massacre of soldiers in Tuzla, the expulsions from the sectors of Central Bosnia, Western and Southern Herzegovina, the detention and torture in scores of private prisons and camps for Serbs in Sarajevo, or the crimes of the Muslim forces in Podrinje and on Mt. Ozren.

1.81. Blinded by the dogmatic communist ideology, a part of the Yugoslav leadership failed to grasp the consequences of the fall of the Berlin wall and the break-up of the USSR or the reaches of the resulting tectonic quakes in all Eastern European countries. Part of that leadership attempted to preserve the state and the ideology and philosophy of the socialist social system and order. There existed neither the preconditions nor realistic possibilities for such an objective to be attained, particularly not in a situation when they did not have a single dependable ally. In this ideological blindness, they harboured the illusion that there was brotherhood and unity among the Yugoslav peoples and that they were equally committed to the idea of a joint state. They realised only too late how terribly misguided the concept of all people’s defence was in a genuinely heterogeneous and multiethnic and multiconfessional community, and that is why they failed to disarm the republican para-armies and contain the power of their TOs on time and successfully.

1.82. Bosnia and Herzegovina was in many respects, particularly in terms of ethnic relations and multiconfessionalism, representative of the relations, crisis and armed conflicts in the entire SFRY. Opinion 37 /?3/ of the Arbitration Commission of 8 December 1991 was decisive in the process of dismemberment of the SFRY. That opinion states that: “the SFRY is in the process of dissolution”. Taking into account a thus beforehand secured opinion of the Arbitration Commission, on 17 December 1991 in Brussels the Council of Ministers of the European Community issued /the Declaration of/ Guidelines on the Recognition of New States in Eastern Europe and in the Soviet Union. In this context special consideration was given to the situation in Yugoslavia and it was decided that by 15 January 1992 the independence of those Yugoslav republics which fulfilled the following conditions: that they wished to be recognised as independent states; that they accepted the commitments contained in the documents for the recognition of new states; that they accepted the conditions specified in the Draft of

attacks on and maltreatment of the civilian population and all persons not taking part in the armed conflicts shall be prevented by every possible means.

the Hague Conference which are being considered by the Conference on Yugoslavia; and that they would continue to support the continuation of the Conference on Yugoslavia, would be recognised.

1.83. The Yugoslav republics were given a deadline until 23 December 1991 to declare whether they accepted the mentioned conditions. It was concluded that the applications of all republics which responded in the affirmative would be referred to the Arbitration Commission by the date set for the recognition of independence.⁶⁴ Four of the six former Yugoslav republics sent applications (Slovenia, Croatia, Bosnia and Herzegovina and Macedonia). The Badinter Arbitration Commission was again consulted. The Commission noted that Slovenia was ethnically pure and could be independent, and stated that the manner of recognising the secession of the other former Yugoslav republics would be decided at a later stage.

1.84. Despite the fact that the members of the European Community had agreed that they would not separately recognise the new republics but would do so jointly, Germany, after the report of the Commission, at the end of December 1991, announced that it would in any case recognise the new republics and that it would wait for 15 January 1992 only to appoint its ambassadors. In this way Germany put the other members of the European Community before a *fait accompli*. Thereby Slovenia and Croatia achieved their secessionist aims and the green light was given to Macedonia and the nationalist leaders of the Muslims and Croats in Bosnia and Herzegovina to follow suit.

1.85. The Vatican's policy vis-à-vis the Yugoslav crisis is evident in the memoirs of Thomas Patrick Melady, the U.S. Ambassador to the Holy See, who said that The Vatican, "in mid-1991, took an unprecedented step and put itself at the forefront of the process for the recognition...This was the first time in contemporary history that the Holy See developed a campaign for the recognition of new states...The Vatican put pressure on many countries to recognise the independence of Croatia and Slovenia...". "The Pope dispatched Archbishop Tauran to Yugoslavia in August 1991 and on the basis of the report and fabrications in that Holy See report the position was adopted that "Serbia is the indisputable aggressor". On 26 November, Cardinal Sodano called the ambassadors of the USA, Great Britain, France, Belgium, Italy, Germany and Austria and informed them of a memorandum of the Holy See, calling upon them "to recognise Slovenia and Croatia within a month". Obviously there was coordination between The Vatican, Germany, Italy and Austria, says Ambassador Moldini, because the ambassadors of these countries immediately unreservedly supported Cardinal Sodano.⁶⁵

1.86. The Vatican always /?set the tone/ in the struggle against schismatics – Orthodox Christians, including in all countries with a Catholic order surrounded by Serbs, by the efficient conversion of Orthodox Serbs to Catholicism, attended in precisely times of war conflicts by the establishment of repressive forces. The Serbs mainly lost their spiritual identity by direct conversion to Catholicism or gradual communion with the Uniate Church. Conversion to Catholicism was the most widespread on the Adriatic coast, in Lika, Gorski Kotar and Slavonia. This process evolved spontaneously up until the Second World War but during it, brutal assimilation, Catholicisation and Croatisation were implemented forcing Serbs to embrace Croatdom by various pressures and conditions. In that war alone about 24,000 Serbs were converted to Catholicism, and in the period between 1990 and 1992 several thousand Serbian children "voluntarily" converted to Catholicism, because of the terror they were subjected to. Apart from Catholicisation, Croatisation was also carried out. It was resorted to in the struggle for Croatian state aims and developed upon anti-Orthodox and anti-Serbian tenets. Catholicism was in the service of

⁶⁴ The planned date was 15 January 1992.

⁶⁵ Smilja AVRAMOV, *Polozaj Srba u geopolitickim zamislima velikih sila, Geopoliticka stvarnost Srba* /Position of the Serbs in the Geopolitical Designs of the Great Powers, Geopolitical Reality of the Serbs/, Round Table. Institute of Geopolitical Studies, Belgrade, 1997, p. 43.

ethnic homogenisation and the strengthening of Croatian national awareness. Although underlying the Croatian state idea is Catholicism, during war conflicts in the Second World War the Muslims were proclaimed “Croatian flowers”. The so-called Croatian Orthodox Church was created in order to break up the Serbian Orthodox Church. This was an attempt to collectively divorce the Serbian people from their authentic religion and national being, with a view to their collective adherence to the Uniate Church and absorption into the Croatian national corpus.

1.87. Against the backdrop of complex historical contradictions, the JNA was the guarantor of the freedom and independence of the SFRY. It was not nor could it have been an aggressor army within its own state or in any one of the republics, because it was trying to discharge its constitutional role and to proceed in accordance with the law. “The armed forces of the SFRY shall protect the independence, sovereignty, territorial integrity and the social system of the SFRY established by the present Constitution”... “The territory of the SFRY is a single unified whole and consists of the territories of the Socialist Republics...The frontiers of the SFRY may not be altered without the consent of all Republics and Autonomous Provinces”, was written in the SFRY Constitution.

1.88. Members of the JNA managed to withstand national extremism but nevertheless split along national and religious lines when they saw their federal state disappear and extremist political elites, with the support of part of the international community, primarily Germany, ever more successfully implementing their projects of forming independent states. JNA members were received also in the armed forces of the secessionist republics. The following armies were formed of JNA members: of the Federal Republic of Yugoslavia, of Slovenia, of Croatia, of the Republic of Serbian Krajina, of Macedonia, of the Muslim-Croat Federation (BH Army and the Croatian Defence Council) and of RS. Such numerous and large armies could only have been created by such a massive system based on the concept of an armed people and the Armed Forces of the SFRY.

1.89. Ethnic, political and religious extremism and fanaticism caused the further evolution of war in BH, with accusations of aggression levelled at the JNA and the Serbs only a pretext and a “devious strategy” for winning international support for achieving the substantial objectives of the war, as General Sefer HALILOVIC, the first Chief of GS of the BH Army, wrote in his book. He clearly stresses in both his public interviews and in his book that already as of September 1991 he worked underground against the JNA, as his army to which he had sworn allegiance and from which he deserted. While arming Muslim paramilitary units and planning their use, he constantly advocated, as he does also now as a political leader and party president, a unitary BH at any price, if need be at the cost of another war. Such rhetoric was and is in the service of sparking ethnic and religious hatred and extremism. The SDA exhibited its militant stance towards the JNA already in November 1991 in Srebrenica when the president of the Municipal Assembly there informed Milenko GAVRIC, the commander of the 5th JNA Corps in Tuzla, that JNA units could not enter the territory of that municipality, for, allegedly, the Bosniak population considered it a hostile army, sending him this message: “We want only troops with a green star and crescent on their caps here”. Such an attitude was a prelude to civil war. That such local actions were coordinated by the SDA headquarters in Sarajevo is also attested to by the fact that the same person, when he informed IZETBEGOVIC about it and asked him “May we attack JNA units if they really head for the territory of Srebrenica municipality?”, the latter answered: “If you have enough weapons and if you think that you can defend yourselves, attack them!”⁶⁶

1.90. The intention to create a Muslim BH is also testified to by the programme document of Adnan JAHIC, the SDA president in Tuzla, in which, *inter alia*, it is written: “The Muslim state shall be the

⁶⁶ Borovcanin, Ibid., p. 45

national state of the Bosniaks, i.e. Muslims, while the other ethnic groups shall have all civil rights which they are entitled to as national minorities...”⁶⁷ He also specifies there that that state will have a Muslim ideology based on Islam, which will be built into all political and educational institutions.

1.91. In his book “A Devious Strategy”, describing the action tactic of the Patriotic League, Sefer HALILOVIC says: “Our forces are organised in the BH Patriotic League (PL) in units ranging from detachments to brigades and are 120,000 men strong.”⁶⁸ As combat operations commence, a large influx can be expected of volunteers, BH MUP members, thereby increasing the strength of our forces to about 150,000 men. The main task of the PL is to protect the Muslim people. ... Within the Republic, engage specific forces in swift and forceful actions to block and seize military facilities (arms, ammunition, mines and explosives, depots and barracks). Next, arm the units as soon as possible and proceed with planned operations. Upon the start of actions call upon the people of Sandzak and Kosovo and Metohija to identify with our just struggle and immediately launch combat actions in order to tie down enemy forces”. It is not hard to notice that the SDA leadership expected the war in BH to be short and that it would quickly spill over to Serbia and Montenegro. Their strategic assessment was poor because the entire burden of the civil war tumbled down on the ordinary Muslim, Serbian and Croatian people in BH.⁶⁹ However, that aspect of the conflict can also be ascribed to the operation of external factors, because without foreign financial backing and political support Alija IZETBEGOVIC’s Islamist idea of a unitary and Muslim majority-controlled BH would not be realised. The influence of the foreign factor was well appraised also by the excellent analyst Y. Bodansky who says: “Although the Serbs and Croats constitute a majority of the population of Bosnia-Herzegovina, the evolution of the war was dominated by the Bosnian Muslims and the out-of-region powers intervening ostensibly on their behalf.”⁷⁰

1.92. The armed forces of the Republic of Croatia even committed armed aggression on BH by an incursion into Bosanska Posavina on 27 March 1992. Attacked were JNA units and garrisons south of Slavonski Brod and the River Sava. That same day, units of the National Guard Corps and the Muslim Green Berets committed a massacre of Serbs in the village of Sijekovac on the Sava (in Bosanska Posavina). As well and at the same time, Croatia’s armed forces attacked Serbian Herzegovina along a number of axes: from Dubrovnik towards Trebinje and from Slano and Stolac towards Popovo Polje. On 6 April, Muslim paramilitary units, Green Berets and the TO mounted a massive attack on the *Jajce* barracks in Sarajevo and the radio-relay communications hub at Zlatiste in Sarajevo. From 3-10 April, the Army of the Republic of Croatia aggressed on Kupres and massacred the Serbian population. The fact should be stressed as very indicative that Alija IZETBEGOVIC did not make a single gesture of protest either to TU\MAN or international factors because Croatian armed forces committed armed aggression on BH on a number of occasions and in a number of places and never left it until the end of the war, and they were in conflict for a time but afterwards were allies in the final operations of ethnic cleansing of the Republic of Serbian Krajina and parts of RS in BH. On the Sarajevo front many Serbs were forcibly mobilised and were the object of media manipulations and had to discharge the hardest tasks like fortification or breaching minefields.

⁶⁷ The document was published in the paper *Zmaj od Bosne*, no. 51, of 17 September 1993.

⁶⁸ In addition to the PL, already in June 1991 was also formed the illegal organisation Green Berets, initially as Alija IZETBEGOVIC’s personal security (i.e. his guard), whose basis were inveterate criminals whom IZETBEGOVIC had freed from a number of prisons in BH. (BOROVCANIN, *Ibid.*, p. 51).

⁶⁹ The total losses in the MHF in which war was fought between Serbs and Muslims; Serbs and Croats; Croats and Muslims, and Muslims against each other (Alija’s and ABDIC’s) amount to 4.3% of the population of the BH Federation, while losses on the Serbian side are about 1.7% of the Serbian population. These figures were presented at a 1998 gathering in Budapest by Rusmir MAHMUTCEHAJIC, war vice-premier of BH, and were published in a book by a group of authors, *Rat u Hrvatskoj i BH 1991-1995 /The 1991-1995 War in Croatia and BH/*, p. 264.

⁷⁰ Yossef Bodansky, *Offensive in the Balkans*, Dol-Jugoistok, Podgorica-Belgrade, 1998, p. 51.

1.93. The basic characteristic of the civil war in BH is that it was waged within one administrative unit of the former SFRY. "When there is no protection which it is the obligation of the state to provide to individuals, groups and the entire community, the mechanism of self-protection of people knows no limits".⁷¹ It is specific insofar as it was not only an internal war but one involving a large number of international factors, which influenced all the key stages of the war, its course, its objectives and the character of operations at the strategic-operational level, as well as the end of the war. Contemporary global power centres, capitalising on their technological supremacy as well as that in the field of the mass media, collectively traumatised the population and managed world public opinion in respect of the character of the war and the picture of the warring parties. Today there is abundant evidence in favour of this thesis, with information being more openly disclosed about the planned demonisation of the Serbs in BH as the ones to blame for all the evils this war entailed.

1.94. Mass crimes like Markale were especially the subject of manipulation, the truth about which today considerably differs from the one shown the world during the war. As well, the Muslim side was constantly portrayed as the threatened side in the war, not least because of the fabricated picture of Sarajevo as a surrounded city VRS units were systematically destroying, killing civilians in and sniping at. Comprehensive military expert analysis of the demographic structure of the city, of the front line, of the strength of the conflicting sides and of their equipment, gives different results and a different angle of perception contrary to the generally publicly known positions which are the product of political and media manipulation. In essence, it was a divided city, where the front lines closely coincided with the demographic structure of the settlements of the warring sides, where, given the physiognomy of urban warfare there was more loss of civilian life than was the case in rural communities.

1.95. The Croato-Muslim coalition in BH, in particular in the final years of the war, strove to elicit foreign political, military and media assistance to realise its goals. In the first stage of the war the Croats and Muslims pursued the same goals vis-à-vis the Serbs. Later, their interests conflicted evolving into overt armed conflicts for control of specific territories. These conflicts were characterised by brutality, ethnic cleansing and hatred. In that conflict the Muslims, as a self-proclaimed new nation of Bosniaks, counted on the strong support of Islamic countries. At the same time, they sought to base its creation on a "revolution" and a new national identity stemming from the unitary concept of BH, in order for the world to hear of this new nation and stand up in its defence.

1.96. With the JNA's withdrawal to the territory of Serbia and Montenegro, large numbers of refugees followed in its wake. Had the Serbian people received adequate assistance, they would never have left their homesteads. Actually, a specific aggression against the BH was carried out, but it was in the form of a quick spillover of the civil war from Croatia to BH territory, where it in fact fell on the most fertile ground, and that was one of the political objectives in order for the Republic of Serbian Krajina to remain in the hinterland of the new war in BH. The spillover of the war to BH enabled Croatia to postpone its military solution for the Republic of Serbian Krajina and to undertake comprehensive preparations for the operation of ethnic cleansing and expulsion of Serbs from their ancestral homes. During the long history of the Balkans, the peoples of BH frequently served as a bargaining counter for both non-Balkan powers and for the hegemonic claims of their neighbours.⁷²

⁷¹ Smilja AVRAMOV, *Postherojski rat zapada protiv Jugoslavije /The West's Post-Heroic War Against Yugoslavia/*, Ldi, Veternik, 1997, p. 205.

⁷² Jacques Merlino, in his book *Yugoslav Truths are not all Good for Telling*, transmits an interview with James Harff, head of a public relations agency, who says that by a master stroke they managed to offer a simple story with the good guys and the bad guys and that that is how they won the public opinion battle. "And we won targeting the Jewish audience /.../ with use of /.../ terms such as "ethnic cleansing" and "concentration camps" /etc./. The emotional charge was so strong that nobody could voice a contrary opinion /.../.

Milovan MILUTINOVIC, *Kako sam vodio medijski rat /How I Fought the Media War/*, Narodna knjiga, Belgrade, p. 157.

1.97. Aware of the support of a number of global power centres, Alija IZETBEGOVIC went back on his word, reneging on agreements and understandings for a peaceful resolution of the problems and crisis in BH, as well on ceasefires during the war. Thus, on 12 April 1992, an agreement was signed by the leaders of the three national parties in BH imposing an immediate ceasefire throughout BH territory as well as providing for the cessation of all activities which could cause fear and alarm among the population, and for the cessation of mobilisation and the disbanding of irregular armed units. That same day, Alija IZETBEGOVIC issued an order that JNA barracks be blocked and the JNA and members of their families attacked. Pursuant to it, among other, the BH Republican TO Staff dispatched by telefax a circular order signed by Colonel Hasan EFENDIC to all presidents of municipalities and municipal executive councils in BH, where these offices were held by Muslim representatives. Item 4 of the BH RSTO document, issued on 27 April 1992 under no. 02-145-1, says: “Step up preparations and start combat actions throughout the territory of the Republic of BH and coordinate same with the regional, district and BH Republican TO Staffs”⁷³. In response to this position, the RS Presidency ordered mobilisation on the entire territory of the Republic in order to protect the Serbian people in the civil war which was obviously imminent.

1.98. The Muslim leadership, and Alija IZETBEGOVIC in particular, were disinclined to an interethnic agreement and a peaceful solution, but viewed war as the only road to a unitary BH, which the Serbs and Croats definitely did not want. The Muslims counted on the strong support of Germany, the USA and a number of Islamic countries.⁷⁴ Full support to Alija IZETBEGOVIC was also extended even before the recognition of BH at the Sixth Islamic Summit Conference of /Sovereigns/, Kings, Heads of State and Government of the Member States of the Organisation of the Islamic Conference held in Dakar (Senegal) from 2 to 12 December 1991. It was referred to as help to “brothers in faith” and the territorial integrity of “their state”. The situation in Bosnia featured prominently on the agenda of all the rather closed meetings of this organisation. Collective action focused on three basic issues: contesting the legal continuity of Yugoslavia as a state; all-encompassing military and economic assistance to the “state” of BH and taking collective steps and action to jointly condemn Serbia and Montenegro. At a special meeting of the bureau of the Islamic Conference (OIC), held in Islamabad (Pakistan) on 12 and 13 July 1993, an Action Plan on BH was adopted. At the proposal of Iran, the first mujahidin units for BH were also set up.

1.99. The major suppliers of weapons to BH were Islamic countries: Iran, Pakistan, Saudi Arabia, Libya and Turkey. Such deliveries of weapons were preceded by Alija IZETBEGOVIC’s visit in 1991 and 1992, to Turkey, Saudi Arabia and Tehran. Iranian dealers bought US-manufactured weapons for Bosnia through Turkey and Sweden.⁷⁵ The weapons were transported through Split by vessels registered in different countries, or through Pleso Airport in Zagreb. On 23 and 24 August 1992, three Iranian Boeing 747 transporting weapons for BH landed in Zagreb. UNPROFOR registered this, as well as the unloading at Sarajevo airport, but shut its eyes to that fact. The official answer to the question about the illegal arming was: “UNPROFOR was not permitted to inspect the cargo”. When overt hostilities broke out between Croats and Muslims, Iran and other Islamic countries sent arms to BH via Albania and Kosovo.⁷⁶ The first “holy warriors”, the mujahidin, arrived in BH from Afghanistan, Lebanon, Morocco

⁷³ M. MILUTINOVIC, *Ibid.*, p. 22

⁷⁴ April 1992 had already earlier been declared “the month of BH and Arkansas”. Namely, the BH government accepted the proposal of Bill Clinton, at the time Governor of Arkansas, for “establishing close cooperation” in the fields of culture, education, economy, science and other forms of cooperation, between the state of Arkansas (USA) and the Republic of BH. The relevant decision was signed by BH prime minister Jure PELIVAN, on 15 February 1992; the decision was published in the *Official Gazette of BH* no. 4 of 17 February 1992 (Smilja AVRAMOV, *Ibid.*, p. 250).

⁷⁵ Askold Krushelnysky: The Arms Trail, *The European*, 28-31 January 1993, p. 6.

⁷⁶ Daniel N. Nelson: Des armes à profusion: La dissémination des matériels militaires dans des régions instables, *Revue d’études comparatives Est-Ouest*, 2 June, p. 153.

and Pakistan armed with weapons of US make. These were weapons that the CIA had sent to the rebels in Afghanistan from where they found their way to Bosnia. A group of 400 Hezbollah members arrived in Sarajevo as military instructors. The Iranian embassy in Zagreb was the coordinator of secret operations for BH, which included both arming and dispatching volunteers and mercenaries to BH.⁷⁷

1.100. On 2 May 1992, Pavao BLAZEVIĆ, the commander of the *Kobra* sabotage group which operated in Bosnia, sent a letter to the Ministry of Defence of Croatia requesting that the foreign mercenaries who had just arrived be armed and their status if possible legalised. On 5 February 1993, UNPROFOR confirmed the presence of British mercenaries and the death of two of them who were identified. Two British officers, allegedly deserters from the British army, were instructors in the Muslim army but also kept in touch with the British UNPROFOR units stationed in Vitez. One night they were found dead with bullet wounds to the back of the head.⁷⁸ “Retired” US officers with General Franks (Frederick M. Franks) at the helm were also dispatched to Bosnia as instructors for the Croato-Muslim army. General Franks was the commander of the VII Corps which dealt a decisive blow to Iraq in the Desert Storm. British General Rupert Smith, who was UNPROFOR commander in Bosnia, also fought in Iraq under his immediate command.

1.101. The involvement of a number of Western countries in the civil war in Yugoslavia was visible from the very outset. A Chinese diplomat to the UN said that the problem of Iraq and that of Yugoslavia could not be compared. In the former case in question was an attack on a sovereign state – Kuwait – and in the latter in question was civil war, unlawful secession which gave rise to war. Stephen Stedman rightly observed that at the beginning of the war “there was no Slovenia but a state called Yugoslavia”, so that we must take it from there.⁷⁹ In the BH consulate in Ankara a recruitment centre was set up to recruit mercenaries. Similar centres were opened in London, Rome and Trieste also. According to the London daily *The Sunday Times* of 30 August 1992, the leader of the mujahidin in BH, Abu Abdel Aziz, whose quarters was in Zenica, stated that their task in Bosnia was twofold: the first one was *jihad* or holy war and the second was teaching true Islam. Obviously the war in BH does not fit into the existing law of war, as set forth in The Hague in 1907 and 1949 and in Geneva in 1949 and 1977. Pursuant to Article 5, paragraph 1 of the Convention on Mercenaries, the signatory states undertook to prohibit any activity related to the use of mercenaries, in view of the severe consequences of their recruitment and the appallingly brutal acts they committed over the past years on the soil of Latin America and Africa where they were extensively used.

4. Strategic goals of the warring parties

1.102. The representatives of the Federal State sought to stabilise the political and security situation and thus create scope for dialogue through which the problems in BH would be resolved. To that end, in late 1991, a meeting was held at which the SFRY was represented by JNA members, i.e. General KADIJEVIĆ with associates, and the national options were led by political leaders from BH: IZETBEGOVIĆ and GANIĆ, PLAŠIĆ, KARADŽIĆ and KRAJISNIK, and KLJUJIC and PELIVAN. At the meeting, forms of continued cooperation and of operational monitoring of their realisation were

⁷⁷ Tribune de Geneve, 12 January 1995, p. 4. According to the Geneva Protocol mercenaries do not enjoy the protection of international law, and Article 2 of the Convention against the Recruitment, Use, Financing and Training of Mercenaries adopted in 1989, specifies that any person who recruits, uses, finances or trains mercenaries commits an international offence. The UN Commission on International Law included the recruitment of mercenaries as a crime in the Code of Crimes against the Peace and Security of Mankind (Smilja AVRAMOV, *Ibid.*, p. 226).

⁷⁸ Ian Traynor and Maggie O’Kane: British mercenaries killed in Bosnia, *Guardian Weekly*, February 14, 1993.

⁷⁹ Stephen John Stedman: The New Interventionists. *Foreign Affairs*, v. 72, No 1& 1993, p. 13.

agreed upon.⁸⁰ Cooperation was to be put into practice primarily by preventing new conflicts and disbanding paramilitary forces as well as by bringing perpetrators of crimes to justice and ensuring the return of refugees and expellees.

1.103. The Muslim representatives only paid lip service to the agreement reached with the federal organs and the representatives of the other peoples in BH, while at the same time continuing to pursue their long ago formulated and projected national goals in keeping with developments. The principal or general objective the Muslim leadership had set was the creation of a unitary state, and the minimal one, in the event BH was divided, was maximum expansion of their territory, which would definitely have to include Sarajevo and the surroundings and all areas where Muslims were in the majority.

1.104. When the Patriotic League of the People was established as the military wing of the SDA at a congress held on 29 November – 1 December 1991, organisational objectives were also articulated, from which emanated the immediate strategic objectives, and which related to the building of institutions and capacities of the new state by strengthening its international position, the creation of an internationally recognised Muslim state on BH territory, the establishment of the armed forces of the new state and securing its sovereignty and territorial integrity.

1.105. Initially, the basic political strategic goal of the Serbs in BH was remaining in Yugoslavia. Following the proclamation of the independence of BH, the Serbs' goals were redefined somewhat in keeping with the new international circumstances and the state of interethnic relations in BH, and these goals and strategic priorities were defined as follows: (1) Separation from the other two ethnic communities – separation of states; (2) A territorial corridor between Serbian Krajina and Serbian Semberija; (3) Establishing a corridor in the Drina Valley, that is, elimination of the Drina as a border between two worlds; (4) Establishment of the border on the Una and Neretva rivers; (5) Division of the city of Sarajevo into Serbian and Muslim parts and implementation of an effective state government in each of these two constituent states; (6) Access of the Serbian Republic to the sea.⁸¹

1.106. The Croats had a general historical objective, dating back to the Ustasha state from the Second World War, which was total occupation of BH and emerging on the Drina. Acknowledging the reality of the existence of the Republic of Serbian Krajina and that it was an outstanding issue, they redefined their goal in accordance with the possibilities in the given period, namely, to protect, with the assistance of the Croatian Army and with their own HVO and HOS armed units, the Croatian people and to place under military control as much as possible of the territory in which Croats lived as well as to occupy territories where Croats were in the minority but which were strategically important to them, such as the hinterland of Dubrovnik, the Neretva River Valley, Mostar and as large a part of Posavina as possible. Essentially, the strategic goals of the Croats in BH can be viewed as a component of the general interests of the Croats as a people and of the Republic of Croatia, namely an effort to carve out as large a chunk of BH territory as possible, primarily the part inhabited by Croats, and annex it to Croatia, under favourable international circumstances. The alternative was establishing a certain territory which would be confederated with Croatia, while the least favourable scenario was establishing a territory within BH in which the Croats would have a specific form of autonomy, with at least long-term bonds with Croatia. The Croats viewed their coalition with the Muslims, after the conflicts in the Neretva River Valley and

⁸⁰ Communiqué of the BH Presidency of 24 December 1991, Newsreel, RTS 1.

⁸¹ Session of the Assembly in Banja Luka and the explanation of the strategy and war objectives of Republika Srpska in Radovan KARADZIC's address on 12 May 1992, OTP document 00847722-00847723. As regards the access of RS to the sea, the intention was a territorial swap, primarily with the Republic of Croatia, because throughout the civil war in BH the Army of the Republic of Croatia executed operations in the general area of Herzegovina and the Bosnian Krajina against VRS units and occupied significant areas with a majority Serb population (part of the Neretva River valley, Drvar, Bosanski Petrovac and Bosansko Grahovo).

in Central Bosnia, as a pragmatic solution preventing the BH Serbs from realising their national interests.

5. Key developments in the war in BH and attitude of international factors towards the parties to the conflict

1.107. The internal factors of the dissolution of the SFRY were engendered by perpetual antagonisms which drew their /internecine/ force from historical, ideological-political, geostrategic, interethnic and interconfessional contradictions which bred, sustained and kept going the crisis in and break-up of the SFRY as the common state of all the nations and nationalities living in it.

1.108. The reasons for internal political and territorial tensions were the artificially created communist republican and ethnic borders, which were drawn to the detriment of the Serbian people and which rendered meaningless the massive loss of life and suffering of the Serbs in the First World War. The Serbian people invested these vast sacrifices and its historical statehood and its status of a state-building people in the Kingdom of Serbs, Croats and Slovenes, and then in the Kingdom of Yugoslavia. That is why the Serbian people in Croatia and BH felt that it had the right to remain living in its state and that the communist republican boundaries could not separate it from its people contrary to its many times democratically expressed will. The artificially created communist republican borders were defended the most by national extremists through the operation of secessionist forces.

1.109. The already imminent break-up of Yugoslavia, in which the Serbs in Croatia and BH had felt secure, awoke in them their latent fears that genocide might be committed for a third time against this people which still has living sufferers from among “the slaughtered people” in the Second World War, at the Jasenovac and Gradiska execution sites, in numerous pits and execution sites in NDH territory, that fascist creation and Serbian Golgotha. This fear was a warning and pointed to the need to self-organise for defence. Starting a civil war in a multiethnic and multiconfessional state could neither bring any progress nor resolve problems, but could only result in criminality and crime. It is well-known, namely, even from Cicero’s times (2000 years ago), that “in civil war everything is appalling with victory the most appalling of all”.

1.110. Lord Owen once had this to say about the recognition of the acts of secession: -The West bears some the responsibility for the foolish recognition of rival states engendered in strife.⁸² . French President Mitterand, EC Secretary-General Delors, UNPROFOR Secretary Cedric Thornberry /as printed/, as well as Generals Morillon, MacKenzie and others also critically spoke about this act. The British Foreign Secretary stated on 30 June 1991 that - any division would cause terrible conflicts.⁸³ Mitterand also stated, on 16 April 1991, that the break-up of Yugoslavia would mean Europe’s bursting at the seams, which Europe would not allow. At their meeting in Berlin on 19 June 1991 the CSCE Council of Ministers supported a unified Yugoslavia, but already on 16 December that same year the EC Council of Ministers adopted a Declaration in which it expressed readiness to recognise the independence of all Yugoslav republics who so requested by 23 December 1991.

1.111. The decisions and positions of various bodies of international organisations only complicated the crisis in BH and pushed it to the verge of war. Thus, the Badinter Commission unexpectedly, took the referendum of Muslims and Croats in BH, despite the fact that the Serbian population of the Republic

⁸² *Politika*, 12 July 1994, p. 6.

⁸³ Ljubomir BOROVCANIN, *Bosanske ratne simulacije /Bosnian War Simulations/*, Knjiga-komerc, Belgrade, 2001, p. 170.

abstained, as correct “from the standpoint of law and legality”. Namely, the constitutional provision that the status of BH could be altered only by a two-thirds majority at an all-people’s referendum was not respected. That is why the results of the referendum were in fact not published, but only Alija IZETBEOVIC’s casual statement carried that “almost 63% of the voters have voted for an independent and sovereign Bosnia and Herzegovina”. However, a two-thirds majority meant 66.6% of the votes, so that there is no way the referendum was legal or legitimate.

1.112. Control of the war in BH from without was gradually reduced to occasionally preventing the stronger side to the conflict from achieving its political aims by military means. Namely, there was no impartial treatment of the sides in the civil from the very start. That is probably why Washington insisted on a Croato-Muslim coalition in BH with the all-out support of the Republic of Croatia. For that reason conflicts terminated between the Croatian army and the Croatian Defence Council on the one hand and Muslim armed units and BH Army units on the other. After the state entity was founded and the BH Federation proclaimed on 18 March 1994, conditions were created for an alliance to be struck in the armed struggle against the Serbs and RS. The BH Federation was also given the right to establish confederal relations with Croatia, “and Article 5 of that Agreement envisaged the coordination of measures in the field of defence policy and joint command of the armed forces. This came to full expression in the final operations in the war in BH”.⁸⁴ The Croats misused the Muslims in the Second World War as well, within the NDH, and this “alliance of convenience” was also brought about by necessity in the new historical circumstances.

1.113. In Resolution 757 (of 30 May 1992), the UN Security Council indicated that a civil war with religious and ethnic elements was being fought in BH noting “that all parties bear some responsibility for the situation”. British Foreign Secretary Douglas Hurd submitted to the House of Commons of Parliament a report on the results of the London Conference (of October 1992), in which, *inter alia*, he noted in respect of the war in BH: - No side in the conflict has clean hands. In contrast to the Gulf war, in Bosnia it is not the invasion of a state by another. In Bosnia it is a war between three ethnic groups. Similar tragedies exist in other parts of the world, but there are no television cameras there. - ⁸⁵

1.114. As far back as in 1989, the USA had predicted “disaster if the individual republics were given independence”. “We believed that fragmentation would bring terrible violence and victims.” Later USA sought to reduce the role of Germany in the Balkans and to take over control of the entire situation. Already in 1994, through Croatia’s defence minister Gojko SUSAK, military cooperation between the USA and Croatia was established, and in 1995 NATO aviation helped Croatia occupy the RSK.

1.115. The great powers have imposed political solutions on the Balkans in the past as well, but always only after fierce war clashes between its peoples which they never averted. This logically begs the question: why not? This is a question that they themselves must answer. For, if they could come up with different scenarios for establishing peace after catastrophic death tolls, devastation, exoduses and even genocide, how come that they did not have the power to prevent these tragedies?⁸⁶

1.116. The end of the 20th and beginning of the 21st century were marked by rising local and global religious terrorism, primarily that associated with Islamic fundamentalism. Thus the civil war in BH

⁸⁴ BOROVCANIN, *Ibid.*, p. 27.

⁸⁵ Mark Almond: *Europe’s Backyard War: The War in the Balkans*, London, 1994, pp. 258, 260.

⁸⁶ A case in point is the setting up of the International Commission (in 1913) consisting of representatives of the USA, Great Britain, France, Germany, Russia and Austria-Hungary, financially sponsored by the Carnegie Foundation, tasked with examining the causes of the Balkan wars. The Commission concluded that the peoples who had participated in them were not responsible for all the suffering in these wars but that responsible were the great powers which could have prevented these wars from breaking out.

was also markedly a religious one. In it Islamic fundamentalism received all-out support from wealthy Islamic countries. On the other hand, this provoked Christian revanchism, contributing to the brutality of the war and increasing the number of its civilian victims. This was in large measure a continuation of the war of conflicting civilisations and religions, but under new circumstances and with a different influence of the international factor on the parties to the conflict even though it was a civil war. That is how, while helping the seemingly weaker Muslim side in the conflict, they actually nurtured and encouraged Islamic fundamentalists, who would settle for nothing less than a unitary BH, organised upon the basic premises of political Islam, in disregard of the will of the Serbs and the Croats as constituent peoples.

1.117. In addition to home-grown criminalised and Islamic fundamentalist groups, volunteer mujahidin, “jihad warriors” wholeheartedly assisted the Muslim struggle. The money for the BH Muslims’ weapons came from some of the most affluent Islamic states. Many of “Allah’s warriors” were members of militant terrorist groups, such as the *Hezbollah*, *Hamas*, *Al Qaeda*, and others. The *El Mudzahid* Detachment was the backbone of the 7th Muslim Brigade, the elite unit of the BH Army.

1.118. The pressure on Republika Srpska was constantly upped also through direct NATO activities. They only waited for a compelling reason, namely pretext. It came on 5 February 1994, with the stage-managed explosion on the Markale market in Sarajevo. This monstrous scenario killed many people, and expert analysis showed that it was impossible for this to have been caused by an artillery or mortar shell from positions held by VRS units. Much later, Yasushi Akashi disclosed that the UN SC had been submitted a false report on Markale, on the basis of which NATO bombed VRS positions near Gorazde on 10 and 11 April 1994, which was NATO’s first combat action since its establishment.

1.119. The FRY was also pulled into exerting pressure on Republika Srpska, having been promised an easing of the economic sanctions, which hit the people in Republika Srpska the hardest. Thus on 4 August 1994, a total blockade was imposed on RS on the Drina River. It was really outrageous blackmail, threatening the tormented Serbian people on both banks of the Drina with war. In this way the groundwork was being laid and economic prerequisites put in place for a “military defeat” of RS, and one which would compel the leadership to accept solutions set forth in the agreement. Already in October the Muslim-Croat formations launched a fierce offensive on RS territory, with overt NATO air support, first in the region of the Bihac pocket and then, in November, the operations spread to the entire Western Bosnia area, which, as later became evident, was the part planned to be taken away from RS in order to reduce the percentage of territory belonging to Republika Srpska.⁸⁷ In May 1995, NATO extended air strikes to VRS positions throughout RS territory. At the same time, Operations *Flash* and *Storm* were being planned in Croatia to expel the Serbs from Krajina, which were actually implemented in May and August 1995, with intelligence support from and in concerted action with NATO forces.

1.120. In respect of NATO support to the Croato-Muslim offensive in Western Bosnia, Richard Holbrooke, among other, stated: “This is the biggest test of the leading role of the US since the end of the cold war, I mean, not only in Bosnia, but also in Europe”, and added: -And when we were sure that Belgrade would not support the Bosnian Serbs in Krajina.⁸⁸ This was a realistic assessment because the authorities in Belgrade were prepared to gradually renounce everything, only to remain on the political scene. Serbs to the west of the Drina were left on their own. The outcome of the Srebrenica offensive and the committed crimes served to prepare the international community for the crime that was being planned against the Serbs in the Republic of Serbian Krajina. Today, in hindsight, there are grounds to claim that this had not been a fortuitous sequence of events but a well thought-out one, because a Serb

⁸⁷ In November 1994, the RS Army controlled about 71 percent of BH territory, while already on 13 May 1994, the Contact Group had decided in Geneva that the Muslim-Croat entity would have 51 percent and the Serbian one 49 percent of BH territory.

⁸⁸ Richard Holbrooke, *The Road to the Dayton Accords*, pp. 96 and 97.

crime against Muslims was needed to justify the NDH genocide in the Second World War and a repeated expulsion of Serbs from the Republic of Serbian Krajina.

1.121. The strategic mistake of the RS state and military leadership was that they failed to perceive this intention and anticipate that the results of the military operation for capturing Srebrenica and Zepa would be discredited and turned into a mass crime, which was committed by various mercenaries and informal armed groups from Podrinje seeking to exact revenge for the crimes of Muslim units out of the safe areas. That is why, account being taken of historical facts and the ordeals of the Serbs and the Muslims, the war in BH can be said to have brought equal suffering to Serbs of the Orthodox and those of the Islamic faith, namely that Srebrenica is a symbol of Serbian tribulation in recent history. It probably caused even deeper rifts between Serbs and Muslims, indeed to such an extent that after the communist era the Muslims found a new national identity, espousing the name of Bosniaks. As in the Second World War, so in this last war in BH, Muslims and Serbs remained ever the victims in every respect.

1.122. In his book *Yugoslav Truths are not all Good for Telling*, French publicist Jacques Merlino, *inter alia*, claims that, "In BH there were even formed special groups trained to effect a series of provocations aimed at eliciting the reaction of the Western powers against the Serbian side".⁸⁹ The ensuing events elicited precisely the desired reactions: the explosion in Vase Miskina Street, on 4 February 1994, killed 10 and wounded 18 civilians; on 5 February 1994, at Sarajevo's Markale market, 68 people were killed and 144 wounded by an explosion. There was a second explosion on 28 August 1995, which was, without any proof, sufficient cause for air strikes against VRS units. The propaganda of the Muslim authorities and media, which was unreservedly believed by renowned and influential media, demonised the Serbs as a people and RS and the VRS, accusing them in advance of repeated monstrous crimes against civilians. Ballistic expert analysis and expertise of the effects of the impact of the mortar shell ascertained that the shell had not been fired from Serbian positions.

1.123. According to the judgements of the Hague Tribunal, the VRS is responsible for both incidents, whereas according to the report of an independent commission from 1995, there is no compelling evidence to prove who is responsible for the first attack on the Markale market, as Yasushi Akashi, envoy of the UN Secretary-General for the Balkans, personally confirmed. That is why many believe that the Bosniak forces stage-managed, i.e. themselves carried out both attacks on their own civilians in order to obtain NATO bombing on RS, elicit sympathy and portray themselves as the victims in the civil war. Former special UN envoy Yasushi Akashi stated in 2011 that it was still unclear who had shelled Markale market in 1994. In connection with the incident at Markale, in 1995 Yasushi Akashi set up a UN Committee consisting of five experts from five different countries, who, on the basis of data, concluded that the shell could have been fired from a location under the control of the RBH Army or that of the VRS. Therefore, according to UN investigations, the case remains unsolved.

1.124. Professor Ola Tunander, one of the participants in this year's Nordic Peace Talks, a Norwegian professor with close ties to NATO, said, in connection with Markale and the shelling blamed on the Serbs, that he had learned from many sources – a representative of the NATO Crisis Staff, Chairman of the NATO Military Committee, Vigleik Eide, and subsequent Norwegian ministers of defence and foreign affairs - that the conclusion of NATO's investigations was that responsible for the shelling had been "the Bosnian side" – as he called the forces under the control of Alija IZETBEOVIC. Everyone said that NATO's conclusion was that it had been a Bosnian attack on their own population. But this was never publicly said. - It seems that it is customary that, for example, prior to United Nations decisions, so-called *false flag operations* are executed, namely fraudulent attacks on own populations, in

⁸⁹ Dragan \AMIC, *Bosansko bojiste sumraka /The Bosnian Twilight Battlefield/*, IKP Nikola Pasic, Belgrade, 1998, p. 94.

order to legitimise military intervention - said the Norwegian expert. The Hague Tribunal convicted Serbian General Stanislav GALIC for the shelling of the Sarajevo Markale market, whereas this war crime also features in the indictments in the on-going trials against former RS president Radovan KARADZIC and VRS Commander General Ratko MLADIC.⁹⁰

1.125. As an artillery officer, I know that it is impossible for a mortar shell of that calibre to inflict such casualties, irrespective of how many people are in the same place, such as a market. Unfortunately, in a civil war, there is no crime that Islamic fanatics will not commit, even against their own people, for the sake of realising their political war aims. This is an approach to armed conflicts and war that we have been witnessing for some time now all over the world, primarily where Islamic extremists are dominant, from Libya, Egypt and Iraq to Afghanistan. It is crucial for the sake of the future of civilisation, to establish the truth about key events, for the international community to be informed of it, rather than have fabrications and falsehoods being pretexts for inhumane conduct and politically benefiting criminals, whatever armies or peoples they belong to.

1.126. The international community quickly reacted against RS, even in the absence of definite facts and the truth about the perpetrators of the crime at the Markale market. However, many later analyses, including by Israeli experts, also suspect with every reason that the explosion was caused by a “lateral device” of the kind Hezbollah terrorists and Afghan mujahidin routinely use. Nonetheless, this monstrous crime did its bit because in order to punish the Serbian side in the civil war in BH steps were taken to demonise the entire nation and it was bombed, and, in addition, combat and logistical support was extended to the Muslim-Croat coalition armed forces in the final operations.

1.127. Obviously Croatia’s interests in the area of BH were also supported by individual influential members of the international community. That is evident from the activities of some representatives of these states. At a meeting with TUMAN and IZETBEOVIC in Zagreb (19 September 1995), Richard Holbrooke said this to the Croatian defence minister Gojko SUSAK: - Gojko, I want to make myself absolutely clear. Nothing that we said today should be construed as meaning that we want to stop the remaining offensive, but solely that on Banja Luka. Speed is of the essence. We cannot say this publicly, but we ask you to take Sanski Most, Prijedor and Bosanski Novi. And do it quick, before the Serbs regroup.⁹¹ This is proof of inciting one sovereign state to aggress against another, because the Republic of Croatia and RBH had already been internationally recognised. TUMAN even harboured the illusion that he would keep BH territories he had captured in the offensive supported by US officials. However, Washington had a clear plan – to capitalise on the militancy of the Croatian army and with its assistance ensure for IZETBEOVIC a portion of territory which he would find acceptable. They had in mind the already set ratio of 51:49, and it needed to be approximated also militarily on the ground. In pursuit of this, NATO abundantly helped the Croato-Muslim coalition, providing it intelligence and logistical support and gradually weakening VRS’s military capability.

⁹⁰ In Stockholm, /as printed/ from 9 to 11 August, 2013, a conference entitled Nordic Peace Talks was held in the Swedish city of /?Degerfors/. The event was attended by several organisations and peace activists from Sweden, Norway and Denmark. One of the attending organisations was *Justitia Pax Veritas*, an organisation headquartered in Stockholm, dealing with issues related to the conflicts in the former Yugoslavia. At the meeting of Nordic peace activists one of the speakers was professor Ola Tunander from the Peace Research Institute of Oslo. During the lecture *After Libya – Syria and the Permanent Members of the UN Security Council*, Tunander compared the propaganda in Libya and Syria to that in the war in the former Yugoslav republic of Bosnia and Herzegovina. *Justitia Pax Veritas*, *Publicerat den*: 18 augusti, 2013 – 10.04.

⁹¹ Holbrooke, *Ibid.*, p. 174. As regards the appeal concerning Banja Luka, he probably feared huge numbers of refugees from the Banja Luka region to which refugees from the RSK had flocked.

1.128. The US Administration feverishly sought to unite the coalition partners of the BH Federation also in operations against Republika Srpska, namely after their aggression on the Republic of Serbian Krajina and its total collapse and the exodus of about 250,000 people. This is confirmed by Richard Holbrooke's speech and reaction. At a TUMAN - IZETBEOVIC meeting on 17 September 1995, he said that -the offensive is greatly assisting the negotiations - and in the course of the offensive of the coalition forces on RS area in Western Bosnia, Holbrooke concluded: -During the bombing (he meant NATO bombing), Croat and Muslim forces had the best week since the beginning of the war, even though there was no military coordination between them. We needed the Federation offensive to continue. If NATO is left without targets before we resume negotiations, we shall have no chance to get anything in return. Don't let us stop and get nothing.⁹²

1.129. Thus, the Islamic fundamentalists were practically directly supported by a number of Western countries to partially realise their war objectives. In February 1996, IFOR forces discovered a terrorist training base on Mt. Pogorelica near Fojnica. Of the 11 terrorists, three Iranian instructors were arrested. On the walls of their premises hung pictures of Khomeini and Alija IZETBEOVIC.⁹³ It was not until the terrorist acts in New York and Washington on 11 September 2001 that the USA realised how far the intentions of Islamic fundamentalism and terrorism had gone and that it featured their global ambitions. After that nothing was the same in international relations any more. Fighting Islamic terrorism became the common concern of all of progressive mankind.

1.130. The parties to the conflict in BH were treated differently by the most influential Western countries and the international community. Following a similar script as for the wars and armed conflicts in Slovenia and Croatia, the Serbs were maligned by the media and generally portrayed as blameworthy for the war and armed conflicts in BH. In the extreme, Serbs were increasingly represented as custodians of communism and fighters against democracy, human rights and freedoms, and as a people whose armed forces and paramilitary units were committing ethnic cleansing and mass crimes. In reality matters stand quite differently; in particular in the more recent history of the 20th century the Serbian people was and remained the victim of world wars, losing, among other, a considerable part of its biological substance and therefore reproductive capacity. In disregard of the historical truth and facts, the Serbian nation was demonised in the Western media and public opinion to such an extent that it is struggling to shake off this anathema to this very day. In this connection professor Smilja AVRAMOV writes: "The ethnic space of the Serbian people has been depicted as a deep abyss from which some Barbarian tribes are emerging, pursuing hegemonic ambitions one day and communist ones the other".⁹⁴ The Serbian people has basically always been anti-communist, but circumstances were such that such rule was imposed on it by the force of arms during the Second World War, and as the former SFRY was falling apart it found itself at the receiving end again, suffering and losing a part of its national being and territory.

1.131. The Muslims were generally perceived as the victims in the conflict and as the repository of BH state personality. Enormous financial amounts donated by Islamic states were spent on lobbying for them to earn such a position in international relations. The Croats were ever the pet of most western countries and also received direct military assistance from the Croatian army which participated in the war in BH. Nobody viewed that as a problem, on the contrary, after the Croats in BH had achieved their military objectives, that was translated into a form of alliance of the three armies in the final operations against the VRS.

⁹² Richard Holbrooke, *The Road to the Dayton Accords*, p. 153.

⁹³ BOROVCANIN, *Ibid.*, p. 201.

⁹⁴ Smilja AVRAMOV, *Postherojski rat zapada protiv Jugoslavije*, Idi, Veternik, 1997, p. 114.

Part II

ORGANISATION OF THE ARMED FORCES OF THE CONFLICTING PARTIES IN THE CIVIL WAR IN BH

2.0. The warring parties in BH had clear-cut objectives set by their national political leaderships and leading political parties, which as the war progressed were adapted to the situation on the battlefield and the positions of the international community towards the parties to the conflict. However, we can say that they did not have the military power to realise them during the war by executing military operations. Armed actions were mainly undertaken at the tactical level, apart from several major operations of an operational and strategic significance aimed at preserving or capturing new territory. The results of the armed conflicts were reflected on the development of the military organisation of the warring parties.

2.1. That there had been no political preparations of the Serbian people of any kind prior to the outbreak of the armed conflicts in Sarajevo, is among other, demonstrated by the situation with mobilisation, when in the barracks there remained more people from the surroundings of Sarajevo than those living in it. Only two percent of the conscripts responded to the last call-up in Sarajevo in April 1992. Not even officers on commanding posts responded, including even those whose assigned stations were in those units. That was a total collapse of the JNA mobilisation system. After JNA members left BH on 17 May 1992, almost all sophisticated hardware and artillery, armoured units and anti-aircraft defence combat systems were pulled out of Serbian areas to Serbia and Montenegro, i.e. FRY territory. Paramilitary armed units seized weapons and military equipment from units of the JNA because it had failed to meet the expectations of all the three peoples, and TO units, reflecting the majority populations of local communities, became integral parts of national armies established before and during the armed conflicts.

2.2. The fact that a state of war had not been declared only worsened the situation in the fields of command, mobilisation and logistics, complex and difficult as it already was. The climate prevailing at the very outset of the war led people to believe that one could join the national army at one's discretion and that serving in the army was a matter of one's free will. Gradually the national leaderships of the Muslims, Serbs and Croats took measures to build in the shortest time possible armed forces which would become a reliable policy instrument serving to attain proclaimed goals. This was an arduous task discharged with varying success in different periods of the war. The large area and long lines of contact which became front lines and the modest logistics necessitated a departure from doctrinal premises on the depth of combat deployment and the size of the attack and defence zones. Troop rotation and fluctuation of unit personnel made for the setting up of formal and informal groups which opposed the establishment of firm military collectives. This made it possible for paramilitaries to operate and for crimes to be committed on the part of members of all the warring sides. In this way a number of criminals became untouchable and very powerful and greatly influenced the tactical level of command. The military profession was also degraded, with local leaders and squad, platoon and company commanders /komandir/ often without any military education, arrogant, headstrong and inclined to mistreat their soldiers, the local population, and in particular the enemy and prisoners. This was the general situation within the ranks of all the warring parties in BH. In the initial period of the war this was particularly in evidence in the paramilitary Muslim units in Sarajevo when they attacked JNA units and the local Serbian population. In that period a large number of Serbs were killed and their graves and mass graves in Sarajevo are still being searched for with no success.

2.3. It is doubtless that at the start of the armed conflicts the armed forces of the Serbian side had greater operational capacity for the execution of complex operations, which it took advantage of to ensure

protection for most of the population in villages and towns where they were in the majority. Initially, that had actually been the basic strategic aim of the Serbian side in the civil war in BH, namely to prevent massive loss of life, ethnic cleansing and genocide as the one committed against it at the time of the NDH in the Second World War. Gradually, with the growing realisation that the SFRY would not survive as a multiethnic community and that the Muslims and Croats in BH were bent on the secession of BH, the Serbs in BH formulated their political objective, which was the creation of their own state, with full equality of the other ethnic groups living in the area of Republika Srpska.

2.4. The war in Slovenia and Croatia directly affected the beginning, course and outcome of the war and the establishment of national armies in BH. Parts of commands and units from Slovenia and Croatia were relocated to BH and assigned to the following regions in BH:

- elements of the Maribor Corps to the areas of Banja Luka, Tuzla and Zenica;
- the Rijeka Corps to the area of Eastern Herzegovina;
- remnants of the Ljubljana Corps to the areas of Mrkonjic Grad, Travnik and Kupres;
- the Zagreb Corps to the areas of Drvar, Bihac and Glamoc; and
- the Air Force Corps to the areas of Bihac and Banja Luka.

2.5. Following the relocation of the mentioned units, their operational capacity steadily declined as officers and men, primarily Muslims and Croats from BH, left them. The relocation of the mentioned units was finished by the end of September 1991. Accompanying the columns of soldiers were the families of JNA members with essential movables and belongings. In January 1992, the Command of the 5th Military District was also relocated to Sarajevo from Zagreb with a part of the equipment but not the full personnel complement. Such as it was, it provided the basis for the establishment of the 2nd Military District headquartered at Bistrik, where the Command of the 4th JNA Corps had been until that time and which was relocated to Zlatiste and Lukavica.

2.6. In order to mitigate the growing problems the JNA was confronted with since the recognition of BH as an independent state, in mid-April 1992, a meeting was held in Skoplje (Macedonia) between Alija IZETBEGOVIC, the president of the BH Presidency and war leader of the Muslim part of this former member of the Yugoslav federation, and Blagoje ADZIC, Yugoslav deputy minister of defence. At the meeting it was agreed that JNA units withdraw to the territory of Serbia and Montenegro and that officers, non-commissioned officers and civilians employed in the JNA who were born in BH and had the Bosnia and Herzegovina citizenship could, if they so wished, remain in units and installations in their hometowns.

2.7. Pursuant to the foregoing agreement, the BH Presidency adopted the Decision⁹⁵ on the Withdrawal of JNA Units from BH. According to Item 3 of the Decision the time schedule and the direction of the pullout of JNA units were to be determined by the responsible JNA organs in agreement with BH state organs. This decision was not honoured by either the state organs of BH which are by definition subordinated to the president, or the paramilitary units, or the BH TO Staff and Ministry of the Interior. On the contrary, the BH TO Staff commander, Colonel Hasan EFENDIC and the BH minister of the interior, Alija DELIMUSTAFIC, in contravention of the mentioned decision, adopted their own command documents on 14 April 1992⁹⁶ instructing their military and police forces to set up total and massive barrier systems on all routes, to place military facilities under blockade in order to seize military property, weapons and military equipment, and to speedily start combat actions against JNA units preparing to pull out or in the process of pulling out. The objective was to seize as much military

⁹⁵ BH Presidency Decision no. 02-11-327/92.

⁹⁶ TO Staff document number 02/145-1 of 14 April 1992 and BH MUP document no. 10-70 of 14 April 1992.

property as possible and not to allow the units to pull out to Serbia and Montenegro. These two documents gave the military and police forces of the Muslim and Croat parts of BH *carte blanche* to mount a wholesale attack on JNA units. Two massacres of JNA members were the direct consequence. The first one took place on 3 May 1992 in Sarajevo, when a column of the Command of the 2nd VO which was pulling out towards Lukavica from Bistrik in Sarajevo was massacred. It seems that the order for this massacre was issued directly by Ejup GANIC, a member of the BH Presidency, although prior agreement had been reached that the column of the Command of the 2nd VO would be let through, which was guaranteed by the presence of UNPROFOR General Lewis MacKenzie and President Alija IZETBEOVIC who was in a vehicle at the helm of the column together with the Commander of the 2nd VO, General Milutin KUKANJAC and General MacKenzie. This is an unprecedented war crime ordered by a member of the Supreme Command of the BH Army, and executed by, among other, General Jovan DIVJAK, one of the deputy commanders of the BH Army. Very important military compounds and barracks remained surrounded by Muslim paramilitary units: the *Viktor Bubanj* barracks, the Military Court, the *Marsal Tito* barracks, the cadet training ground in Pazaric and many other detached installations. The personnel in these facilities was let go only after a painstaking process involving pressures, blackmail and maltreatment by Muslim paramilitary units under the command of Alija IZETBEOVIC. The release of men and officers from these facilities lasted all of May 1992.

2.8. A second, even more atrocious massacre, was committed in Tuzla on 15 May 1992. That day an agreement had been reached between the local military, police and political authorities in Tuzla and the Commander of the 17th JNA Corps (Tuzla) to allow the pullout of JNA resources and units which were in Tuzla. Instead of the agreement being honoured, the column was squarely ambushed. On that occasion 200 JNA members were killed and several hundred taken prisoner. Many of the prisoners were shot dead on the spot in plain sight of their comrades and members of Muslim paramilitary organisations and the civilian population.⁹⁷ As the organising and setting up of an ambush and the deployment of forces and weapons in it requires quite some time, it is realistic to assume that the process of laying the ambush evolved in parallel with the negotiations for pulling out the JNA column, i.e. that the Muslim side embarked on these negotiations firmly intending not to honour any agreement. Nobody was called to account for this war crime either, nor is there any mention of an investigation possibly being opened to establish who is responsible. The fact is incomprehensible that after the crime committed in this city,

⁹⁷ Colonel Milan STUBLINCEVIC, the Chief of Staff of the Tuzla Corps at the time, describing this tragic event which befell his column as it was pulling out of Tuzla, on page 94 of his book *Tako su oni hteli /That is the Way They Wanted It/*, Nova Evropa Publishers, Belgrade 1998, says the following: "On 15 May 1992, despite the agreement reached with the mayor of the city of Tuzla and his associate BESLAGIC, for JNA members to get out and leave the city of Tuzla, the leadership of the region and of Tuzla municipality, on orders from Sarajevo, violated the agreement and opened fire at the JNA column from every quarter already in the *Husinska Buna* barracks, and then the column was also attacked in Skojevska Street. Speaking about the consequences of that treacherous attack and the quantity of hatred which was translated into a criminal enterprise targeting innocent JNA members who had always lent them a helping hand in numerous tragedies which had hit this mining region, Colonel STUBLINCEVIC says a bit further in his book: "...The Muslims saw to it that all exits from the city were closed, except towards Pozarnica, namely the Tuzla - Ugljevik road was clear and that is exactly the road the column took. Together with members of the MUP and the Green Berets, about 3,000 men all told, they took up positions. They let the forward end of the column pass and then attacked the column from all manner of weapons. About 200 men were killed, over 100 wounded and around 140 taken prisoner in the attack. About 39 motor vehicles were burned... Without even waiting for the dead to get cold, they immediately started killing the wounded on the spot. They hammered 17 of them to death. They buried a number of the dead and inhumanely killed soldiers at the city cemetery, and during the night transported to the city dump some other burnt bodies of soldiers or the bodies of soldiers who had been killed which they found and burned them all there." For details see Dragan VAMIC, *Bosansko bojiste sumraka*, IKP Nikola Pasic, Belgrade, 1998, pp. 98 and 99.

It is hard to understand such an amount of hatred and criminal potential in the Tuzla Muslims, even before the war, and they killed innocent youngsters, soldiers who had not even turned nineteen.

Selim BESLAGIC, Tuzla mayor at the time, without whose knowledge and consent this crime could not have been committed, received a high international “award for peace and tolerance.”⁹⁸

2.9. The JNA provided to the RS Army, as for that matter to the BH Army and the HVO as well, the material, infrastructural, personnel, legal and regulatory and doctrinal basis for their establishment. Officers of Muslim and Croat origin left the JNA ranks and joined the ranks of, first, the paramilitary units formed as secessionist potential by the political echelons of these two ethnic communities, and then the ranks of their national armies. Officers of Serbian ethnicity assigned to posts in JNA units in BH would not withdraw together with the rest from BH to FR Yugoslavia, and a large number of Yugoslav Army officers of Serbian ethnicity born in BH responded to the call of the Serbian political and military authorities of RS and joined VRS ranks.⁹⁹ The Supreme Command of the Yugoslav Army did not create any obstacles along those lines, considering that every honourable officer should march in formation with his own people, seeing that civil war had broken out in BH, i.e. that it was forced by the will of foreign power centres and the Muslim and Croat political leaderships to bring a decision for the JNA to withdraw from BH to the area of FR Yugoslavia and be transformed into the army of the new state, the Yugoslav Army.

2.10. As regards materiel and technical equipment, armaments, military equipment, fuel, ammunition and explosives, the VRS, like the armies of the other two ethnic communities, took over the part which was based on the territory of Republika Srpska or was held by JNA units which found themselves in the part of BH territory which was organised as the Serbian state and political entity. It should be added at this point that most of the JNA assets which were in the possession of JNA units were transferred to FR Yugoslavia during the pullout. Needless to say, there had been instances of forcible seizure of equipment applying the method the two other ethnic communities used, the significant difference being that VRS members did not attack military columns or inflict losses on the withdrawing JNA, which was invariably the practice of the armies of the other two ethnic communities in BH or their advance parties in the form of different paramilitary and parapolice forces.

2.11. After 19 May 1992, namely from the day the process of the pullout of the JNA from BH officially and factually ended, except for the cadets of the School for Non-Commissioned Officers in Sarajevo and a part of the Herzegovina Corps, there did not remain in the territory of this former Yugoslav republic a single military unit or installation belonging to the Yugoslav Army. From that day, not a single JNA or Yugoslav Army unit participated in the fighting on BH territory. However, by media manipulation, SDA leaders kept claiming that the BH was exposed to JNA aggression.

2.12. Until the end of the war the BH Army skilfully produced media scenes which the public found appalling and engineered a solution within the framework of the Dayton Agreement.¹⁰⁰ The departure of JNA units caused major operational problems in defending some Serbian areas, especially in Herzegovina, because JNA units left them quickly and without plan, before VRS forces took up positions there, while on the other side of the front line were elite units of the Croatian Army and of the Croatian Defence Council. Thus, for instance, in the border zone towards Montenegro there remained a

⁹⁸ As the mayor of Tuzla and president of the Union of Social Democrats of Bosnia and Herzegovina, he is the recipient of the Harriman Award and a series of other awards for peace and tolerance. This in fact is a person who did not prevent the crime against the JNA column but with a completely different self-promotional rhetoric about equality, democracy, multiethnic and multiconfessional tolerance.

⁹⁹ “...Set up corps, brigade, regiment and support unit commands from JNA members who refuse the Decision of the FRY Presidency to pull out to the territory of FR Yugoslavia. Equip and arm units with equipment and armaments made available by members of the Serbian nation who are now in the JNA to the Army of the SR of Bosnia and Herzegovina” – Decision on the Establishment of the VRS, item 5 under b), paragraph 3, st. Z /expansion unknown/.

¹⁰⁰ In his book *Mission in Bosnia*, p. 127, General Michael Rose competently speaks about the strategy of the BH Army and its Supreme Command to involve UN and NATO forces in the war against RS and the VRS.

35 km gap which until then had been closed by the JNA. Such a state of affairs favoured the establishment and development of the military organisation of Muslim and Croat armed forces in BH. The development of the VRS and its operational capability was adversely affected by the blockade on the Drina, imposed by the FRY on Republika Srpska in 1993. The Muslims and Croats realised then that time was on their side and that with NATO assistance in the final operations they could attain most of their political goals.

1. Armed forces of the Croats in BH

2.13. The Croatian Defence Council was the official armed force of the Croatian Republic of Herceg-Bosna and the main armed force of the Croatian people in Bosnia and Herzegovina. At the beginning of the war, Muslims fought alongside Croats in the ranks of Croatian military units. The Croatian Defence Council was formed on 8 April 1992, as the army of the Croatian people in Bosnia and Herzegovina. The Croatian Defence Council controlled Western and Central Herzegovina and a large part of Central Bosnia, all except Jajce. The only major loss for the Croats was the fall of a large part of the Bosnian Posavina. Only Orasje with the environs did not fall because this micro-region was one of the richest areas in arable land and the Croats were the majority population according to the 1991 census.

2.14. In late October 1992, a conflict erupted between the Muslims and the Croats. In four offensives, the BH Army captured a large area which was under the control of the Croatian Defence Council, almost all of Northern and Central Bosnia except for Novi Travnik, Vitez, Busovaca, Kiseljak, Kresevo, Zepce and the general area around those towns, Travnik, Usora, a part of Travnik municipality, a part of Zavidovici municipality and a part of Vares municipality, and a part of Herzegovina: Konjic, Jablanica and the eastern and northern sections of Mostar municipality. Muslim-Croat armed conflicts escalated in the summer of 1993 and calmed down relatively quickly in early 1994, when political and diplomatic negotiations between the two warring sides gained in importance. In March 1994, the Croats and Muslims signed a ceasefire agreement in Washington and their territories were united to form the BH Federation.

2.15. After the signing of the Washington Agreement, the HVO, together with the Croatian Army, and in some operations also with the BH Army, started scoring war victories against the Army of Republika Srpska. In seven successful operations, basically the Croatian Army with the HVO and with BH Army units, occupied a large part of Western Bosnia where the majority population were Serbs. This was a prelude to and preparation of a strategic operation for the expulsion and ethnic cleansing of Serbs from the Republic of Serbian Krajina. The crown of the successful operations was Operation *Juzni potez*, in which joint Croatian forces emerged to 23 kilometres from Banja Luka, which was within the range of Croatian artillery. Operation *Juzni potez* was discontinued at the request of the international community on 15 October 1995. The Serbian people and the VRS were left at the mercy of the three joint armies, the HV, the HVO and the BH Army which committed crimes. Until that point official Belgrade had been silent, and it certainly would not have been able to do that had Banja Luka fallen and had an even bigger wave of refugees headed for Serbia; that would have been only the beginning of an even bigger new war. The Federal Republic of Yugoslavia would have had to enter the war whether its political leadership wanted it or not. The power centres directing the civil war in BH were aware of this. Actually, this scenario was probably agreed by the key international and regional actors of the crisis in order to prepare the leaders of all the three peoples for negotiating the Dayton Agreement.

2.16. The Croatian armed units in BH in the beginning of 1995 were organised in military districts in which Croatian Army and HVO units were integrated (Attachment number 1). A part of the HVO forces was also under the operational command of the BH Army.

Mostar Military District - HQ at Citluk:

- 1st HVO Guards Brigade *Bruno Busic* - Capljina
- 1st Home Guard Regiment – Posusje
- 40th Home Guard Regiment *Ranko Boban* – Grude
- 41st Home Guard Regiment *Knez Branimir* - Citluk
- 50th Home Guard Regiment *Knez Domagoj* - Capljina
- 56th Home Guard Regiment – Konjic
- 81st Home Guard Regiment - Mostar
- 82nd Home Guard Regiment – Mostar
- 83rd Home Guard Regiment *Mario Hrkac Cikota* – Siroki Brijeg

Tomislavgrad Military District - HQ at Tomislavgrad:

- 2nd HVO Guards Brigade – Tomislavgrad
- 55th Home Guard Regiment – Kupres
- 80th Home Guard Regiment *Kralj Tomislav* – Tomislavgrad
- 42nd Home Guard Regiment *Rama* – Prozor-Rama
- 43rd Home Guard Regiment *Ante Starcevic* – Gornji Vakuf-Uskoplje
- 97th Home Guard Regiment *Hrvoje Vukcic Hrvatinic* – Prozor-Rama
- *Eugen Kvaternik* Home Guard Regiment – Prozor-Rama
- Artillery Group (130 and 203 mm)
- VBR /multiple rocket launcher/ Group (40 122 mm VBR)

Central Bosnia Military District – HQ at Vitez:

- 3rd HVO Guards Brigade *Jastrebovi* – Vitez
- 91st Home Guard Regiment *Fran Krsto Frankopan* – Travnik
- 93rd Home Guard Regiment *Nikola Zrinski* – Busovaca
- 94th Home Guard Regiment *Stjepan Tomasevic* – Novi Travnik
- 96th Home Guard Regiment *Bobovac* – Visnjici
- 110th Home Guard Regiment – Usora
- 111th Home Guard Regiment - Zepce

Bosnian Posavina Military District - HQ at Orasje:

- 4th HVO Guards Brigade *Sinovi Posavine*
- 106th Home Guard Regiment
- 201st Home Guard Regiment
- 202nd Home Guard Regiment

Units under the command of the BH Army:

- 1st ARBH Corps: Croatian Brigade *Kralj Tvrtko* – Sarajevo
- 2nd ARBH Corps: 107th Brigade – Gradacac, 108th Brigade – Brcko area
- 5th ARBH Corps: 101st Home Guard Regiment – Bihac area¹⁰¹

2.17. The Dayton Agreement brought peace and compromise between the warring sides. A fundamental principle upon which the Dayton Peace Agreement was based was the division of Bosnia and

¹⁰¹ For details see sr. Wikipedia.org/sr/.

Herzegovina with 51% of territory going to the BH Federation and 49% to Republika Srpska. This arrangement was negotiated by the Contact Group. When the war in Bosnia and Herzegovina ended, the HVO had about 50,000 troops. After the Dayton Agreement, the HVO was defined as the Croatian component of the Army of the Federation of Bosnia and Herzegovina.

2.18. The political and strategic military aim of Croatia and of the Croats in BH can be analysed today with much more information and therefore more objectively, *inter alia*, given contemporary monographs, books and publications by political and military leaders. Thus, for instance, Petar KRISTE, the first minister of defence in TU\MAN's HDZ government, in his book *A Shadow Over Freedom*, accuses the leader that he "did so much harm" to Croatia "that generations will have to atone for it."¹⁰² As a first-hand witness to events in Croatia over the past years, Petar KRISTE says that TU\MAN had planned "Croatia all the way to the Drina" already in 1989, justifying this by its "historical and natural borders", which was set forth in HDZ's "proclamation to the Croatian people from the time". At TU\MAN's insisting on the Croatian border on the Drina, KRISTE, in his own words, warned him that "it is impossible because only 17 or 18% Croats live in BH". He replied that all Muslims were Croats, which was sufficient reason for the entire neighbouring state to be annexed to Croatia". This shows that TU\MAN was a champion of "the NDH idea".

2.19. In talking to Gojko SUSAK, KRISTE realised that he too was resolved that Bosnia should be divided and its western part annexed to Croatia. In March 1991, SUSAK said, *inter alia*: "I just had a meeting with Stari and we agreed to annex Herzegovina to Croatia at the very least". This leads to the conclusion that TU\MAN abandoned the NDH border on the Drina and re-embraced the *Banovina* concept. Petar KRISTE also quotes his talk with SUSAK in October 1992, when relations between Croats and Bosniaks were getting strained, and when to his question if these relations could be improved SUSAK coolly said: "You bet they can. Tonight we are dispatching a strong unit from Prozor and they won't be taking any prisoners". KRISTE also comments on and demonstrates Janko BOBETKO's exaggerated bragging and taking of undue credit for the liberation of Southern Croatia and says: "... all he did was to monitor the withdrawal of the JNA as agreed under the Vance-Owen plan, with some military activity." The conclusion which doubtlessly follows from this confession of one of the members of TU\MAN's government is that Croatia pursued an aggressive policy vis-à-vis BH.

2.20. The Croats in BH did not assume that they would have to wage war. Their aim was to establish confederal relations with Croatia through negotiations. But, they too were setting up armed units in compact Croat-populated territories. Croatia supported them in every respect, including with instructors, volunteers and state-of-the-art weapons which the Croatian Army was also equipped with. In November 1992, the Croats publicly communicated their decision that the creation of the Croat Community of *Herceg-Bosna* was a must. This intensified the process of territorial delimitation and provoked a negative Muslim reaction as they were bent on preserving a unitary Bosnia and Herzegovina.

2.21. At the time when the Vance-Owen Peace Plan was being under consideration, the Croats actively proceeded to consolidate the defence of Croat territories. Aspiring to realise his designs, during all the years of the war TU\MAN assisted the Croats in BH in the pursuit of their interests.

2. Armed forces of the Muslims in BH (BH Army)

¹⁰² *Politika*, 4 December 2002, p. 2.

2.22. The Army of the Republic of Bosnia and Herzegovina (ARBH) is the armed force¹⁰³ of the then rump government of the Republic of Bosnia and Herzegovina, composed overwhelmingly of Muslims during the war in BH. The day considered to be the date of the establishment of the BH Army (ABH) is 15 April 1992, for a number of reasons, and in particular because that was the deadline by which all armed units and forces on BH territory had to place themselves under the command of the newly established Territorial Defence Staff of the Republic of BH. The decision to that effect was taken on 9 April 1992.¹⁰⁴ On 8 April 1992, the RBH Presidency, without the participation of Serbian representatives, adopted a decision to dissolve the existing Territorial Defence Staff of the Socialist Republic of BH and form a new one, consisting of trustworthy SDA members. JNA Colonel Hasan EFENDIC who until then was the commander of the Territorial Defence of the city of Sarajevo, was appointed commander of the newly-established BH Territorial Defence Staff. EFENDIC left the JNA and joined the nascent Muslim army. Colonel EFENDIC had replaced General Drago VUKOSAVLJEVIC at the helm of the RBH TO, who had been appointed to that duty by a Decree of the SFRY Presidency as the Supreme Command of the Armed Forces of the SFRY. In the strictly legal sense, the document relieving General VUKOSAVLJEVIC of that post is unlawful because the SFRY federal state and its Armed Forces still existed, with clearly defined responsibilities and chain of command. The Muslim leadership received international support by the very quick recognition of the independence of BH by the EU on 6 April 1992, while the USA followed suit on 7 April 1992. Such an approach heralded civil war among the three peoples. The document replacing the previous BH TO commander was part of the decision proclaiming an imminent state of war, i.e. declaration of war on JNA remnants in BH territory and on the Serbs and Croats.

2.23. What and who exactly constituted the base for establishing the RBH Army was most eloquently put by General Stjepan SIBER, one of the leaders of that army during the war, actually from the beginning to the end. In his book *Deceit, Deception, Truth*, SIBER said the following: "The basic army which was in communication with us were the troops in Sarajevo, namely the Green Berets, the Patriotic League and groups of armed citizens in the municipalities".¹⁰⁵ To this initial RBH Army complement should also be added the professional officers of Muslim ethnic origin who began leaving JNA ranks in the spring of 1991 and kept leaving until April 1992 when the process almost ended. All this substantiates the claim that the ABH was a Muslim army and not an army of the state and of all the three peoples as the Muslims constantly portrayed it to the international community.

2.24. The relevant fact for establishing the date when the BH Army actually started operating as the armed force of the Muslim ethnic community is the Directive of the RBH TO Staff for the Defence of the Sovereignty and Independence of BH of 12 April 1992.¹⁰⁶ The first item of the Directive names the JNA and parts of the Territorial Defence of Serbian Autonomous Districts as enemy forces. It is clear that this Directive ordered the Muslim and Croat Territorial Defence in specific parts of BH to attack this enemy militarily, seize as much armaments and equipment as possible and take control of as large a territory as possible.¹⁰⁷

¹⁰³ Armed forces shall be understood to mean military and paramilitary units comprised within the Muslim army (BH Army).

¹⁰⁴ See Decision number 01-011-306/92 of the Presidency of the Republic of BH of 9 April 1993 /as printed/ in the book of Hasan EFENDIC, commander of the RBH TO, *Ko je branio Bosnu /Who Defended Bosnia/, etc.*, BH Association of Citizens of Noble Birth, Sarajevo, 1998, pp. 13 and 14.

¹⁰⁵ S. SIBER, *Prevare, zablude, istina*, RABIC Publishers, Sarajevo 2000, p. 40.

¹⁰⁶ See: Directive of the RBH Territorial Defence Staff, Strictly confidential no. 02/2-1 of 12 April 1992, originally published in EFENDIC's book *Ko je branio Bosnu /Who Defended Bosnia/, pp. 127 and 128.*

¹⁰⁷ Radovan RADINOVIC, Expert Report on the Sarajevo Battlefield and the Command Authority of General Stanislav GALIC, Belgrade, 2000, pp. 27-30.

2.25. Pursuant to the mentioned Directive an order was issued to the Territorial Defence staffs to destroy, erect massive obstacles, and block barracks and military facilities in order to prevent the JNA from pulling out of BH territory, and to take over its property and weapons. Also pursuant to the 12 April 1992 Directive, an order was issued for the defence of the city of Sarajevo. Executing both orders, Muslim-controlled units of the Territorial Defence of the city of Sarajevo, the Green Berets, the Patriotic League, various other paramilitary units of LUCAREVIC, PRAZINA, BAJRAMOVIC and other self-styled military and police factors began committing crimes against JNA members. Soon numerous minor and unregistered crimes were committed as well as major massacres like the attack on the column of the 2nd VO in Sarajevo and on the Tuzla column.¹⁰⁸ These first crimes set in motion a spiral of crime and chaos of civil war in BH. On the basis of the provided facts, 16 April 1992 can be taken as the factual and formal date of the inauguration of the ABH.

2.26. The official establishment of the RBH Army was preceded by a thorough process of paramilitary organising of the Muslim ethnic and religious community, obviously testifying to their preparations for war in BH. Paramilitary organising started in April 1991, a full year before the beginning of war operations in BH. Politicians and criminals alike bought and sold weapons taking money from the frightened people and preparing for war. The day which can be taken as the beginning of the process of organised party and political preparations of the Muslim ethnic and religious community for war in BH is 10 June 1991. That day a gathering was held of Muslim representatives from all over the former Yugoslavia in the Police Social Centre in Sarajevo. Attending were 380 Muslim leaders from Yugoslavia and BH and it was organised by the Party of Democratic Action (SDA). A *Resolution of Muslim Intellectuals* was adopted, known as *Resolution 84*. The gathering founded the National Defence Council of the Muslim people. The gathering issued a Proclamation. The Proclamation, as Hasan EFENDIC and Brigadier General Nedžad AJNADZIC say in their books, sets out the views of the SDA - the Muslim people in BH and all over Yugoslavia – and gives recommendations for action. Item 7 of the Proclamation announces the start of the armed defence of BH, namely the establishment of the military wing of the Muslim Council, which is the Patriotic League.¹⁰⁹ It is clear from the Proclamation that preparations for and organisation of an armed defence, namely preparations for war, were under way. As well, the Proclamation clearly spells out that the National Defence Council of the Muslim People and the SDA have opted for a break-up of Yugoslavia. All this was happening before the war in Slovenia, when many in the international and domestic political arena did not believe that such a tragic rupture was to occur.

2.27. The first paramilitary armed groups in BH were the Muslim Green Berets, consisting of volunteers. They were militant individuals guided by the policy of SDA leaders who advocated BH's secession from the SFRY. Their role was basically to fire at the JNA in provocation, to erect roadblocks and possibly undertake some sabotage and terrorist activities (at the time primarily psychological and propaganda ones). On 10 June 1991, a gathering was held of the most eminent BH Muslims in Sarajevo, organised by the SDA, which established the National Council for the Defence of the Muslim - Bosniak People and where the idea was launched to form the Patriotic League within its framework as the military wing of the SDA. It was organised in a Main Staff, ten regional and 103 municipal staffs and was 98,000 combatants strong. The regional staffs were organised on the basis of the military-territorial division of BH comprising nine sub-regions, while the tenth staff was established with its headquarters in Novi Pazar, openly reflecting the territorial claims of the SDA and its leader.¹¹⁰ The Patriotic League was formed throughout BH territory to reflect the ethnic composition of the population with the territorial defence as its basis. In purely Muslim communities the Patriotic League took over the

¹⁰⁸ On these Orders and their basic content and intentions see the same document, pp. 125 and 129.

¹⁰⁹ On the gathering in Sarajevo and the Proclamation it issued and its Decisions and Recommendations, see *Ko je branio Bosnu*, p. 77 and Nedžad AJNADZIC, *Odbrana Sarajeva /The Defence of Sarajevo/*, ITD Ed., Sarajevo 2002, pp. 60-64.

¹¹⁰ VILIC, TODOROVIC, *Ibid.*, 292.

territorial defence organisation in every respect, even keeping its name as a front. In ethnically mixed communities, Patriotic League organisations were established strictly underground, in parallel with the TO organisations.¹¹¹

2.28. Munib BISIC, assistant defence minister in the then Bosnian Muslim Government, expounded the genesis of the Patriotic League in the paper *Oslobojenje*: “Sometime in April 1991, I talked to people who were aware that war in BH was inevitable. Our shared opinion was that we needed to get organised for the defence of the Republic. When I got in touch with Sule (underground name of Sulejman VRANJ), we prepared instructions for organisation and action on the ground. We mainly relied on people from the Party of Democratic Action, we went out in the field looking for like-minded people. In May 1991, Sule and the people from Sarajevo named the organisation the Patriotic League. As of September 1991, former officers of the Yugoslav People’s Army started joining in increasing numbers. All this was done *sub rosa* and on recommendations from trusted individuals. JNA officers who joined brought the Main Staff of the Patriotic League to full complement. Almost all municipalities in BH had Patriotic League staffs. In December 1991, work was done to form combat units, lists of combatants were drawn up, weapons were distributed, envoys were sent to villages, analysis and registration of territory was undertaken.”

2.29. The leaders of the Patriotic League proposed that war in BH start in parallel with that in Croatia. They planned to demolish the bridges on the Drina to cut off any help to the Serbian side from Serbia. The political leaders did not agree to such a plan assessing that Bosnia was not yet ready for war in either military or political and indeed psychological terms. The units of the Patriotic League of the People initially consisted of platoons for sabotage and terrorist actions directly planned by and directed from the Main Staff. Only later the forming of larger, purely military units started – the *Handzar* Division in Bijeljina, the *Husine* Division in Cazin, *Smail Aga Cengic* in Sarajevo, *Kemal Pasa Asakovic* in Brezovo Polje, *Crveni fes* in Bosanski Novi, *Garda* in Zvornik and *Drina* in Bratunac.

2.30. At the beginning of the war the Muslim forces were about 175,000 men strong. In respect of weapons and the organisation of paramilitary units, the following characterised all these instances:

- illegal procurement of light weapons;
- building up units with parallel procurement of heavy weapons supported by the foreign factor;
- foreign assistance in financing the procurement of weapons and military equipment (loans, deferred payment, émigrés, donations and other), in particular from some Western and most Muslim countries;
- arrival in ever increasing numbers of foreign volunteers and mercenaries with a markedly fundamentalist ideological-religious orientation (mainly from Islamic countries);
- using foreigners to train officers and prepare units for active combat. The basic sources of NVO procurement for Muslim paramilitary units in BH were the depots of the former JNA, the TO and illicit imports, primarily from Islamic countries. The Muslim forces even abused humanitarian relief routes for procuring weapons and military equipment. Thus in August 1992, a number of instances were recorded of aircraft carrying humanitarian relief deviating from their approved flight corridors towards Sarajevo and dropping by parachutes weapons and ammunition over sectors controlled by Muslim forces.

2.31. As well, in late August 1992, a number of convoys supplied the Muslim forces with all types of weapons, military equipment and ammunition, including Stinger PAR via the Rijeka – Split – Konjic – Sarajevo land corridor. In mid-August of the same year, one of the eight trucks on a humanitarian relief convoy to Gorazde, was full of weapons for the Muslim forces in the town, including PAR and PTR which they did not have until then. Most of the NVO deliveries to the Muslim forces in BH were

¹¹¹ VILIC, TODOROVIC, Ibid., 294.

financed by Muslim countries. It has been established that by the end of 1992 alone, Arabic countries had provided assistance to the army of Alija IZETBEOVIC, the BH Army, in the amount of US \$ 20 million. In addition, most of the defence industry facilities of the former JNA had been built on BH territory, and they, as well as a large number of NVO depots fell into the hands of the Muslim and Croatian forces and served in the initial period of the armed conflicts as the basis for arming and equipping their armed units.

2.32. The Patriotic League was of particular importance in the Muslims' preparations for war. It sprang from the military-political wing of the Party of Democratic Action as "...a party, military-political defensive organisation..."¹¹² Although later the Patriotic League was represented as non-partisan, it "...basically remained under the supervision of the SDA Main Board, born out of a military-political organisation formed on 31 March 1991, while its roots date back to the SDA Club *Herceg-Bosna* formed at the end of 1990."¹¹³ On the premises of the SDA Club the political and security situation was analysed and measures for and the manner of informing and mobilising people in the event of a threat of war proposed. The production of weapons was prepared and organised on the Club premises, and the manufactured weapons were distributed to activists in the field. The procured weapons, ammunition and explosives were stored in the Club storehouse. Secret meetings with volunteers, soldiers, non-commissioned officers and officers who had defected from the JNA were held in the Club.

2.33. The first meeting of the newly-established paramilitary organisation within the Patriotic League was held on 31 March 1991 in a Sarajevo mosque, to ensure the security of the gathering as well as to fully abuse Islamic religion for political and war purposes. Already at the beginning of May 1991, municipal Patriotic League staffs were set up, documents adopted and candidates for military units registered. Already in September that same year units of battalion rank were formed. At the recommendation and on instructions of the SDA Main Board, activists of the Patriotic League assumed control over Territorial Defence staffs and forwarded confidential information to the SDA president and conducted secret mobilisation ensuring the growth of the Patriotic League.¹¹⁴

2.34. The chief organiser and coordinator of the illegal arming of Muslim paramilitary units was Hasan CENGIC, a member of the SDA Main Board.¹¹⁵ Thus Alija DELIMUSTAFIC, as the BH minister of the interior, through his company and with his associate Senad SAHINPASIC, armed all of Eastern Bosnia in 1991/92. In the organisation of the SDA, in Visegrad alone 270,000 kilograms of flour, 20,000 litres of cooking oil and 25,000 kg of salt were taken for war reserves. This entire parallel system of war reserves was intended exclusively for Muslim war preparations. That year, 1991, the first members of paramilitary units were trained at illegal training grounds in BH and Croatia.¹¹⁶ They were recruited from the ranks of religious fanatics and extreme nationalists and criminals. Many of them rose through the BH military and political ranks.¹¹⁷ Thus on 2 December 1991, Sefer HALILOVIC, a JNA major and defector – later Chief of Staff of the Supreme Command of ABH - at a meeting in Hrasnica presented to

¹¹² N. AJNADZIC, *Ibid.*, p.111.

¹¹³ *Ibid.*, page 111.

¹¹⁴ *Ibid.*, pp. 112 and 113.

¹¹⁵ D. DZELETOVIC: *Zlocin u Hrasnici /The Crime in Hrasnica/ Fopis*, Sarajevo, 2000, p. 10.

¹¹⁶ SDA document and instructions for referring candidates to the Educational Centre of the MUP of the Republic of Croatia, document no. 1258-3/91 of 11 July 1991. The second paragraph of that document requires candidates arriving for training to take along a PARTY REFERRAL DOCUMENT, and we know which party. The document was signed by Hasan CENGIC in his capacity of acting SDA Secretary. The Educational Centre in Croatia was in Svetosimunska Street no. 80, Zagreb.

¹¹⁷ Jusuf PRAZINA, an enforcer for loan sharks before the war, a man without elementary education, was appointed by Alija IZETBEOVIC a member of the ABH GS and commander for the special units of the RBH OS; Samir KAHVEDZIC-Kruska, a pre-war criminal, in the war was deputy commander of special units on Mt. Igman; Ramiz DELALIC-Celo, the murderer of a wedding party member in Bascarsija – the commander of a 1st Corps brigade; Ismet BAJRAMOVIC Celo, a criminal, was also appointed commander of one of the brigades of the 1st ABH Corps.

Alija IZETBEGOVIC his concept of organisation of the Muslim army.¹¹⁸ IZETBEGOVIC probably accepted that concept in order to appoint HALILOVIC the commander-in-chief of the Muslim army. HALILOVIC was entrusted with putting into practice and disseminating his vision at a consultative meeting in Mehorici on 7 and 8 February 1992. The military organisation of the SDA, primarily within the framework of the Patriotic League and the Green Berets was also on the agenda. As well, the meeting discussed consolidating all armed units in BH, including the Territorial Defence, in a single military organisation under the control of the SDA and the Muslim political and military leadership.¹¹⁹

2.35. Already on 25 February 1992, as a result of the mentioned meeting in Mehorici, the Main Staff of the Patriotic League adopted the *Directive for the Defence of the Sovereignty of BH*. According to the Directive the Patriotic League had armed units from detachment to brigade of about 120,000 men and expected that number to rise to 150,000 men when combat started. It also stated that military facilities should be blocked and taken.¹²⁰ This Directive was the basis for another much better known one, issued by the Supreme Command on 12 April 1992, i.e. by the BH Territorial Defence Staff in the role of the highest leadership body in this new Muslim-dominated BH army, and pursuant to it two other orders as well - order of the TO Staff of the Republic of BH, and the order of the BH Ministry of the Interior¹²¹ based on it.

2.36. In the above sense particularly indicative is the order of the RBH MUP to all its subordinated organs in Sarajevo. In that document minister DELIMUSTAFIC orders that, in accordance with the order of the Commander of the TO Staff of the Republic of BH, all JNA pullout routes be completely and massively obstructed, all military facilities blocked and the planning accelerated of combat actions throughout BH territory and these actions coordinated with the TO staffs of the regions and districts up to the Republic.¹²² That is why we can say that the criminal conduct of the forces in Dobrovoljacka Street on 3 May 1992, when they massacred the column of the Command of the 2nd Military District as it was pulling out as agreed from Sarajevo was not accidental but a planned and organised crime, a result of the extremist political activity of the SDA. All forms of paramilitary organisation and activity which were controlled or set up by the Muslim authorities and the SDA were legalised by the Decree Law of the Presidency of the Republic of BH on the Protection of Territorial Defence Units and Other Defenders of the Republic of BH of 10 May 1992.¹²³ At that time the only legal armed formations in BH were JNA units, because the Territorial Defence of BH was already ethnically divided and actually operated as a broken paramilitary organisation. As well, already from April 1991, the Muslim-Croat coalition in BH had its illegal armed units, the Patriotic League, the Green Berets, the HOS, the HVO and others who were preparing for war in every respect, and these paramilitary organisations were all formalised, all of their members having been recognised the status of regular members of the BH OS as of 30 April 1992. The war for which the Muslim-Croat Presidency in BH was preparing was a civil war under the political auspices of the SDA and the HDZ as markedly extremist nationalist parties.

2.37. In the first stage of the war in BH, the ABH had 5 Corps (1st, 2nd, 3rd, 4th and 5th Corps). These Corps evolved from BH Territorial Defence regional staffs which were formed on 27 May 1992 to implement the decision of the RBH Presidency on building up BH TO units and formations.

¹¹⁸ S. HADZIC *Bosanski ratnici /Bosnian Warriors/*, Ed. Sarajevo, 1998. p. 13.

¹¹⁹ R. RADINOVIC, Expert Report on the Sarajevo Battlefield, Belgrade, 2000, pp. 24-27.

¹²⁰ S. HADZIC, p. 19.

¹²¹ Colonel Hasan EFENDIC is of the opinion that the February 1992 Directive to which HALILOVIC refers in his book *A Devious Strategy* is a non existing document and that it only served for some military leaders (he is referring to HALILOVIC) to write their memoirs. While for EFENDIC all armed Muslims at the time are members of the RBH Territorial Defence, for HALILOVIC they are members of the Patriotic League. Both agree that the number was about 120,000. See EFENDIC's book, p. 132. There he claims that on 24 April 1992 the BH TO was over 100,000 men strong.

¹²² RBH MUP Order no. 10-70, of 29 April 1992.

¹²³ *Official Gazette of the Republic of Bosnia and Herzegovina* no. 4 of 20 May 1992, pp. 141-142.

(Attachment number 2). From these regional staffs, by a Decision of the Presidency of 4 July 1992, were formed the Corps Commands with headquarters in the same places as the former staffs. In some of the seven seats of these staffs (Gorazde and Doboj) no Corps Commands were formed but some other military territorial and operational organisational forms remained.¹²⁴ The 6th ABH Corps was established somewhat later in Konjic and the 7th Corps still later in Travnik.

2.38. Towards the end of 1993, the BH Army formed another Corps - 7th Corps with its command post in Travnik. Its zone of responsibility extended to Central Bosnia with focus on the Vrbas River valley, Jajce and Kupres. The principal parts of the respective zones of responsibility of the Corps were clearly as follows: of the 1st Corps – the Sarajevo zone and areas gravitating towards Sarajevo; of the 2nd Corps - the general zone of the Tuzla region; of the 3rd Corps – Central Bosnia, actually the part bounded by Travnik, Sarajevo and the Neretva valley; of the 4th Corps – the middle course of the Neretva and a part of Western Herzegovina with focus on Mostar; of the 5th Corps – the Cazin Krajina region with Bihac; of the 6th Corps – the upper course of the Neretva and the area towards Mt. Igman and Mt. Bjelasnica with headquarters in Konjic, and of the 7th Corps – the Central Bosnian Krajina. There existed operational reasons and needs to form another corps in Podrinje and it is unclear why it was not and it is hard to say with certainty whether political or military reasons prevailed.¹²⁵

2.39. The RBH Army had a system of command and control based on theoretical and doctrinal premises of the JNA, adapted to its needs and combat objectives. At the helm of the ABH organisation, with some command powers, was the BH Supreme Command Staff. Before that, it was the Republican Territorial Defence Staff, but it was short-lived. At its helm was the Chief of Staff. Until 8 June 1993, heading that Staff was General Sefer HALILOVIC, a JNA lieutenant colonel and was then replaced on that post by General Rasim DELIC, also a former JNA officer, who had served in the Operations Branch of the 4th JNA Corps until April 1992. The Supreme Commander of the ABH was Alija IZETBEGOVIC, as the president of the BH Presidency.

2.40. As can be concluded from the very name of the staff (ABH Supreme Command Staff), within the responsibilities of this command and control institution its staff function was more pronounced than its command function and authority. That means that command authority was in the hands of the political leaders. Sefer HALILOVIC also puts forward a similar claim in his book. In that the system of command in the ABH differed from the system of command in the VRS. From August 1993, the ABH Supreme Command endorsed a similar arrangement, introducing, apart from that of Chief also the post of Commander of the Supreme Command Staff, whereby it also practically introduced duality and parallelism in supreme command. The conflict between the political and military leadership, between Alija IZETBEGOVIC and General Sefer HALILOVIC cantered around the war objectives, the character of the state and the concept of defence, and even the purpose and point of some operations. This smouldered until General Sefer HALILOVIC's replacement and the death of his wife and her brother under mysterious circumstances. Sefer HALILOVIC made serious accusations that it all had probably been ordered by President IZETBEGOVIC and executed by members of intelligence and security bodies and the special unit Seve, which, among other, secretly liquidated people.

2.41. Both the civilian component of the Supreme Command and its staff organ were deployed at the same location, in Sarajevo. Direct contacts and communication were possible and beneficial when needed in order to make major strategic decisions in the war.

¹²⁴ *Ko je branio Bosnu /Who Defended Bosnia/*, pp. 141 and 281.

¹²⁵ In his book *A Devious Strategy* General Sefer HALILOVIC considers it a serious strategic mistake of the ABH Supreme Command and gives his analysis of the causes.

2.42. The general military doctrine upon whose principles the ABH operated did not differ much from the VRS doctrine, because at the beginning of the war both armies had taken over the organisational scheme and doctrinal system of the former JNA and TO, through the knowledge and skills of the commanding officers and men and the training of commands and units of the former SFRY. The BH Army also took over from the JNA the basic combat rules for the deployment of units, for organisation and mobilisation, the training and advanced training of commands and units, staff organisation and staff work, logistics, and similar. The combat documents, their content and formulation of tasks were obviously identical. There is very high similarity between combat documents, plans and commands in both form and content of the instructions and orders given. The essential difference lies in the selection and definition of strategic aims and the determination of the means to attain them. The differences in the military strategies and of corresponding strategic means stemmed from the different policies of the national leaderships. It is now quite clear that a civil war of ethnic and religious character was waged in BH. "...It is literally a civil war for territory..."¹²⁶ The strategic concept of the ABH was an offensive one and that of the VRS a defensive one. The VRS had the resources to realise its political aims at the beginning of the war but for ethical reasons in their approach to the parties to the conflict they did not opt for a solution by classical military victory over the opponent but for preserving people and the territory it lived on.

2.43. That is why throughout the war they endeavoured to have someone else do it for them, primarily NATO. The West, led by the USA and a good part of the Islamic world supported ABH's strategic option. "...Nothing will stop the USA from seeing through the idea of a unitary Bosnia."¹²⁷ Even today the Muslim parties in BH and a number of regional and global powers aspire after a full unitarisation of Bosnia and a radical revision of the Dayton Agreement.

2.44. The RBH Army often abused and skilfully used the presence of international forces (UNPROFOR), primarily in the urban parts of BH and the safe areas, to deploy units under their auspices and engage in action against the people in RS areas and against VRS units. From such localities it mounted tactical level offensive actions and, on achieving tactical objectives, quickly retreated to their initial base sectors. In an identical way the ARBH undertook a number of more ambitious operations, such as the attack from the Bihac safe area in the fall of 1994 and several unsuccessful operations to lift the blockades of Sarajevo and Gorazde. The forces which were executing these operations were not routed and destroyed because they returned under UNPROFOR's wing. A case in point is the well-known massacre committed by the Muslim forces out of the demilitarised zone between Mt. Igman and Mt. Bjelasnica in September 1994.¹²⁸

2.45. ABH tactics in settlements and at their peripheries involved numerous offensive actions by smaller forces and combat groups. These forces, shielded by protective features and relying on action in inhabited places and on configured positions at the edges of towns, infiltrated the battle array of the VRS, inflicting perceptible losses on personnel and hardware, massacred civilians, and, without any sanctions from the international forces, withdrew back to their earlier positions. By constantly infiltrating DT and reconnaissance groups, skilful force manoeuvres and firepower, ABH units reduced the combat capability of the VRS while at the same time preparing their forces for the execution of more complex offensives on a larger area.

¹²⁶ M. Rose *Borba za mir / Fighting for Peace*, Jovic Press, Belgrade, 2001, p. 7. In his farewell letter, Lieutenant Colonel R. Mole, Chief of UN Military Observers in Sarajevo, explicitly claimed that the war in BH was a civil war. This is evident from this section of the letter: "It is very sad to leave now. So much needs to be done and so many people need help in this painful war. Civil wars are really the worst..." See letter of 24 December 1992.

¹²⁷ Rose, *Ibid.*, p. 75.

¹²⁸ See document of the 1st Corps: Supplement to Order to Attack by the commander of OG-1, Strictly confidential. no. 3/727-2-1, of 7 September 1994.

2.46. The BH Army very adroitly conducted a psychological propaganda and media war against the VRS. It should be admitted that it did not find it particularly difficult for a number of reasons: *first*, the VRS was signally unsuccessful at public relations with its activity reduced to mere reactions to accusations by the opposing side for alleged crimes and illegitimate actions; *second*, in the media war the ABH was constantly in a more favourable position because the international community had *a priori* proclaimed the Muslims in BH the victims and the Serbs and Croats the aggressors, which attribute eventually became exclusively reserved for Serbs; *third*, for the duration of the civil war international media demonised everything that came from the Serbian side and that of the VRS, while promoting and supporting everything that came from the Muslim side.¹²⁹

2.47. The chain of command and control of the BH Army forces in the first stage of organisation, shows that all the three components were vertically linked only with the SDA leadership, which, ergo, maintained direct command communication with MUP, Patriotic League and Territorial Defence forces. Attempts were made to use individual Serbs and Croats in the ARBH Staff to present it to the international community as having a multiethnic and multiconfessional character. That simply did not correspond to the truth. In terms of its character, combat objectives, terms of address, salutes, iconography, relics, songs and all other features, the RBH Army was increasingly becoming an extremely religious army. Mercenaries from extremist Muslim states and organisations probably contributed considerably to such a spirit of Islamisation. The situation was similar in the RBH Presidency. IZETBEGOVIC was in absolute control there, meaning that the SDA leadership held the fate of the war, i.e. of the people, in their hands.

3. Army of Republika Srpska

2.48. The Army of the Serbian Republic of Bosnia and Herzegovina, later renamed the Army of Republika Srpska (VRS), was founded on 12 May 1992. It was formed of parts of RBH TO units, parts of JNA commands and units which remained in Bosnia after its withdrawal and parts of paramilitary units which were fighting in Bosnia and Herzegovina then.¹³⁰

Command and control of subordinated commands and units was executed by the Main Staff. For the duration of the war in BH, this Main Staff was under the command of General Ratko MLADIC. The existing elements of the Command of the 2nd VO were the core around which the initial elements of the GS were formed.¹³¹

2.49. Regardless of the fact that the decision to form the VRS was taken on 12 May 1992 at the 16th Session of the Assembly of the Serbian People of BH, that army did not come into existence until the day its organisation and establishment were legally regulated. Only as of 15 June 1992 is it possible and justified to say that the necessary prerequisites were created for commanding the military organisation at all levels in accordance with authority.¹³² The observation that it was possible to be in full command of the forces at all levels of command is relatively true because throughout the war and in all armies there were paramilitary units which occasionally evaded the strictly defined chain of command and responsibility.¹³³

¹²⁹ R. RADINOVIC. Expert Report on the Sarajevo Battlefield, Belgrade, 2000, pp. 33-35.

¹³⁰ ERN 0110-3019-0110-3182, *Analiza borbene gotovosti Vojske Republike Srpske u 1992. godini* /Analysis of the Combat Readiness of the Army of Republika Srpska in 1992/, published by the VRS Main Staff, Han Pijesak, April 1993, p. 14, translation into English by the ICTY CLSS.

¹³¹ ERN 0110-9699-0110-9799, *Izvestaj o stanju borbene gotovosti za 1991. godinu* /Report on the State of Combat Readiness for 1991/, Sarajevo, 23 January 1992, p. 4, translation into English by the ICTY CLSS.

¹³² Decision on the Establishment and Organisation of the Army of the Serbian Republic of BH (P09429, P03035).

¹³³ Order of D. ILIC on the resubordination of the TO, of 6 June 1992 (D01457).

2.50. The Army of the Serbian Republic of BH was formed and established by a Decision of the Assembly of the Serbian Republic of BH. That was its name after Serbian representatives walked out on the SR BH Parliament in the autumn of 1991 and a Parliament of Serbian deputies was established. At its 16th Session in Banja Luka, the Parliament adopted a decision to form the Army. The text of that decision reads: "Pursuant to Amendments to the Constitution of the Serbian Republic of BH, and having regard to Article 70, item 2 of the Constitution of SRBH, the National Assembly hereby passes the Decision on the Establishment of the Army of the Serbian Republic of BH.

First: The Army of the Serbian Republic of BH is hereby established.

Second: The existing units and headquarters of the Territorial Defence shall be renamed commands and units of the Army whose organisation and establishment shall be determined by the President of the Republic.

Third: General Ratko MLADIC is hereby appointed Commander of the Main Staff of the Army of the Serbian Republic of BH.

Fourth: The Army of the Serbian Republic of BH shall wear uniforms and ranks which were worn by the members of the JNA and Territorial Defence. The basic emblem on the cap shall be the Serbian flag, and on the left sleeve shall be the Serbian flag on a circular base with the inscription Army of the Serbian Republic of BH.

Fifth: This Decision shall come into force on the day of its adoption and shall remain in force pending the promulgation of the Law on the Army of the Serbian Republic of BH."¹³⁴

2.51. The act establishing the RS Army is a fully legitimate document and contains all the necessary provisions for initiating the process of building that army as a separate armed force of the Serbian people in BH, namely separate in relation to the armies of the other ethnic communities in BH – the Muslims and the Croats. Its legitimacy is reflected in the fact that it was adopted by the parliament as the highest organ of legislative authority of the Serbian people in BH, or rather at the very end of the process of constitution of that parliament, when it already obviously had sufficient political and legislative capacity necessary for such an important decision as the decision on the establishment of an army is. The decision as the founding act of the Army contained all the necessary constituent items – provisions pursuant to which the process of creating a military organisation could be embarked on. These provisions are: (1) renaming Territorial Defence staffs and units to commands and units of the Army, which ensured the continuity of military organisation as a self-organisation of the people for defence on the basis of the concept of all-people's defence of the state which was undergoing dissolution; (2) authorising and at the same time requiring the president of the state as the nominal head of state and future supreme commander to determine – establish – prescribe the organisation and establishment of that army; (3) the provision on the appointment of General Ratko MLADIC as commander of the Main Staff as the specialist and staff organ in charge of preparing and planning the use of the Army.

2.52. By the act of appointment of the commander of the Main Staff that body itself was given a substantially different role in the system of strategic command with great responsibility and powers. The appointment determined in advance that the Main Staff would be the highest organ of operational

¹³⁴ Minutes of the 16th Session of the Assembly of the Serbian Republic of BH of 12 May 1992 on the establishment of the Army of the Serbian Republic of BH, published in the *Official Gazette of SRBH* 1992 and the Decision of 12 -17 May 1992, p. 219.

command of VRS units in combat operations, which is normally the basic and primary function, rather than only the highest staff and specialist organ of the Supreme Command for the preparation and use of the army in wartime and peacetime. In this way the Main Staff combined the staff function with the function of the highest command body professionally competent for command in combat operations.

2.53. After JNA units left Sarajevo (14 May 1992), the commanding officers were replaced as well, and then, on 20 May, the Sarajevo-Romanija Corps (SRK) was formed, which comprised units from that area. The composition of most units changed, both men and officers, because they were formed in the winds of war, which spread like a fire. Some authors do not consider 12 May 1992 as the relevant date for the establishment of the VRS. They proceed from the indubitable fact that on that day there did not exist or function a single element of VRS organisation and establishment. And indeed, the VRS Main Staff started to be formed on 13 May 1992, and could fully function as the staff organ of the Supreme Command only as of the beginning of October 1992, when all the organisational structures had been put in place. Until then the GS commander with a group of his associates practically personified the entire staff. Also, the Presidency of the Serbian Republic of BH issued the organisational order for the forming of the Army of Republika Srpska on 21 June 1992, pursuant to the mentioned Decision of the Assembly of 12 May 1992.¹³⁵ Namely as of that day, i.e. a day after the adoption of the Decision, as stated in its item 8, the process of forming VRS units and commands could start according to the prescribed organisation and establishment, so that it could be rightly considered that the VRS did not exist prior to that date.¹³⁶ The decision also prescribes all the elements of the operational structure of the VRS. Still, some important elements of that operational structure of the Army existed also long before. Thus, for instance, the 1st Krajina and the Eastern Bosnia Corps were in existence since 18 May 1992 and the Sarajevo-Romanija Corps from 22 May 1992. The 2nd Krajina Corps and the Drina Corps still remained to be formed as well as the Air Force and Anti-aircraft Defence, as a special combat arm of the Army. The 18th of May 1992 is also important as the last day when JNA units were on BH territory, before withdrawing to the territory of the newly proclaimed FR Yugoslavia. Already on 19 May 1992, apart from the blocked parts of the Training Centre in Sarajevo and some parts of the Bileća Corps in Herzegovina, there was not a single JNA unit on the territory of this former member of the Yugoslav federation.

3.1. Organisation of the VRS

2.54. When all the mentioned facts are taken into account, the date 12 May 1992 can be taken to be the date when the Army of Republika Srpska came into being, for the following several reasons: (1) on that day the highest legislative organ of RS passed a document establishing that army; (2) on that day the Assembly adopted a decision appointing the commander of the VRS GS and investing him with the mandate to proceed with forming the VRS; (3) thirty-five days had passed by that date since the recognition of BH as an independent state, which neither the Croats nor the Serbs, as its constituent peoples, recognised, so that the process of consolidating their own separate statehood was fully legitimate and based on the BH Constitution as a pillar of statehood. For determining the date of its formation it is not important whether on that particular day the VRS was fully operational or not. The simple reason for that is that acquiring full operational capacity of the Army is a process, and it lasted during the entire war.¹³⁷

¹³⁵ Radovan RADINOVIC. Expert Report on Sarajevo, 2002, item 13.

¹³⁶ Decision on the Forming, Organisation, Establishment and Command and Control of the Army of the Serbian Republic of Bosnia and Herzegovina, No. 01-58/92 of 15 June 1992.

¹³⁷ Radovan RADINOVIC, Expert Report on the Sarajevo Battlefield and the Command Authority of General Stanislav GALIC, Belgrade, 2000, pp. 5-8.

2.55. Being in greater danger, in the beginning the Serbs responded to the call-up in large numbers, so that the RS mobilised up to 210,000 men during the war, 150,000 of whom were combatants and the rest stayed at home and rotated on the front as required. This element comprised mostly older personnel. Although a large number of officers of the former JNA who worked or were born in BH responded to the call-up, that was not enough, so that reserve officers accounted for most of the officer corps. In global proportions, officers account for eight percent of war deaths on the average, while in the VRS officers accounted for 38 percent of the casualties. This corroborates the thesis that it was a civil war of religious character, and that VRS officers sought to give a personal example having been compelled by the extremists to prove that they were not commies because they were members of the defunct JNA and had lost the state they had solemnly sworn to defend.

2.56. The Army of Republika Srpska (VRS) had two branches: the Ground Forces and the Air Force and Anti-Aircraft Defence. It was organised in operational formations – Corps, which were in direct command communication with the Supreme Command, i.e. with the VRS GS as its staff. The Air Force and PVO was entirely subordinated to the operational Corps – the ViPVO Command, and the Ground Forces did not have a branch commander. In total, the VRS had six (6) Ground Forces Corps. First there were five, and from November 1992 also a sixth one, the Drina Corps. In addition to these five operational formations, the VRS also had its headquarters support units which were directly subordinated to the Main Staff, and/or its individual organisational parts. The general organisational and establishment structure is shown in the chart in Attachment number 3.

2.57. The Corps had their zones of responsibility, as follows: the *Herzegovina Corps* with headquarters in Bileca - the zone of responsibility of Eastern Herzegovina up to the Foca – Trnovo – upper course of the Neretva line; the *Sarajevo-Romanija Corps* with headquarters in Sarajevo (Lukavica and Pale) - the general area of the city of Sarajevo with its 10 municipalities, including Gorazde, Jahorina, most of the Romanija plateau, the upper course of the Bosna River up to Visoko, Nisici and Olovo; the *Drina Corps* with headquarters in Vlasenica (from November 1992) controlled Central Podrinje from Gorazde in the south to Zvornik in the north and to the Podromanija – Rogatica line in the west; the *Eastern Bosnia Corps* (IBK) zone of responsibility was in Lower Podrinje and its headquarters in Bijeljina; the *1st Krajina Corps* with headquarters in Banja Luka zone of responsibility was in Western Bosnia and Posavina, approximately eastward from the Brcko - Doboje - Kupres line, and westward to Bihac; the *2nd Krajina Corps* zone of responsibility encompassed the area of the Bosnian Krajina from the border with Croatia to the Bihac - Jajce line. The headquarters of that Corps was in Drvar and the forward command post at Ostrelj. The *Air Force and PVO* had its KM /command post/ in Banja Luka and its zone of responsibility covered all of BH until the UN Operation, code name Deny Flight started, from which time this army branch was practically immobilised except for a part of the helicopter forces for medical airlifts and for commander reconnaissance needs. Even these activities were very risky.

2.58. The operational deployment of the VRS Corps by zone of responsibility was an inevitable solution because of a number of factors: (1) operational-geographical analysis of the RS area; (2) the shape of the RS area and its small operational depth; (3) the strategic concept of defence of the VRS; (4) the impossibility of direct daily influence on commanding at the operational and tactical levels; (5) the need for great autonomy and self-initiative in commanding at the corps and brigade levels.¹³⁸ The operational deployment and grouping of VRS forces by zone of responsibility is shown in the charts in Attachments 4 and 5.

¹³⁸ Radovan RADINOVIC, Expert Report on the Sarajevo Battlefield and the Command Authority of General Stanislav GALIC, Belgrade 2000, pp. 27-30.

2.59. Analysing the overall situation in the Serbian Republic of BH, the Main Staff of the SRBH Army, *inter alia*, concluded the following: “(1) in activities to date, the Corps Commands and most of the units of the SRBH Army control the situation in the zones, are holding the fronts and crushing different enemy forces in the rear; (2) upon mobilisation, the manning percentages of the units of all Corps, except the Herzegovina Corps, are satisfactory; (3) command and control in the 1st and 2nd Krajina Corps and the Herzegovina and Eastern Bosnia Corps has stabilised, while this cannot be said of the Sarajevo-Romanija Corps, due to undermanning and subjective weaknesses; (4) inclusion in the SRBH Army of forces of the former Serbian Territorial Defence, of various “crisis” staffs and political parties is evolving slowly or not at all in the Eastern Bosnia and Sarajevo-Romanija Corps; (5) in some areas, local, municipal and, in particular, “village” wars are being fought between different ethnic communities, with mainly pre-war problems being solved by arms and with attempts to draw in army units, which diverts us from the front; (6) local leadership ambitions, love of power, and self-promotion are seriously harming our struggle, and particularly so when they cause victims, massacres and looting, and (7) the international factor, having accepted the untruths about the war in BH, is seriously hampering our struggle, which requires of us to close ranks even more and seek to prove the real truth through a just and successful struggle, putting our potentials to efficient use, eliminating the existing weaknesses and successfully executing the tasks ahead of us.”¹³⁹

2.60. Due to big differences between the zones of responsibility of the corps in respect of size, terrain features and operational environment, the VRS Corps differed in size and in the number of units, type, structure and characteristics of their formations. The most numerous and the one with the greatest operational capacity was the 1st Krajina Corps which was about 100,000 men strong, and the weakest was the 2nd Krajina Corps with only 10,000 men. By way of illustration, we can note that, e.g. the 1st Krajina Corps comprised 34 brigades, one independent division, three independent regiments and five independent battalions. Of these, two were armoured brigades, three motorised and one artillery brigade, while the others were either light or infantry brigades (22 units). In comparison, the Drina Corps, as one of the weaker VRS Corps, had only eight brigades and most of them light ones.

2.61. The evolution of the VRS organisation can be divided into two periods, namely: the period before 19 May 1992 and the period after that date till the end of the war. In *the period until 19 May 1992*, regular JNA and TO units were operational and were located in the area of BH, and BH was one of the federal units of that state. Most of these units had been formed according to basic mobilisation and operational deployment plans of the SFRY OS, prepared for those areas a long time before the outbreak of the local conflict in BH, and a number of those units had been pulled out of Slovenia and Croatia. In parallel with these, units of the Serbian BH TO operated in the area of Republika Srpska in parts where Serbs were in the majority. The organising and building of the Army of Republika Srpska in the period *after 19 May 1992*, was significantly determined by the decision of the state and military leadership of the newly proclaimed FR Yugoslavia to withdraw JNA members who were not BH nationals from BH territory. This decision followed the recognition of BH as an independent state by the EC and the USA and its admission to the UN.¹⁴⁰

2.62. In terms of its basic typology, the Army of Republika Srpska was *a people's army*, i.e. it belonged to what is referred to as the *militia type of military organisation, upon theoretical precepts of the all-people's defence concept, which was developed at the level of the former SFRY*. That means that the VRS officer corps partially consisted of active military personnel – professionals who hailed from BH, while most of the commanding officers came from the reserve. The soldiers were all locals from the territory or the population that had fled from territories controlled by Muslim and Croatian armed units.

¹³⁹ Zones of responsibility and the next tasks of the Army of the Serbian Republic of Bosnia and Herzegovina, RBH VS GS, 4 June 1992 (E 234-D071-001-Z39).

¹⁴⁰ R. RADINOVIC, *Ibid.*, pp. 20-22.

The basic principle for the manning of units with soldiers was the territorial principle, and only in respect of high-ranking commanding officers was the extraterritorial principle also applied.

2.63. Throughout the war, until July 1995, a state of war had not been declared in RS territory. That is why there existed no legal possibilities to constantly keep the personnel in combat formation, namely in units and installations, except on the basis of voluntary decisions of individuals. Namely this principle of voluntary joining of VRS ranks substantially defined the people's and militia character of that army. A huge weakness of this principle was that the soldiers believed that as they joined of their own volition they were free to leave the unit and even the front line at will and that they did not have to go to other fronts in the area of BH. This was a big problem throughout the war. It significantly undermined operational capacity at the operational and strategic levels of command.

2.64. The VRS deployment and combat action doctrine was specific in many respects, but basically resided upon theoretical and doctrinal knowledge from the former JNA. As well, it emanated from the character of the war fought on BH territory and the character and form of military organisation applied in forming the VRS. *Armed operations of the VRS were planned, organised and conducted predominantly upon strategic defensive principles.* This directly corresponded with the defensive and liberation character of the war and the basic typology of the military organisation to which the VRS belonged, which is a people's army, organised and tactically and operationally positioned and deployed on the territorial principle. The VRS Supreme Command never set final victory in the war as its primary war objective. On the contrary, the maximum strategic aim of the VRS was defence of RS within territorial boundaries considered Serbian ethnic space on which the Serbs in BH had the legitimate right to form their own state entity.

2.65. The defensive strategic options in the use of the VRS have been recorded time and again in official and unofficial statements of the president and supreme commander of Republika Srpska¹⁴¹. Radovan KARADZIC often stressed that the war objective of RS was not military defeat of the ABH and HVO, as the national armies of the other two peoples in BH, but the defence and protection of the Serbian people in Serbian ethnic areas and the forming of Republika Srpska, as a separate state and political entity of BH. Forming of a separate state entity was a necessity after Serbs were outvoted by the Muslims and Croats abusing their majority.¹⁴² At the very beginning of the war, in the process of linking the area enclaves into a RS territorial whole, the VRS also executed tactical offensive actions, and even one offensive operation. This is the operation known under its code name *Koridor-92*, which was executed in Posavina from 24 June 1992 until the end of October of the same year, in order to link the eastern and western parts of Republika Srpska. Following that operation, in July 1992, the VRS launched offensive operation named *Lukavac-93*. This operation was launched to liberate the general area of Trnovo and Treskavica which ABH units had occupied in the summer of 1992. With the liberation of that area, the Herzegovina, Sarajevo-Romanija and Drina Corps linked up and full operational control was established of the area bounded by the mountains Igman, Bjelasnica, Treskavica and Jahorina. The Igman area had in fact been the operational foothold of the Muslim forces for actions towards Sarajevo, Foca and Gorazde and further towards Eastern Herzegovina. The next offensive operation was the one executed in the fall of 1994 in the Bihac Krajina. This was a provoked and practically forced operation, after the 5th ABH Corps penetrated into the depth of RS territory out of Bihac as a UN safe area, so that the VRS was forced to counterstrike to push it back to that zone. All other actions, except the tactical level ones, fall in the group of defensive actions.

¹⁴¹ "...We endeavoured not to take what is not ours and not to fight more than necessary, to defend ourselves...", Radovan KARADZIC's speech at the 16th Session of the SRBH Assembly in Banja Luka on 12 May 1992.

¹⁴² *Majorizirati* (Lat. maior, bigger) outvote, prevail over by a majority vote, e.g. an opposing party. Milan Vujaklija, *Recnik stranih reci i izraza* /Dictionary of Foreign Words and Phrases/, Prosveta, Belgrade 1980, p. 526.

2.66. The territorial principle of warfare was also practically forced upon the VRS doctrine, as compatible with both the character of the war in BH and the people's i.e. militia¹⁴³ nature of this military organisation. The units and combatants were practically defending their home turf, their own towns, and once a town fell the fighters lost interest to remain in the units and fight. In such cases they would leave the front en masse, and there would be dispersal i.e. attrition of units which seriously undermined the robustness of the VRS defence.

2.67. Offensive action from the depth with the engagement of own reserves and attached reinforcements was an adequate solution to that problem. The situation was similar in the ABH and the HVO, but they had more manoeuvre units which were engaged as needed in the various sections of the battlefield. In the preparation and execution of combat actions, the commanding officers as well as all the men primarily relied on their technical supremacy over the enemy, especially in the first stage of the war. Their supremacy stemmed from the fact that they had more heavy weapons, primarily artillery and more armoured mechanised units. In the final stage of the war this situation changed.

3.2. Command and control system in the VRS

2.68. The command and control system in the VRS, as is the case in all other armies of the world, had a three-tier structure: (1) the strategic level or supreme command; (2) the operational level of command; and (3) the tactical level of command. There is no need to particularly stress anything about the first and second command levels that is unfamiliar or that is not already known in military command doctrine. These are military commands at their most classical, mainly organised, equipped and trained to plan, organise, prepare and conduct operations, battles and combat. They include corps commands as the operational level and the commands of brigades, battalions and artillery battalions as tactical commands, i.e. the tactical level of command.

2.69. The organisation of the RiK system reflects the organisational structure of the Army of Republika Srpska. And that organisation was determined by a Decision of the President of the Serbian Republic of BH.¹⁴⁴ Pursuant to that Decision, the Commander of the VRS Main Staff issued his Order on the Forming of VRS Commands and Units¹⁴⁵. Before that, the VRS GS commander by his order specified the zones of responsibility of the VRS operational units and generally determined their next tasks.¹⁴⁶

2.70. On the basis of these constitutive documents, the Army of the Serbian Republic of BH, later known under the name VRS, consisted of two branches: the Ground Forces and the Air Force and Anti-Aircraft Defence. At the helm of the Army was the VRS Main Staff which had a number of immediately subordinated units such as: the Guards Brigade, the Protection Regiment, the Communications Regiment and the 10th Sabotage Detachment. As well, the VRS had its logistical subsystem consisting of rear units and installations (logistical bases, repair and maintenance depots, workshops and production plants, military farms, library, army band, hospital, military medical centre, automatic data processing centre, bookkeeping centre, counter-intelligence group, 410th intelligence centre).

2.71. In the context of organising the RiK system, the VRS was organised at the operational and tactical levels. The operational level consisted of: the Air Force and Anti-Aircraft Defence and the Ground Forces, and the tactical level comprised units and installations in the depth of the corps organisation and the Air Force and PVO organisation. It can be concluded that the VRS did not have units or formations

¹⁴³ Milicija (Lat. militia), people's army, the armed people (as opposed to a regular or standing army), Milan Vujaklija, *Recnik stranih reci i izraza*, p. 567.

¹⁴⁴ Document no. 01-58/92 of 15 June 1992 (P03035).

¹⁴⁵ Order no. 30/18-17 of 16 June 1992 (P19018).

¹⁴⁶ VRS Main Staff Order no. 02/5-31 of 4 June 1992 (P02546).

of strategic military organisation level, but, if and when needed, this was achieved by functional organisation or by organising coordinated action between two or more corps in executing strategic operations or operations at the strategic level.

2.72. The strategic level of command comprised the VRS Supreme Command and Main Staff. As its very name says, this level of command had control authority over the execution of strategic measures¹⁴⁷ by which the armed forces as a whole and their main elements are brought into a position for use, i.e. for the execution of strategic operations serving to achieve the strategic goals of the war. The VRS did not execute a single strategic operation in terms of engaged forces, but it did execute a number of operations which were of strategic significance (*Koridor 92*, *Lukavac 93* and the counter-strike at Bihac in the autumn of 1994).¹⁴⁸

2.73. The strategic i.e. supreme level of command in the VRS was in many ways specific. Nominally, the president of Republika Srpska was the Supreme Commander of the VRS. Such an arrangement exists in almost all the armies of the world. The VRS Main Staff was the supreme staff organ of the supreme commander. Not only did it in its role of staff organ of the Supreme Command create command documents, but it also on their basis issued concrete, binding orders and directives to the operational command level. Relations between the supreme commander and the commander of the VRS GS were at times burdened by their somewhat different perceptions of the essence of civilian-military relations. In certain periods of the war, this dualism and parallelism in supreme command caused a number of consequences. The conflicts occasionally escalated to a level which precluded unity of military and political strategy, which had a very adverse effect on the overall status and position of the VRS in certain periods of the war, when the logic of politics failed to grasp the logic and course of combat operations. This sporadic and occasional mismatch harmed both the VRS and RS.

2.74. The Supreme Command as a collective body was formed on 30 November 1992. It was not operationalised to full capacity. Even when the army was discussed at sessions of this body, it was not about its operational deployment at the operational and tactical levels, because these decisions were not made by the Supreme Command but mostly by the GS and the operational and tactical level commands.¹⁴⁹ /?There were/ cases when both levels of strategic command issued directives (example D-7 and D-7/1).

2.75. In addition to performing the role of the VRS supreme operational command, the Main Staff also performed the function of staff organ of the Supreme Command for the preparation and use of the army. This staff role referred both to specialist and staff support to the decisions of the Main Staff commander, which is self-explanatory, but also to decisions and/or directives signed by the Supreme Commander and President of the Republic. This is clearly evident in Directive 7 which was authorised by the President of the Republic. However, it was prepared and finally processed by the Main Staff.

¹⁴⁷ Basic strategic measures according to military doctrine are mobilisation, build-up, i.e. initial grouping, troops in the battlefield and their strategic deployment (i.e. disposition) in space – see *Military Lexicon*, Military Publishing House, Belgrade, 1981, p. 590 (1D06010).

¹⁴⁸ *Ibid.*, p. 589 (1D06010).

¹⁴⁹ The decision on the establishment of the Supreme Command has five Articles. Article 1 states that “the Supreme Command of the Army of Republika Srpska is hereby formed for the purpose of harmonisation, coordination and efficient system of command of the Army of Republika Srpska”. Article 2 specifies the personnel composition of the Supreme Command, which consists of: “the Supreme Commander, the President of Republika Srpska (the Presidency), the President of the National Assembly of Republika Srpska, the Prime Minister of Republika Srpska, the Minister of National Defence and the Minister of the Interior of Republika Srpska”. Article 3 defines the status of the VRS Main Staff in relation to the Supreme Command, and states that “the work of the Supreme Command shall be attended by the VRS GS commander, his assistants, members of the Main Staff, and by VRS Corps commanders only on invitation”.

2.76. The VRS Main Staff started to be formed on 13 May 1992, namely on the day General Manojlo MILOVANOVIC came to Republika Srpska with a group of officers and assumed duty. They were the core of the Main Staff. Throughout the war its location was in Crna Rijeka near Han Pijesak. The geostrategic position of RS and the military-geographical characteristics of the battlefield required the setting up of a forward command post in the western part of RS, from where supreme command would be carried out of forces in the 1st and 2nd Krajina Corps and of the Air Force and PVO. From the VRS main command post, corps in the eastern part of RS (IBK, DK, NK /?HK/ and SRK) were commanded. Such an approach to command was introduced in the last year of the war, but too late because other preconditions for the efficient defence of a part of the Bosnian Krajina and the zone of the 2nd Corps had been lost. The VRS GS compensated for this organisational shortcoming in work by frequent visits of teams led by its chief of staff, and even by the VRS GS commander, General MLADIC, himself. These tours of inspection by highest VRS leaders of subordinated commands throughout the theatre of war served to inspect the commanding, extend assistance to subordinates and to revise GS decisions concerning corps commands. Towards the end of 1995, at the time of the Croato-Muslim offensive, this became increasingly difficult to do as had been the practice. The system of communications was disrupted by NATO air strikes.

2.77. The VRS Main Staff consisted of several different structures (which are at this level in principle called sectors), each of which was so organised as to extend to the commander the necessary support for decision-making. The first and most important channel of command after the GS commander was the chief of staff who, if needed, also discharged the duty of deputy commander. The chief of staff directed the work of the operational sector of the staff and saw to it that it was in complete coordination with the work of other sectors. There were also the usual assistant commanders, namely assistant commander for moral guidance, legal and religious affairs, assistant commander for intelligence and security and assistant commander for logistics. Later during the war, in response to growing need, new roles of GS assistant commanders were introduced. Several departments, which under the circumstances had until that time been in the operational sector or in the logistics sector were expanded and eventually became separate sectors, headed by assistant /commanders/. They were the assistant commander for air force and anti-aircraft defence, the assistant commander for recruitment and personnel and the assistant commander for deployment and financial affairs. In the context of the present Report, the roles of the chief of operations and training, assistant commander for moral guidance, legal and religious affairs and of the assistant commander for intelligence and security are dominant from the aspect of operational use so that basic information is given about them.¹⁵⁰

2.78. The Operations and Training Sector of the Main Staff was most directly responsible for the planning and direction of most duties of the Staff related to combat. These activities were managed by the Chief of Operations and Training. The Chief of Operations and Training also had the function of Deputy Chief of Staff.¹⁵¹ Subordinated to the Chief of Operations and Training were organs in charge of the basic combat arms and services, including infantry units, armoured-mechanised units, rocket and artillery units, engineer units and communications units and electronic warfare units.

2.79. The Sector for Moral Guidance, Religious and Legal Affairs was an important component of the Main Staff during the war. This element of the Staff was primarily responsible for managing information and propaganda campaigns in support of war objectives. This was considered especially important in view of what was perceived as very biased reporting by the western media about the war to the detriment of the VRS and RS. This component of the Staff was also responsible for managing the military judicial system. In accordance with its organisation, this organ was also in charge of military

¹⁵⁰ Richard J. Butler, VRS Main Staff Command Responsibility Report, 2006, p. 11.

¹⁵¹ *Rules, Ground Forces Corps, Provisional (1990)*, paragraph 67.

prosecutor's offices working in the corps' zones as well as of the newly-established military courts. However, in mid-1993, this responsibility was transferred from the VRS to the Ministry of Defence. As regards religious issues, little immediate attention was devoted to this relatively new field in the early stages of the war. As the war progressed, this specific service took on more duties related to support to the families of soldiers who had been killed or wounded as well as to other issues related to war veterans.¹⁵²

2.80. The Intelligence and Security Sector was the organisational unit for the preparation and execution of VRS combat actions. In addition to collecting information about the adversaries in the war in BH, it was very important to protect information on own forces from those of the opponent (counter-intelligence work). This sector also performed a number of purely security functions, including the physical protection of key figures and features, as well as maintaining a general climate of security by military activities aimed at preventing crime. In discharging these functions, the Intelligence and Security Sector extended technical support to reconnaissance patrols and reconnaissance units, to electronic reconnaissance units, sabotage units, specialised security units and military police units.¹⁵³

2.81. The location of the Main Staff was often problematic also because of the need for direct and daily cooperation between the Supreme Command and the VRS GS. Inadequate understanding of communications at the strategic level was often attributed to the problem of physical distance, which certainly is not the case. The political leadership failed to sufficiently and correctly grasp the logic of communication in civilian- military relations vis-à-vis military operations and the military profession and vice-versa. The military did not always exhibit sufficient understanding for political decisions and their perception of the war goals. As a consequence of such a relationship, the VRS GS occasionally engaged in the direction of war and not only armed combat which was its primary role. The highest state and political leadership should have dealt with the direction of war. The Main Staff consisted of elite professional officers and generals who had completed military schools and academies as well as all advanced forms of specialist military training at high institutions of learning of the former JNA. They were educated for the efficient exercise of all the elements of the staff function in the VRS GS. In addition to its staff and command function, the VRS GS was directly involved in all forms of official communication and cooperation between the VRS and UNPROFOR, i.e. UN forces. The VRS GS organisation and structure are given in the chart in Attachment number 6.

2.82. After the operations for Zepa and Srebrenica in which General MLADIC did not play a leading role, because the RS President Dr Radovan KARADZIC had assigned that role to the Commander of the DK, Major General Radoslav KRSTIC /end of sentence/. This is patently obvious from the interview he gave to RS Television on 4 August 1995. The interview with RS President Radovan KARADZIC was aired that same day at 2230 hours. The main topic of the interview centered around the proclamation that Colonel General Ratko MLADIC had been replaced as Commander of the VRS Main Staff and appointed "special advisor to the Supreme Commander for coordination of the joint defence of RS and the Republic of Serbian Krajina (RSK)". In a part of that interview there is a short section referring to Srebrenica and the role of Major General KRSTIC. According to President KARADZIC: "We wanted to make MLADIC into a legend and we did so, because we knew that our people wanted legends. We did not, however, manage to draw attention to the successes of individual corps commanders. For instance, KRSTIC, who planned in my presence and I approved that task for Srebrenica, who did that exceptionally well. Of course, the Main Staff, MLADIC and everybody else helped, but it should be known that KRSTIC is a great military commander" / .¹⁵⁴ This clearly demonstrates Dr Radovan

¹⁵² R. Butler, VRS Main Staff Command Responsibility Report, p. 12.

¹⁵³ R. Butler, VRS Main Staff Command Responsibility Report, p. 15.

¹⁵⁴ (Prosecution exhibit number 99/a).

KARADZIC's wish and intention to place the GS and the VRS fully under his control.¹⁵⁵ All these misunderstandings came to a head when the President of the Republic and Supreme Commander tried to fundamentally change the role of the Main Staff and to transform it from a command organ to an organ for staff and specialist affairs, as is the case in other armies which have general staffs. Realising that the problem was rather one of concept and that a new GS commander would perhaps behave similarly as well, the Supreme Commander first renamed by Decree the VRS Main Staff to VRS General Staff, and appointed General MLADIC his special advisor.¹⁵⁶ VRS generals pledged allegiance to the VRS GS Commander by their signatures.¹⁵⁷ They made it clear that they were basing their decision on their own interpretation of the Constitution and law and the RiK system organised on their basis, which is that operational command shall be executed by the Commander of the Main Staff. After this move by the generals, and probably also because of the actual situation in the theatre of war, Dr Radovan KARADZIC decided to suspend his own Decision and all orders related to the change of status of the Main Staff and the position of General Ratko MLADIC.¹⁵⁸ Essential changes of the VRS GS took place only after the war, on 8 November 1996, when by a decree of the then president of Republika Srpska, Biljana PLAVSIC, General Ratko MLADIC was relieved of the post of commander of the VRS Main Staff and was not appointed Chief of General Staff.

¹⁵⁵ Richard J. Butler, VRS Main Staff Command Responsibility Report, 2006, p. 101.

¹⁵⁶ RS Presidential Decree, no. 01-1566/95 of 4 August 1995 (D02157)

¹⁵⁷ VRS Main Staff, no. 04-12/937 of 5 August 1995 (D02159) and IBK Command, DT 01/1369-2/679 of 6 August 1995. (P15423)

¹⁵⁸ Document countermanding the order on the change of the status of the VRS GS and General MLADIC, confidential no. 01-1707-1/95 of 27 August 1995. (1D05439)

Part III ARMED CONFLICTS IN BH

1. Start of the armed conflicts

3.0. Ethnically based conflicts started already in March 1992 in different places in Bosnia and Herzegovina. Extremists from among the ranks of all the nations, as well as representatives of political parties of a national character primarily participated in such conflicts, and such parties were the leading ones and enjoyed the greatest confidence among the Serbs, Muslims and Croats. In that period the Muslims and the Croats had organised paramilitary units, while the Serbs hoped that Yugoslavia would survive and relied on the JNA and the existing institutions of the joint state and local self-government. In areas inhabited by Muslims and Serbs these conflicts were still not of a systematic nature, they broke out sporadically but were charged with hatred and intolerance which constantly grew. In places inhabited by Croats, already from the beginning of the conflict in Croatia, the situation was unbearable. The Serbs were constantly persecuted and attacks on units and military facilities were sometimes even more intense than in Croatia. This was particularly true of Western Herzegovina, the Neretva River valley, the Dubrovnik hinterland and Posavina.

3.1. On 3 March large-scale armed conflicts broke out in Bosanski Brod, leading to the division of the city. Serbs demanded that a Serb municipality of Bosanski Brod be formed and the Croats responded by opening the bridge across the River Sava for war purposes, over which units of the Croatian Army entered the city. This was classic armed aggression on BH and the JNA. Nevertheless, the JNA met the condition set by Croatia and withdrew to a distance of 25 kilometres from the city, this causing panic among the Serbs, who had been left without protection. This resulted in a wave of Serb refugees towards Banja Luka. The attack on Sijekovac and the massacre in that village marked events which took place on 26 and 27 March 1992, near Bosanski Brod, in which scores of civilians of Serb ethnicity died. During those two days the village of Sijekovac was captured by units of the Croatian Army, the Croatian Defence Council and BH Territorial Defence Muslim units. These forces then set on fire some fifty houses in the village without any cause and killed innocent families of Serb ethnicity. In 2004, the Federal Commission for Tracing Missing Persons, a body of the BH Federation, began excavations near Bosanski Brod. Enisa ADROVIC, an investigating judge from Zenica, who was in charge of the exhumations, said that they lasted 14 days and that 59 bodies were exhumed, most of which were of Serb civilians. Only 8 bodies had items by them on the basis of which they could be identified, while there was nothing to help identify the other 49. Among the bodies were those of 18 children. Sijekovac opened the first wound of the war in BH and that clearly shows that the Muslim-Croat coalition started the violence, targeting the Serbian people.¹⁵⁹ This is in fact evidence that the Croats and Muslims first started the war with the attack on the Serbs.

3.2. At the beginning of April, HV, HVO and HOS units from Western Herzegovina mounted an offensive towards Kupres. The first Croatian tank entered the city on 5 April. The inhabitants of Serbian villages were, at the time, already exposed to the terror of the Croatian Army, which was shifting the war to the area of BH at any cost, pursuant to a decision of the political and state leadership of the Republic of Croatia. On 4 April, the rump Presidency of BH, which in fact did not have the legitimacy stemming from the will of all three constituent nations, proclaimed mobilisation of the Territorial

¹⁵⁹ Case Number IT-97/24-T, the Prosecutor versus Milomir Stakic, UN ICTY. 2002-11-18. p. 9086, accessed on 6 November 2010. "FDefence attorneyg Mr. Lukic: FInterpretationg Therefore, the incursion of the regular Croatian forces into the territory of Bosnia and Herzegovina occurred on the 3rd of May, 1992. After that, on the 26th of March, there was the massacre of Serb civilians in the village of Sijekovac in Bosanski Brod Municipality which was also covered in all the media, and members of the presidency of Bosnia and Herzegovina went to the scene. F...g"

Defence (TO), the reserve police and civilian protection in all BH municipalities and cities. Serbian members of the Presidency, Biljana PLAVSIC and Nikola KOLJEVIC, voted against the decision. Only Muslims and Croats responded to the call-up. Alija IZETBEGOVIĆ demanded that the JNA turn over its weapons to the Muslim TO of BH. Not only Serbs but also a large number of Muslims, who were not under the influence of Croatian nationalists and the Republic of Croatia, protested against the Republic of BH moving towards war. Sarajevans chose a very visible way of saying their “no” to the war: on the day general mobilisation was proclaimed they turned off the lights in their flats. *Darkness descended on the city as a symbolical way of pointing to the darkness and chaos civil war brought.* Regrettably, these turned off lights also symbolised the beginning of the war in the “dark vilayet /region/” in which ghosts of the past, hatred and revengefulness reappeared. Gradually, even ordinary people who had until then wanted only peace found themselves on different sides because the then politicians, national and religious extremists and paramilitary organisations had divided them by checkpoints, roadblocks, murders and persecution of members of other ethnicities from the majority milieu. Ordinary people became hostage to the war. Already on 4 April, in parallel with mobilisation, military actions of Muslim paramilitary organisations began, in which they took the buildings of the police, the post office and all important facilities in the city.

2. The execution of combat actions in the area of Bosnia and Herzegovina

3.3. In the beginning actions unfolded in Sarajevo as if a popular uprising was in question, without a specific concept for the defence or blockade of Sarajevo. The urban part of Sarajevo immediately fell into the hands of the Muslims who had earlier organised the Patriotic League, the Green Berets and the MUP in it. Problems later accumulated and it became increasingly difficult for Serbs to survive in Sarajevo. Patriotism too was declining, eroded by immoral practices which demotivated patriots. The major military problem was that in the beginning there was no general position, i.e. strategic objective of what all the warring parties wished to achieve in military terms and how to do that, so that paramilitary units terrorised innocent civilians, ethnically cleansed areas under their control and basically waged their own private wars. The most notorious in this respect were renegade gangs in the city of Sarajevo, who were, under the guise of defending the city, “masters of life and death”. They terrorised not only members of the Serbian people but also Muslims against whom they bore a grudge for any reason whatsoever. Some members of the JNA also took part in that trade in weapons and human lives.¹⁶⁰

3.4. In smaller places in Central Bosnia the mistakes and disorganisation were even greater as the majority population there were Muslims and Croats. That is why it was more difficult to pull out the inhabitants from there to other locations. This contributed to the lesser response of Serbs to the mobilisation and, thus, most of the weapons fell into the hands of the Muslims and Croats. In some places, such as Gornji Vakuf, Donji Vakuf, Busovaca, Kakanj and others, the Serbs had no organisation and they operated as the armed people by posting village guards. During 1992, Muslim units were joined by “holy warriors” (mujahidin), who conducted holy war against the Christian Serbs. On 20 August 1992, the Turkish paper *Milliyet* carried an article stating that 1,300 mujahidin from Islamic countries, which the Government in Sarajevo had called, were fighting on the side of the Muslims in Bosnia. In September 1992, in the village of Jablanica near Tesanj, mujahidin from Saudi Arabia organised a centre for training Muslims according to the principles and basic premises of jihad. Mujahidin from Tesanj tortured three captured Serb combatants (Blagoja BLAGOJEVIC, Brano \URIC and Nenad PETKOVIC), and then had a photograph taken with their severed heads.¹⁶¹ Representatives of numerous

¹⁶⁰ General Jovan DIVJAK was convicted by a final judgement in 1991 for illegal arming of TO members in Kiseljak. Evading justice is the probable motive for his deserting the JNA and remaining in the Muslim ABH /Army of Bosnia and Herzegovina/.

¹⁶¹ M. MILUTINOVIC, *Ibid.*, pp. 36-37.

world media saw the massacre of 18 men, women and children in the village of Serdari near Kotor Varos on 17 September 1992, but did not broadcast it as it did not fit into the general picture of the war.

3.5. The existence of two yardsticks for the crimes committed in the civil war is evidenced also by the subsequent response of numerous world analysts and eyewitnesses of the events in that war who represented international organisations and forces, such as Morillon, Carrington, MacKenzie and others.¹⁶² As there did not exist a central information agency either in RS or in the VRS, the public was not informed fully and on time of crimes against Serbs, and some local information groups and individuals, lacking discipline, often did not even realise the importance of disclosing truths about crimes against Serbs in a timely manner. Thus, for instance, the Teslic Brigade kept proof - photo and video recordings - of the crime of mujahidin against Serb soldiers to itself, unaware of the importance of disseminating this information to the world.

3.6. According to developments and legal documents and other legislation in the SFRY, as well as under international law, the war in the area of BH can be viewed in two stages. The first is the period from April to 22 May 1992. Although short, this period is very important because war fought in the Republic of BH, namely a part of the sovereign SFRY, the parties to the conflict being the BH peoples and the institutions, i.e. army of the federal state. From the recognition of its sovereignty, namely from 22 May 1992, the war continued in the internationally recognised state of BH with, in legal terms, substantively changed participants. As of that date, the parties to the conflict were the three constituent peoples in BH. In that conflict the only other direct participant was the Republic of Croatia with its army, and there were also other external factors in that war, primarily regional states, Islamic countries and some influential European and world powers.

3.7. More intensive armed conflicts began with the aggression of the Republic of Croatia on the Republic of Bosnia and Herzegovina at the end of March 1992,¹⁶³ with a contingent of between 15,000 and 20,000 soldiers. In the morning hours, 15 tanks and 15 armoured personnel carriers were transferred from Slavonski Brod to Bosanski Brod, with strong artillery support from the area of the Republic of Croatia. The Republic of Croatia followed up this start of the aggression with offensive actions in the Derventa and Brcko areas, by engaging the 108th and 109th HV Brigades. The 1st, 4th, 110th, 114th, 115th, 116th, 155th and 156th HV Brigades, about 10,000 men strong, with a large number of tanks, armoured personnel carriers, artillery and anti-aircraft weapons were engaged in the area of Western Herzegovina. The armed aggression of the Republic of Croatia was preceded by planned and organised activities for forming paramilitary armed units in the Croatian and Muslim peoples in the area of BH and continuous intelligence and reconnaissance activities targeting JNA units and Serbian territories.¹⁶⁴

Occasional reports on Serb women raped in Posavina reached the world thanks to Galina MARJANOVIC from Banjaluka, who took in such victims and helped them, and to German journalist Ms. Heidi Hecht, who visited RS on a number of occasions and occasionally reported on that in the German paper *Die Studentische Zeitung*.

In 1992, Canadian General Lewis MacKenzie, clearly described Alija IZETBEOVIC's strategy but elicited no reaction. MacKenzie said: "IZETBEOVIC wants the whole country back. Quite openly – the only way in which he can win is to convince the international community to intervene with military forces and thus save him from his Serbian enemies..." (M. MILUTINOVIC, *Ibid.*, p.84).

¹⁶² *Ibid.*, p. 73.

¹⁶³ As of 27 March 1992, continuous battles were fought in Bosanski Brod between units of the Croatian Army against the Serbian population in that area. The population of the village of Lijesce was massacred. 21 members of the JNA were killed, 24 gravely wounded and four members sustained minor injuries.

¹⁶⁴ The SDA organised and armed paramilitary units of about 50,000 Muslims ranged in four divisions, three regiments, 55 units of battalion rank, 62 units of company (platoon) rank and several tens of special units, and the HDZ and the HSP /Croatian Party of Rights/ organised and armed paramilitary units of about 35,000 Croats ranged in 40 – 45 units of battalion rank and 20 units of platoon rank.

3.8. The Main Staff of the Republic of Croatia and the Patriotic League of BH carefully chose the moment of recognition of the Republic of BH by the European Community for the start of the aggression on BH. Their basic concept was to use the mentioned HV contingent and paramilitary armed units in BH to mount offensive actions on the Bosanski Brod – Derventa – the valley of the River Bosna – Sarajevo and the Tomislavgrad - Kupres – Bugojno axes, to sever the territory of BH into two, while at the same time occupying and controlling territory towards the Republic of Serbia, in the valley of the River Drina, and consolidating links with the fundamentalists in Sandzak in order to ensure the spillover of the winds of war to the area of Serbia. The Serbian people would then be forced to obey the Croato-Muslim authorities and the units of the Serbian TO to disarm. The flaws of such an unrealistic military assessment and concept soon became manifest and it remained but a dream in the heads of its planners. HV units began to be brought to Western Herzegovina and the valley of the River Neretva after the fall of Vukovar, the clearly set goal being to occupy Serbian territories in Eastern Herzegovina, unblock Sarajevo and occupy central Bosnia and to impose Croatian rule in order to make up for territories lost in the war with the Republic of Serbian Krajina.

3.9. This globally charted initial concept could not be realised with the actual strength of the armed units of the Croato-Muslim coalition or by a detailed elaboration of the aims of executing combat actions at lower organisational levels of command. The paramilitary armed formations organised in the initial period, could not, overnight, become a regular army capable of responding to the major challenges of their global political objective. The beginning of the war was marked by total lawlessness and terror over the innocent civilian population. This led to civil war with an unforeseeable course and consequences. A continued analysis of executed combat actions was impossible because of shorter or longer gaps in reporting on certain areas. Its capital potential made the Islamic factor a respectable economic and military power which significantly impacted the further course of the war in BH and the finding of a solution by peaceful means.

2.1. Execution of combat actions in the area of Eastern Bosnia

3.10. The area of Eastern Bosnia is conditionally defined by the River Bosna in the west, the River Drina in the east, the River Sava in the north and by the Zenica – Vares - Rogatica – Rudo line in the south. The time period from the beginning of 1992 until 1 May 1992 is characterised by the intensive arming of the Muslim population under the auspices of the SDA and the legal authorities in communities inhabited by a majority Muslim population. Paramilitary armed units, with lists of men, weapons and equipment, were formed. Intensive intelligence and reconnaissance activities against JNA units and areas inhabited by Serbs were carried out. Police stations with predominantly Muslim staff and some former officers of the JNA joined the paramilitary armed units. The system of control of paramilitary armed units was based on the existing structure of the civilian authorities with the pronounced role of specialised executive organs in municipalities and regions. Experiences from the war in the Republic of Croatia were taken over in full as a recipe for attacks on JNA units and the Serbian population. In the initial period they focused on sabotage and terrorist actions, attacks on military facilities, ambushes, raids and searches of smaller military columns and individual vehicles. Individuals and smaller groups of JNA members were captured and maltreated and later also killed by members of Muslim paramilitary armed units and armed civilians. Such activities were particularly intensive in March and April. Consequently, armed battles started with a view to countering the sabotage and terrorist actions of the Green Berets.¹⁶⁵ In the period from 5 March to 3 May 1992, there were 16 attacks on military facilities and units in the Tuzla region. 24 JNA members were killed, 25 sustained grave and 6 minor wounds, with extensive damage to military facilities and MTS /materiel and technical equipment/.

¹⁶⁵ Street battles were fought against armed paramilitary units (Green Berets) from 3 to 5 April 1992 in Bijeljina and from 9 to 13 April in Zvornik.

3.11. Decision DT 01-1/92 of 4 April 1992 of the rump Presidency of the Republic of BH on the proclamation of an imminent threat of war and Order no. 01/01-1 of 21 April 1992 of the MO /Ministry of Defence/ of the Republic of BH, legalised the so-called RBH TO. Each regional SDA staff was responsible for at least one manoeuvre unit (brigade) and a number of territorially based units for defence and control of the territory. At the beginning of May 1992, units of the so-called RBH TO embarked on offensive actions against JNA units and the Serbian people. They raided small Serbian villages and committed crimes against the civilian population.¹⁶⁶ In the sector of Brcko (the village of Donji Rakici), a unit of the Green Berets was formed, comprising 1,200 armed members, and in the general sector of Zivinice, three brigades of a total strength of 2,500-3,000 armed men were formed. Immediately after these large units were formed on 23 May 1992 in Tuzla and Zivinice direct preparations were made for an attack on Bratunac.

3.12. As part of these preparations and the spreading of the war to the sector of Srebrenica, on 26 May 1992, some 300 Muslim volunteers from Sandzak were brought from the Republic of Serbia. One company was comprised within the Green Berets and eight groups of 15-20 men were formed from the rest for carrying out sabotage actions and committing mass crimes against the civilian Serbian population in territory which was not protected by the combat deployment of units of the SRBH Army. In the evening of 29 May 1992, Muslim units mounted a large-scale offensive from the direction of Tuzla towards the general sector of Mt. Majevisa. Characterising the execution of these combat actions (b/d) was the infiltration of sabotage and terrorist groups (DTG) into less-controlled areas. The objective of the attack of the Muslim units was to occupy the general area of Majevisa (the Lisace and Stolica repeaters) and link up with forces in the valley of the River Drina, which were attempting to shift combat actions as close as possible to the FRY, and even to open fire on the towns of another state.¹⁶⁷ The unsuccessful first large-scale offensive actions did not deter the Muslim command in Tuzla from engaging its main forces in the coming days also on the axis: village of Rastosnica – village of Priboj – Lopare – village of Donji Celic, and at the same time engaging in diversionary operations in the general sector of the villages of Teocak and Mezgraja. The further course of combat actions in this general sector led to a new mobilisation of units on both warring sides. A Corps of the so-called Army of RBH was formed in the Tuzla region.

3.13. At the beginning of September the joint planning of combat actions and their coordination with HV units in Posavina started. The Croatian Army planned to occupy an area 30 km south of the River Sava and link up with Muslim forces in the general sector of Brcko, Gradacac and Doboj, with the aim of severing the corridor and the Serbian territory of Republika Srpska.¹⁶⁸ The attack was not executed successfully due to a lack of organisation in gathering and bringing in the units and because of the combat actions of the Army of Republika Srpska. With the concurrent weakening of the defence of Gradacac, HV and HVO units managed temporarily to sever the corridor at Brcko on 13 September 1992. Such thinning out of the Croatian forces resulted in the complete encirclement of Gradacac by VRS units. The defence of Gradacac was about 2,000 men strong and they expected help for lifting the blockade from the 107th (Gradacac) HVO brigade which was undergoing training in Zagreb. Already on 18 September 1992, reinforcements arrived at Gradacac, this boosting the shaken morale of the Croato-

¹⁶⁶ On 10 May 1992, SDA members from Kalesija ethnically cleansed the Serbian village of Dubica and continued their preparations to cleanse the village of Zolce. In the general sector of Tuzla, a military column from the 92nd mtbr which was moving from the Kozlovac depot, was ambushed on 19 May 1992. Nine v/o /conscripts/ were killed, 26 wounded, five v/v /military vehicles/ were destroyed and five damaged on that occasion.

¹⁶⁷ On 10 April 1992, the Green Berets opened infantry, sniper and mortar fire from the sector of Kula Grad on the Zvornik HE /hydroelectric power plant/ and Mali Zvornik from 0920 to 1100 hours.

¹⁶⁸ For this action, the HV planned to engage the 106th, 107th and 108th Brigades of the HV, with the engagement of units in direct contact.

Muslim forces, and they planned to engage in offensive action with a view to linking up with units of the 106th HVO Brigade from Orasje and severing the corridor. The main axis of the attack was to be via the village of Gorica (north-west from Brcko). A ferry crossing was set up for the supply of combat resources and the transfer of forces from the Republic of Croatia. All these preparations and the execution of combat actions were supported by strong artillery fire from the Republic of Croatia from the general sector of Zupanja.

3.14. Elements of the forces of the Tuzla Corps of the BH Army (2nd Corps) were engaged towards central Bosnia with the aim of unblocking the general region of Sarajevo from the direction of Kakanj and Olovo. Having realised their intention, units of the Eastern Bosnia Corps of the VRS managed to sever the Olovo – Tuzla road. Being unable to make any major offensive advances towards Serbian territories, Muslim units formed large DTGs and infiltrated them into less controlled territory of Republika Srpska to commit crimes against the unarmed civilian population and lay ambushes for VRS units. Heavy personnel losses and the conviction that they could not achieve a military victory sapped the morale of Muslim units. The morale of HV /units/ fighting in Posavina on the Brcko – Bosanski Samac stretch weakened, as they increasingly came to realise that they were waging war on territory not their own. For that reason there were instances of mass desertion from some HV units.¹⁶⁹ Despite their difficult position, in the following combat actions Muslim forces planned to take Rogatica, Visegrad and Foca to link up forces in central Bosnia and Podrinje (drainage areas of the Drina and Lim rivers). Then they would shift combat actions towards Rudo and Cajnice, with the aim of establishing direct physical contact with forces in Sandzak.¹⁷⁰ The transfer of 15,000 men trained in the Republic of Croatia and abroad, including mercenaries from Islamic countries, to Eastern Bosnia started between 21 and 28 September 1992. The probable aim of the actions of these forces was to sever the Zvornik – Sekovici – Han Pijesak axis and develop further action towards the upper drainage area of the River Drina. Muslim forces engaged in combat action in the general sector of Gorazde and the upper course of the River Drina sought to expand territory constantly.

3.15. A characteristic of the established line between the VRS and the ABH was that there was much room in-between and gaps between the forces in contact, as well as that the main combat actions took place in the areas of larger towns, roads, rivers and mountain passes and gorges.

2.2. Execution of combat actions in the area of the Bosnian Krajina and the Cazin Krajina

3.16. This area is delimited by the borders of BH with the Republic of Croatia and the Republic of Serbian Krajina in the south and west; by the River Bosna in the east and by the Zenica (up to but not including) – Travnik (up to but not including) – Donji Vakuf – Glamoc - Troglav (trig. point 1913) line in the south. Combat actions in this area were carried out by units of the VRS 1st and 2nd Corps against units of the Croato-Muslim coalition (5th Corps, elements of the Tuzla and Zenica Corps of the RBH Army, as well as two Operations Groups (OG) of the HV and HVO). Paramilitary units of the Croatian and Muslim forces in this area were mainly organised in the sectors of Bosanski Brod, Derventa, Tesanj, Bihac, Cazin and Velika Kladusa.

¹⁶⁹ On 5 September 1992, the 107th HV Brigade dispersed, pulled out from the front and Muslim units occupied the zone of defence.

¹⁷⁰ There is ample evidence to conclude that the main route of “mujahidin” going to BH to fight, did not go via Split and the Republic of Croatia, but that the main route was: Turkey – Greece- western Macedonia – Kosovo – Sandzak – Bosnia and Herzegovina.

3.17. The aggression of the HV actually started with the transfer of units from the Republic of Croatia to the general area of Bosanski Brod.¹⁷¹ Before the aggression of the Republic of Croatia on the Republic of BH, Croatian and Muslim paramilitary units were organised and armed, with a developed system of intelligence and reconnaissance activities vis-à-vis JNA units and facilities and Serbian territory. With the decreased intensity of fighting in Croatia and the establishment of a truce, part of the units were pulled out and prepared to engage in combat actions in the area of BH. The leadership of the Republic of Croatia knew for a fact that the international community would not oppose such aggression, as well as that under such circumstances, national frictions and conflicts in BH, proper mobilisation of the majority of JNA units would not be possible without the approval and consent of the rump BH Presidency.¹⁷² That was part of Croatia's strategic plan to shift the war to the area of BH.

3.18. When the aggression of the Republic of Croatia on the Republic of BH started, massive sabotage and terrorist actions were carried out against small JNA units and military facilities and crimes committed against the civilian Serb population.¹⁷³ In mid-April, HV units mounted intensive offensive actions to the south of Bosanski Brod against units of the 1st okb/ 243rd okb.¹⁷⁴ On 26 April 1992, HV and HVO units from the sector of the village of Plehom, the village of Piskavica and the village of Babino Brdo opened strong artillery and infantry fire on the barracks in Derventa (zone of the 27th mtbr). Actions continued towards the general areas of Derventa and Dugo Polje (b/r /combat disposition/ of OG-1/17th JNA Corps). Further offensive action was stopped by the successful defence action of OG-1. In parallel, combat actions were carried out in the general sector of Bosanska Krupa. At the beginning of May, units of the BH MUP (48 men) attacked the RTV tower on Mt. Vlasic, intending to take it and keep it under their control. They were dressed in HOS uniforms. The action failed due to the energetic action of a JNA unit.¹⁷⁵ After Bosanska Krupa was successfully liberated, a TO brigade was formed, which had considerable personnel and logistics problems.

3.19. On 17 May 1992, the build-up of HOS units in Jajce (1st HOS brigade (-1)) started, and a Green Berets unit was formed in Kotor Varos, 400-500 men strong. On 24 May 1992, Muslim units opened fire on the sector of Komar (positions of the 19th VRS pbr) and Hombariste (positions in the zone of the 43rd VRS mtbr). There was heavy fighting that same day against units of the Green Berets on the Banja Luka – Prijedor axis in the general sector of the village of Kozarac and the village of Kozarusa (between 1,200 and 1,500 men strong). The attack of VRS units was fully successful and Muslim armed units were broken up and prisoners taken.

3.20. The 143rd HV Brigade was fed into battle in the general sector of Derventa and Modrica on 26 May 1992. In parallel with combat actions in Posavina, VRS units disarmed Muslim paramilitary armed units in the general area of Sanski Most, Kljuc and Prijedor.

3.21. There is no detailed and reliable information on the establishment of the front line and its movement in these areas for the month of June. Upon breaching the corridor towards the Serbian Krajinas, forces of the Croato-Muslim coalition started losing the initiative and dealing with problems of

¹⁷¹ The HV opened fire on settlements in RBH much earlier, already during the war in Croatia.

¹⁷² Already during the war in the Republic of Croatia, Alija IZETBEGOVIC and Croatian and Muslim members of the Presidency called upon recruits not to do military service and upon soldiers and conscripts to desert from the JNA.

¹⁷³ From 5 March to 3 May 1992, there were 40 attacks on military facilities and units. Casualties: 31 dead, 26 gravely wounded and 9 members of the JNA sustained minor wounds.

On 7/8 April 1992 in Derventa, a military patrol was attacked from ambush, in which two soldiers from the military police company were killed and three sustained minor injuries (of the 27th mtbr /17th Corps)

¹⁷⁴ Losses of the 1st okb: 9 dead (5 from the JNA and 4 from the TO), 16 wounded (6 from the JNA and 10 from the TO). 8 tanks and 2 OT /armoured personnel carrier/ were damaged and left in the zone of combat actions (these assets as well as most of the infantry weapons were seized).

¹⁷⁵ 35 members of the BH MUP unit were captured.

the internal organisation of their forces and the mutual problems between the HVO and the Green Berets. In some areas these disagreements escalated into mutual armed conflicts and clashes.¹⁷⁶ From 18 July 1992, combat actions in the sector of Bosanski Brod were carried out by the 101st, 103rd and 153rd HV Brigades and fresh forces from the Republic of Croatia were brought in to the sector of Slavonski Brod. Units of the Una-Sana OG of the BH Army carried out combat actions on the periphery of the Cazin Krajina, expelling the Serbian population and small armed units. Realising that it was impossible to link up with the main Muslim forces in Central Bosnia, in parallel with arming and establishing new units, they planned to break through the area of the Republic of Serbian Krajina along the general axis: Velika Kladusa – Vojnic - Karlovac, with the aim of establishing a corridor towards the Republic of Croatia for the supply of weapons, equipment and bringing in volunteers and mercenaries from Islamic countries.¹⁷⁷

3.22. On 8 September 1992, the Cazin Corps of the so-called Army of the Republic of BH was formed from the Una – Sana OG, comprising the 1st Bihac Brigade, the 2nd Croato-Muslim Bihac Brigade, the 105th Buzim Krajina /Infantry/ Assault Brigade and the 111th Bosanska Krupa /Assault/ Brigade. On 12 September 1992, units of the HV and the RBH Army began an attack on Donji Vakuf, which ended the following day without any success and considerable losses in personnel and hardware. A major task of the Croato-Muslim forces was to take the general sector of Donji Vakuf in the framework of general actions in that area.

3.23. In September the front line towards Bosanski Brod remained unchanged for a long time, with VRS units gradually taking more favourable positions, which in further intensified battles resulted in the liberation of /Bosanski/ Brod and its surroundings from units of the Croato-Muslim coalition.

3.24. The town of Jajce and its immediate surroundings were assessed as very important for dealing with numerous military problems and were frequently reinforced with personnel and logistic supplies from Zenica and Travnik, with the full domination of the Croatian side in the system of government and military organisation.¹⁷⁸ Forces of the Croato-Muslim coalition concentrated their main forces in this area in the valley of the River Bosna in preparing for offensive action and taking Doboj, Modrica and Derventa and linking up with HV and HVO units in the sector of Bosanski Samac.

3.25. Intensive sabotage and terrorist actions were undertaken on all sections of the front in this area, the plan also being to involve the Muslim population in the general area of Banja Luka in armed action against VRS units, military facilities and the Serbian population. Such attempts of causing disorder and armed resistance in Banja Luka failed because the initial activities failed. Resort was had to even the most reprehensible methods in galvanising the Muslims in this area. For instance, at the end of August a “Chetnik Battalion” was formed by HV specials in the sector of Nova Gradiska, whose commander was one Bora RADMILOVIC. The plan was probably for this unit to be infiltrated into the area of Bosanska Krajina in order to commit crimes against the Muslim population and cause them to rebel and rise up in arms.

¹⁷⁶ On 16 July 1992 there was a conflict between Muslims and Croats in Kakanj because Muslim soldiers were assigned to the first ranks.

¹⁷⁷ The arrival of volunteers and mercenaries was organised illegally, with the knowledge of UNPROFOR, over forest trails of the Slunj proving ground, and NVO /weapons and military equipment/ were brought in by plane to the Caralici sports airfield near Cazin.

The idea of breaching a land corridor came from Fikret ABDIC and negotiators in Zagreb. At the same time he imposed himself as the supreme military leader in the area of the Cazin Krajina.

¹⁷⁸ The defence of Jajce was in a very difficult position so that the Croatian authorities proceeded with the organised pulling out of economic facilities (some factories, machines and other MTS) to the depth of Herceg-Bosna and cities in the Republic of Croatia.

2.3. Execution of combat actions in the area of Central Bosnia

3.26. This area can be conditionally delimited by the Zenica (up to and including) – Vares - Rogatica – Gorazde – Trnovo – Ivan Sedlo – Gornji Vakuf – Bugojno – Donji Vakuf line. The importance of this area was even greater as Sarajevo as the economic and administrative centre of BH is located in its middle. In the area of Central Bosnia the Muslim leadership started organising paramilitary armed units already at the outbreak of armed conflicts in the Republic of Croatia, the aim being to obtain “democracy and a civil state” on the principles of political Islam, applying the same formula of conflicts and political pressures. Most of the attacks on JNA units and military facilities took place in the general area of the city of Sarajevo. This confirms that the rump BH Presidency was politically committed to the war option in order to realise its political objectives.

3.27. From 5 March to 3 May 1992, Croato-Muslim paramilitary armed units mounted 39 attacks in Sarajevo on JNA units and facilities.¹⁷⁹ Two JNA members were killed, three sustained grave injuries and two minor ones. In the mentioned period smaller columns of JNA units were searched, remote military facilities attacked and weapons, MES and military equipment seized. They did not shirk even from attacking humanitarian institutions.¹⁸⁰ At the same time, members of the BH MUP and most of the Muslim and Croatian members of the JNA openly put themselves in the service of paramilitary units and sabotage and terrorist actions and raids.¹⁸¹ Attacks on the Command of the 2nd VO from all types of infantry weapons became increasingly frequent and at 1745 hours on 28 April 1992 the cable towards the communications centre was cut. At the beginning of May attacks on military facilities and units became more intensive, especially on facilities in the city of Sarajevo proper. No agreements with UNPROFOR and EC representatives were observed by the Muslim side in the sense of relocating units from facilities in the city.¹⁸² Initially, the Green Berets were organised into battalions for attacks on military facilities.¹⁸³

3.28. On 7 May 1992, the Command of the 2nd VO was transferred from Lukavica to Han Pijesak, and already on 9 May 1992, Lieutenant General Ratko MLADIC arrived in order to undertake stabilisation measures and establish a system of control and command of subordinated units. A number of officers from the FRY insisted on leaving the area of BH as soon as possible, this causing disquiet among the Serbian people. Such an attitude resulted in a decline of combat morale, because some units remained practically without personnel. Through smaller-scale battles and combat, the front line was gradually established around important facilities and between uninhabited places and even parts of settlements in the same city. HVO and Green Berets units tried to take special purpose production enterprises, major economic facilities and airfields (FAMOS, the Hadzici Repair and Maintenance Depot, *Pretis* in Vogosca, *Zrak*, *Energoinvest*, *Bratstvo* in Travnik, Butmir and Rajlovac airports). They succeeded in this in Travnik, Bugojno, Visoko, Kaonik and Zenica, places with a majority Muslim population. By

¹⁷⁹ On 7 April 1992, members of the Green Berets carried out an armed attack on GISTO /Territorial Defence Main Staff/ and OkSTO /Territorial Defence District Staff/ Sarajevo and disarmed 10 officers who were on the premises. The persons employed in the facility offered no resistance.

¹⁸⁰ At 0655 hours on 20 April 1992, the VB /?military hospital/ in Sarajevo was hit with a mortar shell.

¹⁸¹ On 24 April in the settlement of Kovaci, a column of 6 motor vehicles was stopped. The following were seized: 22 AP /?automatic rifles/ 7.62 mm, 2 M-84 PM /machine gun/, 15 pistols, 13 *Zolja* /hand-held rocket launcher/, 28 ROB /hand grenades/ and all the motor vehicles.

¹⁸² During the relocation of the Command of the 2nd VO from Sarajevo to the barracks in Lukavica on 4 May 1992, the column was attacked and 47 officers, 17 non-commissioned officers, 188 soldiers, 8 GL /civilians serving in the JNA/ were taken prisoner and 32 motor vehicles seized on that occasion. There is no precise data on the number of dead and wounded, but it is known that four officers were bestially killed and the others were tortured and subjected to humiliation and outrage in the streets of Sarajevo.

¹⁸³ These battalions were deployed in different parts of the city with a majority Muslim population (Hrasnica, Sokolovic Kolonija, Dobrinja, Mojnilo, Donje Vrace and Grbavica).

drawing on the material base and commanding officers from BH, the Sarajevo-Romanija Corps was formed which successfully assumed the task of protecting the Serbian population and its territories. With a view to unblocking the Muslim part of Sarajevo, Croato-Muslim units mounted a number of offensive actions on different axes.¹⁸⁴ All attempts and offensives launched from the city under different names and planned by the highest military and political leadership (the rump Republic of BH Presidency), failed and entailed huge losses in personnel and the moving of the front line to the detriment of the Muslim side. On territories controlled by the Muslim side reigned lawlessness of the local leaders and armed thugs who knew and respected no laws of war. The Serbian people in these parts was subjected to blackmail, terror and abuse in different “private prisons and camps”. HOS, HVO and HV forces focused on establishing Croatian rule and military organisation in the general area of Zenica, irrespective of the fact that the majority of the population inhabiting it were Muslims.

3.29. In this area too the Croato-Muslim forces, having realised that they could not achieve their objective by major frontal combat actions, resorted to a strategy of military and political blackmail of the Serbian side before the international community with a view to action against inhabited places and intensively infiltrated large DTGs to commit mass crimes against the Serbian population. Apart from the Muslim forces in the general area of the city of Sarajevo, a Corps of the Republic of BH Army was formed in the Zenica municipality sector, its aim being to take control of the general area of the course of the River Bosna (participation in the unblocking of Sarajevo and establishing contact with HV and HVO units engaged in combat actions in Posavina). After the withdrawal of JNA units and installations from BH, large quantities were left of heavy weapons which were captured at remote facilities or turned over in keeping with an agreement.¹⁸⁵ Weapons and military equipment, volunteers and mercenaries from Islamic countries arrived via the territory of the Republic of Croatia and Western Herzegovina to Central Bosnia. The main route for supplying the front in central Bosnia was the Split – Livno – Duvno – Konjic – Tarcin – Kresevo – Kiseljak – Visoko axis. The main logistics base for the supply of combat resources for the front in BH was deployed in Visoko.¹⁸⁶

3.30. Kaonik, Bugojno and Travnik constituted important potentials of the Croato-Muslim coalition for the manufacture of weapons and military equipment,¹⁸⁷ so that the leadership of the Republic of Croatia devoted special attention to the timely taking of this territory and its defence.

3.31. The area of Mt. Igman was selected as a good base for forming a strong TG which would engage in combat towards Trnovo, Foca and Kalinovik in order to link up with forces in the general sector of Gorazde and provide them logistic support. The same forces from Igman focused on combat actions for linking up and establishing contact with Muslim forces in Sarajevo on the Ilidza – Stup and Vojkovici – Butmir – Vojnicko Polje axes. The TG comprised two brigades and a number of sabotage and terrorist units in which there also was a large number of Islamic fundamentalists from other states. After the blockade on Gorazde was lifted on 2 September 1992 and the withdrawal of VRS units, after a politically extorted decision of the leadership of Republika Srpska, the Serb civilian population came to

¹⁸⁴ On 26 May 1992, Croatian forces mounted an attack on the Bradina – Ivan Sedlo axis with the aim of taking them and linking up with forces in Tarcin – Pazarić, with a view to creating favourable conditions for controlling the Prozor – Konjic – Pazarić road.

¹⁸⁵ When the JNA unit was relocated from Zenica on 15 June 1992, a unit of the Green Berets and 20 T-34 tanks were left.

¹⁸⁶ On 22 August 1992, 80 trailer trucks of ammunition were brought from Zadar to Visoko, and on 26 August 1992, another 63 trailer trucks, with 20,000 120 mm shells and 20,000 82 mm shells. That same day 15 tanks and 40 trailer trucks with ammunition of different calibres were transported to Bugojno.

¹⁸⁷ On 26 August 1992, production started of 3,000 MB 82 and 120 mm, as well as of 30 cannon of 20mm. A 152 mm TH Nora battery and a 203 mm howitzer were deployed in the defence of Travnik. This factory manufactured scores of haulage VBR /multiple rocket launcher/ (modified), of the PLAMEN and OGANJ types. Instruments were manufactured by ZRAK and electrical equipment was imported from the Republic of Slovenia.

harm and broad manoeuvring space was created for the operation of the Green Berets towards Foca, Visegrad, Rudo, Cajnice and Rogatica (in coordination with forces from the general sector of Zepce).¹⁸⁸

3.32. The main objective of the Croato-Muslim forces in central Bosnia was to unblock Sarajevo and then deploy in offensive actions towards the upper course of the rivers Drina and Lim and towards the general area of Mt. Romanija. As they did not have enough military power to do that by arms, the rump Presidency of BH was in favour of a general demilitarisation of the city, especially of heavy machine guns, cannon, howitzers and mortars. They planned to extract a large number of units from Sarajevo towards Mt. Igman and central Bosnia in order to continue with offensive operations, especially in the final stages of the war. Under international pressure they created a city martyr of the so-called encircled city of Sarajevo, exposed to constant shelling and sniping and the killing civilians. With such a picture in the media they managed to have heavy weapons put under control, to capitalise on their numbers and so as to free forces for offensive actions in the final operations. The 1st Corps of the ABH concentrated forces in 1995 in the general area of Igman, Bjelasnica and Treskavica, in order to attempt a breach towards Podrinje and link up with forces in Gorazde. A division comprising well equipped, trained and logistically supported elite Muslim units was formed for this operation. Today, when media propaganda on the threats to Sarajevo in the civil war has died down and when many facts have come to light, it is possible to speak more objectively about various media abuses which were accepted as the ultimate truth. Regrettably, even today and with the force of arguments it is difficult for the truth to penetrate and lies to be refuted as the pre-conceived truths in support of Muslims in the civil war. These new facts are coming from the war commanders of the ABH. ABH General Vahid KARAVELIC, the wartime commander of the 1st Corps, also writes about the Sarajevo battlefield and the link between the forces in Sarajevo and on Igman, and the constant manoeuvring of those forces in the service of needs at the front.¹⁸⁹

3.33. For the Muslims, Mt. Igman was the strategic hub or pivot around which they built the image of an endangered people, and at the same time a base for receiving logistics support and combat activities against the VRS, the Croats and the region and the international community /as printed/. "Igman was decisive for the defence of Sarajevo and BH ... If Igman fell, Sarajevo and then BH too would presumably fall."¹⁹⁰ In the final HV and ABH operations for occupying parts of RS in the Bosnian Krajina in 1995, the thesis was confirmed that Igman was not only a way out for forces of the 1st Corps, but also a manoeuvring basis for ABH units on all axes on BH fronts. Upon the "pacifying of the Sarajevo battlefield" and the putting of heavy weapons under control, the 1st Corps sent about 10,800 soldiers to help the 5th Corps of the ABH continue the offensive towards Banja Luka. These were strong fresh forces which would not have been sent if the Sarajevo battlefield had been active. Six helicopters were used for aerial transport, primarily of special forces. On the pretext of the "siege of Sarajevo" the Muslim army with a cunning strategy created prerequisites for supremacy on another part of the front in BH.

3.34. Had the VRS Operation *Lukavac 93* not been stopped, the war between the Muslims and the Serbs would have unfolded differently. Therefore, there are numerous arguments supporting the claim

¹⁸⁸ Realising the importance of Gorazde and the upper course of the River Drina, Alija IZETBEGOVIC and the MO of the so-called Army of RBH, sought to unblock the city at any cost, with pressures on the world public. Many forecasts indicate that the fall of the Muslim forces in Gorazde would have compromised the authorities and military leadership of the rump BH Presidency.

¹⁸⁹ Vahid KARAVELIC, *Znacaj Igmaniskog bojista za borbeno delovanje 1. Korpusa Armije Republike BiH* /The importance of the Igman Front for the Combat Actions of the 1st Corps of the Army of the Republic of BH/ (The Importance of the Igman Front for the Defence of Sarajevo and Bosnia and Herzegovina, collection of works from a round table), Sarajevo, 2009, p. 24.

¹⁹⁰ *Znacaj Igmaniskog bojista za odbranu Sarajeva i Bosne i Hercegovine* /The Importance of the Igman Front for the Defence of Sarajevo and Bosnia and Herzegovina/, round table, collection of works, Sarajevo, 2009, p. 24.

that the war was controlled in the critical stages and that the stopping of the VRS in August 1993 and the Muslim army of ABH and the Croatian Army has a deep meaning and justification, as a military and political compromise was the only solution and way out of the civil war, which resulted in the Dayton Agreement. Most tragic of all, even today a number of national and religious extremists regret not having achieved a military victory or are talking about it in some future war.

2.4. Execution of combat actions in the area of Herzegovina

3.35. This area is delimited by the border towards the FRY in the east, the border towards the Republic of Croatia in the west and south, and by the Troglav (trig. point 1913) – Glamoc - Kupres – Ivan Sedlo – Trnovo (up to and excluding)- Gorazde – Rudo line in the north.

3.36. Apart from the Bosnian Posavina, the area of Herzegovina was of strategic importance for the leadership of the Republic of Croatia and accordingly, it focused on intelligence and reconnaissance activities, the forming of paramilitary armed units and developing as intensive as possible sabotage and terrorist activities in this area, especially in the sectors of Mostar, Capljina, Kupres and Konjic.¹⁹¹ Also, the largest number of HV units was brought to this area, and the largest number rotated in the execution of combat actions.¹⁹²

3.37. The strongest fire support means available to the Republic of Croatia were concentrated in the area of Western Herzegovina. Most of the soldiers in the Herzegovina part of the front were HV units which had carried out combat actions in the Republic of Croatia and already had considerable combat experience in the war with the Army of the Republic of Serbian Krajina and in conflicts with JNA units in Croatia. The aim of the actions of the HV, the HVO and the HOS in the area of Herzegovina was to take full control of the Neretva river valley (to Konjic), occupy Popovo Polje and come out at the general sector of Trebinje, take control of the Kupres plateau and link up with Croato-Muslim forces in central Bosnia.

3.38. In addition to the military objective, the leadership of the Republic of Croatia also planned to form Herceg-Bosna, with its seat in Mostar. Many economic potentials and communications (road and railway) remained under their control with the occupation of Mostar and the valley of the River Neretva. The pullout of the JNA to the area of the FRY helped them achieved their set military objective, and the existing material and personnel structure of the military organisation of eastern Herzegovina was incapable of adequately countering the aggression of HV, HVO and HOS units which outnumbered them by far. Intensive battles were fought on the Kupres plateau as of 3 April 1992. Energetic action of OG/ 9th K thwarted the intentions of the HV, salient topographic features were taken and a system of defence at the reached line organised.¹⁹³ The front stabilised and there was no significant movement of the front line for a long time.

3.39. The initial problems of military organisation in the Herzegovina Corps were quickly overcome so that it successfully controlled the entire zone of responsibility, with a fully stabilised front line and holding important topographic features from which it was possible to launch offensive action towards the Neretva river valley in order to recover territories lost in the initial stage of the war. This did not happen because the VRS Herzegovina Corps did not have the strength to do that and there were not enough manoeuvre units from other Corps to make it possible to execute an offensive operation. During

¹⁹¹ From 5 March do 3 May 1992, there were 78 attacks on JNA facilities and units in the areas of Mostar and Kupres. Losses: 17 JNA dead, 53 gravely wounded and 33 sustained minor injuries.

¹⁹² By 15 September 1992, in the zone of defence of the Trebinje Brigade the 15th HV Brigade was replaced, with reinforcements with smaller HOS and HVO units.

¹⁹³ In the battles for Kupres 95 HV soldiers and one officer were taken prisoner.

the entire war the Croatian army was present with strong forces intending to keep the occupied territories with HVO and HOS units. The problems of military organisation and the execution of combat actions in the Herzegovina Corps were all the more pronounced as this area, demographically impoverished as it was, had modest resources for the people and army and was burdened by a large number of refugees from western Herzegovina and the Neretva river valley.

3.40. The area under HV occupation was fully ethnically cleansed and Serbian homes burned and looted (villages: Prebilovci, Tasovcici, Klepci and numerous other villages in the municipalities of Konjic, Trebinje, Stolac, Capljina and Mostar).¹⁹⁴ These people suffered a fate similar to that the people suffered at the hands of the Ustashes during the NDH in the Second World War. It is thankless to partially describe individual combat actions on the Herzegovina front because sources of information do not provide continuity and relevant data. That is why a general picture of combat actions in this area has been given, so as to provide an overview of general developments from the outbreak of armed conflicts in BH to the establishment of relatively stable front lines which did not move significantly or changed only at the tactical level.

3. Most important operations in the war in BH

3.41. The front lines in all key zones were established in the initial armed conflicts in the war in BH. This initial period is characterised by the absence of a stable military organisation and chain of command, as well as the presence of a large number of paramilitary organisations, village guards or criminal organisations, mostly in the Muslim-controlled part of the city Sarajevo, which for a long time recognised no authority or command. The self-styled commanders /komandir/ and commanders of those units often enjoyed the political protection of the very top of the SDA and thereby of the rump state leadership of BH as well.

3.42. By the end of 1992 all the warring parties had consolidated their initial military organisation, and over the following period all the three warring parties in BH proceeded to step up their operational capability. From the spring of 1993 to the end of the war, military operations at the tactical and operational levels were planned and executed in keeping with political objectives and operational possibilities. In terms of the engaged forces and attained objectives few operations were of operational-strategic importance. As regards the VRS there were two operations: *Lukavac 93* and Operation *Koridor*, and as regards the HV, the ARBH and the HVO, with direct political, media, air force and logistics support of NATO, they were the two final operations in the western part of Republika Srpska, *Maestral* and *Juzna Strela*, as a follow-up to Operation *Storm* in which the Serbs were expelled from the Republic of Serbian Krajina. The Croatian Army continued operations in BH with impunity, and the international community did not react. Different influential states probably supported such an approach of the leadership of Croatia because it was almost certain that FR Yugoslavia would not react.

3.43. This part of the expert report provides only key information on the executed operations and their effects on the further course and outcome of the war. Many operations failed to attain the initially defined goals because these goals were unrealistic, i.e. in the realm of wishful thinking. Such abortive or unfinished operations are associated with the city of Sarajevo, the attempts of the Muslim forces of the ARBH to unblock it completely and link up with territories and forces under their control in central Bosnia, as well as with VRS attempts to retain the existing front lines in the divided city by defensive action. Truth to tell, politics interfered a lot in this soldierly part of the job and had a strong influence on

¹⁹⁴ Most of the expelled Serbian population sought refuge in the FRY, and among them were a large number of men fit for battle and subject to conscription.

the course and execution of operations. Also, the operations of all the warring parties, in terms of preparations, their duration, execution and finish were influenced by different states on the international scene, NATO and UN forces. A chronology is given of the operations or instances of mass civilian casualties which had an essential impact on the media picture of the war in the international public, and thereby on the attitude of international organisations toward the conflicting parties. Today at least there is no disputing the fact that the Muslim and Croat sides were favoured and privileged in that respect and that the Serbian side was demonised all the time and portrayed as the only one to blame for the war and the “crimes that are happening”.

3.44. The following operations were executed in the war in BH in 1992: the Sijekovac-Zvornik-Kupres-Sarajevo-Dobrovoljacka-Tuzla-Prijedor-Foca-Koridor-Visegrad-Vrbas offensives and the Mitrovdan /St. Dimitri's Day/ offensive. During 1993, the following operations were executed: Kravica-Lukavac-Sadejstvo-Cerska-Ahmici-Neretva-Drina - operations in the conflict between the Muslims and the Croats. The year 1994 was marked by the following operations and crimes: Markale, Zvezda, Tigar, Sloboda, Breza, Jesen, Grmec, Stit, and the year 1995 by: Kapija (civilian casualties in Tuzla), Plamen, Deblokada Sarajeva, Krivaja, Stupcanica, Srebrenica, Leto, Oluja, Markale, Namerna sila, Maestral, Mrkonjic Grad, Una, Sana, Uragan, Juzna Strela and Vaganj.

3.45. **Operation Koridor** or breach of the “lifeline“ is the code name of a VRS operation in Posavina in the summer of 1992. The aim of the operation was to establish a communication between the western part of Republika Srpska and the Republic of Serbian Krajina with the eastern part of RS and with Serbia. In the summer of 1992, forces loyal to the rump Presidency of RBH, in coordination with the Croatian Army and the HVO, held the Army of Republika Srpska in the area of the Bosnian Krajina and most of the Army of the Republic of Serbian Krajina in total encirclement for almost a month and a half. In 1992 in Posavina there were 8 HVO brigades and 15 HV brigades which rotated or were present on this front in the critical stages of the conflict. Four HV brigades – the 108th, 139th, 157th and the 3rd Guards Brigade – were up to strength while the others comprised one or two battalions, were reinforced by artillery and tanks and numbered between 600 and 1,200 men. At the beginning of May 1992, all routes linking the western parts of Republika Srpska with the eastern part and Serbia had been severed. The last land link between the western and eastern parts of Republika Srpska under the control of Serbian forces was the Banja Luka – Doboj – Tuzla –Bijeljina road, but that too was severed on 15 May 1992, when members of the Tuzla TO attacked the JNA column withdrawing from that town. The death of 12 babies in the Banja Luka maternity ward due to lack of oxygen additionally justified Operation *Koridor* in the public eye. In mid-June 1992, General Momir TALIC, the commander of the 1st VRS Krajina Corps launched an offensive intending to liberate the corridor by 28 June. Operation *Koridor* started on 14 June 1992, when members of the 16th VRS Krajina Motorised Brigade, under the command of Lieutenant Colonel Milan CELEKETIC, supported by a tank company from Doboj, mounted an attack on the southern part of the Derventa front. The battles became more intensive on 24 June, when strong artillery preparations on a broad front misled units of the Army of RBH to believe that the Serbian forces planned to take Tuzla. At the crack of dawn on 26 June 1992, soldiers of the 1st KK and of the Eastern Bosnia Corps of the VRS, rendezvoused between Modrica and Samac, linking the western and eastern parts of Republika Srpska. According to official figures, 293 soldiers were killed in Operation *Koridor*, and 1,129 members of the VRS and specials of the MUP of the Republic of Serbian Krajina sustained serious or minor wounds. According to the report of HV Operations Group Eastern Posavina, HV and HVO losses for the period from 1 April to 1 October 1992 were: dead: HV -306, HVO – 918, wounded: HV: 1,986, HVO - 4,254.¹⁹⁵

¹⁹⁵ Miladin MIHAJLOVIC. *Devetnaest godina proboja koridora /Nineteen years after breaching the corridor/,* Radio and television of Republika Srpska, 26 June 2011.

3.46. The **Mitrovdan** /St. Dimitri's Day/ **Offensive** in 1992 (Lipanjске zore in Croatian) is the name by which people remember this offensive operation of forces of the Croato-Muslim coalition. For the VRS it was a forced defensive operation at brigade level. It was carried out by combined forces of the Croatian Army, the HOS, the BH Army and the HVO. The defence was executed by the Nevesinje Brigade and part of the Bileca Brigade of the VRS Herzegovina Corps. After expelling the Serbian people from the valley of the River Neretva in this operation, the combined enemy forces planned a strong attack on the positions of the Nevesinje Brigade with the aim of occupying the central area of Eastern Herzegovina and creating conditions for further offensive action with a view to capturing all of Herzegovina and banishing the Serbian people. The attack began early in the morning of 8 November. It was characterised by strong artillery preparation and an infantry charge. The main thrust of the attack was via the village of Vranjevici, where the positions were held by the Bileca volunteers of voivode Rade RADOVIC. Heavy losses at the very beginning were avoided thanks to the somewhat poorer manning of the lines as many soldiers were celebrating their patron saint's day /St. Dimitri's Day/. Soldiers coming directly from celebrations of the patron saint's day soon started showing up at the line, as well as old men, women, children, "everyone who could hold a rifle" or help in any other way. The wounded fled from hospital to defend their town and people. VRS forces had 40 dead and about 150 wounded, while the losses of Croato-Muslim forces are assessed at about 500 dead and 1,300 wounded.¹⁹⁶ We can say that at the beginning of the operation VRS forces were taken by surprise but managed to consolidate rapidly and, with reinforcements from the Herzegovina Corps, crush the offensive of Croato-Muslim units.

3.47. **Operation Lukavac 93** is the name of a VRS operation in which Trnovo and its general environs and the Rogoj pass were liberated, the corridor towards Gorazde severed and a large number of villages and Mts. Treskavica, Bjelasnica and Igman liberated. Operation *Lukavac 93* was a response of the VRS to the occupation of Trnovo, Rogoj, the southern slopes of Mt. Jahorina and the severing of roads linking Serbian Herzegovina with the other parts of RS, which was done by units of the ARBH in the summer of 1992. Operation *Lukavac 93* was commanded by the Main Staff and its Commander Colonel General Ratko MLADIC, coordinating joint action of the VRS Sarajevo-Romanija and Herzegovina Corps and some manoeuvre units from other VRS Corps. In addition, engaged were also two elite units of the Main Staff: the 1st Guards Brigade and the 65th Protection Regiment. All in all, about 10,000 soldiers took part in the operation on the VRS side. On 27 and 28 July, the *Panteri* Guard (1st Bijeljina Light Infantry Brigade) was dispatched to the positions of the 1st Guards /Brigade/ and the 65th Protection Regiment for the purpose of rest. The following units participated on the ARBH side: the 4th Motorised, 8th Mountain, 9th Mountain, 81st Mountain, 82nd Mountain, 43rd Mountain and the 49th Mountain /Brigades/. All in all, at the beginning of Operation *Lukavac 93*, they numbered some 10,500 soldiers. Immediately after the start and successful execution of the operation of the VRS forces, and after the Rogoj pass and Trnovo and Bjelasnica fell, the ABH Main Staff dispatched elements of the 7th Muslim and the 17th Krajina Brigades and other units as reinforcements, but it was too late as VRS units were already on Mt. Igman itself. Operation *Lukavac 93* ended in a total victory of the VRS. Had there been no political pressures the operation would have continued towards Ivan Sedlo and Sarajevo. The further course of the war would have probably been different in the military sense. After this military success, under the pressure of the international community and the negotiations taking place in Geneva, the VRS had to withdraw from Igman and Bjelasnica and turn over control of this area to the UN. These mountains were proclaimed a demilitarised zone, which it never actually became. On the contrary, such status of this area was repeatedly abused. Already in the autumn of 1993, Muslim forces brought in a large number of units who conducted training there and familiarised themselves with mountain warfare conditions and made direct preparations for offensive actions during 1994.

¹⁹⁶ Dragan GRAHOVAC, *Sjećanja na slavnu Nevesinjsku brigadu* /Remembering the Glorious Nevesinje Brigade/, Radio Nevesinje, November 2012.

3.48. **Operation Drina 93** is the code name of a VRS operation in the winter of 1993, aimed at crushing part of the forces of the 2nd Corps of the ARBH. It was executed through a series of smaller operations on the Olovo, Tesanj, Teocak and Bihac axes. As in the second year of the war in BH, on the one hand the Muslim-Croat war escalated, and on the other the VRS scored a series of victories, the military and political leadership of Republika Srpska launched a large-scale offensive with the aim of crushing part of the ARBH forces which were constantly attacking VRS positions intending to establish contact with the Srebrenica and Zepa enclaves and come out on the River Drina. The plan of the operation envisaged isolation and weakening of the 2nd Corps by linking Vozuca and the town of Olovo, so as to encircle that Corps and cut it off from Sarajevo and Zenica. With simultaneous strikes on the Teocak and Tesanj axes, the 2nd Corps would be under all-out pressure from a number of directions. The operation started on 8 November by attacking accesses to Olovo. Despite small tactical successes, VRS forces did not manage to break the defence of units of the ARBH. Only on 13 January did the Mixed Brigade of the Herzegovina Corps (a mixed battalion from the 15th Bileca, the 18th Gacko and the 8th Nevesinje Brigades each) manage to breach the lines of defence of the ARBH and take the town of Krusevo, three kilometres from Olovo. Additional reinforcements of the ARBH from the 1st, 3rd and 2nd Corps stopped further advance and at the end of January the VRS GS terminated the operation. The Teocak operation named *Kladanj 93* and the Tesanj and Bihac Operations were not executed to the end nor were their objectives attained. Moves of the front line were of a tactical nature.

3.49. **Operation Kravica** of the BH Army is actually the second massacre of the Serbian population in Kravica, which took place on Christmas Day, 7 January 1993, in the Serbian village of Kravica near Bratunac, when Muslim forces of the ARBH, about 3,000 soldiers strong, led by Naser ORIC, attacked the village which was defended by less than 300 VRS members. During the attack of Naser ORIC's forces, 49 people were killed in combat protecting the retreat of about 1,000 refugees from Kravica and villagers of the surrounding villages of Siljkovici, Jezestica and Banjevici, and several villages were burned to the ground. A number of villagers, some of whom were leaving the church after Christmas service, were killed. In addition to members of the village guard, the victims of the massacre were also children and old people. The youngest victim, Vladimir GAJIC, was only four years old, and Novica BOGICEVIC was 14; the victims also included Vladimir STOJANOVIC, aged 78, Risto POPOVIC, aged 73, and the oldest victim, Mara BOZIC was 84. There were 82 wounded, while during the war, in later combat actions, Kravica lost 158 villagers. 690 houses and auxiliary buildings were burned, the church was razed to the ground and cemeteries were desecrated and destroyed. The torching was preceded by general looting by several thousand civilians who had participated in the attack with soldiers of the ARBH. In March 1993, the Army of Republika Srpska launched a counteroffensive and took Kravica again after 70 days. Only then could the villagers of Kravica bury their dead at the Bratunac cemetery. The details of the attack on Kravica were planned by Hamed SALIHOVIC and Ramiz BECIROVIC. Between May 1992 and January 1994, 192¹⁹⁷ Serbian villages and hamlets in the general area of Srebrenica were looted and burned, and about 1,300 villagers killed. During the existence of the so-called Srebrenica safe area, units of the RBH Army stationed in Srebrenica, contrary to the provisions of Resolution 819 of the UN Security Council declaring ... Srebrenica "a safe area", often attacked territory under VRS control around Srebrenica. In his statement before members of the War Presidency of Srebrenica, Ramiz BECIROVIC, the Commander of the 28th Division of the 2nd Corps of the RBH Army said that orders had been received from the Main Staff of the BH Army for sabotage attacks to be undertaken outside the territory of the Srebrenica enclave for the purpose of pulling away VRS forces from the Sarajevo battlefield.

¹⁹⁷ www.glas-javnosti.rs, accessed on 1 April 2013.

3.50. **Operation Una 95** was the name of a military operation in which the Croatian army from the territory of the Republic of Croatia attacked four municipalities in western Krajina in Republika Srpska: Novi Grad, Kostajnica, Kozarska Dubica and Gradiska. The operation began on 18 September 1995 and ended the following day (19 September) with the Croatian Army suffering a crushing defeat. The aim of the operation was to take Prijedor and occupy part of RS east of the Gradiska – Prijedor road. Operation *Una* was followed from the south, a month later, by a combined action of the Croatian Army, the HVO and the 5th Corps of the BH Army, called *Juzni potez*. Because of Croatia's aggression on Republika Srpska and its crushing defeat, very little is known in the Croatian public about this unsuccessful operation.

3.51. Operation *Una* was a consequence of the euphoria of the state and military leadership of the Republic of Croatia after Operation *Storm*, for which reason the HV Main Staff expected to be able to take these parts of Republika Srpska quickly. It can be noted that had this operation preceded Operation *Juzni potez*, the Croats would have, after possibly taking those municipalities, prevented units of the ABH from penetrating towards the River Sava. The lynchpin of the defence were three reserve battalions of reservists (combatants of over 50 and 60 years of age), a total of about 1,500 combatants. After the defence /?executed/ by the hosts, task force units of the Army of Republika Srpska which were withdrawn from other lines of the front were also fed into battle on the second day. During the attack, units of the Croatian Army committed mass crimes at the *Knezopoljka* factory, killing every civilian they encountered on the Kozarska Dubica – Kostajnica local road. On that occasion 44 civilians were cruelly killed and 38 wounded. A major role in preventing the further penetration of Croatian units into the depth of territory and in the defence of Kozarska Dubica was that of the civilian police intervention platoon, which suffered the heaviest casualties in percentage terms that day. Members of the civilian police intervention platoon fought also on the following day, 19 September, in the sector of the village of Gradine with the Croatian army which had crossed over to the territory of Republika Srpska. On that occasion one policeman was killed and a number sustained minor injuries.¹⁹⁸

3.52. **Operation Cerska 93** is the code name of an operation of the Army of Republika Srpska in Podrinje in the spring of 1993, the aim of which was to liberate territories of Republika Srpska taken by the ARBH. At the beginning of 1993, ARBH forces from Srebrenica suppressed elements of the Birac and Bratunac Brigades of the Army of Republika Srpska with the objective of linking up with the enclave near Cerska. In mid-January a small part of the forces of ARBH raided the territory of Yugoslavia and opened mortar fire on Ljubovija near Bajina Basta. At the end of January, units of the Special Corps of the Yugoslav Army, teams of the State Security Service of Yugoslavia, two battalions of the 6th Sana lpr and the *Panteri* Guard, attacking via Skelani, pushed the forces of the ARBH back a kilometre into the depth. In view of the presence of numerous commands, from brigade to Corps levels, the Main Staff of the VRS assumed command of the operation. The units assigned for the attack were: the 65th zmtb, the 1st gmtb, the *Panteri* Guard, elements of the 63rd Parachute and 72nd Anti-sabotage Brigades of the VJ, the Bratunac and Birac Brigades and elements of the Zvornik Brigade. Elements of the Zvornik Brigade and the 65th zmtb, attacking from the north, pushed back the ARBH from Kamenica towards Cerska. The *Panteri*, together with the Bratunac Brigade, repelled units of the ARBH in the vicinity of Bratunac. The 1st VRS Guards Brigade, together with the Birac Brigade, entered Cerska from the southwest. The aim of this part of the operation was to put Konjevic Polje under surveillance in order to open the Bratunac – Konjevic Polje – Zvornik road. Like in the first stage, the 65th zmtb and the 1st gmtb penetrated from the northwest and the *Panteri* attacked from the south. The *Panteri* attacked

¹⁹⁸ Aggression of the Republic of Croatia on Republika Srpska: Occupation of Mrkonjic Grad Municipality: September 1995 – February 1996, Volume 2 / War Crimes Investigation Centre of Republika Srpska, War Crimes Editions, Banja Luka (August 2009).

from the Bratunac axis. After several weeks of heavy fighting (especially over Zeleni Jadar, the industrial suburb of Srebrenica), the most important elevations around Srebrenica fell.¹⁹⁹

3.53. **Operation Sadejstvo** is the code name of an operation of the Army of Republika Srpska in Bosanska Posavina in the summer of 1993. The operation is also known as the battle for the "Power Corridor". As stable and adequate supply of the Bosnian Krajina with electricity was in danger due to the state of war, the VRS decided to expand the corridor at Brcko to include and repair the power transmission line passing through the villages of Brod, Donja Brka, Kolonija, Lipovac, \ukici and Bajici. For this operation the VRS engaged units of the 1st Krajina Corps and of the Eastern Bosnia Corps, deployed in two tactical groups. Tactical Group 1 (TG-1) relied on the *Panteri*, the *Pesa* Special Detachment of the 1st Posavina Brigade, the 4th battalion of the 43rd Prijedor mtbr, as well as on elements of the elite 1st Military Police Battalion; TG-1 advanced on the villages of Brod and Brka axis. The second tactical group (TG-2) was led by the 16th Krajina mtbr and the 5th Kozara lpb on the villages of Bajici, Lipovac and \ukici axis. The following combat support units also participated in the operation: an armoured battalion of the 1st Armoured Brigade and elements of the 1st and 3rd Mixed Artillery Regiments.²⁰⁰

3.54. The ARBH engaged very strong forces for this operation. They comprised the following brigades: the 21st Srebrenik Brigade, the 108th Motorised Brigade and the 108th HVO Brigade. Their total strength is assessed at some 12,000 soldiers. The advantages of the defence were reflected in the tank non-negotiable terrain, crisscrossed by canals and flat land where it is relatively easy to detect and stop infantry attacks. Armoured and manoeuvre units could not play an important role. The VRS had supremacy in artillery, but it was insufficient to support the infantry on a rather broad front of attack (the length of the front was about 15 km). Such an area enabled an in-depth defence, i.e. a number of defence lines. On the other hand, the main handicap of the ARBH was the lack of heavy weapons, this giving VRS units the edge. The operation lasted seven days, from 20 to 27 July. It ended in victory for the Serbs and the attainment of the objectives of the operation.

3.55. **Operation Zvezda** is the code name of an operation of the Army of Republika Srpska in Podrinje in April 1994. The aim of the operation was to reduce the manoeuvring space of Muslim forces by taking Gorazde and to ensure more effective military control outside the Gorazde safe area, as units of the ARBH had not been disarmed. The general sector of Gorazde was held by brigades of the Sarajevo-Romanija, Drina and Herzegovina Corps. The Drina Tactical Group, comprised of the 1st, 3rd and 5th Podrinje Brigades, as well as mixed units pulled out from the other brigades of the Drina Corps attacked from the northern axis. On the western side, the line towards the front was held by four battalions of the Sarajevo-Romanija Corps. The VRS had about 10,000 combatants at its disposal. The command of the Herzegovina Corps was in charge of commanding the operation. Colonel Ferid BULJUBASIC, the commander of the Eastern Bosnia Operations Group, had about 8,000 soldiers, armed mostly with infantry weapons, at his disposal. On 15 April, the operation was resumed after an interruption as a result of NATO threats to open fire on Serbian positions. In three days, the VRS managed to break the line of defence of the ARBH and capture the most important elevations around Gorazde. In negotiations with UNPROFOR it was agreed that Gorazde would be demilitarised but that was never done.²⁰¹ There were no major attacks of ARBH units to the end of the war nor could they change the situation on this part of the front.

3.56. **Operation Stit 94** is the code name of an operation of the Army of Republika Srpska in the Bosnian Krajina in the autumn of 1994, the objective of which was to liberate the area of Republika

¹⁹⁹ Balkan Battlegrounds, Vol, og /expansion unknown/ 387-389.

²⁰⁰ Radmila ZIGIC, *Pesa – A War Legend*, Belgrade, 1995.

²⁰¹ Balkan Battlegrounds Vol, og 459-460.

Srpska captured earlier by the ARBH. Having assessed that the forces of the 2nd Krajina Corps were in an unfavourable operational and strategic position, Atif DUDAKOVIC, the Commander of the 5th ARBH Corps, ordered Operation *Grmec 94* to start on 25 October. The objective of the operation was to push back the forces of the Drvar Corps from Bihac and Cazin. As ARBH units had on the first day of the operation seriously shaken the lines of the Drvar Corps, the Command of the 5th Corps ordered an all-out attack, wishing to link up with the 7th Corps of the ARBH in the south via Kupres, and in the east to come out on the River Sana via Bosanska Krupa. By 31 October, DUDAKOVIC's units had taken 250 square kilometres and the 5th Corps had taken Kulen Vakuf in the south.

3.57. On the orders of the RS Supreme Command, General Manojlo MILOVANOVIC was assigned the mission of liberating the taken territory and crushing the strength of the 5th ARBH Corps. Already during Operation *Grmec 94*, General MILOVANOVIC ordered VRS Corps to single out units to form three brigades to lead the counter-attack. As the personnel of these brigades came from a number of Corps, General MILOVANOVIC decided to name them the 1st Serbian, the 2nd Serbian and the 3rd Serbian Brigades. As the brigades of the Drvar Corps were, although battle-bruised, still fit for battle, General MILOVANOVIC formed three tactical groups. Each tactical group had one Serbian Brigade, two brigades from the Drvar Corps and a number of small units (during later actions a fourth tactical group was also formed of the 11th Krupa Light Infantry Brigade and the 1st Novigrad Infantry Brigade). Apart from the tactical groups, the following took part in the counter-offensive: the 6th (Banja Luka) and 7th (Prijeedor) Detachments of the Special Police Brigade, an armoured battalion of the 1st Krajina Corps and elements of the 65th Protection Regiment. The Operation began on 4 November and ended on 20 November, when the enemy was pushed back to initial positions.²⁰²

3.58. **Operation Maestral** is the name of a joint military operation of the Croatian Army, the HVO and the ARBH, in which these forces killed 655 and expelled about 125,000 Serbs. This operation was in essence a follow-up to Operation *Storm* and preceded Operation *Juzni potez*. It lasted from 8 to 17 September 1995. Operation *Maestral* was the first major military operation of HV, HVO and ARBH units in which large areas of Republika Srpska were occupied, including the towns of Drvar, Sipovo, Jajce, Bosanski Petrovac, Bosanska Krupa and Kljuc. Operation *Maestral* consisted of two interconnected offensives. The joint Croato-Bosniak operation started on 8 September from the direction of Glamoc and Kupres. The first Serbian lines were shattered and the 7th and 4th Guards Brigade took the Veliki Vitorog mountain peak, 1906 m high, from which the entire area of the Kupres field and Glamoc, all the way to Sipovo, Jajce and Mrkonjic Grad is controlled. The defence consisted of seven Serbian poorly manned light infantry brigades, one motorised brigade and two armoured battalions of the 2nd VRS Krajina Corps. These units had poor operational capacities also because a large number of combatants had left the units without leave in order to move their families out.

3.59. Offensive operations of the 5th ARBH Corps under the command of General Atif DUDAKOVIC started at the same time, from the direction of Bihac towards Mt. Grmec and Bosanski Petrovac, as well as towards Bosanska Krupa. Also, the 7th ARBH Corps, under the command of General Mehmed ALAGIC, launched an offensive on Donji Vakuf. In parallel, the ARBH also launched operations towards other strategic areas and on 11 September 1995 took Vozuca and during the following days also part of Mt. Ozren. The *El Mudzahid* Detachment of foreign mercenaries and terrorists participated in the attack on Vozuca as part of ARBH units. The following day, 12 September, forces of the 4th HV Guards Brigade took the town of Sipovo. The next day, 13 September, the 7th Guards Brigade took Drvar and the 4th Guards Brigade the town of Jajce. That same day, forces of the 7th ARBH Corps took Donji Vakuf. On the southern front, the HV and HVO took several hills from which they opened artillery and tank fire on the town of Trebinje. On 15 September units of the 5th ARBH Corps took Bosanski Petrovac

²⁰² Ibid., pp. 527-529.

and on the following day Kljuc. A day later, on 17 September, the 5th ARBH Corps occupied Bosanska Krupa as well. After seven days of fighting, the operation ended. An area 100 kilometres wide and 25 kilometres deep, with the important Ostrelj and Mliniste passes, was occupied. Between the HV and Banja Luka stood only Mrkonjic Grad, which was captured in operation *Juzni Potez*. The vital Serbian stronghold, Banja Luka, realistically became the following target of the Croato-Muslim forces. The occupation of Banja Luka would mean total defeat of the VRS on that part of the front and probably the beginning of larger-scale war between the Croats and the Muslims on the one and the Serbs on the other side, for FR Yugoslavia would have to enter the war. A considerable part of original Serb ethnic territories was occupied in the aggression of the Croato-Muslim forces, and thousands of refugees expelled, who moved in columns towards Prijedor and Banja Luka.

3.60. Today it is difficult to understand the behaviour of FR Yugoslavia and the leadership in Belgrade, how they could watch in silence the aggression of Croatia on Republika Srpska and allow such torture and exodus of the people as well as the suffering of the VRS. Some internationally influential states protected this free use of the Army of Croatia in the aggression. We can also confidently claim that Srebrenica and the crime that happened are part of the overall resolution and end of the civil war in which the parties to the conflict were instrumentalised to serve political objectives, without having even been aware of the fact.

3.61. **Operation Una 95** is the name of a military operation in which the Croatian Army from the territory of the Republic of Croatia attacked four municipalities of Republika Srpska in western Krajina (Novi Grad, Kostajnica, Kozarska Dubica and Gradiska). The operation began on 18 September 1995 and ended on 19 September with the defeat of units of the Croatian Army. The objective of the operation was to take Prijedor and occupy territory east of the Gradiska – Prijedor road. A month later, Operation *Una* was followed from the south by a combined action of the Croatian Army, the HVO and the 5th Corps of the ABH, called *Juzni Potez*. Due to the aggression of Croatia on Republika Srpska and the defeat it suffered, very little is known in the Croatian public about this unsuccessful operation. Operation *Una* was a result of euphoria after operation *Storm*, due to which the HV GS expected that it would be able to take these parts of Republika Srpska quickly. The operation was planned to precede operation *Juzni potez*, so that the Croats would, after possibly taking those municipalities, block access to the River Sava to the Muslims. During the attack, the Croatian forces committed mass crimes at the *Knezopoljka* factory, killing every civilian they encountered on the Kozarska Dubica – Kostajnica road, which crimes were documented before the Hague Tribunal as well. On that occasion 44 civilians were cruelly killed and 38 wounded.²⁰³

3.62. **Operation Juzni potez** is one of the operations of the Croatian Army and the HVO of operational and strategic importance in the area of Bosnia and Herzegovina, which followed Operation *Storm*. It took place from 8 to 12 October 1995. Its aim was to take the municipality of Mrkonjic Grad, establish control over the Banja Luka - Cačavica, the Banja Luka – Mrkonjic Grad and the Banja Luka – Jajce roads, and to take the southern slopes of Mt. Manjaca in order to create prerequisites for an attack on Banja Luka. After taking Sipovo in September 1995, the Croatian Army planned Operation *Juzni potez*. The following Croatian military units took part in the action:

- 4th Guards Brigade of the Croatian Army, under the command of General Damir KRSTICEVIC;
- 7th Guards Brigade of the Croatian Army, under the command of General Ivan KORADE;
- 1st Croatian Guards Brigade, under the command of General Miljenko FILIPOVIC;

²⁰³ Bjelovar Military District in Operation *Una*, p. 321.

- 1st HVO Guards Brigade, under the command of Ante LUBURIC;
- 2nd HVO Guards Brigade, under the command of General Stanko SOPTA;
- 3rd HVO Guards Brigade, under the command of Ilija NAKIC;
- Special unit of the MUP of Herceg-Bosna, under the command of Zlatan JELIC;
- 60th Guards Assault Unit of the HVO, under the command of Colonel Damir DODIG;
- 22nd HVO Sabotage Detachment, under the command of Colonel Predrag MANDIC;
- 126th Home Guard Regiment, under the command of Colonel Ante PODRUGA;
- reconnaissance and sabotage unit of the Main Command of the Croatian Army, under the command of Ivica DEKALIC and
- Operations Group East.

3.63. On the Serbian side, the defence was executed by brigades of the 30th Infantry Division, one mixed brigade from Operations Group 2 and elements of the 1st armoured battalion of the 1st Armoured Brigade. To the right of Mrkonjic Grad and Mt. Lisina, the 3rd Serbian Brigade was in charge of the defence. Directly outside Mrkonjic Grad was the 11th Mrkonjic lpr. Its left flank was protected by the 7th Kupres Motorised Brigade. In reserve was the 1st Sipovo Light Brigade. In command of the defence was Colonel Milenko LAZIC. The entire operation was led by Croatian General Ante GOTOVINA. The aim of the operation was to exert pressure on Republika Srpska and FR Yugoslavia to sign the Dayton Peace Agreement. In the mentioned period NATO planes bombarded the positions of the Serbian army, in coordination with attacks by the Croatian forces. Repeaters, transmitters and other communication means as well as the defence infrastructure were destroyed among other. Operation *Juzni potez* started in the morning of 8 October 1995, with preparatory artillery fire on VRS positions. The aim was to take up more favourable tactical positions, and only the 1st Guards Brigade and the 126th Home Guards Regiment made some headway. The reason for that were the bad weather and the exceptionally strong resistance of the Serbian forces. On the second day the attack was postponed due to a thick fog, and it started with artillery fire and direct fire support from two Mi-24 helicopters. Strong resistance was again offered, especially in the sector of the villages of Liskovica, Bjelajce and Sehovci, where the 7th Guards Brigade operated. Significant advances were made only late in the day. Due to the supremacy of the aggressor forces of the Croatian Army in coordination with the HVO and the ARBH, the VRS GS decided to withdraw and concentrate forces closer to Banja Luka and shorten the front line. The resistance was ever weaker and the Croatian Army entered Mrkonjic Grad on 10 October. The fighting ended in the night between 11 and 12 October, when the Croatian forces shifted to a defence.²⁰⁴

3.64. The commander of the operations group which captured Mrkonjic Grad was General Zeljko GLASINIC. The operation was led by a Staff comprising Generals Damir KRSTICEVIC, Ante GOTOVINA, Rahim ADEMI, Ljubo CESIC ROJS and others. Although the entire operation had initially been planned to be finished by 10 October, Croatian Brigadier Andrija MATIJAS was killed in the fighting to take the town. In retaliation, Croatian soldiers wreaked violence and terror against civilians and prisoners of war. At the beginning of April 1996, a mass grave with 181 victims was found in the area of Mrkonjic Grad municipality. Pathologists from the Military Medical Academy in Belgrade

²⁰⁴ The Hague questions for General KORADE, Nacional no. 366, 20 November 2002.

autopsied the bodies, supervised by representatives of numerous international organisations. Examination showed that the victims were soldiers and civilians, that they had been killed with blunt objects, knives and firearms. Also, another 400 victims were found in smaller graves, and it is believed that around 260 of them are from the area of Mrkonjic Grad municipality.²⁰⁵ According to the data of the municipal Commission for Assessing War Damage, Croatian troops set on fire and demolished 3,644 houses and about 700 flats and damaged 6,017 dwellings. All the livestock was killed and the machines in the companies in the municipality stolen. The total war damage was assessed in excess of 650 million marks.

3.65. "The objective of the operation was to encircle and destroy Serbian forces in the general area of Mrkonjic Grad, Podrasnicko Polje and the Jajce 3 hydro-electric power plant, to put the Banja Luka - Čajavica, Mrkonjic Grad – Banja Luka and Jajce - Banja Luka roads under surveillance, establish a defence on the southern slopes of Manjaca and emplace artillery on positions from which fire could be opened on Banja Luka so as to proceed with taking that town. The main forces for attack in Operation *Juzni Potez* were the 4th and 7th HV Guards Brigades under the command of generals Damir KRSTICEVIC and Ivan KORADE respectively. Special forces of the 1st Croatian Guards Brigade under the command of General Milenko FILIPOVIC also took part in the operation. In addition to the HV guards brigades, parts of three HVO guards brigades participated in the operation as auxiliary forces under the command of Staff Brigadier Ante LUBURIC, General Stanko SOPTA and Brigadier Ilija NAKIC."²⁰⁶

3.66. **Operation Vaganj 95** is the name of an operation of the Army of Republika Srpska in the summer and fall of 1995, the objective of which was to stop the offensive of the Croato-Muslim forces and liberate part of the territories they had captured. *Vaganj 95* comprised a series of small-scale operations on the Grahovo, Kljuc, Sana, Petrovac, Bihac, Sipovo and Glamoc axes; there were also battles in Pounje /Una river valley/ and on the territory of Mrkonjic Grad municipality.

3.67. After the fall of the Republic of Serbian Krajina in Croatian Operation *Storm* in the summer of 1995, the zone of responsibility of the 2nd VRS Krajina Corps (Bihac – Glamoc), was seriously threatened by pressures from Croatian forces from the Livno and Grahovo axis; Drvar and Glamoc were directly in danger and the entire front towards the 5th ARBH Corps threatened to collapse under the attacks of fresh, newly released brigades of the 5th Corps (units who before *Storm* held the front towards the SVK /Army of Serbian Krajina/ and Operations Group *Pauk*). The Main Staff of the VRS therefore decided to dispatch fresh forces to the zone of responsibility of the Drvar Corps and launch a counter-attack. The official beginning of operation *Vaganj 95* was Directive number 8 of the VRS Main Staff of 3 August, sent to the Commands of the 1st and 2nd Krajina Corps (VRS Directive no. 8 is available on ICTY pages).

3.68. The first units to arrive in Operation *Vaganj 95* were: the 1st Drina lpbr, the 2nd Drina lpbr, a (mixed) brigade from the Eastern Bosnia Corps, the 1st Serbian Brigade (mixed), the 65th Protection

²⁰⁵ Banjalukalive, www.banjalukalive.com. Accessed on 27 September 2013.

²⁰⁶ "Retired Colonel General KORADE was a district heating fitter before the war for the homeland. His war career began in early 1991 when he joined the Special Police as a volunteer. After the ZNG was founded he joined the 1st Guards Brigade - the "Tigers" and in 1992 became the commander of the 5th Tigers Battalion. In the summer of 1992 he was gravely wounded on the Dubrovnik front, when he lost an arm, but after only two weeks in hospital he was back in the ranks, which allegedly impressed, among others, General BOBETKO, the then commander of the southern front, to whom KORADE owes his promotion to the rank of general. When the 7th Guards Brigade – "Puma" was established late in 1993, KORADE became its first commander. Under his command, the 7th Guards Brigade in 1994 and 1995 directly participated in military operations in BH: *Zima 94*, *Skok 1* and *2*, *Ljeto 95*, then in August 1995 in *Storm* in Croatia, and immediately thereafter, that same year in operations *Maestral* and *Juzni potez* in BH..."
Nacional no. 366, Zagreb 20 November 2002.

Regiment and the 10th Sabotage Detachment. All the mixed brigades, although fresh, suffered from the same serious ailments: selection of the personnel had not been carried out so that, in addition to volunteers, regular members of the parent brigades made up the personnel of mixed brigades; mixed brigades had only symbolic organic fire support, and under the new circumstances had to rely on the fire support of the Drvar Corps or temporarily assigned batteries of other units; logistics support took place in chaotic conditions amid fleeing civilians, and as the lines of communication between the parent Corps and the mixed brigades were unsafe and too long, there were no conditions for other sources of logistics support. The commands of the brigades whose parent municipalities had been devastated by the attacks of Croato-Muslim forces stopped existing in combat terms; mixed brigades were mostly deployed for offensive actions, although objectively their composition did not allow that. A very small number of VRS members in those units had previously been exposed to artillery fire and action by enemy armoured forces, which in the beginning created panic, because the Croatian army had enormous quantities of artillery ammunition and multiple rocket-launcher missiles. Mixed brigades were temporary units, meaning that the combatants did not know one another for the most part, which caused misunderstandings and grave consequences in battle.²⁰⁷

3.69. Support of combat action, especially intelligence and logistics support fell far short of the needs. All this contributed to the outbreak of panic among the people and its spillover to VRS ranks. That is why numerous decisions and objectives in the operations were not in line with the real situation. In mid-September, the Main Staff sent additional forces in order to reinforce the shaken units and launch a counter attack. In addition to another two mixed brigades, sent were also the strongest brigades of the 1st Krajina Corps: the 16th Krajina, the 43rd Prijedor, the 6th Sana and the 5th Kozara Brigades. The 11th Dubica, the 1st Banja Luka, the 2nd Krajina Brigades, the 1st Military Police Battalion and the Reconnaissance Detachment of the 1st Krajina Corps, as well as part of the combatants of the Special Police Brigade from the eastern part of Republika Srpska, also came to the front. The local support of VRS forces were the brigades of the Drvar Corps, the 30th Infantry Division and other brigades of the 1st Krajina Corps.

3.70. Pursuant to Main Staff Directive number 8, four operations groups were formed in the initial period. At the same time another operations group was formed for the general area of Prijedor municipality. The forces of the Croatian Army and the HVO were united under the command of Ante GOTOVINA. Immediately after the end of Operation *Storm*, the composition of the Croatian forces was as follows: two HV Guards Brigades (4th Split and 7th Varazdin) the 1st Croatian HV Guards Brigade, three HVO Guards Brigades, three HV infantry brigades (112th Brigade, 113th Brigade and 141st Brigade), six HV Home Guard Regiments (6th Regiment, 7th Regiment, 142nd Regiment, 134th Regiment, 15th Regiment and 126th Regiment), a reconnaissance and sabotage company of the HV Main Staff, the 60th HVO Guards Parachute Battalion, the 22nd HVO Sabotage Detachment, units of the HVO military police, the 81st HV Guards Independent Battalion and forces of the HV Special Police. In all, GOTOVINA had about 30,000 soldiers under his command at the time.

3.71. Except in the zone of the Drvar Corps, during Operation *Vaganj 95*, the Croatian army was active also in Pounje, where in combat actions, as part of the Zagreb Military District the following took part: the 1st Guards Brigade (Zagreb), the 2nd Guards Brigade (Sisak), one Reconnaissance and Sabotage Company, the 17th Home Guard Regiment and smaller elements of a number of other reserve brigades and regiments; also, in battles in Posavina (Jasenovac), units of the Bjelovar Military District, namely elements of the 121st Regiment, the 125th Regiment and the 52nd Regiment – a total of about 3,500 soldiers, took part. In view of the fact that over 35,000 HV soldiers were deployed in Eastern Slavonia during Operation *Vaganj 95* (including two

²⁰⁷ Balkan Battlegrounds Vol.1, 380-394.

guards brigades - the 3rd (Osijek) and the 5th (Vinkovci), and that in front of Eastern Herzegovina the HV had 12,000 soldiers (including the 9th (Gospic) Guards Brigade), given the threats to Osijek, i.e. Prevlaka, we can conclude that most of the free personnel of the Croatian army had been sent to Bosnia in the final operations, except for part of the Special Police forces and forces of the Karlovac Military District. During Operation *Vaganj*, the ARBH engaged the entire 5th and 7th Corps, while in the later stage units of the Main Staff of the ARBH also took part in the combat actions (the Guards Brigade and Crni Labudovi, the military police), as well as the manoeuvring brigades of the 1st, 2nd and 3rd Corps of the ARBH. All in all, around 10,000 soldiers came to help out. With the forces of the 5th and 7th Corps that amounted to about 40,000 soldiers.

3.72. Although *Vaganj 95* had been conceived as a large-scale offensive operation, most of the operation was of a distinctly defensive nature. Two stages can be distinguished, separated by the offensive operations of the Croato-Muslim forces. In the first stage, which lasted from 3 August to 18 September, the VRS mounted a major strike against Bosansko Grahovo and a number of small tactical attacks. Most of the time was spent defending the zone of responsibility of the VRS 2nd KK, which was, finally, crushed in the Croato-Muslim Operation *Maestral*. The second stage of Operation *Vaganj 95*, which lasted from 18 September to 10 October, was marked by a series of counter-attacks and defensive operations of the VRS. In this stage, the VRS for the most part managed, with fresh forces, not only to stop the attack of the Croato-Muslim forces and liberate much of the occupied territory, but also to endanger the very survival of parts of the ARBH 5th and 7th Corps. Nevertheless, new offensives of the Croato-Muslim forces (*Juzni potez*, *Uragan*, *Operation Sana*) thwarted further advances, pushed back VRS forces to initial positions, capturing Sanski Most and Mrkonjic Grad. That was proof of the strategic advantage of the coalition Croato-Muslim forces over VRS units, with NATO aerial and intelligence support.

3.73. After the failure of Operation *Vaganj 95*, Croatian forces came out at 24 km from Banja Luka – within HV howitzer range. Whether the Croato-Muslim coalition could have taken Banja Luka or not later became the subject of heated discussions. On 18 September, after Operation *Maestral*, the Command of the Split Military District proposed to the RH Ministry of Defence that Banja Luka be taken and fortifications installed on the left bank of the River Vrbas. However, the plan of the operation required the use of the 1st and 2nd Guards Brigades which were at that time already unsuccessfully engaged in Pounje. In any case, it is evident that the Command of the Split Military District was of the opinion that taking Banja Luka with only HVO forces and those of the Split Military District was unrealistic. The Croatian political leadership, primarily Franjo TU\MAN wished, at any cost, to fill out the “crescent roll” that Croatia was, i.e. put the Banja Luka region under its control. It is certain that due to the exodus of the people and the ethnic cleansing carried out by Croato-Muslim forces, VRS forces, as well as the entire Republika Srpska were in an unenviable position. All this, coupled with the military defeats suffered, eroded combat morale. In addition, stocks of military supplies were already low. The redeployment of the 16th Krajina Brigade, reinforced by the 2nd Armoured Brigade, closed the road to Banja Luka via Manjaca and created conditions for stabilising the front.²⁰⁸

3.74. **Armed conflicts between the Muslims and Croats** during the war in Bosnia and Herzegovina are a result of conflicting national and political interests of the Croatian and Muslim peoples. The conflict between ABH and HVO units supported by the regular HV, lasted from 19 June 1992 to 23 February 1994, when a cease-fire was signed which was the introduction to creating a Muslim-Croat Federation in the framework of Bosnia and Herzegovina. Conflicts between Muslim and Croatian forces ended with the signing of the Washington Agreement. It was the introduction to a new strategic

²⁰⁸ Bjelovar Military District in Operation *Una*, p. 317.

partnership and cooperation between the HV, the ABH and the HVO in the service of direct preparations for final operations against the Army of the Serbian Krajina and the Army of the Republic of Krajina.

3.75. There were two factions among the Croats in BH. The larger one upheld Franjo TU\MAN's idea of the ethnic division of Bosnia and Herzegovina, while the smaller one was for a unified Bosnia and Herzegovina. The first faction had its stronghold in Herzegovina, except for the group of people around Blaz KRALJEVIC in Ljubuski, who was in favour of a unified Bosnia and Herzegovina and for an alliance of the Muslims and Croats. Of the two Croatian representatives in the Presidency of Bosnia and Herzegovina, Franjo BORAS belonged to the Herzegovina faction, and Stjepan KLJUJIC to the pro-Muslim one. The Croats were highly distrustful of the Muslims because of accusations that many of them had remained in the JNA during the entire 1991 and for most of 1992. Croatian propaganda accused Sefer HALILOVIC, the commander of the Bosnian TO, of having actively participated in the destruction of Vukovar, which later proved not to be true, but it is true that General Atif DUDAKOVIC had been the commander of a JNA artillery battalion in the war in Croatia.

3.76. Mate BOBAN, sponsored by TU\MAN, became *de facto* the leader of the Croats in BH and soon discarded KLJUJIC and BORAS, their former representatives. On 13 and 20 June 1991, Franjo TU\MAN held a meeting with HDZ representatives from Bosnia and Herzegovina, more precisely with representatives of the Herzegovina and Travnik Regional Croatian Communities. In November 1991, the Herzegovina and Travnik regional communities reached agreement in Grude on the objectives of the Croatian people, this resulting in a document signed by BH members of the HDZ – Mate BOBAN, Dario KORDIC, Ivan BENDER, Bozo RAIC, Jozo MARIC and others. The document stated that the lasting commitment of the Croats in BH was a joint Croatian state. BOBAN proclaimed a Croatian state in western Herzegovina on 18 November 1991, under the name of the Croatian Community of Herceg-Bosna, with its own armed forces, which was later, on 28 August 1993 renamed the Croatian Republic of Herceg-Bosna. From the very beginning strong forces of the Croatian army were present in Herzegovina, in order for the Croatian people to attain their political and national interests. On 17 June 1992, Croatian forces in Mostar took a stretch of Herzegovina territory along the eastern bank of the River Neretva. Mate BOBAN introduced a Croatian system of local government, the Croatian school system and Croatian became the “*official language*”. The Croatian dinar replaced the Yugoslav currency already in 1991. The police erected roadblocks all over the city. The Muslims were not allowed freedom of movement.

3.77. BOBAN never explicitly defined what he considered to be the borders of his state. His deputy in Central Bosnia, today the convicted war criminal Dario KORDIC, was more explicit in his conviction that Bosnia belonged to Croatia. He set up a staff in Novi Travnik. He said that Travnik and Vitez, towns in central Bosnia and Jablanica and Konjic, towns in the north of Herzegovina, were part of Herceg-Bosna. In three of the mentioned four towns Bosniaks were in the majority. According to officers of the ARBH, from the beginning of the war, the HVO stopped convoys with weapons and logistics supplies. The main problem was to establish a single command to consolidate and coordinate military actions against the Serbian army. This problem remained pronounced to the end of the war, although all war experience showed that military success is possible when action is coordinated.

3.78. The Commander of the Herzegovina HOS, Colonel Blaz KRALJEVIC, who had put himself under the command of the Presidency of the Republic of Bosnia and Herzegovina (headed by Alija IZETBEGOVIC), issued a proclamation against the division of Bosnia and Herzegovina on 9 May 1992. On 20 June 1992, the HVO attacked Gornji Vakuf and Novi Travnik. After the HOS, without the consent of the HVO, took parts of the municipality of Trebinje on 6 August, Mate BOBAN invited Blaz KRALJEVIC for a meeting in Mostar on 9 August 1992. The today convicted war criminal Vinko MARTINOVIC Stela took KRALJEVIC to the venue of the meeting. On their way back from the

meeting, Blaz KRALJEVIC and eight deputies of the Croatian Defence Forces fell into an HVO ambush. KRALJEVIC's escort was stopped by fire from automatic rifles. The leadership of the Croatian Defence Forces was liquidated, and thereby also part of the Croatian faction which was under the command of Alija IZETBEGOVIC. There was a new conflict between the Army of RBH and the HVO on 23 October 1992, when HVO forces entered Prozor, until then under the control of the ARBH, and occupied it, ethnically cleansing Muslims in the municipality from the villages of Here, Scipe, Kute, Varvari and the town of Prozor. Refugees from Prozor came to Gornji Vakuf after which the HVO tried to take Gornji Vakuf again because of its military and strategic importance for linking Herzegovina and Central Bosnia.

3.79. In Kiseljak, a town with a Croatian majority, on the western rim of Sarajevo, hard core nationalists headed by war criminal Ivica RAJIC²⁰⁹, loyal to the Herzegovina Croats, took control of the local government and the HVO. They cooperated with VRS units in some periods of the war, when they were endangered. On 13 January 1993, HVO Colonel Zeljko SILJEG made an ultimatum to the Army of RBH in Gornji Vakuf to disarm and place itself under HVO control, invoking the "*HVO Decision on the Organisation of Provinces*". The Army of RBH did not accept the ultimatum. In mid-January 1993, Croatian units launched an open attack on Gornji Vakuf and started ethnically cleansing city sections in which the Croats constituted a majority. Somewhat earlier, the same scenario had been implemented in the villages of Uzricje, Hrasnica and Dusa. After these events, Gornji Vakuf was under siege until March 1993 and its dwellings came under constant artillery and sniper fire. A truce was signed in March.

3.80. At the end of April 1993, the conflict between the Muslims and the Croats escalated into total war. News of the defeat in Srebrenica resulted in rumours disturbing for the Croats, which spread through Central Bosnia, namely that thousands upon thousands of Muslim refugees would be arriving in a few days. In Kiseljak and Vitez, two pockets inhabited by Croats to the north and west of Sarajevo, the Croatian police, in cooperation with the HVO took preventive action. They entered the Muslim village of Ahmici, which was surrounded by villages populated by Croats and burned alive 117 civilians shut in a house in the village, including women, children, and elderly people, which was the biggest crime during the Muslim – Croatian war. Forcible expulsion, murders and rape followed on a large-scale. Muslims fled Vitez and headed for Travnik or Zenica, claiming that Croatian soldiers had given them three hours to leave town or be killed. At that time in Travnik the HVO demanded that the Muslim Army be disarmed and disbanded, invoking the Vance-Owen Plan, according to which Travnik was put in a "Croatian province". The HVO demanded the withdrawal of all non-Croat forces from the province. On the very border of the conflict-ridden territory was Vares, before the war with an equal number of Muslim and Croat inhabitants and a considerable Serbian minority, who had fled already at the beginning of the war or had been ethnically cleansed. The Muslims and Croats managed not to get involved in the conflict during the entire summer of 1993, when divisions within the Croatian people came to the fore. The local leadership was in favour of further cooperation with the Muslims, advocating the interests of the pro-Bosnian stream, but the situation deteriorated with the arrival of an HVO unit from Kiseljak in October 1993. The local Croatian head and chief of police were put in prison for a short time and then dismissed from their posts. A man from outside was brought and appointed chief.²¹⁰

3.81. Muslim men were taken prisoner, Muslim houses were broken into and looted. The Croats could not nor wanted to defend Vares, primarily as it did not fit into their territorial plans. As soon as they took control of the city preparations started for the evacuation of the population to Herzegovina. There were two flight routes, both over Serbian territory. Evacuation over Serbian territory was no problem in view

²⁰⁹ Ivica RAJIC pleaded guilty and was sentenced to 12 years of imprisonment (ICTY case number IT-95-12-S).

²¹⁰ Mihailo CRNOBRNJA, *The Yugoslav Drama*, McGill-Queen's University Press, ISBN 978-0-7735-1429-4.

of the cooperation of the Kiseljak HVO with the Serbs, but the Muslim village of Stupni Do, two kilometres from Vares, posed a problem. At that time, on 22 October 1993, Franjo TUMAN convened a meeting in the Presidential Palace, attended by Janko BOBETKO, Imre AGOTIC, Josip LUCIC and Gojko SUSAK, at which he described his territorial vision of Herceg-Bosna on the Novi Travnik-Vitez-Busovaca line and how he intended to deal with the question of Mostar and Gornji Vakuf.

3.82. In the night of 23 October 1993, having shelled the village of Stupni Do all day, members of Croatian units barged into the village and massacred the population. Crimes against civilians and property lasted for days, until late on 3 November 1993, when, using a megaphone, the Croatian chief ordered the Croatian inhabitants to get ready for evacuation and assemble in the city streets by dawn. He told them that the "Muslim Army is approaching the town from the north, west and south". Over 10,000 people fled in a single night.

3.83. The initiative for the termination of the conflict was supported by the USA and Germany, which was historically, and in this war too, favourably inclined towards Croatia. On 3 February 1994, the Security Council gave Croatia two weeks to pull out its regular troops from BH or face consequences. Croatia was threatened that sanctions would be imposed on it, as they had been on Serbia, if it did not comply with the ultimatum. Over the next few days, the Muslim and Croatian delegations were dragged to Washington. The agreement on the Muslim and Croatian Federation was signed and in return Croatia was promised military and economic assistance, which was given as part of preparations for aggression on the Republic of Serbian Krajina and then also on Republika Srpska.

3.84. **Operation Plamen 95** is the code name of an operation of the Army of Republika Srpska in May 1995 in the Bosnian Posavina, with the objective of taking the Orasje pocket in the vicinity of the town of Orasje. Ever since the end of 1992 when the Army of Republika Srpska in operation *Koridor* took control of the Bosnian Posavina, the Orasje pocket, under the control of the Croatian Army and the Croatian Defence Council, created constant problems for VRS units. On account of the strategic position of Orasje, which is contiguous with the narrowest section of the Brcko corridor, there was the danger of the Croatian side ending the war in its favour through just one successful operation (severing the corridor via Orasje), in contrast to 1992. After the signing of the Croato-Muslim agreement in the spring of 1994, the VRS lost the strategic initiative. Under such circumstances the VRS decided to eliminate the only remaining Croatian bridgehead on the River Sava. If successful, the operation would free VRS infantry brigades which held positions towards Orasje. The VRS began operation *Plamen* on 5 May with a strong artillery attack. The attacks were unsuccessful during the first days. On 10 May, the VRS launched the offensive a second time, attacking on a number of axes. This time, VRS forces breached the HVO defence in a number of places, coming outside the village of Vidovice, 4 km from Orasje, on 14 – 15 May.²¹¹ Following a stalemate, the VRS definitely terminated the operation on 10 June.

3.85. **NATO bombing of Republika Srpska**²¹² (**Operation Deliberate Force and Operation Deadeye**), were the gist of the military intervention of NATO forces, headed by the USA, during the war in Bosnia and Herzegovina from 30 August to 20 September 1995. NATO aviation bombarded the positions of the Army of Republika Srpska in the UN safe areas of Sarajevo and Gorazde from 30 August to 14 September 1995. The official reason for the bombing was the still unestablished

²¹¹ Balkan Battlegrounds: A Military History of the Yugoslav Conflict, 1990-1995 Volume I. Central Intelligence Agency, Office of Russian and European Analysis, Washington.

²¹² The North Atlantic Treaty Organisation interfered in the area of Bosnia and Herzegovina in 1992 when it imposed the no fly zone over BH. NATO's first action against the VRS took place on 28 February 1994, when four VRS J-21 Jastreb planes were shot down. The VRS was next bombed in the vicinity of Gorazde from 10 to 16 April 1994; then the VRS was bombed in the vicinity of Ilidza on 5 August 1994, and in May 1995 there was sporadic bombing of VRS ammunition depots (source: <http://avijacija.com/?p=1065>).

responsibility for the shelling of the Sarajevo Markale market on 28 August 1995, when 37 civilians were killed in the explosion. It was NATO's first major military action. General Michael Rose, UNPROFOR commander at the time, said after the incident that it was not possible to establish where the shell had been fired from. Russian Colonel Andrei Demurenko, the commander of the Russian peace-keeping battalion in Sarajevo, who participated in the investigation said that the Serbs "had been unjustly accused just to give NATO a reason to attack". He investigated the Markale case on the basis of an analysis made by the French. Immediately after the shelling of the market in Sarajevo, he went to look at the spot from which Serbian mortars had allegedly opened fire. On an area of one hundred metres, where the alleged mortar should have been dug in, there were absolutely no traces in the grass. Today it is increasingly clear that the explosion of the shell at Markale is an assumed truth for which the culprit had been determined in advance, and that fit into the strategy which was successfully served to the region and the international community – that the Serbs were bad guys terrorising and killing civilians in Sarajevo from the hills. Simply, that is very far from the truth and is a component element of the stage-managed war.

3.86. The operation required that artillery, mortars and rocket systems be placed under control and pulled out of range in order to "terminate the so-called siege" of Sarajevo. Actually, at that time Sarajevo was not under a siege or occupied, it was just the strategy of the Muslim leadership aimed at eliminating artillery and armoured units from battle, in order to lessen the combat power of VRS units, gain an advantage in personnel and free forces of the 1st ARBH Corps for the final operations. The aim of Operation *Deadeye* was to disable the VRS PVO. There were around 3,550 sorties. According to records, the total number of bombs thrown on VRS positions was 1,026, of which some 708 guided ones. In the bombing 40 soldiers and 152 Serbian civilians were killed. In its air strikes on Republika Srpska NATO used depleted uranium charged ammunition. Using depleted uranium ammunition NATO shelled radio and television transmitters and relays on the territory of Republika Srpska. A French Mirage 2000K was shot down by a surface-to-air missile 20 kilometres southeast of Pale. The search for the pilots lasted until 28 September when it was announced that the pilots had been taken prisoner, and some time later an agreement was reached with the French Army with the mediation of the Yugoslav Army.²¹³ There is no doubt that the actions of NATO aviation considerably reduced the operational capabilities of VRS units, which came under increasing threat also due to large movements of civilian refugee columns which were exposed to terror and ethnic cleansing at the hands of forces of the Muslim-Croat coalition.

3.87. Operation *Sarajevo*, the so-called unblocking of Sarajevo, Markale and Srebrenica are the subject of a more detailed analysis in Parts IV and V of this report and expert analysis. Given the character of the civil, religious and ethnic war, these operations imprinted a specific media and international stamp on the nature of the war and the participants in this war. This supposed media truth, which at times one is even forbidden to doubt, contributed to creating a picture of the responsibility of individuals, commanders /komandir/, commanders, up to creating a picture of the legal and moral condemnation of the collective personalities of armies, peoples and states.

4. Losses in the war in BH

3.88. The Serbian Orthodox population in BH constituted a stable majority until the Second World War, when its share in the total population was considerably reduced due to the Ustasha genocide and forced expulsions. In the post-war period, planned colonisation of the Serbian population was carried

²¹³ Tim Ripley, "Air War Bosnia – UN and NATO Airpower", Airline (1996) ISBN 1-85310-814-6.

out, especially to Serbia, to the area of Vojvodina. Serb migrations from BH were also encouraged by the policy of the Muslim part of the communist oligarchy, because they “have a reserve homeland”.²¹⁴

3.89. BH is a typical representative of civilisationally intertwined and divided countries where interfaces between three world civilisations, religions and cultures have through history resulted in contradictions, hatred and exclusivism. In crisis situations religious identities have been known to intensify, so that inter-ethnic conflicts have a markedly religious character. There was a marked shift in the mindset of the Bosnia and Herzegovina Muslims towards an Islamic identity as Alija IZETBEGOVIC had promoted in his *Islamic Declaration* which he translated into the action programme of the SDA and which was the principal cause of the inter-ethnic civil war in BH.²¹⁵

3.90. For political reasons and with a view to international condemnation of the other warring party, information on unverified losses was often disseminated publicly. However, separate records maintained by the families of those who were killed, wounded and missing, and with different organisations, substantially reduce the numbers given. Thus, in mid-1996, the organisation of families of *shahids* /martyrs/ and fallen fighters demanded that the graves of those killed be marked with a uniform memorial mark – the *nisan* (Muslim grave stone). About 35,000 grave stones were erected in accordance with this proposal, this giving a more realistic picture of the number of Muslims killed in the war. The number is approximately the same of distributed foreign exchange savings books with 8,000 DM to the families of killed martyrs, this exposing the lie on the number of “Bosniaks” killed. A similar test was applied to the city of Sarajevo also, in which according to the given figures between 15,000 and 20,000 people were killed every year, i.e. between 60,000 and 80,000 in all. Today official Muslim sources show that 8,079 families of martyrs and fallen fighters live in the area of Sarajevo.²¹⁶ (In a TV programme “Step”, on 14 August 2001, Jovan DIVJAK stated that a total of about 10,400 people had been killed in Sarajevo during the war, which corresponds to a percentage ratio of soldiers and civilians who were killed of approximately 75:25.

3.91. The /?International Herald Tribune/ claims that “during the war, the Muslims in Sarajevo bestially killed thousands of Serbs, that the Muslim political leaders knew of these crimes, but did nothing to prevent them”.²¹⁷ That is proof, states the paper, that the “story of a besieged Sarajevo, which was under constant artillery fire of the Serbian aggressor” is not complete and that there is the other side of the coin. Serbs were killed in Sarajevo without a trial, by para-armies, criminal groups as well as police and military forces of the RBH. So, crime reigned in Sarajevo during the entire war and that fact will eventually see the light of day.

3.92. More extensive research shows that a total of 46,020 members of the BH Army and 17,420 civilians were killed, namely a total of 63,440 people in the area of FBH. Registered were also 103,466 wounded and 4,160 missing persons. These are the total population losses of the FBH in which all three warring parties fought: Serbs and Muslims; Serbs and Croats, Croats and Muslims and Muslims mutually in Western Bosnia, as well as in mutual clashes of paramilitary units and groups in Sarajevo.

3.93. Available figures show that the number of persons killed in RS during the war was 24,242, of whom 18,672 soldiers and 5,970 civilians. The number of wounded was 36,543 and 950 persons are still

²¹⁴ Ljubomir BOROVCANIN, *Ibid.*, p. 24.

²¹⁵ Between two thirds and three fourths of wars between civilisations were between Muslims and non-Muslims. “The borders of Islam are bloody. Muslim belligerence and violence are facts of the late twentieth century which neither Muslims nor non-Muslims can refute”. Samuel Huntington, *Sukob civilizacija i preoblikovanje svetskog poretka* /The Clash of Civilisations and the Remaking of World Order/, CID, Podgorica, 1999, p. 286.

²¹⁶ *Shahid* – a martyr for religion, Ljubomir BOROVCANIN, *Ibid.*, p. 218.

²¹⁷ Miroslav LAZANSKI, *Istina o Srpskoj* /The Truth About Srpska/, Knjiga komerc, Belgrade, 2001, p. 182.

registered as missing. This number includes victims of NATO bombardment. NATO planes and rockets bombed RS seven times during 1994 and four times during 1995. The ratio of inhabitants of the Serbian and Muslim-Croatian sides was initially 1:1.87; the number of mobilised 1:1.2; the number of killed 1:2.57 and the number of wounded 1:2.83.

3.94. The specificity of the civil war in BH lies in the fact that the military component suffered greater losses than the civilian one. Namely, of the total losses in RS 75.77% refers to soldiers and 24.22% to civilians. In the BH Federation military losses are 72.54% and civilian ones 27.46%. This squarely disproves the thesis on the constant shelling of Sarajevo and sniper fire to which the civilian population was exposed, and on the constant destruction of the civilian population by the VRS. At the level of Bosnia and Herzegovina this ratio is 73.45% soldiers to 26.55% civilians. What decisively contributed to such results is the high level of mobilisation on both sides, between 10 and 20% of the population, as well as the fact that in the war in BH there was mass destruction and devastation of private, state and socially owned property.

3.95. Demographic losses in BH from 1991 to date are about 900,000 people, i.e. had there been no war, given normal development conditions, BH would have 898,000 more inhabitants – according to demographer Stevo PASALIC. PASALIC said for *Srna* that this data was based on highly relevant research and projections. “Of the overall demographic loss of around 900,000, 110,000 are direct victims of war – soldiers and missing persons, which is according to my research somewhat higher than the figures of expert demographer of the Hague Tribunal Ewa Tabeau, who in some thirty or so papers and reports stated that the total war losses in BH were 104,732 people”, said PASALIC. He added that the figures of around 100,000 victims registered in the Research and Documentation Centre of Mirsad TOKACA were also incorrect. “The research works of Ewa Tabeau and TOKACA reduce the number of Serbian victims” said PASALIC, emphasising that on the basis of all sources and data the number of Serbian victims is around 35,000, which, accepting the number of Croatian and Bosniak victims, results in a total number of 110,000 direct demographic losses in the war in BH. According to him, the war caused what is referred to as pure demographic losses in the birth rate, i.e. a decreased number of births during and after the war, by about 145,000. PASALIC points out that migratory demographic losses are the third form of population losses, and from 1996 these amount to about 645,000 people. PASALIC said that the overall demographic losses for this twenty-year period in Republika Srpska were about 305,000 inhabitants – losses in war were around 35,000, declining birth rate around 45,000 and migratory losses around 225,000 inhabitants. PASALIC, who is a professor at the Eastern Sarajevo University, points out that this is exclusive data which will be published in his book *Demographic Data in BH from 1991 to 2011*, an integral part of which will be his demographic expert report for the Hague Tribunal, which was accepted in full. He said that his expert report dealt with all the demographic losses during the war in BH, with emphasis on events in the Serbian national corpus.²¹⁸

3.96. For the needs of this report the main results of the latest estimate of victims of the 1992 to 1995 war in BH, made in 2010, are given. The estimate is also based on a critical review of the epidemiological assessment of the victims of war in BH made by Obermeyer et al. in 2008. This estimate is an extrapolation of a sample examination, based on figures on sibling deaths gathered during a retrospective research project of the World Health Organisation conducted over the 2002 to 2003 period. Doubts were expressed in respect of the epidemiological approach to the assessment of losses, this having a number of shortcomings, including that it gives incorrect results pertaining to the war in BH and probably to other conflicts as well.²¹⁹

²¹⁸ Demographer Stevo PASALIC, If there had been no war, BH would have about 900,000 more inhabitants. *Nezavisne novine*, 2 December 2011.

²¹⁹ Jan Zwierzchowski and Ewa Tabeau, “International Research Workshop on the Global Costs of Conflict”, Berlin, 2010, p. 1.

3.97. In total, the 2010 Integrated BH Database contains 181,477 records, of which 163,060 records were matched with the 1991 population census (matching rate of 89.5%). After exclusion of the overlap, the 2010 Integrated BH Database comprises 89,186 valid and unique records, of which 75,532 records are matched with the 1991 population census (matching rate of 84.1%). A valid record is a record of a person who died in Bosnia and Herzegovina during the 1992 to 1995 war and whose death was caused by war activities.

Table 2: Victims of the war in Bosnia and Herzegovina, 1992-1995. Minimum war-related death ratios by ethnicity.²²⁰

Category/ethnicity	Muslims	Serbs	Croats	Others	Total
Total population 1991	1,896,009	1,361,814	758,585	352,106	4,368,514
Killed/missing	57,992	19,398	7,543	4,253	89,186
Percentage	3.1%	1.4%	1.0%	1.2%	2.0%

Note: the ethnicity of 13,654 unmatched records is estimated here based on the ethnic make-up.

3.98. The category of soldiers covers combat and non-combat deaths of all those individuals that were in the army (BH Army for Bosniaks, HVO for Croats and VRS for Serbs). Compared with the 2005 estimate, the 2010 results are very similar. The overall death toll was estimated in 2005 to be cca. 102,622 victims in BH. According to the 2010 estimate it is 104,732. Some increase is clearly seen in the ethnicity-specific absolute figures and death ratios. The general pattern remains, however, unchanged. Muslims suffered the greatest losses – 3.1% of the population. Serbs lost about 1.4% of the population. As mostly Serbs declared themselves as Yugoslavs, we can say that the percentage of Serbs who were killed was much higher, around 2.6%, i.e. around 23,550 inhabitants. Croats suffered the lowest losses - about 1%. All the data refers to the 1991 population census.

Table 3: Distribution of victims, by civilian - military (C-M) status and sex²²¹

a) Overall number of 104,732 war-related deaths: C-M status as in matched records

Status	Sex			Total	Percentage
	Male	Female	Unknown		
Civilian	28,726	7,974	-	36,700	35.0%
Military	67,485	546	-	68,032	65.0%
Total	96,211	8,521	-	104,732	100.0%
Percentage	91.9%	8.1%	-	100.0%	

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Ewa Tabeau is a senior researcher and project leader of the Demographic Unit, OTP, ICTY.

²²⁰ Jan Zwierzchowski and Ewa Tabeau, p. 16.

²²¹ Jan Zwierzchowski and Ewa Tabeau, pp. 16 and 17.

Note: Percentage distribution into civilians and militaries as in the 75,532 war-related death records matched with the 1991 census.

b) Overall number of 104,732 war-related deaths: C-M status as in unique records in the database

Status	Sex			Total	Percentage
	Male	Female	Unknown		
Civilian	32,251	9,842	13	42,106	40.2%
Military	62,099	526	1	62,626	59.8%
Total	94,350	10,368	14	104,732	100.0%
Percentage	90.1%	9.9%	0.0%	100.0%	

Note: Percentage distribution of persons into civilians or militaries as observed among the 89,186 war-related death records in the Integrated BH database.

3.99. According to the first approach, around 35% of victims were civilians and 65% were militaries (table 3a). If all unique records in the database are taken into account, the civilian-military distribution is 40 versus 60 percent (table 3b). The difference between the two is about five percent points and suggests the matching was more efficient for militaries than for civilians. This was because of rather thorough reporting of military deaths by family members which was done for post-mortal benefits, thus based on documents containing personal and death details. Some military records were, however, of persons that were never in active combat; these were war-time deaths of personnel of the Ministries of Defence (FBH and RS), police forces and employees of the army-related production sector.

3.100. One of the latest estimates of BH victims was made in 2008 by Obermeyer et al. (2008). It is a survey-based extrapolation, which the authors call a proportionate mortality estimate. In brief, they estimated the fraction of excess deaths (predominantly violent (direct) excess deaths) using survey data and applied this fraction to the UN Population Division estimates of total deaths available for all countries of the world from 1995 onwards, and for Bosnia and Herzegovina as well.²²² The new 2010 estimate is an improvement of the previous 2005 ICTY estimate by Tabeau and Bijak, in terms of sources and counting methods used as well as estimating the unknown undercount of the overall number of casualties. The major improvement in the 2010 estimate is the undercount estimation. The Multiple System Estimation has been performed for 8 large groups of sources, not all of them being statistically independent and not all of them being perfectly matched.²²³

²²² The UN projections for the years 1992 to 1995 are practically guesstimates as no sources are available even today on the war-time population, its war-time births, deaths (natural and war-related) and migration.

²²³ Jan Zwierchowski and Ewa Tabeau, p. 22.

Part IV

ARMED CONFLICTS ON THE SARAJEVO BATTLEFIELD

4.0. The Sarajevo battlefield²²⁴ and within it the role of General Ratko MLADIC, the commander of the VRS GS, are an integral part of the overall strategic and operational context of the war in BH, its socio-political and military nature and its course and processes, its protagonists and their roles. Moreover, the Sarajevo battlefield is inseparable from the overall context of the war in the area of the former SFR Yugoslavia, its causes, motives and consequences. The wholesale media falsehoods regarding events on the Sarajevo battlefield resulted in the benevolent attitude of part of the international community towards the Muslims as one of the warring parties in the civil war in BH. In that connection, more objective information is appearing today which partially unmasks the media campaign mounted by the Muslim authorities in Sarajevo and transmitted by numerous influential world media. Thus Jovan DIVJAK, retired general of the ABH charged with pre-war smuggling of weapons and ammunition, from a time distance of 8 years presents views which considerably differ from the false picture fabricated by the central authorities in the Muslim part of Sarajevo, for the purpose of achieving the military and political objectives of the war. "It is indubitable that all three sides in BH are responsible for the war, it is only necessary to establish whose responsibility was the greater. And for genuine reconciliation, it is also indubitable, the first prerequisite is that all those who committed war crimes, irrespective of religious and ethnic affiliation, answer for the crimes. I regret that the idea on the historic agreement between the Muslims and Serbs in January 1992 was not realised, for that was an opportunity to avoid war."²²⁵ If the analysis of developments and combat actions on the Sarajevo battlefield proceeds from arguments and facts, without prejudice, a more objective picture of the reality in that cruel civil war can be obtained. This objectivity is a condition for fairness and justice vis-à-vis all participants who bore substantial and formal responsibility for the consequences of the war conflicts especially in respect of the civilian population in the Muslim and in the Serbian section of Sarajevo. The media picture, and for the most part also the international public, under the influence of the media, from almost the very beginning of the war blamed the Serbs for the outbreak of the war and for the suffering on the Sarajevo battlefield.

4.1. When one says actions on the Sarajevo battlefield, this term should encompass all war developments in the area of the zone of responsibility of the 1st ABH Corps and the VRS SRK. In that sense, it should also cover armed conflicts on the Nisici plateau, north of the city of Sarajevo, which were difficult, uncertain and very important for both parties to the conflict, as they directly impacted the achievement of their operational objectives. The outcome of the battles for the city of Sarajevo proper practically depended on the outcome of combat actions on the Nisici plateau and on the Igman-Trnovo-

²²⁴ The phrase "the Sarajevo battlefield" as a concept has become common in documents and literature on the civil war in BH. In military terminology and according to the parameters of the area and forces which took part in armed conflict in that area, it is more adequate to speak about the "Sarajevo theatre of operations" as part of the overall theatre of war in BH. For the mentioned reasons, priority has been given to the already established and generally accepted term "Sarajevo battlefield" used in this expert report.

²²⁵ "Already in September 1991, at the request of the Kiseljak Territorial Defence Staff and the president of that municipality, I passed the decision for weapons – one hundred barrels and 20,000 bullets – to be given to the local police. Of course, I should not have done that on my own, because it was up to the commander of the TO of the Republic of BH, General Drago VUKOSAVLJEVIC to decide that. At the time, the BH Government decided to raise combat readiness because of the war in Croatia and I was of the opinion that I should help the police. There were demands for those weapons to be given back, but since that was not done I was sentenced to nine months of imprisonment, suspended for 2 years. The judgment was handed down in December 1991 and I expected to be sent to prison by April of the next year. Kiseljak was already a "Croatian" municipality... Since I remained here, messages kept coming from Belgrade that Jovan did not want to go with the JNA because he had been given 80,000 Marks by the Ustashes". Jovan DIVJAK, retired general of the BH Army, Interview given to Dusan STOJAKOVIC, *Vecernje novosti*, 22 February 2003.

Rogoj-Gorazde axis. The Sarajevo battlefield goes all the way to Gorazde in the east, to the upper course of the River Neretva in the south-southwest and to Mt. Cemerska and the towns of Visoko, Breza and Kiseljak in the north and northwest.

4.2. The consequences of the war on the Sarajevo battlefield are more visible than on the other parts of the strategic front in BH for the following reasons: (1) because Sarajevo was in the focus of media and political interest of part of the international community, which had in that war *a priori* “sided with and proclaimed the just side in the war”; (2) in question are densely populated urban municipalities which according to their majority ethnic population found themselves behind the front lines of the conflicting sides on a relatively small space which is highly vulnerable to any type of destructive activity, in particular armed conflict, over a long time period; (3) in view of the fact that the old section of the city of Sarajevo belonged to the Muslims and that the front line was in the city itself and on its outer rims, one can say that the consequences of the combat actions for the civilian population were not great; and (4) according to statistics in all contemporary wars, especially civil ones, far more civilians are killed than soldiers and that did not happen in this civil war. Given the length of the war in the city and the extent of its consequences it is nevertheless obvious that commanders at various levels bringing decisions on fire in urban areas, took care to avoid artillery and rocket action and the mass use of armoured and mechanised units.²²⁶

4.3. Each of the conflicting sides justifies its own and attacks the efforts of the other conflicting side. The operational documentation of both sides contains data on the guilt of the opposing, enemy side, especially in respect of breaches of the Agreement on the Cessation of Hostilities and the Exchange of Mortar, Artillery and Sniper Fire. The other side was almost always guilty and this one, i.e. one's own side, had allegedly been provoked. The truth is, it goes without saying, halfway between these extremes. No one is innocent in war. What is striking is the wish to blame the Serbs for the consequences of all the war crimes in the city. That was part of the strategic concept of the Muslims in the war in BH, and through the media and by lobbying, they were successful in transmitting that to the international public. One of the biggest lies spread from the beginning of the war and today as well in the falsified national history of the Muslim political leadership is that the Serbs aggressed on BH, and thereby on the city of Sarajevo as well.

4.4. This part of the expert report will analyse and identify the primary military-strategic and tactical facts constituting the Sarajevo battlefield as one, but the most important, sequence of the entire war conflict in BH. The defence of General MLADIC against the indictment charging him with alleged war crimes is a legal matter in which probably the bringing of decisions also depends on facts from the military specialist report. The specialist military basis for considering and identifying the General's role and place in the armed conflicts on the Sarajevo battlefield proceeds from facts which are often obscured or which have disappeared in the process of imposing a media picture of the participants in the civil war in BH. The events on the Sarajevo battlefield were primarily within the scope of authority and

²²⁶ This is also supported by pictures from the civil wars in Libya, Egypt, Syria and similar, showing that there is no life in cities in which war is waged and that there are very few civilians in those zones. The Muslims and Serbs lived in their municipalities and settlements throughout the war. In the international public, due to media propaganda, a picture was continuously shown of the difficult situation in Sarajevo as a Muslim city in which civilians are getting killed by Greater-Serbian aggression. All these are lies which were, regrettably, abused in the critical stages of the war to such an extent that they caused wrong decisions on the part of influential states and even international organisations. This false media picture of the “suffering of Sarajevo and the Sarajevans” was the stake for attaining the objectives of political Islam in the form of a unitary Islamic state, where the other two peoples, the Serbs and the Croats, would enjoy formal equality, and in essence over a long time period would gradually move out *en masse* to their parent states and would not constitute a political factor or a constituent people in BH. It is true that civilians in the Muslim and in the Serbian parts of Sarajevo lived in difficult war conditions.

responsibility of Corps, brigade and battalion commanders of the VRS and the ABH, for actions and counter-actions took place continuously, without significant movements of the front line.

4.5. The thus understood purpose of this part of the expert report on the Sarajevo battlefield, as one of the sequences of the war in BH, determined its operationalisation. After the geographic and demographic characteristics of the Sarajevo battlefield, the main features of the conflicting forces – the VRS and the ARBH are considered. The forming of the Sarajevo-Romanija Corps (SRK) of the VRS and the 1st Corps of the ARBH, their role in the armed conflicts, their organisation, the zones of responsibility of the Corps and operational deployment, as well as their operational positions are described. The key combat actions and events on the Sarajevo battlefield are described with a view to identifying the possible command responsibility of General Ratko MLADIC with regard to the allegations in the Indictment.

1. Basic features and characteristics of the Sarajevo battlefield

1.1. Spatial and geographic characteristics of the Sarajevo battlefield

4.6. The central territory of the Sarajevo battlefield is the city of Sarajevo itself, which comprises the city municipalities and settlements with their environs. Data on when Sarajevo as a toponym and term first appears in history and historic records differ. Some claim it dates back to ancient times – the time of the Roman Empire (1st century AD), and others to the middle of the 15th century.²²⁷ This data is irrelevant for this expert report so no deeper analysis will be made in that respect.

4.7. As a geographic term Sarajevo comprises the narrow urban section along the River Miljacka and a string of suburban settlements and urban municipalities. In spatial terms it covered the territory between Kozja Cuprija in the east to Hadzici in the west and from Krupac in the south to Ilijas in the north. The city core of Sarajevo is its old part stretching along both banks of the River Miljacka (Attachment number 7).

4.8. In line with the factors which determined the development of the city of Sarajevo through history, it spread from the east to the west, with the areas towards Vogosca, Trebevic, Kalinovik, Hadzici and along the River Bosna valley to Semizovac, and upstream to Vrelo Bosne being settled at the same time. Through accelerated urbanisation Sarajevo can be said to have encompassed and linked into a single urban entity what were once its suburban settlements: Kobilja Glava, Vogosca, Velesici, Pofalici, Buljakov Potok, Rajlovac, Ilidza with Stup, Butmir, Hrasnica, Vojkovici, Dobrinja, Kasindol, Lukavica, and the settlements of Hrasno, Alipasino Polje and Nedzarici had become parts of the urban fabric of Sarajevo much earlier.

4.9. The city of Sarajevo, which for the most part lies in the relatively narrow valley of the River Miljacka, is overlooked by two lines of hilly and mountainous elevations. Immediately above the city, viewed from north to west, south, southeast and east, rise the following hilly features: Grdonj (906 m), Hum (816 m), Orlic (876 m), Zuc (850 m), Mojnilo (680 m), Hrasno (633 m), Debelo Brdo and its peak Grad (830 m), Colina Kapa (966 m) and Hrastova Glava (896 m). The other, much farther chain of high mountains whose slopes descend towards Sarajevo are: Ozren in the north and northeast, Romanija and Jahorina in the east, Trebevic in the southeast and Igman in the south and southwest. Closest to Sarajevo are Mts. Trebevic and Igman.²²⁸

²²⁷ According to these sources, the Turks took the city in 1428, when in fact the city of today got its name (the etymological meaning of the word Sarajevo is “palace on the fields”).

²²⁸ Radovan RADINOVIC, Expert report on the Sarajevo Battlefield, Belgrade, 2000, p. 35.

4.10. Sarajevo was the state, political, economic and cultural centre of BH as a federal unit of the former SFRY. After BH was divided into two state and political entities pursuant to the Dayton Peace Agreement, Sarajevo lost some of that importance to Eastern Sarajevo and Banja Luka as the centre of the Serbian political entity, and to the western part of Mostar, as the Croatian, political, economic and national centre.

4.11. The city of Sarajevo was organised into the following 10 city municipalities: Stari Grad, Sarajevo Centar, Novi Grad, Novo Sarajevo, Hadzici, Ilidza, Ilijas, Vogosca, Pale and Trnovo. The demographic characteristics and ethnic structure of the population are given in the Attachments, on the basis of the 1991 population census in BH (Attachment number 8).

4.12. The area of the zone of responsibility of the SRK was about 2,000 square kilometres. It was dominated by the high mountains – Igman, Bjelasnica, Romanija, Jahorina and Trebevic, and Mt. Ozren to the northeast of Sarajevo. The central area, i.e. the gravitational centre of this zone of responsibility is the old part of the city of Sarajevo with its urban section, towards which gravitate the other parts of the city organised in city municipalities, settlements and suburban settlements stretching towards the River Bosna valley, towards Zvornik; towards Upper Podrinje via Trnovo and Miljevina, towards Foca; towards Central Podrinje via Pale, Podgrab and Rogatica and towards Gorazde and Visegrad, and towards the River Neretva valley via Pazaric and Konjic.

4.13. As the capital of BH, its cultural, political and economic centre, it was invaluable for the political and, consequently, the military strategy of RS. This great importance of Sarajevo for Republika Srpska had both its positive and its negative aspects. In the positive sense and meaning, Republika Srpska defined Sarajevo as the capital of its own state.²²⁹ In terms of military strategy and doctrine it meant that a respectable military presence had to be ensured in the area of Sarajevo, to a degree which would eliminate the danger of a military defeat on that part of the strategic front in the divided city. Laying historic, ethnic and political claim to a part of Sarajevo and not to Sarajevo as a whole, implied a similar strategic decision on the parallel military presence of the forces of both warring parties.

4.14. The Serbian people in Sarajevo is an autochthonous people in that area and could not afford to leave those areas and the vast material property and real estate it owned and allow the Muslim side, alone or in coalition with the Croatian side, to establish control over the whole city of Sarajevo, thereby denying RS the right for a third of inhabitants of Serbian ethnicity to remain living in the divided city. By its direct military presence on the Sarajevo battlefield, i.e. in the Sarajevo region, the RS directly challenged the exclusive right of the Muslims to impose a unitary concept of BH on the Serbian side by controlling the capital, on which the Muslim leadership insists even today. For, it is clear even at first glance that without absolute control of Sarajevo it is not possible to count on political superiority in the entire BH or its unitarisation, even on the pretext of its territorial integrity, multiethnicity and multiconfessionality. Such a state concept, unacceptable for the Serbs, was most efficiently negated precisely in the area of Sarajevo.²³⁰

1.2. Demographic characteristics of the Sarajevo battlefield

4.15. Immediately before the war Sarajevo had a total of 527,049 inhabitants. The total number of inhabitants includes all the settlements and municipalities which according to the administrative and political division of BH belonged to the city of Sarajevo. If account is taken of the fact that of the total

²²⁹ RS Constitution, Article 9.

²³⁰ Radovan RADINOVIC, Expert report on Sarajevo, 2002, pp. 63-65.

of 10 Sarajevo municipalities, 5 were fully urbanised and 5 were suburban municipalities, and that these suburban municipalities had far less inhabitants than the urban ones, we can conclude that a high percentage of the inhabitants of the city of Sarajevo lived in the central zone of the city, with the surrounding city municipalities developing at an accelerated pace and strengthening in demographic terms. Of the total number of inhabitants of the city of Sarajevo, Muslims accounted for 259,470, Serbs and Orthodox for 157,143, Croats for 34,873, Yugoslavs for 56,470 and others for 19,093. Taking account of the fact that it was mostly Serbs atheists who declared themselves as Yugoslavs, we get a different ethnic structure, namely that over 200,000 Serbs lived in the city of Sarajevo. (Attachment number 8)

4.16. Demographic indicators confirm the thesis that the Muslims accounted for barely a simple majority of the population of Sarajevo, while it was constantly presented in the media and the world public as a city besieged by the JNA and the VRS, as if there were no Serbs living in that city before and during the war. The Serbs owned most of the privately owned land. All this supports the claim that the Serbs were an historically autochthonous people in the area of the city of Sarajevo, which had the right to live in it and take part in its government. That is why the media propaganda on Sarajevo as a city under siege or an encircled city in which "innocent civilians" are coming to harm, or a city on which "greater-Serbian aggression" was carried out is strange and untenable. Until the civil war in 1992, Sarajevo was a multi-ethnic city, a city of young people, with a specific cultural scene and repertoire. After the persecution of the Serbs during and after the war, under the influence of Islam and its interference in political life, Sarajevo fundamentally changed its very essence and became a truly Islamic city in terms of the number of mosques and Islamic cultural centres, as well as other external manifestations visible in architecture and fashion among young people. This urban structure and new architecture, as well as the enormous number of Islamic religious facilities and cultural centres paint the picture of an Islamic city which no longer resembles itself and everything it stood for in the pre-war period. No city in Europe today, with the exception of Istanbul, has such Islamic features. That is why the Muslim part of Sarajevo is no longer a multiethnic city but the largest Islamic city and Islamic cultural centre in Europe, in which its former Serb inhabitants no longer have a place for a dignified life. Despite considerable international assistance, in the Muslim section of the city of Sarajevo one can see many burned Serbian houses even 18 years after the war. These houses have still not been restored, for funds for restoration were earmarked on ethnic grounds, to just one side, and for the construction of Islamic religious facilities and cultural centres. Also, in some parts of the Muslim section of Sarajevo one can see luxurious new villas and grandiose edifices, probably built by donations and funds received from the world for the reconstruction of the city. These Islamic religious facilities are not autochthonous but a taken-over cultural pattern from the Near East and serving to mark the territories of political Islam. All this has definitively changed the image of Sarajevo in BH, the region and the world.

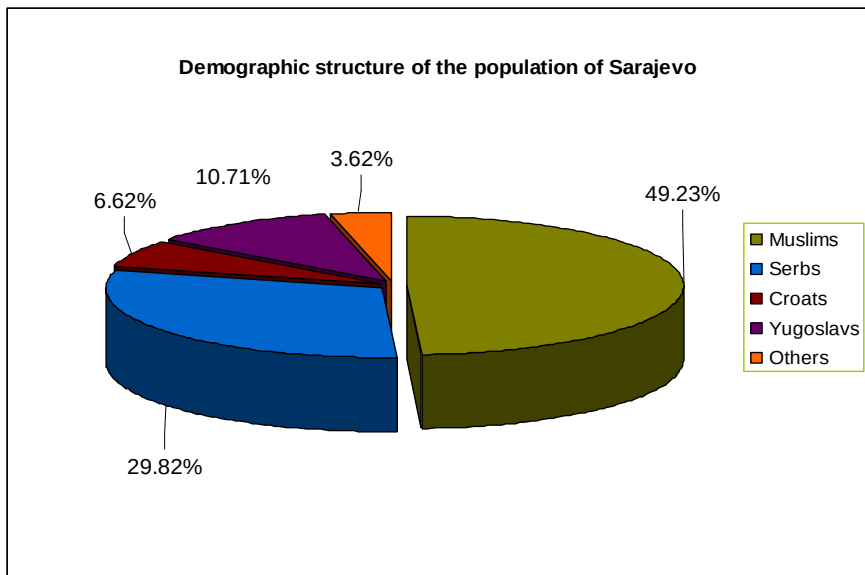


Figure 1: Demographic structure of the population of Sarajevo in 1991.

4.17. Account being taken of the fact that Sarajevo had so many inhabitants of Serb origin and that in at least four of its ten municipalities the Serb population constituted either an absolute or a relative majority, then there can be nothing strange that the political and state strategic projections of the Serbian political leadership in BH took Sarajevo as the capital of Republika Srpska. It was only natural for the part of the city belonging to the Serbs to be designated their capital, and for the other, the Muslim part, to be the capital of that entity. Before the civil war, after Belgrade, Sarajevo was a city with the largest number of Serb inhabitants. In the former SFR Yugoslavia, Sarajevo was the second largest city in terms of the number of Serbs. The vast majority of those who declared themselves as Yugoslavs at the population census were in fact Serbs. That means that over 200,000 Serbs lived in the city of Sarajevo, i.e. about 40% /of the inhabitants/. The large number of Yugoslavs in Sarajevo supports the thesis that most of the inhabitants of Sarajevo were in favour of staying in a joint state with the Serbs. Only 3,063 inhabitants of Sarajevo declared themselves as Bosnians (Bosniaks). That too is an argument supporting the claim that the referendum on the independence of BH had been imposed, that there had existed no authentic political need but that it had been imposed by Islamic extremists, as had the outbreak of the war in Sarajevo. Most of the inhabitants of Sarajevo knew that but could not, regrettably, bring influence to bear on the extremists and “crisis and war managers” embodied in various global power centres at the time.

4.18. The spatial distribution of the three ethnic communities in the city of Sarajevo is shown in Attachment number 9. It is evident from even a perfunctory analysis of the chart and the information it provides, that it would be practically impossible to conclude, try as one might, that the Muslims had the right to lay claim to the whole city of Sarajevo, namely proceeding from ethnic and especially land ownership records in the land registry. On the basis of their title to real estate, the Serbs as an ethnic group were fully entitled to participate in the management of the city of Sarajevo in proportion to their number in the population of Sarajevo and property ownership in the land register. The concept of division is frequent because everything was divided in the war in the former SFRY, and in the civil war in BH too, and even mixed marriages did not manage to survive for the most part due to inter-ethnic intolerance and then also hatred.²³¹ Bearing in mind the facts on the demographic structure of the city and city municipalities, as well as on private ownership of land and real estate, and that the Serbian

²³¹ R. RADINOVIC, Expert report on the Sarajevo Battlefield, Belgrade, 2000, pp. 36-37.

people constituted a majority in four of the ten city municipalities, the allegations in the indictment against General Ratko MLADIC, which feature in practically every paragraph, that members of the JNA and then the VRS illegitimately occupied positions around the town are untenable. Positions were occupied by the warring parties on the peripheries of settlements in which they constituted an absolute or a relative majority. The VRS did not come from the outside to lay siege to Sarajevo. It sprang into being there from people who lived in the municipalities and settlements of Sarajevo. In essence, the city was divided and not under siege. To the extent to which the Muslim part of Sarajevo was blocked, the Serbian part of Sarajevo, in which over 170,000 inhabitants lived, was also blocked and lived in similar conditions. The media campaign referred only to Muslim Sarajevo and projected a picture of a martyr city and upon that part of the battlefield constructed the picture of a city martyr and Muslims as the only people suffering and exposed to Serb terror. That simply does not correspond to the facts and the truth, but regrettably, this media propaganda demonised the Serbs and depicted them as criminals. Today it is quite different as new facts have surfaced and are seriously compromising the deep-seated stereotypes about the civil war in BH.

2. Conflicting parties on the Sarajevo battlefield

4.19. This part of the report provides basic information about the Serbian and Muslim military units at the operational and tactical levels of organisation which engaged in combat actions on the Sarajevo battlefield.

2.1. The VRS Sarajevo-Romanija Corps

4.20. The Sarajevo-Romanija Corps (SRK) was formed in an area which was part of the zone of responsibility of the 4th JNA Corps. In addition to establishment units, a number of units and installations subordinated to the Command of the 2nd VO and the Supreme Command were deployed in the zone of responsibility of the 4th Corps: the 346th lap PVO /Anti-Aircraft Defence Light Artillery Regiment/ in Lukavica; the 240th SSRP /medium self-propelled rocket regiment/ KUB in Lukavica (at the beginning of March this unit was relocated to Sokolac and from there to Novi Sad and did not take part in combat actions in BH); the Communications Regiment of the Federal Secretariat of National Defence (SSNO) in Lukavica; the Military Construction Regiment in Hadzici (pulled out to Obrenovac and partially to Petrovac na Mlavi - FR Yugoslavia); parts of the Military Geographic Institute – transferred to Belgrade; the 228th Military Police Battalion in the *Viktor Bubanj* Barracks; the Command of the 2nd Military District in the Bistrik Barracks in Sarajevo; the 67th Protection Regiment of the Supreme Command in Vratnice near Visoko. The equipment of that regiment was guarded by the 4th mpoap /mixed anti-tank artillery regiment/ (Visoko); the Air Force Technical Military Academy in Rajlovac, the *Marsal Tito* Military Technical Schools Centre in the barracks bearing the same name in Sarajevo; the Artillery Brigade of the Supreme Command in Doboj – relocated for the most part to the FRY and did not take part in battles in BH.²³²

4.21. Before the war there were numerous depots and large quantities of military equipment and materiel in the zone of responsibility of the 4th Corps. They were as follows:

- the depot of lethal assets in Zunovnici – Hadzici. Part of the depot was held by the Serbs and part by the Muslims. One part was on so-called no man's land and the Muslims gradually seized bit by bit of that equipment which the Serbs were unable to control due to a lack of personnel.

²³² R. RADINOVIC, Expert report on the Sarajevo Battlefield, Belgrade, 2000, pp. 38-56.

- the Central Depot of quartermaster equipment and food in Butila, which was between Rajlovac and Vogosca;
- the Depot in Faletici (to the east of Sarajevo), housing equipment for the City TO Staff and two TO Brigades. The depot was looted by different paramilitaries of both ethnic communities and later destroyed by bombs in the 1994 NATO intervention;
- a depot of equipment for two TO brigades in the *Jovo Jovanovic* Barracks in Zenica. The Muslims seized all that;
- the RV /Air Force/ and PVO /Anti-Aircraft Defence/ depot of lethal assets. Part of it was pulled out to the territory of FR Yugoslavia and most was blocked by the HVO and Muslim paramilitaries and it fell into their hands;
- the depot of lethal assets in Kaonik. The depot and materiel fell into the hands of Muslim units and the HVO;
- the factory for the manufacture of infantry ammunition in Ljuta – Konjic, the factory *Pobeda* (detonator caps and fuses) in Gorazde, the factory for the manufacture of artillery pieces and multiple rocket launchers in Travnik, the factory of artillery ammunition in Bugojno and the factory of explosives in Vitez. All these facilities remained in territory under Muslim control.²³³

4.22. The VRS Sarajevo-Romanija Corps (SRK) (Attachment number 10) was formed on 22 May 1992 by an order of the VRS GS.²³⁴ Three brigades from the previous make-up of the 4th JNA Corps were comprised within the SRK.²³⁵ Due to failure to respond to the call up or report for military service, the desertion of Muslims and Croats and the unplanned and rushed pull out of JNA units from BH on the orders of the SFRY Presidency of 4 May 1992, these three brigades were brigades in name only but not according to their actual strength and operational capability. They were practically /without/ personnel, and part of the combat hardware and non-combat equipment and quartermaster supplies had been looted or devastated to an extent making them inoperable. The three brigades which became part of the SRK when it was formed were: the 49th mtbr, which was restructured and renamed the 1st smbr /Sarajevo Motorised Brigade/ with its headquarters in Lukavica; the 120th lpbr /Light Infantry Brigade/ (Zenica) - renamed the 2nd slpbr /Sarajevo Light Infantry Brigade/ and located in Vojkovici (a settlement in southern Sarajevo) and the 216th Mountain Brigade (Han Pijesak) – renamed the 1st Rpbr /Romanija Infantry Brigade/ and located to the east of Sarajevo, with its headquarters at Pale. To these three brigades we should add also the 14th mtbr which with part of its hardware and personnel came to Zenica from Ljubljana. This brigade was renamed the 2nd Rmtbr /Romanija Motorised Brigade/, with its headquarters in Sokolac. It became part of the VRS Drina Corps on 1 January 1993.

4.23. Four SRK brigades were formed from part of the hardware and equipment of three brigades from within the former 4th JNA Corps, and another 10 new brigades which were formed from parts of the disintegrated Territorial Defence of BH in the Sarajevo region, i.e. of volunteers, locals of Serb ethnicity who had formed their Territorial Defence detachments, battalions and brigades in those municipalities were also comprised within the SRK. The brigades were formed before the Decision on the Forming of the SRK had been brought and were only comprised within it pursuant to the order on

²³³ Ibid., pp. 39-40.

²³⁴ VRS GS Order, Strictly confidential no. 09/19-192 of 22 May 1992.

²³⁵ Command of the 4th Corps, Changes of unit designations, Strictly Confidential no. 09/19-190 of 17 May 1992.

forming the Corps. They are the Novo Sarajevo, Ilidza, Ilijas, Rajlovac, Vogosca, Rogatica, Tmovo, Blazuj, Igman, Kosevo and Pale brigades.²³⁶

4.24. When the Drina Corps of the Army of Republika Srpska was formed on 1 November 1992, the following brigades from within the SRK became part of this newly-formed Corps, namely: the 2nd Romanija Motorised Brigade from Sokolac and the Rogatica Light Infantry Brigade. During the summer and fall of 1992, the SRK was restructured and some new brigades combined to form larger units.

4.25. The zone of responsibility of the Sarajevo-Romanija Corps was defined by the division of zones of responsibility of VRS Corps;²³⁷

- *Left:* Visoko-Azapovici-Bukovica-Mt. Ormanj - Mt. Igman - Dubrave - \okin Toranj on Mt. Treskavica.

- *Right:* Grabovac on Mt. Gosina – Ljeljen Brdo on Mt. Romanija (trig. point 1311) – Borovac – Ravne Njive (tt.1028) – Breza.

- *South:* border with the Herzegovina Corps: \okin Toranj – Bandijerka (trig. point1382) – Mazlina and the Mazlina river valley – Mlijecnik – Crni Vrh on Mt. Jahorina – Grabovac on Mt. Gosina.

- the line of separation between the SRK and the Eastern Bosnia Corps was Drinjaca-Vlasenica-Olovo and Kladanj.²³⁸

4.26. The organisational and establishment structure, deployment and, in particular, the doctrine of the Sarajevo-Romanija Corps were to ensure the achievement of the aims of the political and military strategy of RS in the area of the city of Sarajevo. For the VRS to participate in the division of Sarajevo, the SRK had to occupy with military forces of appropriate density the part of Sarajevo to which it considered it had an inalienable ethnic and political right. These were the city municipalities in which the Serbs were either the absolute or the relative ethnic majority.

4.27. The strategic role of VRS forces on the Sarajevo battlefield was to: (1) defend areas considered an integral part of the Serbian ethnic space; (2) prevent the linking up of Muslim forces operating on the inner Sarajevo battlefield with forces holding the outer ring of the strategic front on accesses to Sarajevo from Central and Eastern Bosnia, Podrinje and the Neretva river valley, and (3) block military forces which were based and operated in the urban part of Sarajevo and prevent them from being deployed on any other front on the Bosnia and Herzegovina battlefield as free forces.

4.28. The mentioned third operational objective of the SRK was a forced and necessary condition for further waging war in BH by the VRS. This objective had been forced upon them by the decision of the Muslim political and military leadership not to proclaim Sarajevo a *free*, i.e. *open city*. When the Muslim Supreme Command decided to form and hold *active military forces* in part of Sarajevo, *to block them was a quite rational and the only possible military response*. This same approach was applied by the ARBH Muslim forces vis-à-vis VRS units defending the Serbian part of Sarajevo, which was in semi-encirclement. (Attachment number 11). The VRS had no strategic alternative with regard to defending the Serbian part of the city of Sarajevo in which there lived about 170,000 inhabitants. “Blockade is not the same as siege”. Siege is used as an archaic historic term implying terror over the civilian population. When account is taken of the ethnic structure of the population in the city of

²³⁶ Combat readiness analysis from 1991, Strictly confidential no. 20/15-281 of 2 March 1993, p. 32.

²³⁷ See Attachment number 11, Map of respective disposition of forces of the two sides on the Sarajevo battlefield.

²³⁸ R. RADINOVIC, Expert report on the Sarajevo Battlefield, Belgrade, 2000, p. 41.

Sarajevo, as well as the territorial division of the city at the beginning of the war, we can speak about Sarajevo, after the beginning of the war, as a divided city in which the conflicting sides blocked one another on the internal and external operational axes (Attachment number 11, Map of the respective disposition of forces of the two sides). The Muslims sought to solve the problem of the city of Sarajevo throughout the war in the only way acceptable to them – that of taking the whole city, but did not have enough military strength and capacity for that. Due to its insufficient military capacity and strength, all operations of the 1st ABH Corps were of tactical significance, according to the results achieved.

4.29. The VRS opted for a defensive operational model of blocking the city from the very beginning of the war in BH. By their basic typology, the actions of the VRS (SRK) on the Sarajevo battlefield were predominantly of a defensive character. SRK units on positions in the urban part of Sarajevo or in its urban parts proper (at Grbavica, in Nedzarici and at Dobrinja) defended the positions, settlements, streets and the houses where their families lived. In military terms Muslim forces were thus prevented from penetrating into free Serbian territories and opening operational areas on the general accesses to Sarajevo. Also, on approaches to Sarajevo, on a reverse front (i.e. facing away from Sarajevo), SRK units defended their positions from penetration of Muslim forces to the urban part of the city and prevented them from linking up, i.e. unblocking that part of the Muslim forces operating from the city towards the external rim and operational axes.

4.30. The perception of Sarajevo and the Sarajevo battlefield, and thereby also of the conflicting sides there was, in part of the international community, under the influence of media propaganda and stereotypes which had been constructed artificially in the service of pointing a finger at the culprit for the war and the consequences of that war. The impression is gained that only the VRS waged war against the civilian population which is untrue and morbid. Such “fabricated and pre-determined truths” typically consisted of constantly repeated untruths in the media and in a large part of the international community, such as: (1) “an *international war* was waged in BH in which the Serbian side is the aggressor and the Muslim one the defender and the attacked side”. Senior military leaders of the international forces in BH, even if not favourably inclined towards the Serbian side, did not for the sake of military honour accept this untruth and said that the war in BH was a *civil war*,²³⁹ with its ethnic and religious causes seated in the deepest layers of the historic consciousness and subconsciousness of the three ethnic communities. That is in fact the absolute truth which rests on strong arguments and facts; (2) due to that stereotype and commissioned truth propagated by the Muslim side in the conflict, part of the international community fell under the influence of disinformation and lies and sought to have the UN peacekeeping mission and NATO forces blame the Serbs for all the evils in the civil war; (3) from this pre-determined perception of the warring sides and their responsibility in the war, having regard to both humanitarian law and the law of war, with constant concessions in the form of control and relocation of weapons, the Muslim army of BH was given indirect support on the Sarajevo battlefield, especially in the final operations of the war in BH, when around 10,800 soldiers were sent to Western Bosnia from the 1st ABH Corps; (4) a special area of abuse refers to the proclaimed status of safe areas, which were constantly abused. By different acts, UNPROFOR affected the balance of power of the parties to the conflict, almost always to the detriment of the VRS: from taking control of Butmir airport in June 1992, through rendering artillery non-functional, first by concentrating it for control purposes and then relocating it around Sarajevo to positions from which Sarajevo was beyond effective range, the introduction of the so-called “total exclusion zone”, taking over and ceding to the Muslim side the area between Igman and Bjelasnica in August 1993, to the direct use of rapid reaction forces and NATO air and land military forces. Today the truth about the war in BH, and especially about the Sarajevo battlefield, is quite different for facts have surfaced. Many facts are still being hidden, but, nevertheless,

²³⁹ M. Rose: *Mission in Bosnia* (title of the original: *Fighting for Peace*), ed. TETRA GM, 2001, p. 15.

the historic truth is not beyond reach and it is very different from the media picture of the war which was sent to the world from 1992 to 1995.

4.31. Not even today has the media propaganda launched during the war died down. Namely, today there are efforts to recast the historic truth, poisoning young generations with hatred. That hatred will bring nothing good to either present or future generations. After the illegitimate referendum on the secession of BH from Yugoslavia in which the Bosnian Serbs did not participate, the Muslims were gripped by nationalist euphoria. Nikola GARDOVIC, a member of a Serbian wedding party was killed in Bascarsija (on 1 March 1992) in that “euphoria”. Nedžad AJNADZIC attributed the killing of the Serbian member of the wedding party to the Serbs, calling it a staged murder which was to send the message to the world that joint life of Serbs and Bosniaks was impossible. That is, it goes without saying, absurd, and serves to eschew responsibility for the armed conflict, albeit unconvincingly.²⁴⁰ This bloody incident in Bascarsija can be considered to be the main cause, and the date it happened as the actual beginning of the civil war on the Sarajevo battlefield.

4.32. Already on 2 May 1991, two days before the Decision of the FRY Presidency on the withdrawal of the JNA from BH, there was an all-out attack on all JNA military facilities and units in Sarajevo.²⁴¹ The imminent departure of the JNA only encouraged extremists of the warring sides to seek a solution to the war in armed violence. Around 1200 hours that day, 500 armed Muslims attacked the JNA Social Centre, a non-combat and undefended military institution. On that occasion they wounded the head of the Centre, Lieutenant Colonel BOZINOVSKI, three civilians working in the Sarajevo JNA Centre and a soldier doing his military service. The commander of the 2nd VO ordered Colonel SUPUT to unblock and free the prisoners and wounded, with 30 military policemen.²⁴² However, he fell into an ambush and was taken prisoner.

4.33. On 22 April 1992, Muslim armed units and the HVO launched an all-out attack on Ilidza despite the previously reached agreement on the cessation of hostilities. The attack was launched from all directions and was the fiercest from the Hrasnica and Sokolovic Kolonija axis, especially from the building of the Institute for Rehabilitation. Muslim sharpshooters had taken positions in that facility, dressed in white doctors’ coats. In that attack 15 Serbian combatants and civilians from Ilidza were killed and 50 wounded. Shortly thereafter, on 12 May 1992, a decision was taken to form the Army of Republika Srpska, and on 22 May it was decided to form the VRS Sarajevo-Romanija Corps. Colonel Tomislav SIPCIC, Commander of the 14th mtbr from Zenica, who managed to move this brigade from Zenica to Sokolac on 19 May, was appointed its commander.

4.34. This is a synthesis of the key events attending the establishment and operational deployment of the SRK in the divided city of Sarajevo, and not a previously designed “plan of siege”, as alleged in the ICTY Indictment against General Ratko MLADIC. From the beginning, i.e. from its establishment until the end of 1992, the SRK was operationally deployed as per map, with minor changes and shifts of the front line.²⁴³

(1) *The main forces of the Corps* were deployed for the defence of the part of Sarajevo with a majority Serbian population so that the political and military leadership considered it their own. This part of the

²⁴⁰ See N. AJNADZIC: *Odbrana Sarajeva /The Defence of Sarajevo/*, p. 103.

²⁴¹ “I ordered all units to block all barracks in the city. I asked – if they left the barracks – to open anti-armour fire on all armoured units”, K. LUCAREVIC, *Bitka za Sarajevo /The Battle for Sarajevo/*, ed. TZU Sarajevo, 2000, p. 77.

²⁴² In his book (pp. 74-79), LUCAREVIC calls this action a clash with specials – members of the 63rd JNA Parachute Brigade which was located in Nis in the south-east of Serbia. It is clear only to LUCAREVIC and to Muslim propaganda how this brigade found itself in Sarajevo.

²⁴³ Map of respective disposition (Attachment number 11).

Sarajevo front is colloquially called the inner ring, although no ring is in question, for a ring is closed and the front in and around Sarajevo was not closed, as General Rose also wrote in his book about Sarajevo.²⁴⁴ On that part of the front, which was about 55 kilometres long were deployed the following 7 SRK Brigades:

- the 1st Sarajevo Mechanised Brigade on the front from Gornji Kotarac on the left to Knjeginac on the right. Width of the front 30 kilometres. At the beginning of the war until mid-1993, the front from Grbavica to Knjeginac was held by the forces of the 1st rpbr.

- the 1st Romanija Infantry Brigade, from Knjeginac to Pasino Brdo, but, until mid-1993, as aforementioned – this brigade held part of the front from Knjeginac to Grbavica as well. Only its auxiliary forces were engaged on these positions and the remaining forces on a position towards Gorazde (Podgrab-Praca), on Mt. Gosina and on the southern and southeastern slopes of Jahorina, the front facing Delijas. On the basis of this it can be concluded that only part of the forces of this brigade were engaged towards the urban part of Sarajevo, i.e. on what is known as the inner front or ring and its main forces defended the outer ring towards Sarajevo. The width of the front of this brigade was about 65 kilometres.

- the Kosevo Light Infantry Brigade defended the part of the front from Pasino Brdo to Hotonj. The length of the front was about 9.5 kilometres. However, if account is taken of the fact that it was the smallest brigade in number, then the length of the front of 9.5 km assumes a different weight altogether.

- the Vogosca Brigade held the front from Hotonj to Perivoj. The length of the front was about 29 kilometres.

- the Rajlovac Brigade held the front from Perivoj to Azici. The length of this front was about 12 kilometres.

In the first half of 1994, the 3rd Sarajevo Infantry brigade was formed of the Rajlovac, Vogosca and Kosevo Brigades. In this way the number of brigades was reduced, command simplified and the zone of responsibility consolidated. This reorganisation coincides with the time the front towards Vares and Olovo was reinforced in order to prevent the unblocking of forces in Sarajevo from the axis leading from Olovo towards Sarajevo.

- the Ilidza Brigade was deployed from Azici to Plandiste on a front 18 kilometres long.

- the 2nd Sarajevo Light Infantry Brigade held also partly the Sarajevo front on the so-called inner ring, from Gornji Kotorac to Krupac, and then also the outer ring from Krupac to Jagodnica. Its front was around 14 kilometres long in all.

(2) *The auxiliary forces of the Corps* were deployed on the so-called outer ring of the Sarajevo front as follows:

- the Igman Brigade held the front towards Igman, Pazaric and Bukovica, from Plandiste to Crkvice. The front was about 33 kilometres long.

- the Ilijas Brigade was on the front from Crkvice to Srednje. The length of its front was about 40 kilometres.

²⁴⁴ See Rose, *Mission in Bosnia*, p. 37.

- the Rogatica Brigade (until the Drina Corps was formed) held the front towards Gorazde, a length of around 28 kilometres.

- part of the forces of the 2nd Romanija Motorised Brigade (until the Drina Corps was formed) were oriented towards Sarajevo and Podrinje and part towards Olovo and Kladanj.

4.35. After the Drina Corps was formed, the zone of responsibility of the SRK was altered and forces moved on the so-called outer ring of the Sarajevo front, with the forces of that Corps assuming the total defence on the outer front from Olovo and Kladanj towards Sarajevo.²⁴⁵

4.36. The total length of the front held by SRK forces at the end of 1992 was about 237 kilometres, of which the inner front accounted for about 55 and the outer one for about 180 kilometres.²⁴⁶

2.2. BH Army forces on the Sarajevo battlefield

4.37. From the very beginning of the conflicts in the city of Sarajevo, paramilitary groups and extremists from the ranks of the political parties of all three peoples established checkpoints and in fact "marked their territories". With the escalation of the crisis, the paramilitary organisations and units grew into a classical military organisation, with the establishment of a front line. The entire forces of the 1st ABH Corps and elements of the 2nd, 3rd, 4th and later of the 6th BH Army Corps were engaged on the Sarajevo battlefield (Attachments numbers 12 and 13). In charge of the actions was the 1st Corps in coordination with the forces of Operations Group 3 from the 2nd Corps; the forces of Operations Group East from the 3rd Corps and forces of the 6th Corps (Konjic). The forces of the Corps acting in coordination, of different sizes and strengths, focused on unblocking Sarajevo, i.e. on exerting pressure on the outer ring of the Sarajevo front possessed and defended by SRK units, as follows:

- the 2nd Corps from the Olovo and Kladanj axis towards the Nisici Plateau for the purpose of breaching the SRK front on the Olovo-Srednje-Semizovac axis, by cutting off VRS forces on the Nisici Plateau.
- The 3rd Corps from the Kakanj and Visoko axis, in coordination with HVO forces from the Kiseljak axis and forces of the 1st Corps from Sarajevo, in order to breach the SRK front on the Visoko-Ilijas-Vogosca and Pazaric-Hadzici-Ilidza axes, in order to unblock Sarajevo from the northwest and west axes.²⁴⁷
- Elements of the 6th Corps exerted pressure towards Igman and in the area between Mts. Igman, Bjelasnica and Treskavica towards Kalinovik and Trnovo.

4.38. The front line determined the operational deployment of the 1st ABH Corps. The forces of that Corps were divided into those holding the inner front in the old part of the city of Sarajevo towards Serbian Sarajevo and those on the outer front from Gorazde and Trnovo to Igman, Rajlovac, Hadzici and Semizovac. In the initial period of the war the main forces of the 1st ABH Corps were engaged on the inner front in Sarajevo and their strength was the equivalent of about fifteen brigades, and the forces on

²⁴⁵ Radovan RADINOVIC, Expert report on the Sarajevo battlefield, Belgrade, 2000, pp. 54-55.

²⁴⁶ Combat Report, strictly confidential 20/15843-2 of 15 July 1993 of the SRK Command of the VRS Main Staff, the Sarajevo battlefield is structured as follows: (1) north-west: Ilijas, Igman and Ilidza Brigades; (2) south front: Sarajevo Infantry and 1st Sarajevo Mechanised Brigade, (3) south-east front: 1st Romanija Brigade and (4) front towards Sarajevo: 1st rpbr /Romanija Infantry Brigade/, Klpr /Kosevo Light Infantry Brigade/, Vrpr /Vlasenica Light Infantry Brigade/, Ilpr /Ilijas Light Infantry Brigade/, Rlpr /Rajlovac Light Infantry Brigade/, 2nd slpr /Sarajevo Light Infantry Brigade/ (parts) and 1st smpr /expansion unknown/.

²⁴⁷ "Composition, grouping and intentions of the enemy", VRS Main Staff document strictly confidential no. 18/19-732.

the outer fronts were the equivalent of two divisions. The number of brigades changed from one to the next reorganisation of the 1st ABH Corps.

4.39. The commander of the 1st ABH Corps had under his command a number of independent units of brigade and battalion-artillery battalion rank, as well as a number of special units the combat equivalent of which exceeded the strength of a purely combat arm unit.²⁴⁸ It is difficult to precisely establish the strength of the Corps as it constantly changed. An approximate estimate is that the Corps had between 40,000 and 70,000 men during the war, depending on the period of the war in question and the level of engagement of forces. Of that, forces on the inner front accounted for between 35,000 to 50,000 men on the average during the entire war. Nedžad AJNADZIC, the wartime Chief of Staff of the 1st Corps, in his book "The Defence of Bosnia" claims that at the end of 1992 the 1st Corps had 73,141 combatants, and in January 1994 that number was 84,698 combatants. The number of combatants of the Corps on the inner ring, not counting members of special units and armed members of the MUP, was 33,151 in 1992 and 37,800 combatants in 1993. In one of his Orders to Attack, the commander of the 1st ABH Corps says that the forces of the 1st Corps in Sarajevo, meaning on the inner ring of the Sarajevo battlefield, deployed toward the outer rims of the front, numbered 46,372 combatants.²⁴⁹ According to some information which is very close to the mentioned figures, between 35,000 and 40,000 armed soldiers and around 12,000 policemen were engaged in Sarajevo on the average.²⁵⁰ Irrespective of whether police forces were directly subordinated to the Command of the 1st Corps or operated on the orders of the Ministry of the Interior, the forces carrying out combat and numerous special tasks in the context of combat actions can and must be considered armed units within Sarajevo. That this is true is attested to by both combat and operational documents of the 1st ABH Corps and its subordinated units which, in the framework of assigning tasks, mention individual MUP forces.²⁵¹ Thus the Combat Report of the Command of the 101st Mountain Brigade of 24 January 1993, informs the Command of the 1st ABH Corps that the artillery of the brigade engaged in action that day at 1515 hours at the request of VIKIC's specials, and VIKIC was one of the commanders of MUP special units.²⁵²

4.40. It is quite understandable that the 1st ABH Corps engaged its main forces on the inner part of the Sarajevo front and its auxiliary forces on the outer ring of the strategic front around Sarajevo, and, as already mentioned the forces of the Corps on the outer front were supported by the forces of three other ABH Corps and HVO units. The forces on the inner part of the strategic front primarily focused on breaching the front on the Sarajevo-Vogosca, the Sarajevo-Rajlovac, the Sarajevo-Ilidza-Hadzici and the Butmir-Sokolovic Kolonija-Hrasnica axes. On these axes these forces were to link up with forces operating on the outer operational axes towards Sarajevo.

4.41. Forces of the 1st ABH Corps on the inner part of the strategic front had been operationally deployed by the autumn of 1992, and already at the end of the first year of the war they had fully stabilised the front, so that during the entire war there were very few changes at the tactical level. Major force movements took place in June 1992, to the detriment of the VRS at Butmir airport and in the

²⁴⁸ A combat order of the SRK commander says that the city of Sarajevo is defended by the following 1st ABH Corps forces: 1st, 2nd, 5th, 9th, 15th, 101st and 102nd Motorised Brigades and the 1st, 2nd and 10th Mountain Brigades, the 1st Mixed Artillery Brigade, a reconnaissance and sabotage brigade, the Kralj Tvrtko HVO Brigade, a PVO regiment, the 1st and 2nd Medical Battalions (non-combat units), the Delta Detachment, the Al Fatah (sic) Detachment, the *Laste* Special MUP Detachment, the *Biseri* Special Detachment, the Vikić's men special unit, numerous police units, training centres, headquarters support and logistics units – see ORDER, Strictly confidential 14/93 of 16 December 1993, pp. 1 and 2.

²⁴⁹ Order to attack of the Commander of the 1st ABH Corps, strictly confidential no. 3/727-2 of 7 September 1994, Office of the Prosecutor document no. 02057576.

²⁵⁰ Statement KOJOVIC gave the defence and N. AJNADZIC *The Defence of Sarajevo*, p. 80.

²⁵¹ For details see: Combat Report of the Command of the 101st Mountain Brigade of the 1st ABH Corps, no. 01/1648 of 24 January 1993.

²⁵² For details see: R. RADINOVIC, Expert report on the Sarajevo battlefield, Belgrade, 2000, pp. 56-57.

northern part of the Sarajevo battlefield, with the salient features of Orlic and Zuc being lost. The front moved to the detriment of the Muslim side in December 1992 in its western part in the sector of Otes.²⁵³

4.42. On the outer ring of the front on the Sarajevo battlefield both conflicting sides sought to improve their operational positions, but without significant results. The Serbian side managed to recover lost territories in the general sector of Igman and Bjelasnica, and/or on the Kalinovik – Trnovo axis and towards Gorazde, and the Muslims and later the Muslim-Croat coalition on the Visoko-Ilijas, Breza-Ilijas and Olovo-Srednje axes. Following the success of the VRS in Operation *Lukavac 93*, the Serbian side had to yield parts of its gain to UNPROFOR, and during 1994 and 1995 Muslim forces used that space as a favourable operational attack position for offensive operations towards Trnovo and Treskavica, with the aim of breaching a corridor towards Gorazde in the final operations in 1995.

4.43. The operational deployment of the 1st ABH Corps in Sarajevo was as follows: (east to west and west to south):²⁵⁴

- 1st Mountain Brigade on the front from Jarcedol to Kozja Cuprija. Command post in the settlement of Bistrik;
- 2nd Mountain Brigade from Kozja Cuprija to Hladivode, command post in the settlement of Vasin Han;
- 3rd Mountain Brigade from Hladivode to Grdonje, command post in the settlement of Sedrenik;
- 7th Mountain Brigade from Grdonje to Kobilja Glava, command post in the settlement of Kosevo;
- units of the Vogosca Defence Staff (SOV), from Kobilja Glava to Hotonj;
- 1st Mechanised Brigade from Ugorsko to Zabrje, command post on Zuc Brdo /Hill/;
- 2nd Motorised Brigade from Zabrje to Alipasin Bridge, command post in Boljakov Potok;
- 3rd Motorised Brigade from Alipasin Bridge to Nedzarici, command post in the settlement of Halilovici on Alipasin Bridge;
- 4th Motorised Brigade from Nedzarici to Stojcevac and from Butmir to Hrasnica, practically closing off a semicircular front between Ilidza and the slopes of Igman to Hrasnica in the east and further to the north to Donji Kotarac and Butmir. The command post of the brigade was in Hrasnica, i.e. in the Muslim controlled part of Hrasnica;
- 5th Mountain Brigade on the front from Nedzarici to Dobrinja, command post at Dobrinja;
- 101st Mountain Brigade on Mojmiro Brdo to the settlement of Hrasno, command post in Pavla Goranina settlement;
- 6th Mountain Brigade from the settlement of Hrasno to Grbavica, command post in the settlement of Hrasno;

²⁵³ Ibid.

²⁵⁴ Information about the enemy, VRS GS - Intelligence and Security Sector, strictly confidential no. 31/15 of 2 September 1993.

- 1st Motorised brigade on the front at Grbavica, from Hrasno to the Miljacka /river/ and then along the Miljacka to Skenderija. Command post of the brigade in the *Marsal Tito* Barracks;

-10th Mountain Brigade from the Miljacka to Debelo Brdo in the north and from there to the east to Colina Kapa and Jarcedol. The command post of the brigade was in the building of the Command of the former 2nd Military District;

- the *Kralj Tomislav* HVO Brigade was at Grbavica on the front to the Jewish cemetery, and part of its forces also at Stup. The brigade's command post was in the *Marsal Tito* Barracks for a time;

- the front on Igman was held by the 8th Mountain Brigade;

- 9th Mountain Brigade on the front from the source of the Bosna to Grivice, command post in Gradac.²⁵⁵

4.44. In addition to the aforementioned brigades which held the front on the inner ring in Sarajevo and on Igman,²⁵⁶ on the outer ring of the Sarajevo front were the 17th, 302nd, 303rd and 304th Mountain Brigades comprising Operations Group Visoko which acted in coordination with the forces of the 1st Corps in Sarajevo. The front towards Olovo and Vares was held by elements of the 2nd and 3rd ABH Corps and we can say that these forces as well were in a way oriented to the Sarajevo battlefield and acted in coordination with the 1st ABH Corps.

4.45. Some operational documents of the BH Army available to the Office of the Prosecutor, also refer to some other brigades as being within the 1st ABH Corps, and some other brigades of this Corps are mentioned in some documents available to the defence. Documents of the Office of the Prosecutor from 02057593-02057601 mention the 15th Mountain and 105th Motorised Brigades: the 15th on the front from Miljevici to Colina Kapa and in-depth to Vrbanja Bridge, and the 105th on the front from Hladivode to the Museum and in-depth to the Cathedral.²⁵⁷ Also, a document of the defence entitled "Information about the Enemy" mentions the 12th and 13th Mountain Brigades,²⁵⁸ but without a clearly defined front and zone of responsibility.²⁵⁹

4.46. A number of reasons account for the differences in the composition of the 1st ABH Corps found in the different documents, primarily the imprecise sources used for drawing up the documents or mistakes made when drawing up documents at the time of organisational changes in the 1st ABH Corps, which were in fact very frequent. The essence of this analysis and Report are combat actions, their character and consequences, regardless of which unit caused them by its action. The basic information on the units is based on a situation map from the files of the Office of the Prosecutor, for it is quite logical to suppose that data provided for own forces, provided by the 1st Corps, is more accurate.

4.47. The following headquarters support and special units of the 1st ABH Corps were deployed in Sarajevo:

- a military police battalion, a communications battalion, an engineer battalion and a medical battalion;

²⁵⁵ On maps of the disposition of forces of the 1st ABH Corps, the source being the BH Army, feature two brigades, designated as the 9th Brigade – one on positions on Mt. Igman, and one in the old part of the city, in its north-eastern part, on positions from Sedrenik to Kobilja Glava.

²⁵⁶ Data on the designations and disposition of units of the 1st ABH Corps was taken from the situation map prepared in the 1st Corps. See: /?situation/ map, Office of the Prosecutor document 01850567.

²⁵⁷ Office of the Prosecutor document, strictly confidential no. 05-7/466/4 of 8 December 1993, p. 02057595, item 5.7 and p. 02057596, item 5.9.

²⁵⁸ Information about the Enemy, VRS GS document, Strictly confidential, no. 31/15 of 2 September 1995.

²⁵⁹ According to Radovan RADINOVIC, Expert report on Sarajevo, 2002, pp. 59-61.

- a light PVO artillery battalion, a reconnaissance and sabotage detachment, detachments for electronic reconnaissance and counter-electronic operations and an ABHO /atomic-biological-chemical defence/ company;
- a special purpose brigade (of the Supreme Command, i.e. of the Staff of the Supreme Command as the highest military control organ, but it operated in Sarajevo or in its immediate vicinity, meaning practically for the needs of the 1st ABH Corps;
- the 1st and 2nd Sarajevo Independent Motorised Battalions;
- the *Laste* Special Detachment of the MUP of Sarajevo.

4.48. The Decision of the BH Presidency on the organisational composition of the 1st Corps from August 1992, lists a total of 13 brigades, without the Special Brigade of Dragan VIKIC, which, other sources show, was under the operational command of the 1st Corps and that it was a MUP brigade, and without the HVO brigade which formally was not comprised within the 1st Corps but operated under its command. Neither does it list numerous independent units - battalions, except for the 1st Independent Battalion, nor armed detachments. Already then the Corps had an artillery brigade. True, in this document the word brigade is crossed out and replaced by regiment, but the term brigade features in some other documents of a later date, so we can consider that a brigade and not a regiment was in question. Brigades bore the name of their hometown i.e. place or part of the city in which they were formed.²⁶⁰

4.49. Organisational changes in the structure of the 1st ABH Corps were aimed at combining and consolidating brigades, with designations being introduced to reflect their composition, equipment and purpose, similarly as was done in the former JNA. These orders speak about mechanised, motorised and mountain brigades, and in the last of those orders all the brigades are referred to as motorised.²⁶¹ An Order of 9 October 1992, orders the forming of a reconnaissance and sabotage brigade, which points to the offensive ambitions of the 1st ABH Corps, which is in keeping with the policy of a unitary BH. This fact shows the intention of the 1st Corps to constantly maintain a high level of war tension and a red-hot front line on the Sarajevo battlefield.²⁶² Such an approach also shows that the assessments of the 1st ABH Corps were quite superficial and decisions based on them unrealistic. This resulted in increased personnel losses on the Sarajevo battlefield.

4.50. In keeping with the intention and decision to build-up and strengthen the ABH, the 1st Corps was reorganised in the spring of 1993. The total number of brigades was reduced from the 15 existing in the autumn of 1992 to 11 in the spring of 1993. The zones of responsibility of the brigades were changed, i.e. widened. Two independent motorised battalions were also formed which, as distinctly manoeuvre forces were the operational reserve and considerably stepped up the offensive capability of the Corps. The organisation of the Corps remained unchanged until the spring of 1994. It was reorganised again in the first half of 1994. For actions on the outer ring of the Sarajevo battlefield two operations groups were formed in the 1st ABH Corps. The aim was to unite forces on the Bjelasnica –Treskavica and

²⁶⁰ Decision of President A. IZETBEGOVIC on units comprised within the 1st Corps, of 18 August 1992, no number.

²⁶¹ Order of the OS Supreme Staff Command, Strictly confidential no. 02/1509-13, of 1 September 1992. Order of the VK Staff, Strictly confidential no. 02/1010-201, of 28 September 1992; Decision of the VK Staff, Confidential no. 01/133, of 10 February 1993.

²⁶² Order to form a reconnaissance and sabotage brigade of the 1st Corps, Strictly confidential no. 02/1010-261/92 of 9 October 1992.

Olovo –Vares sections of the front, and thereby improve their offensive and striking power and render them capable of unblocking Sarajevo.

4.51. In a statement to the Office of the Prosecutor, Vahid KARAVELIC, the Commander of the 1st ABH Corps, says that the Corps had an operations group in Sarajevo also, which from mid-1993 consolidated all the forces in the city, i.e. that from mid-1993 the Corps operated by operations groups and not via a direct chain of command of brigades. That was not found in any documents and an OG Sarajevo does not appear anywhere, for the Corps commander directly issued tasks to brigade commanders. Already from the summer of 1993, a battalion from almost every brigade in Sarajevo went to Igman, using the tunnel and airport, the commander in this way reinforcing the position of his forces on Igman and at the same time training and drilling forces for offensive action. Already in 1994, this was done for the section of the front towards Visoko as well, so that the number of men in Sarajevo varied from case to case.²⁶³ The reduction of the numerical strength in Sarajevo did not impair the combat capability of the Corps for two reasons: (1) during 1994 until mid-1995, the front on the inner part of the Sarajevo battlefield was practically calm, i.e. there were no offensive actions of the SRK – the last action of that kind was Operation *Lukavac 93* (July, August 1993), (2) that was a time of intensive NATO threats against the VRS and the latter refrained from any operations which could be provocative in that regard, and (3), the VRS actually remained without the fire support of forces blocking the Muslim part of Sarajevo.

4.52. In the second half of 1994, the 1st ABH Corps was reorganised by introducing another level of operational command, namely divisions. All forces in Sarajevo were united into one division, on Igman and Bjelasnica also one division, and on the Gorazde battlefield an operations group. The situation was similar on the front around Visoko. The command post of the 1st ABH Corps was in Sarajevo.

4.53. “At the end of 1994, the 1st Corps had 58,820 combatants. Experiences from successful combat actions in the second half of 1994 pointed to the need for creating larger manoeuvre forces. At the beginning of 1995 the entire Army of RBH was reorganised on the basis of this idea. Divisions were formed within the Corps which each comprised one manoeuvre brigade and a larger number of light manoeuvre brigades in direct link with the Corps Command. The 12th Sarajevo Division, the 14th Tarcin Division and the 16th Vares Division were formed within the 1st Corps. The reorganised 1st Corps started offensive actions in mid-April 1995 on the Treskavica Plateau. In response, VRS forces engaged in offensive actions in the area of Sarajevo, which lasted during May, with the constant shelling of the city area. This ruthless violation of the agreement signed the previous year on the control of heavy weapons resulted in limited NATO air strikes on Serbian artillery positions around Sarajevo. In response to this action VRS forces captured and held hostage in the immediate vicinity of military facilities several hundred UN peacekeepers. In their further actions in the zone of the 14th Division, units of the 1st Corps at the end of May and the beginning of June scored significant successes, capturing the entire plateau of Mt. Treskavica.”²⁶⁴

4.54. “In the spring of 1995, after the UN forces around Sarajevo proved impotent and the changes on the international political scene, whose direction still could not be known and what they would bring to Bosnia and Herzegovina, as well as due to real changes in the balance of power on the battlefield, which could not come to full expression on account of the blockade of Sarajevo, the unblocking of the city seemed more necessary than in 1992 and it was widely believed that the time had finally come for it to be achieved. The plan of the operation for unblocking Sarajevo, known under the name *TEKBIR* or

²⁶³ For reorganisations of the 1st Corps see: N. AJNADZIC, *Odbrana Bosne*, pp. 196 and 197.

²⁶⁴ Vahid KARAVELIC, retired general of the ABH and former Commander of the 1st ABH Corps presents the main viewpoints on the place and role of this operative unit on the Sarajevo battlefield. *KORAK – Journal for the Protection of the Gains of the Struggle for BH*, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 63.

Operation T was drawn up by the ABH GS. According to the plan, the main forces for the attack were grouped in the zone - to the right: Kiseljak-Igman, to the left: war booty taken during the liberation of this large area was impressive: 7 T-55 tanks, 1 122mm self-propelled piece, 5 armoured personnel carriers, 2 76 mm B-1 guns, 1 76 mm ZIS /field gun/, 1 40 mm *Bofors* anti-aircraft gun, 2 20 mm PAT, 1 120 mm MB, 5 12.7 mm PAM, 3 82 mm MB, 6 60 mm MB, 6 anti-aircraft S-2M systems, 7 trucks, 1 tank truck, 1 bus, a large number of smaller vehicles and other resources. Mt. Cemerska – Vogosca /as printed/. On the main axis attacks were carried out by the forces of the 3rd, 4th and 7th Corps with attached forces of the 1st Corps and the ARBH GS, and the attack on the secondary axes was carried out by the remaining forces of the 1st Corps. The operation began early in the morning of 15 June. Despite the advance of the forces on various axes and the liberation of 22 square kilometres of territory with the engagement of considerable forces and materiel and equipment, until the beginning of August the operation did not achieve the set goal and further action was terminated. In the relative lull on the battlefield after the end of the operation, there was a change at the helm of the 1st ABH Corps. Brigadier Nedžad AJNADŽIĆ was appointed its Commander on 16 August.²⁶⁵

4.55. The Rapid Reaction Force, formed and dispatched to BH after the May hostage crisis of the peacekeeping forces and NATO aviation responded to the massacre at Markale 2 with strong strikes on VRS positions and military infrastructure. Before these strikes the Command of the 1st ABH Corps had been warned by UNPROFOR not to take advantage of NATO action and to refrain from combat actions. The activities of the Rapid Reaction Force in the field and of NATO aviation lasted until the second half of September, gradually decreasing in intensity. Units of the 1st Corps launched their last offensive of the war at the beginning of October. The attack started in the zone of the 14th Division. In two stages of the attack until 9 October, these units liberated a number of important and well-defended facilities and opened the door wide to the liberation of Trnovo coming out on the Rogoj /?ridge/, but did not manage to do that before the cease-fire signed on 12 October 1995 came into force. The signing of the peace agreements in Dayton and Paris found the units of the 1st Corps at the attained lines, and after that they proceeded with the planned phased out withdrawal of forces. The end of the last war year found the 1st ABH Corps with 51,312 members in its ranks. In the defence of Bosnia and Herzegovina, from 1992 to the end of 1995, 5,394 combatants of the 1st Corps were killed, 7,056 gravely wounded and 13,457 had sustained minor wounds.”²⁶⁶ This description of the situation on the Sarajevo battlefield clearly shows that the Muslim forces of the 1st Corps took advantage of the placing of heavy weapons under control to free large military forces which they engaged on the outer ring of the Sarajevo battlefield. That was in fact direct assistance from UNPROFOR and from NATO forces as well after the monstrous attack on civilians at Markale market, which, it is increasingly coming to light, was prepared and executed by Muslim forces, the notorious “Seve”. Testifying in defence of Radovan KARADŽIĆ, a former member of the BH police stated before the Hague Tribunal that the shell fired at the Sarajevo Markale market in the winter of 1994 had been fired by the BH Army on the orders of Alija IZETBEGOVIĆ. Under pseudonym KW-586, with distorted image and electronically modified voice, the witness stated that as a member of the *Biseri* Special Unit, he had been a member of the security of the BH Presidency from 1992-1994, which held its sessions in the building of the National Bank in Sarajevo. KW-586/ claimed that he had been in a position to hear what the President of the Presidency Alija IZETBEGOVIĆ, his son Bakir, Reis ul ulema Mustafa CERIC, the head of the Islamic Religious Community of BH and other officials said at sessions. The witness accused the IZETBEGOVIĆs and the others of having caused civilian victims in Sarajevo in a planned manner, including Markale market, as well as in Srebrenica, to blame the Serbs and force a NATO military intervention in favour of the Muslims. KW-586 testified also that he had heard IZETBEGOVIĆ and religious leader CERIC discussing “what would happen if a shell were to land on Markale”. Several days later, on 5 February 1994, that indeed

²⁶⁵ Ibid., p. 64.

²⁶⁶ For details see, Ibid., pp. 65-72.

happened, said the witness, claiming that the ABH had fired the shell on Markale from the sector of the village of Mrkovici and that it had been done by the unit of General Mustafa HAJRULAHOVIC called Talijan on the order of ABH General Sefer HALILOVIC.²⁶⁷ The NATO bombardment was very heavy in terms of the number of targets, infrastructure facilities and its consequences. The intention of the Muslim political leadership and of the ABH GS had been to win over and obtain a NATO action on VRS units at any cost and shirking from no means. Through media falsehoods, perfidy and lies they succeeded in doing so.

3. Analysis and assessment of the operational positions of the warring parties on the Sarajevo battlefield

4.56. The Corps of the conflicting armies on the Sarajevo battlefield found themselves in a semi-encirclement, with the front in the divided city and in its peripheral areas (Attachment 11- Map of the respective disposition of forces on the Sarajevo battlefield). SRK forces held part of the forces of the 1st ABH Corps in charge of the defence of the old part of Sarajevo in a partial encirclement.²⁶⁸ This encirclement was never total for a number of reasons and there are a number of arguments for that in ABH sources too. With the surrender of Butmir airport in June 1992²⁶⁹, the forces on the inner ring were physically linked with forces on Igman and further towards the 4th Corps in the general area of Konjic and the upper course of the River Neretva. When the tunnel was dug under the airport runway in July 1993, Butmir and the part of Dobrinja controlled by Muslim forces were additionally physically linked. This enabled manoeuvring with forces and resources in both directions.²⁷⁰ It should be borne in mind that the “blue routes” supplying the city with humanitarian relief functioned throughout the war. A large part of the goods and supplies arriving in Sarajevo as humanitarian relief were used for the logistics of the 1st ABH Corps. During the entire war Butmir airport was used also for supplying the BH Army. The above facts showing that Sarajevo was open for communication with the surroundings were the reason General Michael Rose said, in his book, that Sarajevo had not been a besieged city.²⁷¹

4.57. The crown argument on the basis of which one can claim that Sarajevo had not been a besieged or even a blocked city is the front line between the conflicting parties, in both the urban and the peripheral parts of the city. When we see that, the only possible and clear conclusion is that we may speak only about a divided city, for the situation on the ground was such. Under VRS control were: Grbavica, Vrace, Nedzarici, part of Dobrinja, Lukavica, Ilidza, Rajlovac and Sarajevo settlements in local communities of Centar municipality in Pionirska Dolina, at Betanija, Mrkovici and Nahorevo, as well as the city municipalities of Ilidza, Rajlovac, Ilijas and Vogosca. The VRS controlled that part of the city in which, according to the demographic structure, the Serbs constituted a majority (Attachment 11). The combatants of the VRS SRK on the front lines were locals from those municipalities and settlements and not some troops which had come from outside to “besiege the city”.

4.58. It is true that the forces of the 1st ABH Corps and the SRK, as well as parts of the city of Sarajevo under their control were in a semi- encirclement and partial blockade. The forces of the VRS SRK at Grbavica, Nedzarici and Dobrinja, in the general sectors of Hadzici and Ilijas, Ilidza and Vogosca, were in a semi encirclement like the forces of the 1st ABH Corps were in a semi encirclement in the old

²⁶⁷ <http://www.nezavisne.com/novosti/bih/Svjedok-Armija-BiH-gadjala-Markale-po-naredjenju-lzetbegovica-231570.html>

²⁶⁸ Analysis of the operational position of the 1st ABH Corps was made on the basis of documents of the SRK and the VRS GS and part of the Muslim combat and other documentation. Complete relevant ABH documentation was unavailable to us except for information obtained from books, monographs and collections of works from scientific and specialised gatherings.

²⁶⁹ Agreement on the turn-over of the airport in June 1992.

²⁷⁰ Order of the commander of the 1st ABH Corps on transferring a battalion from Sarajevo across the airport (and under the airport, through the tunnel), and its dispatch to Igman – no.02/876-1 of 14 July 1993 and Order of the Command of the 5th mtbr on the organisation of traffic through facility “D-B”, Strictly confidential no. 4365/93 of 2 August 1993.

²⁷¹ Michael Rose, *Mission in Bosnia*, (translated into Serbian), pp. 40-41.

Muslim part of Sarajevo. Viewed in broader operational terms, the entire SRK, with the exception of the forces which were on the slopes of Jahorina and Romanija, was in an operational encirclement. The map of the respective disposition of forces clearly defines the approximate position of the forces of the VRS and the 1st ABH Corps in tactical and operational terms, as well as in Nedzarici, relative to the territorial division of the city. (Attachment 11)

4.59. SRK forces did not intend to fully cut off the Muslim forces of the 1st ABH Corps in the old part of the city of Sarajevo, which was under their control. The overall ratio of military forces in terms of personnel on the Sarajevo battlefield as a whole and especially on its inner ring was decidedly in favour of the 1st ABH Corps. According to reliable data on the number of armed people on both warring sides, the ratio of forces during the entire war in personnel was from 3 to 4:1 in favour of the 1st ABH Corps. If that ratio of forces is appraised on the most critical tactical axes and areas, it would be even less favourable for VRS forces. This primarily refers to the section of the front in Nedzarici, on Kosevo, towards the positions of the Kosevo Brigade, and at Grbavica, Dobrinja and on the Ilijas and Visoko axes.

4.60. The strength and quality of the forces, the ratio of forces, the preparedness of operational positions and zones of action, the build-up of tactical support points immediately around Sarajevo and in the urban part of the city, did not provide the prerequisites for a full blockade let alone a "siege" of the Muslim section of Sarajevo. As the war went on, the fortification of the front lines, the system of fire and the large number of sharpshooters on both warring sides, did not allow any significant changes of the front lines for the losses were unbearable and irrational. The division of the city into its Serbian and Muslim parts corresponded to the demographic structure of the city of Sarajevo and the structure of the population in the ten city municipalities. Such a division did not suit the Muslims, i.e. their political and military leadership which had no regard for the interests of the other two constituent peoples but sought to forcibly and at any cost put the entire city of Sarajevo and the city municipalities inhabited by Serbs under their control. If the VRS had not had an organised defence and had it not established a blockade of the Muslim part of Sarajevo around 170,000 Serbs would have been forced into exile. This was a price that the political and military leadership of the Serbs in BH could not accept both because of the large number of people who lived there and its general objective of protecting the Serbian people in the civil war.

4.61. The VRS never set the taking of Sarajevo as its operational goal for a number of reasons. The most important was that the protection of its population in parts of the city where it was a majority was one of the military objectives of the VRS, and on that basis, the division of the city. This means that the political and general strategic goal of Republika Srpska was not radical, but in fact humane and one putting the civilian population in the forefront, avoiding the pointless waste of already scarce forces and means. From a purely operational and tactical standpoint, the taking of Sarajevo could never be an acceptable objective for the VRS for the following reasons: (1) taking large inhabited places with numerous high-rise building built of solid materials and whose population for the most part identified with their army and objectives of the struggle, required an overwhelming supremacy in personnel and combat hardware, a minimum of 5:1 up to 10:1. The VRS could not ensure such a ratio of military forces either in qualitative or in quantitative terms on the Sarajevo battlefield at any stage of the war; (2) breaching the robust defence of the old Muslim part of the city of Sarajevo would entail considerable destruction and devastation for which the RS would be blamed before the international community; (3) such a military objective would entail huge civilian casualties on both sides of the front, which was an unacceptable risk from the aspect of Serbian strategy; (4) VRS units would suffer unnecessary losses and (5) an enormous wave of refugees would be set in motion.²⁷²

²⁷² For details see: R. RADINOVIC, Expert report on the Sarajevo battlefield, Belgrade, 2000, pp. 66-67.

4.62. The division of the city of Sarajevo into its Serbian and Muslim parts, in which each side would ensure effective military and political control, was the optimum outcome. Tying down ABH forces on the inner ring of the Sarajevo front and preventing those forces from emerging as free and then being engaged on another part of the BH battlefield was also a legitimate military goal. Muslim propaganda and also part of the international public called the defence of own settlements and municipalities a siege or blockade of the city. It is not a blockade of the Muslim part of Sarajevo, for people went in and out of the city throughout the war. Not for a single day was the Muslim part of the city of Sarajevo cut off in terms of a land link from the remaining battlefield in BH, and such a link was in particular operational with the forces of the 1st ABH Corps which were deployed on Mt. Igman. These are facts which are substantiated in the original documents of the ABH and UNPROFOR forces. Blockade of cities as a principle of military doctrine on the deployment of forces in actions around settlements has been accepted and is today employed by all armies of the contemporary world. It should also be borne in mind that in all the periods of the war, RS and its army, the VRS, always allowed the passage of humanitarian relief convoys for the civilian population and the repair of power transmission lines damaged in combat actions, in order to create more tolerable living conditions. Such an attitude stemmed from the same needs of the civilian population in the Serbian part of Sarajevo.

4.63. In accordance with its strategic objective on the Sarajevo battlefield, almost throughout the war the VRS remained on the defensive and executed defensive operations in response to the offensive operations of the ARBH on the inner and outer rings. Individual offensive operations of SRK units were rare and mainly in order to improve their tactical position on parts of the front which were endangered or occupied in the offensive operations of the Muslim forces of the 1st ABH Corps. This primarily refers to offensive combat actions at Otes, towards Zuc and to Operation *Lukavac* 93.

4.64. Irreconcilable differences existed between the conflicting sides regarding their attitude towards Sarajevo. The Muslim side considered itself entitled to lay claim to all of Sarajevo because Sarajevo was the capital of their internationally recognised BH in its administrative borders after secession from SFR Yugoslavia. On their part, the Serbs believed that their right to a part of Sarajevo could and should be based on ethnic rights and the rights stemming from private ownership of land as recorded in the land register. Accordingly, the Serbs believed that it was their legitimate right to place under their control that part of Sarajevo which was by its demographic structure an integral part of Serbian ethnic territory. In fact, the Serbs did that and on those grounds their army was on positions in Sarajevo and around the Muslim part of Sarajevo. The VRS and the ABH, by occupying positions on a part of territory which was Serbian and Muslim respectively, divided Sarajevo into its Muslim-Croatian and Serbian parts. Therefore, Sarajevo was divided upon ethnic principles, basically almost the same ones according to which the former SFRY, and thereby the BH, had been divided. (Attachment number 14).

4.65. The operational deployment of SRK units was linear. Neither the subordinated units nor the Corps as a whole had the manpower required to form units which would constitute an operational reserve. The width of the front of the brigades was above doctrinal standards so that throughout the war the units had difficulty procuring sufficient forces for alternative tasks and for interventions on threatened axes in keeping with the combat situation.

4.66. The operational deployment of SRK units on account of the long front, exceeding by far doctrinal standards, and the lack of personnel to man the brigades is best shown by a document in which the commander of the 1st ABH Corps assesses the combat readiness of the VRS SRK. In this document the commander of the 1st Corps says that the SRK has 7 brigades, a total of about 8,000 combatants, that its combat formation is in a single line and that it has no forces in-depth, that its focus of engagement is on the Olovo battlefield and that is why in its operational deployment there are large gaps and unoccupied

areas which are suitable for offensive action of own forces by infiltrating DTGs in its rear.²⁷³ Because of these shortcomings all SRK activities ... boiled down to keeping watch on the attained lines (...) and to actions of our IDGs infiltrated in the enemy rear.”²⁷⁴

4.67. The VRS as a whole, and especially the HK and the SRK, had the permanent problem of a shortage of personnel to man the existing units. This problem was even more pronounced because of the work obligation, for a large number of men, the most qualified ones at that, was engaged on tasks in special purpose production plants, such as the Hadzici TRZ in Serbian Sarajevo, *Orao* in Rajlovac and *Pretis* in Vogosca. There was a constant conflict between the need to ensure smooth production in these factories and operational needs to man units on the front.²⁷⁵

4.68. A number of operational units of the main forces of the BH Army were directed at Sarajevo from the directions of Konjic, Visoko, Vares, Zenica, Olovo and Tuzla. That is why the stability of the front on both its outer and inner rings was constantly uncertain. A permanent problem in commanding VRS forces on the Sarajevo battlefield were the intentions of the ABH to militarily completely unblock the Muslim part of Sarajevo, open operational axes towards its Corps, parts of whose forces were engaged on the Sarajevo battlefield. That would mean the exodus of around 170,000 expelled Serbs. In all combat documents it is evident that the Sarajevo-Romanija Corps could on no account allow that, for it would directly lead to all-out defeat in the war. The VRS did not hold Sarajevo under a siege but defended that part of the city of Sarajevo in which the Serbian people constituted a majority.

4.69. The 1st ABH Corps had a distinct advantage over the SRK on most of the front, with regard to occupied area features and their military characteristics.²⁷⁶ The SRK had the advantage on the front from Zlatiste to Radava, primarily because Mt. Trebevic rose above that part of the front and the southern slopes of Mt. Ozren descended towards it. These mountains were controlled by SRK forces. Account should be taken of the fact that the slopes of Mt. Trebevic towards Sarajevo are very steep and wooded, and Mt. Ozren is quite far from the positions of the 1st ABH Corps. We can say that the configuration of both of these mountains is not suitable for the deployment of infantry forces and their action, especially not for artillery support and the use of armoured units. The SRK had the advantage in artillery and armoured units over the 1st ABH Corps on another part of the front which was of a manoeuvring character and in that way managed to make up for its far inferior numbers.

4.70. If the front line is analysed using satellite or panorama images of the Sarajevo battlefield, it is quite clear how tactically important and significant individual features were and thereby the territorial advantages of the 1st ABH Corps over the VRS SRK.

- from east to west and further on towards the south, we see that above the settlements of Lipe and Bistrik in the old part of Sarajevo rise the features of Debelo Brdo and Colina Kapa. The Serbian positions on the northern slopes of Trebevic are successfully controlled from those positions, and that part of Sarajevo and the Serbian positions at the Jewish cemetery and Vrace are kept under full control in particular.
- The Grdonj feature rises above the Sarajevo settlements of Sedrenik and Kosevo, from where the Spicasta Stijena feature, where the positions of the SRK forces were, is successfully controlled.

²⁷³ Document of the Command of the 1st ABH Corps “Assessment of the combat readiness of the 1st ABH Corps”, Strictly confidential no. 5/16-1 of 5 January 1994.

²⁷⁴ Same document, Office of the Prosecutor, no. 02057576.

²⁷⁵ Combat report of 21 October 1993 and Document – Request for the engagement of personnel from the *Orao* Air Force Institute – Confidential no. 20/15-787 of 2 July 1993.

²⁷⁶ See map of mutual disposition of forces on the Sarajevo battlefield.

- The positions of the Muslim forces on Grdonj are also at a higher altitude than the positions of the SRK towards Radava (the Kosevo Brigade and later the 3rd Sarajevo Light Infantry Brigade);
- From the features of Hum and Humsko Brdo it is possible to establish complete fire and tactical control over the entire sector of Kosevo and Kobilja Glava all the way to Poljine in the north, and this control could be extended towards the south up to Vrace and Grbavica and even towards Mt. Trebevic;
 - From the features of Orlic and Zuc it was possible to very efficiently establish tactical and fire control of the general sector of Vogosca and the Bosna river valley all the way to Rajlovac. The distance between these positions at higher altitudes from the positions of the SRK towards Vogosca and Priboj and Dvor (the River Bosna valley) was relatively small, making control from the possible also using mass infantry and not only mortar and artillery weapons;
 - The Brijesce Brdo and Svabino Brdo, i.e. Sokolje features, provide favourable possibilities for action on Rajlovac, Bare and Doglodi, i.e. for the control of both banks of the Miljacka and Bosna Rivers from Stup to Butila and from Butila to Dvor;
 - Mt. Igman is a strategic point from which Muslim forces of the 1st ABH Corps efficiently threatened Serbian positions from Krupac and Vojkovici in the east to Plandiste, Ilidza and Hadzici in the west as well as Butmir airport;
 - From Mojmilo Brdo and Hrasno Brdo which stretch along the length of the area from Vrace to Nedzarici, it is possible to establish successful control of the Serbian part of Sarajevo, where the positions of the SRK were. They are: Nedzarici and Dobrinja, Lukavica, Vrace and Grbavica.²⁷⁷

4.71. When the aforementioned arguments are taken into account, the claim repeated in OTP documents that the "... Serbs at the very beginning of the war occupied positions at higher altitudes around Sarajevo from which they opened fire on Sarajevo", sounds very implausible. The truth is quite different: the Muslims occupied most of the salient features in the immediate vicinity of Sarajevo, from which they successfully controlled most of the old city of Sarajevo and the positions occupied by SRK units on the inner part of the Sarajevo battlefield, defending the Sarajevo municipalities and villages in which the Serbs were a majority.

4.72. Of the mentioned salient features around Sarajevo, at the very beginning of the war, the Muslims occupied Mojmilo Brdo, Debelo Brdo (UNPROFOR forces later came there), Colina Kapa, Grdonj, Hum and Humsko Brdo, Brijesce Brdo, Sokolj and Igman. Only Zuc and Orlic, which SRK forces lost at the end of 1992, were also salient features. The SRK sought to make up for this disadvantage in terms of salient positions, but failed to do so until the end of the war. That was the reason that most of the combat actions of the SRK throughout the war were designed to defend their unfavourable tactical positions in comparison with the positions of the 1st ABH Corps. SRK forces managed to improve their tactical position only on the front in the general sector of Ilidza – the settlement of Otes, in December 1992 and by Operation *Lukavac* 93, when they liberated territories occupied by the ABH in the summer of 1992.²⁷⁸

4.73. Although the forces of the 1st ABH Corps in Sarajevo were in a semi-encirclement, the depth of the area covering the urban part of the city occupied by those forces enabled them to successfully manoeuvre along inner tactical axes and could therefore at any time thwart SKR intentions to significantly improve its tactical position on any of the tactical directions. In precisely this respect the SRK was in a markedly disadvantageous position relative to the 1st ABH Corps. The road over Mt. Trebevic, the so-called "Lifeline" led almost along the very line of disengagement and was exposed to

²⁷⁷ Radovan RADINOVIC, Expert report on Sarajevo, 2002, p.70.

²⁷⁸ Ibid.,.

the constant fire of Muslim forces from almost all weapons, snipers most of all. Snipers were particularly active on positions on Debelo Brdo and Colina Kapa. Travelling on that section of the road was quite uncertain, and anti-sniper screens were installed on the most dangerous sections.

4.74. This situation is best illustrated by a combat report sent in mid-1993 by the commander of the 1st Sarajevo Mechanised Brigade to the SRK Command. It says that enemy snipers were very active from Debelo Brdo towards Grbavica and that they killed a woman in Zagrebacka Street. The report also speaks about the activity of the enemy from Mojmilovo Brdo above Lukavica and Dobrinja proper. To make the "lifeline" safe for traffic, the commander of the 1st smbr erected a wall of combined materials – filled sandbags and boards – on the section at the *Osmice* Motel – *An|ina Kuca*. The Muslim army reacted with a counter-measure – set the forest below the road towards Trebevic on fire, expecting the wind that was blowing towards the road to bring the fire to the site of the works and prevent a screen against sniper action and observation from being erected.²⁷⁹

4.75. Regardless of the effects caused by these measures and countermeasures of the warring sides, the only conclusion is that the only road by which SRK forces could execute manoeuvres on outer tactical axes for the purpose of transferring forces from one part of the Sarajevo battlefield to another, was not safe.

4.76. The distance between the two parts of the front held by the Serbian forces, Ilidza and Dobrinja, is around 2.5 km as the crow flies. When UNPROFOR took over Butmir airport in June 1992, direct manoeuvre of the forces was no longer possible, so that VRS units also essentially needed a tunnel under the airport. Detouring around town meant covering up to 120 km which was very difficult and risky because of actions of the Muslim forces of the 1st ABH Corps and snipers on numerous critical points of the road.

4.77. The balance of power on the Sarajevo battlefield rapidly changed to the detriment of the Serbian side due to numerous factors, primarily the measures undertaken by UNPROFOR, starting with the concentration and placing artillery, mortar and tank weapons under control, up to the relocation of those weapons to a distance of 20 km from the centre of Sarajevo. The balance of power changed to the detriment of the SRK also due to the losses the SRK suffered in the actions of the 1st ABH Corps, the depletion of resources and the intensified special purpose production on the Muslim side and their stable supply, via Croatia, before and after conflicts between the Croats and the Muslims. Weapons and ammunition were even smuggled in humanitarian relief convoys, of which there is a lot of evidence.²⁸⁰

4.78. The restrictions imposed on the Serbian side on the Sarajevo battlefield by the international community through UNPROFOR deprived the SRK in the long run of the only advantage in hardware they had in relation to the 1st ABH Corps. In that way the balance of power was directly changed in favour of the 1st ABH Corps and it had the advantage in personnel. Already as of 1994 that was visible from month to month by the number of attacks in the city proper, on its periphery and the assignment of large forces of the 1st Corps to other parts of the battlefield in BH. Challenging the actions of the SRK is taken to extremes by proclaiming its legitimate defence a long-term plan to terrorise the civilian population. Such warfare is unknown in contemporary history. The Sarajevo-Romanija Corps was denied the only advantage it had relative to the 1st ABH Corps, namely the heavy weapons and armoured and mechanised forces of the SRK on account of its "excessive fire from large calibre weapons". So, the weapons were first concentrated and placed under the control of international observers in the first half

²⁷⁹ According to Radovan RADINOVIC, Ibid., p. 69. See Combat Report of the 1st smbr, Strictly confidential no. 3-630/2 of 23 June 1993.

²⁸⁰ LUCAREVIC, *Bitka za Sarajevo*, ed. Sarajevo, 2000, pp. 245- 247.

of June 1992,²⁸¹ and then on several occasions in 1993, and the SRK was finally deprived of that advantage after the Markale massacre in February 1994.²⁸² This was part of the strategy of the ABH and the Muslim political leadership.

4.79. The Sarajevo-Romanija Corps was practically forced to allow the implementation of the organised logistics of enemy forces, which is without a doubt the greatest absurd of the war on that part of the strategic front in BH. Although UNPROFOR, the VRS and the ABH knew that humanitarian relief for the civilian population was being used also for supplying the Muslim army and that it was being abused for the smuggling of combat and lethal assets²⁸³, constant pressure was exerted on the VRS not to interfere with the free movement of humanitarian convoys to Sarajevo.²⁸⁴ Part of that humanitarian relief: clothing, footwear, food, medicaments and personal hygiene supplies and fuel were taken by the ABH, for it was allocated to it, and those articles constituted the bulk of the supply of the ABH with non-combat resources. It would have been fully in keeping with military doctrine principles for the SRK to have prevented logistics of the 1st ABH Corps. The media campaign and the propaganda of the Muslim forces on the dangers to the civilian population, as well as condemnation on the part of the internal public imposed quite different principles of warfare and relations between the parties to the conflict. The SRK did not dispose of forces with which it could successfully cover all its operational needs to efficiently hold the front in its entire zone of responsibility. The width of the front of the SRK of some 237 kilometres by far exceeded the capability of the Corps to man this front with an appropriate density of military forces. This primarily referred to the outer strategic ring on the accesses to Sarajevo. The most vulnerable places on the outer strategic ring on the Sarajevo battlefield were the Nisici Plateau and axes leading from Olovo and Breza towards Semizovac and Ilijas and from there towards Vogosca and the part of Sarajevo under Muslim control, and from Gorazde and Praca towards Podgrab and from Trnovo towards Grab and from there towards Krupac and Sarajevo. On both those axes there was the danger of Muslim forces breaking through towards Sarajevo, which would separate Serbian Herzegovina from the central part of RS and endanger the strategic objectives of the struggle and the survival of the Serbian people in BH.²⁸⁵

4.80. The SRK often solved the shortage of personnel relative to the length of the front by fragmenting units, removing forces of the lowest tactical level from one part of the front and assigning them to other parts of the front. The fragmentation of units went so far that the Corps commander sometimes had to concern himself with the assignments of platoons and companies, which is practically

²⁸¹ The SRK Commander for the first time on 14 June 1992 asked his commanders for the location of the artillery in order to refer this information to the VRS Main Staff which was already then negotiating the control of artillery on firing positions with UNPROFOR. The precise locations of the firing positions of the 1st and 2nd Sarajevo, the 1st Romanija and the Ilidza brigades, as well as of the Sarajevo ARJ and PVO regiment were given in SKR Command document Strictly confidential no. 10/74-65 of 14 June 1992.

²⁸² Agreement on concentrating weapons at the time of take-over of the airport (June 1992) and the MILOVANOVIC – Rose Agreement on the Relocation of heavy weapons (above 12.7 mm) to a distance exceeding 20 km from the centre of Sarajevo, the so-called zone of exclusion.

²⁸³ LUCAREVIC, Ibid., p. 246. One of the Daily Reports of the Ilidza Brigade gives an example of the abuse of humanitarian convoys for smuggling lethal assets for units of the 1st ABH Corps: “At around 2030 hours last night at the checkpoint in Kasindolska Street we stopped and inspected a convoy of humanitarian relief intended for the city of Sarajevo. The convoy consisted of 7 trucks and one jeep. During the inspection we found a large quantity of “Browning” ammunition and medical supplies, which were not on the bill of lading...” See: Daily Report of the Command of the Ilidza Brigade, Strictly confidential no. 19/9497 of 9 April 1994.

²⁸⁴ An example of the abuse of UNPROFOR vehicles for smuggling lethal assets for the Muslim side is given by the Command of the Ilidza brigade in its Daily Report. Item 3 of that Report says: “At 1230 hours today, the border police, during routine control of a UN personnel carrier (French battalion of the UNPROFOR), found 7 (seven) crates of 82 mm MB shells. They had no documents showing to whom the shells were going...” See Daily Report no. 19/9798 of 1994.

²⁸⁵ For details see R. RADINOVIC, Expert report on the Sarajevo battlefield, Belgrade, 2000, pp.73-74.

unprecedented in the history of military science and practice.²⁸⁶ Such a situation made command under all combat conditions more complex.

4.81. In April 1994, the SRK formed assault battalions as manoeuvre forces.²⁸⁷ An assault battalion was usually formed from elements of two to three brigades. However, the claim is not true of some authors that the 1st ABH Corps did not have adequate support. There are numerous documents of both sides to that effect. In this expert report I have already said that the 1st Corps at the very beginning of the war had brigade artillery and mortars. Account must of course be taken of the fact and experiences of all people's armies that at the beginning they cannot have all elements of combat capability of developed armies. However, the document in which the Command of OG Igman gives its opinion to the Command of the 1st Corps on some ammunition procured for howitzers, clearly shows that their artillery support was not at all to be underestimated even at the beginning of 1993. The following is claimed in that document: "Operations Group Igman has a 152 M-84 Nora howitzer and a 152 D-20 howitzer ..."²⁸⁸ Also, an analysis of the combat actions of the 1st ABH Corps, especially of the 1st Mechanised Brigade, later the 111th Glorious ABH Brigade, clearly shows that from the very beginning of the war it had an artillery battalion for support, a mixed anti-armoured artillery battalion used for direct fire support and action against VRS SRK units defending Vogosca on key positions and elevations.

4.82. Bearing in mind the fact that the warring sides were in direct combat contact throughout the war, that the distance between them was from several hundred to several dozen metres, and that the lines of disengagement in urban settlements extended along individual streets and even buildings, it is evident that heavy hardware and fire support could not come to much expression. Muslim forces principally held positions in the old urban part of the city and in that part held mobile portable and self-propelled combat systems for fire support, anti-armour combat and anti-aircraft defence. It was easy to covertly deploy this hardware move it around fortified strong points. One can say that forces of the 1st ABH Corps had a more modern concept of equipping with combat hardware than the SRK.

4.83. The manner of deployment of forces of the 1st ABH Corps was more suited to urban warfare than the concept applied by the SRK. The SRK was forced to employ an exclusively linear deployment, with the static holding of positions, without tactical depth and reserve. In contrast, the 1st ABH Corps, thanks to its overwhelming superiority in numbers, was much more mobile and had a more active front. On the line of disengagement it held only forces holding the position, and in-depth free manoeuvre forces which it used for active actions and surprise strikes on SRK units. This enabled them to make frequent incursions into the SRK deployment sector and inflict heavy losses on them and equally quickly retreat to the depth of the zone of defence. The primary aim of the Muslim side was to link up forces on the outer and inner Sarajevo fronts, and of the Serbian one to prevent that. That is why the SRK had to close off the entire area, for it was not possible in advance to envisage the axes the Muslim forces would take in launching their main strike to break out from Sarajevo towards the outer ring. Military and security control of the situation on the Sarajevo battlefield in the zone of responsibility of the 1st ABH Corps in the first stage of the war was difficult because some ten types of armed paramilitary groups operated in the city. Each of these groups had established control of one part of the city, where it formed even its private prisons in which Serbian civilians were imprisoned, tortured, abused and bestially killed.²⁸⁹

²⁸⁶ See SRK Command Order to the Command of the Ilijas Brigade and to TG Olovo, strictly confidential no. 0/224 of 28 February 1994.

²⁸⁷ Order of SRK Commander, Strictly confidential 20/15-1211 of 22 October 1993.

²⁸⁸ Command of OG Igman – opinion on procured ammunition, Confidential no. 02-5/11, of 12 March 1993.

²⁸⁹ S. PASALIC: *Stradanje Srba i srpskih naselja u bivsoj BH* / Pogroms of the Serbs and Serbian Settlements in the Former BH/, pp. 109-112 and 126-127.

Already in the first years of the war, these gangs had basically plucked the city clean,²⁹⁰ formed their own supply bases and engaged in illicit traffic of goods in short supply. These groups completely controlled the exit of civilians from Sarajevo and charged that dearly. In the Kazani pit on the slopes of Trebevic alone, the bodies of about 200 Serbs were found, and the full truth is still not known because /?there/ is information that a number of bodies were buried by blowing up rocks. These armed groups were headed by people with long criminal records, such as Musan TOPALOVIC – Caco, Juka PRAZINA, Celo and others. Many of them were also commanders of military and police units of the MUP for Sarajevo and BH, as well as members of the 1st ABH Corps. Alija IZETBEGOVIĆ personally knew of some of them, such as Juka Prazina, Caco, Celo, etc. and often directly commanded them, and the military and police leadership were aware of all that.²⁹¹

4.84. UNPROFOR was markedly biased in favour of the Muslim side, probably influenced by media manipulations portraying Muslims as “the victims of Serbian aggression”. As such, UNPROFOR directly contributed to some decisions which were contrary to the objectives the VRS was fighting for. They include:

- the attack on the column of the Command of the 2nd Military District when pulling out of Sarajevo with UNPROFOR guarantees. These guarantees did not prevent the massacre in Dobrovoljacka Street

²⁹⁰ S. SIBER: *Prevare, zablude, istina*, p. 153.

²⁹¹ According to Radovan RADINOVIC, Expert Report on Sarajevo, 2002, Caco (commander of the 10th Brigade of the 1st ABH Corps) is telling everyone that he is obeying and discharging the orders of only Alija IZETBEGOVIĆ and not of Sefer HALILOVIC, and especially not of the commander of the 1st Corps or of anyone from the BH Army”, S. SIBER, *Prevare, zablude istina*, p. 206. In another place, on p. 186 of his book, but in connection with something else (protest of General Morillon because of the artillery fire of the 1st Corps from a spot near the UNPROFOR Command), SIBER admits that Morillon is right, i.e. that some members of the 1st Corps in fact opened fire and assumed that they were Juka’s, Celo’s or Topo’s men and that they would not be part of the *sura*. This means that they are outside the system and chain of military command. And these were indeed three high ranking military commanders. If three brigade commanders, one of whom is the commander of a special brigade, are not under military and police control, we practically have to conclude that the Muslim military and political authorities were not capable of controlling their forces and that most of them acted like para-armies and that these para-armies were the personal guards of these power-brokers with criminal records and shady pasts. Special attention in this story about the criminal past of the commander of a brigade of the 1st ABH Corps should be paid to the 4th Motorised Brigade of that Corps. It was formed immediately after the forming of the ABH (9 April 1992) under the auspices of the crisis staff of Ilidza municipality, with its command post in Hrasnica. The brigade was formed mostly of men with a criminal record and its police and reconnaissance and sabotage unit of hard-core criminals. The commander /komandir/ of this special police unit was a Muslim from Plav (Montenegro), a teacher and well-known Muslim chauvinist, Amir SABOVIC. The strike detachment of that brigade were HOS members, dressed in black overalls with a black band around their heads (Ustasha symbols). They were volunteers from among the ranks of Muslims in the war in Croatia and considered themselves members of the Croatian Army. The brigade also had its mobile detachment which did not hold a position, but had been freed to discharge intelligence and operational tasks: “terror, looting, robbery, rape”. Already on 22 April 1992, these “loose cannon” had imposed a reign of terror and absolute control of the Serbian population in Ilidza municipality. On 24 April 1992, the territory of the Serbian municipality of Ilidza was attacked and mass crimes against the civilian population committed. On territory under the control of this brigade in Hrasnica a notorious camp for Serbs was set up, about which Danilo DZELETOVIC published a book. Details on the crimes of this brigade and its elements against the Serbian population in Hrasnica and the vicinity can be found in Danilo DZELETOVIC’s book *The Crime in Hrasnica*, published by Fopis, Srpsko Sarajevo, 2000, in particular pp. 63-87.

One of the ways of maltreating civilians of Serbian ethnicity by the command system of the 1st ABH Corps was the engagement of civilians and prisoners for engineering works on positions: digging trenches, roads, adaptation of civilian facilities for military needs, digging of the tunnel under the airport, coded name D-B (meaning Dobrinja –Butmir) as it linked these two settlements in the sector of the airport), the tunnel on the Stupsko Brdo – Nedzarici barracks line and other. It was known that these people were in great danger during exchanges of fire at lines of engagement. In such cases, Muslim forces would usually liquidate part of the engaged prisoners on the pretext that they had tried to escape (See document without number of 26 May 1993 – Office of the Prosecutor, marked number 305 in the documentation). In Order Strictly confidential no. 23/1619-1 of 10 September 1993, the commander of the 102nd mtbr of the 1st ABH Corps informs the commander of the 4th mtb that from 15 to 21 October he will have at his disposal between 150 and 200 men for configuring positions, and the commander of the 4th Motorised Brigade orders that prisoners from Hrasnica be used for these works. See Order confidential no. 3689/93 of 11 June 1993.

on 3 May 1992. UNPROFOR did not take adequate measures in connection with this crime and the criminals have not been brought to justice to this day;

- Control of Sarajevo airport by UNPROFOR enabled the Muslim side to use that space for manoeuvres of its forces and supply. By digging a tunnel under the runway, the Muslims further increased these possibilities;
- by interrupting Operation *Lukavac* 93 UNPROFOR forced the VRS to withdraw from liberated territory and return to practically the same positions as in June 1993 and thus surrender control of area on Mt. Igman, i.e. between Mt. Igman and Mt. Bjelasnica.²⁹² From then on that area became a foothold for Muslim attacks on Serbian territories and for threatening the corridor towards Trnovo and further on to Foca and Podrinje. In one such action 23 VRS members were killed, including four female nurses, which is by definition a war crime.²⁹³ Not even this crime made UNPROFOR correct its conduct. This is the second flagrant example of the inconsistent and incorrect exercise of its mandate by UNPROFOR and the abuse of that mandate by the ABH.

Despite complaints UNPROFOR took no action against forces of the 1st ABH Corps in the area of Mts. Igman and Bjelasnica who were abusing the Agreement signed between the VRS and UNPROFOR on placing the area between Igman and Bjelasnica under UNPROFOR control. This area which VRS forces had liberated during Operation *Lukavac* 93, was under the Agreement of 13 August 1993 given the status of an UNPA zone, which means that it had to be emptied of the military forces of the warring sides, except for UNPROFOR forces, which in principle were not one of the sides to the conflict.²⁹⁴

4.85. Neither UNPROFOR nor the Muslim forces abided by the Agreement on Mts. Bjelasnica and Igman. At the cost of an incident with UNPROFOR, Muslim forces decided to abuse that Agreement and via the UNPA zone attack and take by surprise VRS units. This is clearly seen from a document in which the Commander of the 1st Corps, General KARAVELIC, orders the following to be taken vis-à-vis UNPROFOR forces:

- hide and mask the bringing in of units and approach through the UNPA zone;
- in case they are detected, try to solve the dispute by negotiations, but continue with the execution of the mission;
- should UNPROFOR try to prevent the execution of the mission by force, respond reciprocally.
- Therefore, it is evident that the Commander of the 1st Corps had already decided to disregard any warning by UNPROFOR.²⁹⁵ This is an obvious example of their incorrect attitude towards the international forces which had enabled their survival on Igman a year before.
- UNPROFOR engaged in direct combat action against the SRK, or by various tactical actions and manoeuvres placed itself in a position to impact the efficiency of SRK actions in favour of the 1st ABH Corps. It was probably a coincidence and not an intention to affect the outcome of war operations, but such conduct must be registered as one of the methods by which UNPROFOR influenced the ratio of forces in the dynamics of the war operations on the Sarajevo battlefield. It is hard to believe that some events and UNPROFOR actions were mere coincidence.²⁹⁶

²⁹² Agreement between UNPROFOR and the VRS GS.

²⁹³ Combat report from September 1994 on the killing of VRS members.

²⁹⁴ For details see Radovan RADINOVIC, Expert report on Sarajevo, 2002, pp. 80-81.

²⁹⁵ Supplement to Order to attack of the commander of OG-1, Strictly confidential no. 3/727-2-1, of 7 September 1994.

²⁹⁶ In his Daily Report, the commander of the Ilidza Brigade reports that UNPROFOR forces with two tanks and two armoured personnel carriers blocked streets in the zone of responsibility of the 1st Battalion (Nedzarici) and thereby completely separated the tactical positions of units of the brigade between Nedzarici and Ilidza, this preventing the Brigade Command from influencing the combat situation on the front in Nedzarici, which was in fact the weakest point on the entire operational deployment of the SRK in Sarajevo. See: Daily Report of the Ilidza Brigade, strictly confidential no. 19/8855, of 2 February 1994, item 8.

4.86. Bearing in mind the fact that Sarajevo was a divided city and that the lines of disengagement led through settlements, along individual streets and even through individual buildings on Grbavica, we can also speak about the division of the people, neighbours and families, as a consequence of urban warfare. In conditions of such close combat contact it was relatively easy to stage events and blame the Serbian side, which the latest findings show was done very frequently, even at the cost of inflicting losses on one's own people.

4.87. The Muslim side very wisely and cunningly, with the sympathies of the international community and the world media, found its second distinct advantage in the general ratio of forces in sniper actions, and managed, through the media, to shift responsibility for that to VRS SRK units. In conditions of urban warfare, which was the cases on the Sarajevo battlefield, sniping was far more efficient than any artillery or mortar fire. One could say that in addition to their advantage in personnel, units of the 1st ABH Corps also had the advantage in snipers and artillery fire from the city towards the periphery, which no one wanted to show in the media for, by the inertia of the first images of the civil war, the Serbs were pronounced guilty in advance.

4.88. Moreover, the Muslim side ascribed most of the actions of its own snipers in Sarajevo and also in the part they themselves controlled, to the Serbs, i.e. the SRK, thus achieving a twofold effect: (1) additionally producing media and political pressure on the SRK to abandon its legitimate objectives of participating in the control of Sarajevo, and (2) the ABH developed daily propaganda that the SRK was terrorising civilians by shelling and sniping. It is indeed hard to believe that for the duration of the war UNPROFOR did not manage to see through this cunning plan of the 1st ABH Corps despite its state-of-the-art land and air based observation devices. Still, the media propaganda of the ABH led to the demonisation of the VRS on the Sarajevo battlefield and the bringing of indictments against political and military leaders.

4.89. SRK units on positions around Sarajevo suffered enormous losses, by far exceeding losses which would have been commensurate with the rather low level of combat actions on the Sarajevo battlefield. For the sake of illustration, the 2nd Sarajevo Infantry Brigade alone, in two years of war, lost every fourth combatant.²⁹⁷ These losses were a consequence of sniper actions of Muslim forces and restraint of the Serbian forces to respond adequately. It should also be borne in mind that Muslim sniper nests were as a rule in residential buildings or in the attics of private houses. Any fire at such firing points was proclaimed fire against civilian targets. Such immorality and perfidy underlay the orchestrated campaign upon which the "halo of Sarajevo as a city under siege and a city martyr" was being built.

4.90. In terms of enormous personnel losses, even more drastic is the case of the 213th Company of the 1st Battalion in Nedzarici (the Ilidza Brigade). The Brigade commander informed the SRK Command that the situation on that position was very difficult, because they had lost 92 men in only two months.²⁹⁸ In view of the fact that these battalion companies numbered around 90 men and sometimes even less, it turns out that over a period of two months the complete complement of the company was replaced by new combatants. There is no need to stress the devastating effect of losses of this magnitude on combat morale. This fact is indicative of another very important characteristic of the combat actions on the Sarajevo battlefield, namely the intensity of the actions. There is no doubt that such a large number of personnel rendered *hors de combat* in this brigade i.e. its 1st Battalion is a reliable indicator that the corresponding unit of the 1st ABH Corps holding positions opposite the battalion in Nedzarici had adequate combat and fire resources enabling it to inflict such heavy losses. The defence on both sides

²⁹⁷ In his Order to Attack, the Commander of the 1st ABH Corps estimated that the 2nd Spbr had in the fighting until that day lost 25% of the personnel and 50% of its materiel and technical equipment. See: document, Strictly confidential, no number, of 5 December 1994.

²⁹⁸ See: Daily Report of the Command of the Ilidza Brigade, Strictly confidential no.19/8841, of 31 January 1994.

was a decisive one, for radical shifts of the front line on both sides would have led to a substantial deterioration of the tactical positions of the conflicting sides. Most of the inflicted losses were a result of Muslim sniping from skyscrapers in Studentsko Naselje and those at Vojnicko Polje. There is reason to suspect that in addition to units on the front line, snipers members of the special unit of the Muslim state security /service/ Seve, were occasionally engaged.

4.91. According to VRS sources, on the Sarajevo battlefield, from 4 April 1992 to 31 December 1995, the SRK lost 2,333 combatants and officers and 128 members of the Corps are registered as missing, and this number too can be added to the number of those who were killed.²⁹⁹ Such heavy losses are an indicator of the dynamics of the fighting and the use of snipers and mass fire from infantry arms by units of the 1st ABH Corps. On the other hand, it would be difficult, in the context of such heavy losses to support the claim of the prosecution that the SRK directed its main combat resources at civilian targets for the purpose of terrorising them. The more probable thesis would be that the main resources of the SRK were directed at military targets in Sarajevo to prevent them from inflicting such heavy losses, and as these targets were mixed with the civilian ones, civilian casualties are the inevitable collateral damage of the concept of warfare accepted by the 1st ABH Corps. All key events in Sarajevo resulted from units of the 1st ABH Corps abusing civilian facilities by occupying positions on them and from the manner of their action. When we compare the actual losses on the Sarajevo battlefield, it is obvious that the claim that civilians were terrorised by shelling and sniping is untenable.

4. Main operations on the Sarajevo battlefield and their basic features

4.92. Operations in Sarajevo were often unilaterally and as part of the media campaign designated as the siege or blockade of Sarajevo, the intention being in that way also, by the use of incorrect terms, to condemn the Serbs in advance for employing uncivilised and inappropriate “medieval” methods of warfare when towns were besieged in campaigns of conquest and the civilian population also suffered. In fact all this propaganda and media picture do not correspond to the actual facts. Of the ten municipalities of the city of Sarajevo, four were under the control of the ARBH and six under VRS control. The municipalities were not completely controlled according to their administrative division but some were divided by the front lines mainly on the ethnic principle. This is real proof that from the onset of the war in BH Sarajevo was a divided city. It was tendentiously claimed for the sake of the media campaign and portraying a false picture for the international public, that the JNA and later VRS units were “besieging” the entire city of Sarajevo. Under blockade were both the Muslim and the Serbian parts of Sarajevo, and the Muslim part of the city covered most of the urban city of Sarajevo.

4.93. In this way the impression is gained that only Muslims lived in the city of Sarajevo, and that someone brought there units of the JNA and then of the VRS as aggressors to lay a “siege” which lasted from 5 April 1992 to the official signing of the Dayton Agreement on 14 December 1995. Regrettably, immediately after the beginning of the war, the pre-war multiethnic Sarajevo was divided along ethnic lines into a part under Muslim control and a part under Serbian control, which was called Serbian Sarajevo and then Eastern Sarajevo. According to the 1994 report of the United Nations expert commission, almost 10,000 people were killed or went missing, including over 1,500 children. According to the Research and Documentation Centre, on the territory of Sarajevo, according to data so far, 13,972 persons lost their lives, of whom 8,407 soldiers and 5,565 civilians. The number of inhabitants fell to 334,663, i.e. to 64% of their pre-war numbers. According to the Institute for Research into Serb Ordeals in the 20th century, published in the book “Book of Dead Serbs of Sarajevo Killed From 1992 to 1995”, in the period from 1992 to 1995, 6,628 Serbs lost their lives in Sarajevo. The Institute for Research into Serbian Losses in the 20th century, after the book came out in 2005, published

²⁹⁹ Dr Tonci PUSA: Transcript of statement to an investigator of the Hague Tribunal.

the results of new research according to which a total of 8,225 Serbs were killed in Sarajevo. That is why the killing of the Serbs in the part of Sarajevo under Muslim control is compared to the killing of Muslims in Srebrenica. The killing of the Serbs in Sarajevo happened amid media silence and over a longer time period. The mortal remains of many of those who were killed have not been uncovered to this very day nor has anyone answered for these mass crimes. The search for about 3,300 killed people whose graves are not known is still continuing without success.

4.94. This part of the report provides basic information on the key operations executed in the divided city of Sarajevo by the forces of the 1st ABH Corps and the VRS SRK in coordination with other operational units, in order to give a picture of the overall armed conflicts on the Sarajevo battlefield.

4.95. **Operation Koverta** was executed by Muslim forces with the objective of breaking out from Sarajevo in the summer of 1992. The objective of the operation was for the 1st ABH Corps to link up with forces in Central Bosnia and with a broad front expand territories, expel the Serbian population primarily from the municipalities of Vogosca and Ilijas and include those two municipalities in the Muslim part of the city of Sarajevo. To that end, an intensive offensive was launched on a broad front, particularly directed towards Vogosca, the aim being to take elevation 850 and Golo Brdo. The Main Staff of the ARBH immediately after the failure of Operation JUG-92 started planning and preparing a new, until then largest-scale and most ambitious military operation aimed at unblocking Sarajevo, under the name of Koverta.³⁰⁰ The concept of the operation was actually a variation of the already tested concept of attack of ABH units from the inner and outer sides of the ring in divided Sarajevo. Preparations for the operation began at the beginning of October 1992. In the organisational sense, first were formed tactical groups Igman and Visoko, and then manoeuvre brigades in the areas of Konjic and Jablanica. At the end of November 1992, the Igman and Visoko tactical groups were renamed operations groups for the unblocking of Sarajevo. Envisaged for that operation were forces of all other Corps of the ARBH also, except for the 5th Corps. The VRS had information that the ARBH was preparing for a major operation to unblock Sarajevo. Combat activities taken at the beginning of October in the area of Doglodi, Azici, Otes and Brijesce as well as offensive action in the general areas of Igman and Trnovo aimed at preventing preparations for and the execution of this operation. As preparations for the operation advanced, the VRS gained more information about its content and level of preparations. The combat actions SRK units were ordered to undertake aimed at primarily preventing the unblocking of Sarajevo and then creating conditions for occupying Otes, Kobilja Glava and Ugorsko.

4.96. The initial plan of the operation for units of the 1st Corps was formulated already at the end of October 1992. The idea was a pincer manoeuvre of joint units from the front and units from the outer side, with the main forces being engaged on the Hrenovica-Podgrab-Ravna Planina /mount/ axis, and auxiliary forces on the Kijevo-Gornji Kotorac and Dvor-Reljevo axis. A number of changes took place by the beginning of the operation, both in the deployment of forces and corrections of the axes of attack, especially the axis of attack of the main forces.

4.97. And while preparations of ARBH forces evolved slowly and plans changed and became more complex, VRS forces executed a counterattack. The attack with total forces, two battalions strong and reinforced with 4 tanks and several armoured personnel carriers, supported by strong SRK artillery, started on 1 December 1992. Serbian forces scored initial successes and entered Sokolje.³⁰¹ Under daily attacks, the defence of the ARBH at Otes collapsed on 4 December. In this way, the defence of Sarajevo

³⁰⁰ The code name of the operation was KOVERTA, as attested to by a large number of preserved documents in the Archives of the ARBH.

³⁰¹ ARBH Archives, Command of the 1st Corps, Daily Combat Report, Strictly confidential number 1226, 1 December 1992. ARBH Archives, Command of the 1st Corps, Development of b/d at Otes in the period from 1 to 4 December 1992, report, strictly confidential.

was put in the most critical situation after May 1992. In such a situation, the Supreme Command Staff of the RBH OS issued an order to units to begin action according to the *KOVERTA* plan.

4.98. Unit support forces on the main axis of attack of the 1st Corps were provided by the following units: an Armoured Battalion with two tanks, a howitzer artillery battalion (had) and a mixed anti-armour artillery battalion (mpoad). The time set for the beginning of the attack was 05.00 hours on 5 December. A thick morning fog, which helped the units in the stage of advance, prevented efficient action of the tanks and anti-armour weapons of ABH units. They waited for the time when visibility would enable the use of fire support means. The attack began at 0700 hours with fire from tanks, anti-armour guns and mortars on VRS lines.³⁰² This too is proof that units of the 1st ABH Corps in the part of the city of Sarajevo under their control had and often used fire support means.

4.99. In the fighting in the days that followed, the ABH 1st Mechanised Brigade advanced further in the morning of 9 December and at around 1030 hours reached elevation 850.³⁰³ Liberation of elevation 850 was a major success of the 1st Mechanised Brigade. To discharge the specific task defined in the order of the brigade commander, they needed to emerge on Golo Brdo, at which VRS forces had consolidated and were offering strong resistance. The resistance of the VRS forces was persistent and fierce and the forces of the 1st Mechanised Brigade after coming out on elevation 850 constantly came under heavy fire from all types of weapons from the direction of Golo Brdo. Until 16 December ARBH forces which were attacking on the Vogosca axis, in particular the 1st mbr, paid for their successes with a large number of dead and wounded. During that time the attained line of defence was being configured, access roads repaired and artillery weapons pulled out and emplaced in new positions.

4.100. Over the next several days, the forces of the VRS Vogosca Brigade turned Mujkica Brdo into a veritable fortress, on which the last defence of Vogosca relied. On 28 December 1992, from the direction of Visoko, forces of the 7th Muslim Brigade took elevation Visegrad and with a part of their forces entered the village of Gornja Bioca, whereby the door was opened for taking Ilijas. None of these two opportunities were taken advantage of and ARBH forces were pushed back to initial positions from both sides, suffering heavy personnel casualties. In early February 1993, the President of the rump Presidency of the Republic of Bosnia and Herzegovina, Alija IZETBEGOVIC, also arrived at Zuc for a tour of inspection of the lines and to talk to the combatants and express appreciation for their loyalty in combat and their efforts.

4.101. The **Massacres at Markale** are two important events which in the media and thereby also in the international public defined the character of the war and the attitude to the parties to the conflict. These were massacres of Sarajevo civilians alleged to have been committed by mortar attacks during the war in BH. The first massacre happened on 5 February 1994, in which 68 people were killed and 144 wounded. The second attack took place on 28 August 1995, when 37 people were killed and about 90 wounded. The latter attack was the cause for NATO air strikes against Republika Srpska, which would, together with HV aggression following Operation *Storm* and the expulsion of Serbs from the Republic of Serbian Krajina, bring about an exodus of the Serbian people and then the Dayton Peace Agreement and the end of the war in Bosnia and Herzegovina.

4.102. According to court judgements, the Army of Republika Srpska is responsible for both attacks, and according to the report of an independent commission from 1995, there exists no clear evidence as to who is responsible for the first attack on the Markale market, which was confirmed personally by

³⁰² ARBH Archives, Command of the 1st mbr, Daily combat report, Confidential number 01-132/92, 6 December 1992.

³⁰³ ARBH, Command of the 1st mbr, Daily Combat Report, Conf. number 01-136/92, 9 December 1992; Court records data base: Command of the Vogosca Brigade, Situation report, Strictly confidential number 109/92, 10 December 1992. <http://icr.icn.org>.

Yasushi Akashi, UN Secretary-General envoy for the Balkans. That is why many experts are of the view that the Muslim authorities stage-managed or better to put it, executed both attacks so as to force a NATO bombardment of Republika Srpska and reduce its operational capability in the final operations. Former UN special envoy Yasushi Akashi stated in 2011 that it was still unclear who had committed the crime at the Markale market in 1994. In connection with the Markale incidents, in 1995 Yasushi Akashi set up a United Nations Committee consisting of five experts from five different countries, who, on the basis of data, concluded that the shell could have been fired from a location under the control of the RBH Army or that of the Army of Republika Srpska. Therefore, according to UN investigations, the case remains unsolved.

4.103. According to the report of BBC journalist Jim Fish, the first massacre at the Markale market took place between 1210 and 1215 hours, when a 120 mm calibre mortar shell landed on the packed Markale market. Rescue teams and UN personnel immediately rushed to help the many victims. Most western media immediately and without any prior investigation pointed the finger at the Serbs as the perpetrators of this monstrous crime. This fit into the general approach towards the VRS and RS. The Muslim authorities and representatives of Republika Srpska accused one another for this incident. The controversies surrounding this event started when the first UNPROFOR report stated that the shell had been fired from Muslim-controlled positions.

4.104. After the incident, General Michael Rose, UNPROFOR commander at the time, stated that it was not possible to establish where the shell had been fired from. A later and more thorough UNPROFOR report detected a mistake in the initial findings. The United Nations Organisation concluded that it had been impossible to establish from which side the shell had been fired.³⁰⁴ The question is whether the mortar shell had at all been fired from a mortar or had been prepared as an explosive device and remotely activated according to a design, as in the case of the planned assassination of General Sefer HALILOVIC by the Seve Special Purposes Unit, which was under the command of the security organ of the ARBH GS. That crime too, when the general's wife and her brother were killed, was attributed to the VRS by the official authorities of BH, because the Serbs had long ago been described as the "bad guys" prepared to commit any crime. The Muslims used quite successfully this media status of the Serbs and that was their mightiest weapon throughout the civil war. It has been proven that the shell did not come from Serbian positions but was a remotely activated projectile which did not manifest the projectile impact energy based on acceleration and mass, *but only explosive effects*. That same day Republika Srpska requested that UNPROFOR set up an investigation team with representatives of the VRS and the ARBH on it. However, this proposal was turned down.³⁰⁵ In January 2003, in the case against General Stanislav GALIC, the Hague Tribunal concluded that the massacre had been committed by forces of the Army of Republika Srpska.

4.105. The second massacre happened 18 months later, around 1100 hours on 28 August 1995. This time there was a smaller number of victims – 37 dead and 90 wounded. As in respect of the 1994 incident, the Serbian political leadership denied any responsibility and accused ABH forces of shelling their own people in order to galvanise the international community and secure an intervention.³⁰⁶ In respect of this incident, the evidence was quite clear to UNPROFOR, and a confidential report not long after the incident concluded that the projectiles had been fired from VRS positions. In January 2004, in the case against Stanislav GALIC, VRS general and commander of the Sarajevo-Romanija Corps, before the ICTY, the prosecutors presented as evidence the expert report of ballistics expert Berko ZECEVIC. In

³⁰⁴ Steven L. Burg, Paul S. Shoup, *The War in Bosnia-Herzegovina: Ethnic Conflict and International Intervention*, pp. 166-167.

³⁰⁵ *Nekad bilo: Markale* /Once there was Markale/ (in Serbian) Radio Television of Republika Srpska, 6 November 2011. Accessed on 7 November 2011.

³⁰⁶ Patrick Moore, *Serbs Deny Involvement in Shelling*, OMRI Daily Digest.

this expert report ZECEVIC, with two colleagues, found six possible places from which the shell could have been fired, five of which were VRS positions and one under ARBH control.

4.106. The spot under ARBH control was visible to UNPROFOR observers, who confirmed that no shell had been fired from that place. Berko ZECEVIC further explained that some parts of the projectile could have been manufactured only in two places and both of them were under the control of the Army of Republika Srpska. The manufacturer of the shell cannot at all be proof of whose positions the shell had been fired from because large quantities of weaponry and ammunition were frequently captured in this civil war and were later used in combat. Thus all the warring sides had in their arsenals weapons and ammunition of the other sides in the war as war booty. It is well-known that hardware, artillery ammunition, shells and rockets were even objects of crime and trade between war profiteers of all the warring sides. Investigating the direction of the 120 mm mortar shell, Berko ZECEVIC established that it had been fired from Serbian positions in the area of Mrkovici village, northeast of the old town.³⁰⁷ We can say that no subsequent expert analysis or any other evidence could conclusively determine the position from which the shell was fired. It is legitimate to suspect whether the shell had actually been fired at all or was just well prepared and part of a remotely activated explosive device.

4.107. The media and politicians in RS categorically denied the results of Berko ZECEVIC's expert analysis and considered it part of the general media propaganda for political purposes. Pantelija CURGUZ, the president of the RS Veterans' Organisation, accused ZECEVIC of having been involved in these incidents, while Dr Radovan KARADZIC, former RS president, demanded that ZECEVIC be disqualified on account of partiality. General Michael Rose, UNPROFOR Commander at the time, stated after the incident that it was not possible to ascertain where the shell had been fired from. Immediately after the explosion at the Markale market in Sarajevo in the then Republic of BH, Russian Colonel Andrei Demurenko stated that the Serbs were being accused without justification only in order for NATO to attack them.³⁰⁸ Colonel Demurenko, who was the chief of staff of one UN forces sector in Sarajevo and the commander of the Russian Battalion, preserved the complete documentation referring to Markale. He read two reports, one of which was written by a French officer, while the author of the other report was an officer who, Demurenko was not sure, was either a Muslim or a Croat.

4.108. The Colonel states that the reports had calculated the angle of incidence and the angle of descent of the projectile. Anyone well versed in the ballistics of shell and artillery projectile flight will clearly see that expert Berko ZECEVIC's presented expert report is quite simplified and unreliable. It aims at justifying at any cost the initial media truth which was designed in advance to discredit the VRS and RS to help attain the political aims of the Muslims in the war in BH. Who can believe in the objectivity of subsequent calculations of possible mortar positions proceeding from very questionable input data. That is simply an incorrect approach because there are numerous trajectories which with different charges have different angles of incidence, which increases the number of potential alternative positions. Fully reliable expert analysis is almost impossible, because the elements at the site of the explosion do not provide reliable input parameters for reconstructing the trajectory of the projectile and/or of the weapon emplacement. It is for investigation purposes also legitimate to contend that the shell or a reinforced explosive device with a 120 mm mortar shell as its component, had been prepared and remotely activated, in a similar way as many assassinations on the Sarajevo battlefield, including that of General Sefer HALILOVIC's wife and her brother. The explanations of the assassination given by General Sefer HALILOVIC, an artillery officer himself, are quite logical being based on knowledge of the profession, of projectile flight ballistics and trajectory paths.³⁰⁹

³⁰⁷ Steven L. Burg, Paul Shoup.

³⁰⁸ Сербь не причастны к взрыву на сараевском рынке. Риск.ру. 9 July 2007. Accessed on 19 January 2013.

³⁰⁹ General Lewis MacKenzie also expressed doubts about who was responsible for the crime at Markale.

4.109. It is certain that it could not have served any objective of RS and the VRS to commit such a crime against the civilian population. Other participants in the war in BH probably had such an interest, crime providing them with a cause for all the horrors of war which happened after Srebrenica and Markale in the final operations. The VRS, and in particular the VRS GS could not even have imagined the crime which was perpetrated at Markale against innocent civilians. It is certain that such a crime cannot be ascribed to General Ratko MLADIC or the VRS with arguments or on the basis of reliable evidence, because such a crime could never have happened with him knowing of it. His professionalism and his code of soldierly conduct and honour that he was known for in the JNA, the VRS and among the enemy, would not have allowed it. There is a vast body of evidence in both written and electronic form attesting to General MLADIC's humane treatment of civilians and prisoners in the war in BH. The crimes of paramilitary groups at the beginning of the war and the monstrous crime in Srebrenica are attempted to be placed in the context of General MLADIC's command responsibility, as if he had planned or ordered them, or knew about them. All that is far from the truth, but the accusations that have been abused by the media for a long time to eventually become the so-called truth after so many times repeated untruths, are difficult to disprove.

4.110. From 9 -11 August a conference entitled "Nordic Peace Talks" was held in the Swedish city of Degerfors. The event was attended by several organisations and peace activists from Sweden, Norway and Denmark, including [Justitia Pax Veritas](#), an organisation headquartered in Stockholm, dealing with issues related to the conflicts in the former Yugoslavia. During the three-day conference a series of interesting lectures were delivered, among other, also on legitimising the military intervention of the USA and NATO by way of the R2P (Responsibility to Protect) doctrine. At the meeting of Nordic peace activists one of the speakers was professor Ola Tunander from the Peace Research Institute of Oslo. In his lecture *After Libya – Syria and the Permanent Members of the UN Security Council*, Tunander compared the propaganda in Libya and Syria to that in the war in the former Yugoslav Republic of Bosnia and Herzegovina. The Norwegian professor, who has close ties to NATO, said, in connection with Markale and the shelling blamed on the Serbs, that he had learned from many sources – a representative of the NATO Crisis Staff, Chairman of the NATO Military Committee, Vigleik Eide, and the future Norwegian ministers of defence and foreign affairs - that the conclusion of NATO's investigations was that "the Bosnian side" – as he called the Muslim forces under the control of Alija IZETBEOVIC had been responsible for the shelling. When the mentioned testimony of witness KW-586 is also taken into consideration, there is no doubt that this incident was masterminded by the BH leadership.

4.111. Everyone said that NATO's conclusion was that it had been a "Bosniak attack" on their own population, but this was never publicly said. It seems that it is customary that, for example, prior to United Nations decisions, so-called "false flag operations" are executed, namely fraudulent attacks on own populations, in order to legitimise military intervention. The Hague Tribunal convicted Serbian General Stanislav GALIC for the shelling of the Sarajevo Markale market, and this war crime also features in the indictments in the trials against the former President of Republika Srpska Dr Radovan KARADZIC and the Commander of the Army of Republika Srpska General Ratko MLADIC. The "Nordic Peace Talks" were held for the first time last year, also in Degerfors.³¹⁰ The presented information only provides more arguments for doubting past partial expert reports which were not based on facts. Regrettably, these expert reports were the basis for handing down judgments in the Hague Tribunal. It is certain that only NATO had the equipment which could have registered information showing whether the shell had been fired from VRS or ABH positions. As not even this

³¹⁰ NATO Report: Izetbegovic's forces to blame for Markale, Intermagazin.rs of 19 August 2013, Justitia Pax Veritas, Stockholm, 18 August 2013.

report states that the shell was fired from ABH positions but that IZETBEGOVIC's forces are responsible, it is reasonable to assume that the mortar shells had been parts of explosive devices boosted so as to cause devastating lethal effects, which a 120 mm contact-fuse shell cannot even theoretically achieve in laboratory conditions. Also, the absence of mortar shell fragments raises even more doubts about the device itself, its nature and its effects. It is certain that such a device was not made by VRS units nor could they have brought it in across the front line.

4.112. The direct consequence of these crimes at Markale was NATO's bombardment of RS. NATO accused the Army of Republika Srpska and took Markale as the direct cause for openly supporting the forces of the Croato-Muslim coalition in the final operations under the name Operation Deliberate Force. These operations expelled the entire Serbian population from the territory of the Republic of Serbian Krajina, as well as the Serbian population from the western and south-western parts of Bosnia and Herzegovina. Republika Srpska was partially occupied and militarily defeated in two major operations, in the western part of BH, executed by the HV, the HVO and the ARBH with full NATO intelligence, media and air support. Republika Srpska was forced to sign a peace agreement losing over 20 % of its former territory.

4.113. **Deblokada Sarajeva** or **Operation T** was a military operation of the 1st ABH Corps with the objective of pushing VRS SRK forces away from the Muslim section of Sarajevo. Having been announced many times, the operation actually started on 15 June 1995, with the engagement of elements of the 3rd, 4th and 7th ABH Corps also. After two weeks of fighting, the ABH forces were defeated and on account of heavy casualties forced to abort the offensive. According to ABH sources, before the operation, the ratio of forces was in favour of the Muslim forces:

- ABH – soldiers/officers: 46,163, cannon: 43, mortars: 406, tanks:19,
- VRS – soldiers/officers: 17,500, cannon: 41, mortars: 132, tanks: 24.³¹¹

4.114. Upon completing preparations, the ABH executed the operation launching a massive-scale attack along three axes. The main attack was on the Visoko - Paljevo - Rajlovac axis, using units of the 7th Corps and the second main axis was Golo Brdo –Hadzici – Mostar junction, with forces of the 4th Corps. Auxiliary directions of attack were Igman – Trnovo, forces of the 1st ABH Corps, and the Nisici Plateau – Ravni and Nabozic – Semizovac, with forces of the 3rd Corps. Initial successes enabled the ABH to take Cemerska and cut off the Semizovac – Srednje road and almost completely encircle a part of SRK forces around Sarajevo. The second attack towards the east and south was also initially successful. The ABH quickly took Debelo Brdo. Smaller-scale attacks around Sarajevo made some headway but the VRS held its positions stable.

4.115. Despite initial successes, the advance of the ABH was arrested already on 16 June when the VRS defence started to strengthen. Between 17 and 22 June, the VRS Sarajevo-Romanija and Herzegovina Corps launched a counter-attack against the ABH along all the three axes. The VRS completely stopped the ABH attack and recovered most of lost territory. This made it possible for the VRS to bring elite MUP units and launch a counter-attack. Along the western axis the VRS took Stup. Around Trnovo, elite VRS units forced the 14th ABH Division to retreat. In the north, VRS special forces defeated the ARBH and recovered Cemerska on 22 June. By 28 June, shaken by heavy casualties and large territory losses, the Sarajevo government suspended the operation because of the losses. According to official figures, ABH casualties were 404 dead and 1386 wounded. Such losses corroborate the claim that the

³¹¹ *Pecat* (political magazine): *A large-scale offensive of the RBH Army on the general area of the Sarajevo-Romanija region (from 30.40 to 40.23 min)*, (in Serbian). Radio-Television of Republika Srpska, 14 June 2012. Accessed on 15 June 2012.

assessments of the ABH were perfunctory and therefore brought about unnecessary and higher losses in the final period of the war.

5. Command responsibility of General Ratko MLADIC for events on the Sarajevo battlefield

4.116. The characteristics of the combat actions on the Sarajevo battlefield are specific in many respects, with some actions and war perfidy unique in the history of the art of war. This unique approach is reflected primarily in the preparation and execution of “discrediting actions” by the Muslim ABH forces targeting their own people, with a view to achieving strategic military and political goals. These actions were part of a single strategic plan of the Muslim leadership in Sarajevo aimed at compromising the struggle of the Serbian people and showing them in the media and to the international public as a party to the conflict which is terrorising civilians in the city of Sarajevo by shelling, sniping and holding them under siege. Numerous manipulations and war perfidies created propaganda effects discrediting the struggle of the VRS SRK on the Sarajevo battlefield. All that was deliberate Muslim strategy which assumed such proportions that the entire combat undertaking of the SRK was characterised as a siege of the city, and then in Count 7 of the Indictment, under (1), defined as an overarching joint criminal enterprise in order “to spread terror among the civilian population of Sarajevo through a campaign of sniping and shelling...”. On the basis of the fact that, after Belgrade, Sarajevo was the largest Serbian city, the Serbs in BH had a legitimate claim to survival and preservation of their homes, parts of the city and the city’s municipalities in which they constituted a majority. Sarajevo as a city was not under Muslim control. It was a divided city, so that this part of the Indictment is essentially disputable and at variance with the actual state of affairs. Just as the Muslims had a hard time and were exposed to the fire of SRK units in the part of the old city of Sarajevo under ABH control, so were the Serbs in Serbian Sarajevo killed by fire opened by units of the 1st ABH Corps at Ilidza, Grbavica, Vogosca, Hadzici, etc., where about 170,000 Serbs lived.

4.117. Long before the war conflict, and even in the period of Ottoman rule, Sarajevo was ethnically divided, i.e. it was known where and in which part of the city a people were in the majority. With the onset of the crisis and then also war, these boundaries became visible and marked by the front line between the ethnic armies and thus Sarajevo became a divided city. The legitimacy of the military presence of the VRS on the Sarajevo battlefield cannot be called in question on that basis either, the more so as the lines of defence were set by the inhabitants of homogeneous settlements themselves and the VRS inherited them and they became its part. VRS units which were discharging that task consisted of the very same inhabitants who had established those lines as the territorial defence, only now they had become the army.

4.118. The military presence of the Serbian side on the Sarajevo battlefield, namely within the boundaries of the area the Serbs considered their ethnic space, was rendered legitimate by the huge military presence of the 1st ABH Corps, with, according to Muslim sources, some 10 to 15 brigades present in the urban parts of town during the war with about 50,000 soldiers, as well as about 10,000 policemen and members of different special purposes forces. These forces were deployed in civilian buildings and mixed with the civilian population so that it was practically impossible to distinguish between civilians and soldiers in the city and between civilian and military structures. Military actions of the VRS at such targets were fully legitimate. The balance and proportionality between firing actions can best be judged observing the structure of losses on the Sarajevo battlefield. The salient points in the immediate environs of the urban part of the city were held by the forces of the 1st ABH Corps, so that one can say that in addition to supremacy in numbers, these forces had a considerable operational

advantage over the forces of the VRS SRK. On the other hand, the VRS was superior in high calibre support weapons.³¹²

4.119. Today it is already clear on the basis of facts that Sarajevo was not a besieged but a divided city, with about 60% of the city belonging to Muslims and about 40% to Serbs. Sarajevo was not a closed city, but the roads to the Muslim section of the city and out of the city of Sarajevo, as well as Sarajevo airport were open almost for the duration of the war. By the summer of 1993, a tunnel had been dug under the airport, on the Dobrinja – Butmir axis, through which ABH Muslim forces manoeuvred from the city towards Mt. Igman, and across it also towards other battlefields in BH. The only absolutely closed part of Sarajevo was the inner city core, and it was sealed off by the Muslim army and police who would not let the remaining live Serbs leave the city and reach the safety of territory under the control of Serbian military forces. Many perished in such confinement, having been forcibly mobilised or taken to the front lines to dig trenches.

4.120. Sarajevo was a blocked city, but in the military sense of the phrase; VRS did not allow a mass exit of units of the 1st ABH Corps, because had such forces shown up in any part of the theatre of war in BH they would have considerably influenced the course and outcome of the war. Blocking military forces in Sarajevo served to defend the Serbian part of the city of Sarajevo. Such a blockade of military forces is a fully legitimate military measure, and one which was also implemented by units of the 1st ABH Corps vis-à-vis the Serbian parts of the city. This thesis was also put forward by a number of UN officers, who stated that Serbian military policy in Sarajevo had been a strategy of tying down, holding back or blocking large enemy military forces.

4.121. As has already been said, the Muslim forces abused civilian structures for military purposes on a massive and uncontrolled scale. Fire was constantly opened from these structures and their immediate vicinity, causing losses in VRS units and eliciting their fire in return. Although fully legitimate in principle, these actions were executed from a flexible attack position, mostly from the combat formations of lower tactical units. On a front of over 230 kilometres³¹³ and in conditions of totally intertwined lines of disengagement in the urban part of the city, it was impossible for either tactical or operational higher-ranking command channels to control the fire, let alone for such control to be established by General Ratko MLADIC, who spent most of his time on other battlefields in BH, extending direct support to subordinated commands. Artillery shelling and sniping on the Sarajevo battlefield were part of the armed struggle and were applied by all warring sides. Due to the media campaign and disinformation, the impression is gained that the Muslim forces did not have artillery in their section of the city and that they did not snipe at civilians and soldiers. This impression is false and does not correspond to the truth. There is much physical evidence attesting to the inferiority of the ABH in artillery, but also to their significant supremacy in snipers and the number of soldiers. Fire opened by VRS SRK units was not deliberately targeting civilians or intended to terrorise the civilian population. Such errors could have been possible at the tactical level, but not as intended but as collateral damage arising from the fact that units of the 1st ABH Corps took up combat positions in civilian buildings, frequently even next to medical institutions and within hospital compounds, information about which has been given in this Report.

4.122. As regards artillery shelling, this was a mutual exchange of fire strikes or massive infantry attacks by which the Muslim forces sought to break through the military blockade and reach free territory and link up with other ABH forces. The combat capability of the 12th division of the 1st ABH Corps is best defined in the document of Fikret PREVLJAK, *Proposal of Selected Targets for Destruction...* of 26

³¹² For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002.

³¹³ Initially, the inner ring was 42 kilometres long, and by the end of the war the ABH extended it by offensive action to 64 km. The exterior area was generally about 200 km long.

June 1995.³¹⁴ Sniping is a special topic of the media campaign and manipulations. The Muslim forces were in a markedly advantageous position over the Serbian forces in respect of this particular aspect of combat. They had more and more sophisticated sniper rifles, they had sniper units as a powerful manoeuvre urban warfare force. At the lead were special military and police units as well as the notorious Seve unit who sowed death in parts of the city and targeted persons in accordance with the assessments of the political and security structures of the Muslim leadership in Sarajevo. Having chosen sniping positions at higher elevations and atop tall buildings, Muslims had a considerable edge. Sniping vitally endangered parts of the city without which VRS survival on the Sarajevo battlefield was impossible. In order to protect itself from sniping coming from the Muslim side, the VRS installed anti-sniper screens and masks. Given such a ratio of forces, the clamour and propaganda to the effect that SRK units used sniping to terrorise the civilian population sound totally implausible. The SRK did not have that many snipers directed at the city nor of such quality that their effects would spread terror among the civilian population.

4.123. Distinguishing victims of sniper fire from victims of ordinary small arms fire was practically impossible in such circumstances, so that it is hard to say how many civilians within the front range were killed by infantry and how many by sniper fire. This is not to claim that no civilians were killed by sniper fire from VRS positions but only that its effects were not and could not have been terrorising civilians. But, distinguishing civilians from soldiers on the Sarajevo battlefield was very difficult. Not only did foreign TV stations show civilians in combat activities³¹⁵, but an ABH general also confirms that "...about 75% of the members of the armed forces spent the first year of the war in civilian clothes and footwear..."³¹⁶ so that a distinction between civilians and combatants is impossible and the possibilities for portraying combatants as civilian victims unlimited.

4.124. By their operation for unblocking Sarajevo which they had given the code name *Jug*, at the end of July 1992, the Muslims forces, under the command of a major of the former JNA, and later the commander of TG Igman, Mirsad CATIC, took Trnovo and the Rogoj pass and thus partitioned off Herzegovina from the Sarajevo-Romanija area. Elements of the HK and SRK forces were taken by surprise and suffered heavy casualties. The treatment of prisoners was degrading, they were exposed to terror and coercion, beaten and executed, and this has been partly video-taped. The zone of responsibility of the Corps could be entered exclusively by the road leading from Podrinje to the Romanija plateau along the Karakaj – Caparde - Vlasenica axis. And precisely in the Caparde sector the Muslims frequently massacred travellers, so that this only route can be said to have been extremely risky for traffic. All these ambushes and treacherous actions and perfidy only exacerbated relations between Muslims and Serbs pushing them ever deeper into the chaos of civil war, in which atrocities, inhuman treatment and ordeals were guaranteed in the spiral of violence, hatred and revenge.

4.125. At that time the Muslims were holding the Drina valley from Foca to Zvornik, with Serbian enclaves in Visegrad, Rudo and Cajnice, and the areas towards Kladanj and Olovo. The southern front of the SRK was quite thinned out and threatened, because the Muslim forces were holding the southern slopes of Mt. Jahorina and the Krupac – Kijevo - Trnovo road (entrance to the Sarajevo hollow to the south of Vojkovic). They then quickly penetrated toward Pale and the Romanija plateau. The eastern front towards Gorazde was not linked up because the Muslims were holding Mt. Gosina, and the Serbian

³¹⁴ Command of the 12th Division, strictly confidential no. 02/2-7-10, of 26 June 1995. (1D01042)

³¹⁵ Jeremy Bowen, T 10206-10214, Exhibits D00940 and D00941.

³¹⁶ Jovan DIVJAK: "No adequate uniforms, footwear and other quartermaster supplies. About 75% of the members of the armed forces spent the first year of the war in civilian clothes and footwear, in jeans and tennis shoes, and I even found some youths at the positions in pointed shoes", in *Rat u Hrvatskoj i Bosni i Hercegovini /The War in Croatia and Bosnia and Herzegovina/*, p. 189, group of authors, published by Naklada Jesenski i Turk DANI, The Bosnian Institute – London-Zagreb-Sarajevo 1999. (P18421).

front in the Praca valley was held by territorial detachments whose joint tactical unit or chain of command were unknown. The front towards Zepa was held by forces under the direct command of the VRS GS and the forces of the Rogatica Brigade.

4.126. Two major operational problems that SRK units were confronted with at the beginning were: stopping Muslim Operation *Jug*, i.e. linking up elements of the operational disposition into a single operational zone of the Corps and linking up all joint tactical units into a single system of command. The conflict around Sarajevo had been internationalised to such an extent that nothing could be done any more without direct interference of a part of the international community. SRK units had already been demonised and characterised as the aggressor, and the Muslims and their armed forces as the victims of the aggression. Without practically any thorough investigation, the Serbs were blamed for the massacre in Vase Miskina Street (27 May 1992) in Sarajevo. It brought about an unprecedented campaign against the Serbs and their parent state, and the UN Security Council imposed extremely rigorous sanctions on FR Yugoslavia. Practically from then on, any action and any violence against the Serbs were allowed.³¹⁷

4.127. Butmir Airport was turned over to UNPROFOR.³¹⁸ Precisely that agreement of 14 June 1992 contributed much to the improvement of the operational position of the Muslim forces in Sarajevo. As its consequence Trnovo and Rogoj fell and the 1st ABH Corps gained a better operational position. Unsurprisingly, the taking of Trnovo was attended by unseen crimes against the Serbian population (among other, an Orthodox priest was killed and the church in Trnovo burned). Actually immediately after that agreement the Muslims took Mojmiro, and later (in December 1992) substantially improved their operational positions at the Zuc and Orlic features which were the key features for the front towards Vogosca. The loss of Mojmiro and later of Zuc was never made up for.

4.128. The observations of retired ABH General Jovan DIVJAK about the specificities of commanding ABH units, the links between the political leadership, crime and the attitude toward Serbs in the Muslim part of the city are very interesting. Asked by a journalist: - In the mentioned interview to *Svijet*, you said "In the first five months of the war, as far as I know, about 800 Serbs were killed, and they were killed without a trial and without any reason, they were simply eliminated". Can you tell us something more specific about that and about the killing of the Sarajevo Serbs generally, including the Kazani case? Recently information was published about the existence of 400 camps for Serbs in BH, 88 of which were in the Sarajevo area. - ABH General Jovan DIVJAK replied: "I tried to expose this treatment of Serbs in July 1992 when I instructed Behireta SLJIVIC to talk to the media because her Serbian husband had disappeared. She told the papers that her husband had been in the 10th Mountain Unit of Masan TOPALOVIC Caco and that he had been killed, more precisely burned, at Kazani. This was published. Every time I had any information I tried to react officially through the staff I was a member of. In the beginning of January 1993, I had a list of 90 names of not only Serbs, but also of Croats and Bosniaks who had been killed in the first days of the conflict. I do not know about the discrepancies in numbers but I have some information that in 1996 26 or 27 bodies and a head without a body were found when the grave at Kazani was dug up...I have drawn attention to the problem of prisoners. There existed camps in the *Sunce* restaurant in Dobrinja, in Hrasnica, in the silo in Tarcin, and in Celebic/i/ near Konjic. I insisted that the last two be transferred to Zenica because there was a real prison there. Nobody paid any attention to that. Alija IZETBEGOVIC knew of all this. Nothing could happen outside his authority. The *Sunce* prison was formally shut down, but actually only changed venue. Every unit on the Sarajevo battlefield had two or three Serbs they kept for an exchange if needed. I informed IZETBEGOVIC about that too and requested that he prevent it. This brigade was within the 1st Corps of the BH Army, and was commanded by Mustafa HAJRULAHOVIC - Talijan. I warned of

³¹⁷ For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002.

³¹⁸ Agreement on placing the airport under UNPROFOR control, of 14 June 1992.

the problem of Caco, Celo and some others who had behaved similarly for a long time. Together with colleagues I demanded that Alija IZETBEGOVIC deal with that matter. You know, Caco could enter his office whenever he wanted, and so could Celo. For a full year and a half five commanders of units in Stari Grad were men who had not attended military school for a day. Two of them had not even done military service because of mental retardation. Alija trusted them more than he trusted schooled officers... My older son Zelimir was wounded in both legs in May 1992 because he greeted a military vehicle with three fingers – Jovan DIVJAK recalls. He had been at my place and had had one too many.”³¹⁹

4.129. The Serbs in Sarajevo were a forgotten people as far as the international community was concerned, as it they did not exist, although they accounted for a third of the population and lived in similar conditions as the Croats and Muslims on the Sarajevo battlefield. Serbs who had remained in the Muslim section of Sarajevo were in a particularly difficult position. Numerous camps had already been opened in the urban part of Sarajevo³²⁰ in which Serbian civilians were subjected to all kinds of torture and humiliation. Numerous international institutions in Sarajevo could not take adequate measures in that regard because the crimes have been concealed to this day. Not even today can the public be told the truth that 3,300 killed and missing Serbs are still being searched for without any success. There was no one that RS could inform about these pogroms and torture and the situation that obtained because the roles of “victim” and “executioner” in Sarajevo had already been cast. Only today are some secrets being revealed about the ordeals of the Serbs in the Muslim part of Sarajevo. New information will not and cannot change the media picture about the war in Sarajevo, but it can contribute to an objective historical truth. The negative consequence this entailed was that the Serbs came to perceive UNPROFOR too as biased. At the same time hatred grew of the Muslim criminals who were committing these mass crimes with impunity and with the knowledge of military, police and political leaders.³²¹ Sarajevo was already a divided city and no one, even had they wanted to, could significantly alter that fact.

4.130. General Ratko MLADIC, as the commander of the VRS GS was the SRK commander’s superior. That does not mean that he could influence developments at the tactical level of the front on the Sarajevo battlefield which was about 240 kilometres long, and mainly unchangeable but with very active fire within the range of the line of trenches. Accusations against General MLADIC for sniping and shelling cannot be based on valid argumentation, because decisions on opening fire were frequently taken by the crew commanders /komandir/, squad commanders /komandir/ and platoon and company commanders /komandir/ and very seldom by battalion and brigade commanders. By its command documents, the SRK command prevented the arbitrary opening of fire, in particular of artillery and mortar fire, but could not prohibit a legitimate military measure, namely firing in response to fire by adversary units. In the SRK direct chain of command there were immediately subordinated joint tactical units (brigades), independent battalions, support and security units, headquarters support units – all units directly subordinated to the Corps Command. The commands of subordinated SRK units and commands were deployed in relatively organised areas which in military doctrine are called command posts. Every subordinated Corps unit and command had a main, forward and rear command post. Positions were taken up only at the main and rear command posts and at the forward one only as needed and with a

³¹⁹ Jovan DIVJAK, retired BH Army general, Interview given to Dusan STOJAKOVIC, *Vecernje novosti*, 22 February 2003.

³²⁰ DZELEVIC: *Stradanja Srba* /Suffering of the Serbs/, part about camps for Serbs.

³²¹ Munib ALIBABIC: *Bosna u kandzama KOS-a* /Bosnia in the Clutches of the KOS/, Sarajevo, 1996, p. 68.

What was done around Sarajevo, with the tacit blessing of the police was later described in this way by one of the best known Sarajevo policemen, Munib ALIBABIC MUNJA who wrote: “...How can one not wonder why ex-KOS agents (members of the JNA Counter-Intelligence Service – R.R.) or the chiefs of police did not energetically counter the various paramilitary and para-police groups which were looting, blocking the city, kidnapping, unlawfully taking people away and people went missing, organised the torching of houses and holdings in the name of some “loftier interests“. Private prisons were set up, people were kidnapped, tortured...”.

limited number of command organs. Due to modest technical possibilities in the VRS command and control system, General MLADIC did not have real time information about the status of combat actions at the tactical level, and often not even at the operational level.

4.131. The main command post (OKM) of the SRK was set up at Pale, but for the duration of the war this command remained in Lukavica at the IKM. No wonder then that some documents refer to Pale as the OKM and to Lukavica as the IKM. At Pale, however, was deployed the SRK rear command post (PKM), with the capability, if needed, to assume the role of main command post, as normally provided for by doctrine. The barracks in Lukavica where the SRK command was and functioned throughout the war, was so close to the combat positions of units of the 1st ABH Corps that it was within the range of all the weapons the Muslim army had available, including mass infantry weapons.³²² There are not many similar examples in the history of warfare of a corps command being deployed practically within the range of the front line company combat positions. Usually such high level commands are positioned in the operational depth and at a safe distance. This fact in itself says much about the atypical nature of the civil war in BH.

4.132. Not only had it been possible to jeopardise the corps command post by fire from all weapons and hardware the Muslim army had, but it was also faced with the indirect daily danger of falling into the hands of units which were on positions in the immediate vicinity of Lukavica. There were such positions at, e.g. Mojmiro, which was at a significantly higher altitude than the SRK command post.³²³

4.133. The corps command received military documents from the GS as its superior command and forwarded them on a need-to-know basis to its subordinated commands.³²⁴ Command documents received from the VRS GS were the basis for operational level commanding, in accordance with the combat situation. Monthly, quarterly, semi-annual and annual briefings and analysis of combat readiness were an integral part of the SRK control and command methodology, as was the practice in the other VRS corps. At these collective forms of work, subordinated commanders and those in charge of specific departments presented their experiences, pointed to weaknesses and mistakes and gave proposals for improving work. In his final remarks the corps commander commented on the observations and proposals made and assigned tasks. On the basis of the concluding remarks and conclusions of the commander, the Corps Staff (NS and his assistant for operations) drew up a plan for the realisation of those tasks, specifying the actual activities, who was in charge of them and the deadlines for their realisation.³²⁵

4.134. In doctrinal terms, the command and control system in the SRK and its functioning were fully in conformity with the principles envisaged in the military doctrine applied in the VRS. Any deviations from or disruptions of that system were the consequence of the operation of external and internal factors and circumstances, either wholly beyond the control of or not meaningfully alterable by the SRK commander, given the specificities of the large front and the firing dynamics. The tactical level of command was very much hampered by the technologically outdated communications equipment and the very small number of professional officers, commanders /komandir/ and commanders.

³²² Michael Rose: *Mission in Bosnia*, p. 65.

³²³ Illustrating the position of the SRK KM, General Rose writes: "...It was very dark when we arrived and the snow glistened on the ground. The front line passed some 300 metres from the barracks main gate. Jeans (escort) told me after the meeting that as he was sitting outside the building by our vehicles he observed an attack by the Muslims who were coming near to about 40 metres... -, p.65.

³²⁴ Instructions for the work of staffs in peacetime and wartime and *Teorija ratne vestine* /Theory of The Art of War/ - Chapter *Command and Control*, Belgrade, 1988, p. 375.

³²⁵ Analysis of SRK combat readiness for 1992 and 1993.

4.135. In paragraphs 14 to 18, under b, the Indictment alleges that “crimes were committed with the aim of spreading terror among the civilian population of Sarajevo through a campaign of sniping and shelling”, ascribes responsibility for those events to General Ratko MLADIC and other civilian and military leaders and other personages from RS and the VRS. In that context two types of military measures are constantly emphasised: (1) siege of Sarajevo, and (2) artillery shelling and sniping at the civilian population and structures – including general cultural property and religious buildings. Accordingly, the Report addresses both these problems which have inflicted strategic consequences on the VRS with the media disseminating untruths and the Muslim units committing crimes against their own people in order for these incidents to be portrayed as the Serbian side wreaking terror on the Sarajevo battlefield. Such an approach, as part of the political and military strategy of the Muslim leadership and the ABH yielded the expected results, because the treatment and perception of the war in BH by a large part of the international community was based on information transmitted by influential world media. That is why today we can say quite rightly and with reason that the Muslims in BH absolutely won the media war, the consequences of which on interethnic relations in BH can still be felt.

5.1. Sarajevo was not a besieged but a divided city

4.136. Earlier in this Report it was pointed out, substantiated and explained that Sarajevo had not been a besieged or encircled but a divided city. SRK forces had occupied the part of Sarajevo in which the majority population were Serbs. On the rims of that area they organised a decisive defence, with manpower holding the positions. If any artillery fire was planned, its location was chosen in sectors and along axes from which action or infantry attacks of the forces of the 1st ABH Corps were expected, in which respect the 1st Corps had a marked advantage over the SRK. The positions taken up by SRK units on the Sarajevo battlefield were not a result of a prior strategic and operational vision aimed at creating conditions for imposing a blockade and siege on Sarajevo, as suggested in the Indictment,³²⁶ but stemmed from the Serbs’ perception of ethnic territories in the area and their ethnic right to military and political control of that territory.

4.137. Sarajevo was a militarily occupied city, i.e. according to the terminology of the international law of war, a defended city.³²⁷ If the incorrect claim in the Indictment that the VRS armed actions had targeted the city as a whole, i.e. the city as such, was accepted and /given/ the fact that Sarajevo was a defended /city/, then the starting premise is different altogether because the legitimacy of military action in a divided, i.e. city defended by both sides is in question.³²⁸ The Indictment proceeds from mistaken assumptions which do not correspond to reality, in claiming that the VRS actions targeted Sarajevo. This also implies another, basically also erroneous thesis, which is that all of the city of Sarajevo had been under Muslim control and that the VRS had reached the outskirts of the city in offensive action and was unable to enter the city and therefore placed it under “siege”. And we have demonstrated earlier in this study that a large number of Sarajevo city municipalities had been under VRS control as a part of the Serbian ethnic territory from the very beginning of the war, and that hence there had been no need at all for it to direct its actions at that part of Sarajevo. The Serbian part of Sarajevo was targeted militarily in every respect by the forces of the 1st ABH Corps and other ABH corps operating along the outer strategic ring.

4.138. The position of a defended city renders legally legitimate military actions in a divided city as well. In view of the fact that the military forces of the 1st ABH Corps were militarily in control of the

³²⁶ Indictment, p. 7, paragraphs 14 through 18.

³²⁷ Final Report of the Expert Commission established pursuant to Security Council Resolution 780, S/1944/674, Chapter VI, Command Responsibility, p. 28, paragraph 71.

³²⁸ Regulations on the application of the rules of the international law of war in the armed forces of the SFRY, Ed. SSNO, Belgrade, 1988, p. 55, paragraphs 77 and 81.

larger part of the urban section of Sarajevo, and in view of the fact that the Muslim side considered all of Sarajevo its own city, it sought in every possible way to deny the Serbian side its legitimate right to occupy any part of Sarajevo. The 1st ABH Corps was committed to militarily defeating SRK forces in Sarajevo and at its access points. This is best supported by numerous charts and textual documentation, showing plans for the execution of offensive operations both from the urban parts of town towards the outer edges, and from the outer front towards the urban part of the city. Especially illustrative in this regard are the maps of the offensive actions which show that the brigades of the 1st ABH Corps used the urban parts of the city as area and operational footholds for the execution of their offensive actions against parts of the Sarajevo battlefield under SRK control. This practically means that the territory of the city of Sarajevo was militarily active. The 1st ABH Corps was planning and executing military actions from the city and directed at the city without due regard for the civilian population. For the legal and doctrinal assessment of the legitimacy of the counter-actions of the SRK forces it is completely irrelevant who started first and who found himself first in any given position in or around Sarajevo.³²⁹ In terms of fire, both warring sides were active on the front line.

4.139. According to every principle of military and legal doctrine, Sarajevo was not an undefended city, but was defended by adequately deployed military forces in and out of the city.³³⁰ The SRK could not enter Sarajevo, namely the part held under the control of the Muslim forces, without fighting or heavy casualties. Behind the front line Sarajevo was a defended city and as such was a legitimate object of shelling and all methods of warfare which are not expressly prohibited by the provisions of the international law of war and humanitarian law. In the part of the city under their control, the Muslims had positioned and deployed elements of their operational and combat formation which defined Sarajevo as a militarily defended city and which made SRK combat actions directed at the urban section of the city legitimate.³³¹

4.140. In keeping with the conditions on the battlefield, the Muslim side constantly undertook steps to purchase weapons and equipment and continually upgrade the operational capability of the 1st ABH Corps. "After the signing of the Washington Agreement, the RBH Army supply routes via Croatia were opened and during the summer the situation improved considerably. The question of unifying command and control along certain axes was resolved in mid-May. With the new organisation, the forces in the city of Sarajevo remained directly subordinated to the Command of the 1st Corps, and the forces outside the city were consolidated to form temporary formations – operations groups: OG-1 Pazaric, OG-2 Visoko and OG-3 Vares. In this period substantial preparations were also made for future combat actions, as part of which by mid-July manoeuvre battalions were formed in all the brigades of the 1st Corps."

³²⁹ For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002.

³³⁰ Map of the disposition of forces of the two sides on the Sarajevo battlefield, Attachment number 11 shows that between 10 and 15 brigades of the 1st ABH Corps were deployed in the urban section of the city. (This range is given because the structure of the 1st Corps changed during the war so that apart from the nominal brigades there were also many independent units of brigade and battalion strength).

³³¹ "... Every party to the conflict may declare undefended any populated place in the vicinity of or in the zone of military operations, under the following conditions:

- that all combatants, mobile weapons and mobile military equipment have been evacuated;
- that immobile military installations or military facilities are not being used for hostilities;
- that the authorities and the population are not undertaking any hostile acts;
- that no actions are being undertaken in support of military operations."

As the Muslim side had not issued any declaration declaring Sarajevo an open and undefended city, nor was prepared to take any steps along those lines, it thus put the city core in the position of a defended city, thereby in principle rendering legitimate VRS actions targeting military structures and targets and civilian structures from which fire was opened at their own forces.

5.2. VRS actions on the Sarajevo battlefield were legitimate and forced as counter-actions

4.141. The Indictment against General MLADIC states that VRS units engaged in a military campaign that used shelling and sniping to kill, maim, wound and terrorise the civilian population of Sarajevo. Shelling and sniping "...spread terror among the civilian population..."³³² The first thing one can observe in respect of the quoted allegation from the indictment is that in military doctrine there does not exist "...a military strategy of shelling and sniping or of spreading terror among the civilian population..." In question is only the use of two types of fire, artillery and sniper fire. If the quoted imprecision is disregarded, it must be noted that in its action tactics on the Sarajevo battlefield, the SRK applied many other combat procedures which do not belong to the concept of either shelling or sniping. The claim that a "campaign of sniping and shelling" was executed refers to something unknown in the theory of warfare. No data has been found in the prosecution documents to substantiate and corroborate these allegations. Artillery fire was opened in direct artillery fire support of the forces within the range of the front line. It was used by all the warring sides, which inevitably entailed destruction of some civilian structures and civilian casualties in the area of the belligerents' line of direct contact. In view of the data on the total number of civilian casualties and destroyed buildings, one cannot say that there had existed an intention to execute combat actions and artillery shelling in order to inflict losses on the civilian population. On the contrary, a comparison of losses of civilian life in the civil wars waged in recent history, leads to the conclusion that only in this civil war less civilians than soldiers were killed. That supports the thesis that neither the VRS commanding nor the actions of General MLADIC on the Sarajevo battlefield had been aimed at killing civilians or deliberately demolishing civilian buildings.

4.142. The Indictment does not precisely spell out the allegations for command responsibility but contains general statements which can be attributed to anyone holding any position on the Sarajevo battlefield. Because of that generality and imprecision we can speak about tendentious elements in the Indictment without a concrete expression. The fact is overlooked that most of those civilians were killed or wounded in exchanges of fire between the warring parties on the battlefield, namely in the range of the positions of front line battalions within the tactical range. But civilians were killed on both sides of the front. Such one-sidedness is worrisome, as now there already exists considerably more objective data about the casualties in the civil war in BH, including on the Sarajevo battlefield. They show that the losses approximately reflect the percentage of the demographic representation of Muslims and Serbs in the city of Sarajevo, while Croatian casualties are very low. The tactical range is generally between three and five kilometres, the deployment depth of elements of the battle formation of a battalion: first- and second-line companies, battalion fire support group, logistics and the battalion command post.³³³ Within the so-called tactical depth there was a daily exchange of high density fire with the massive use of automatic weapons which certainly had massive consequences for the civilian population, and which are not in the sniping weapons class.³³⁴

³³² Indictment, p. 7, paragraph 14.

³³³ In the order for engineering support issued by the 2nd Mountain Brigade of the 1st ABH Corps, the defence sectors of its three mountain battalions are given. It underlines that the battle formation of each battalion is to comprise two echelons, namely two companies in the first echelon, and one company, a battalion fire support group and a command element in the second echelon. Also, along the depth of the brigade, its headquarters support and quartermaster units are stationed. On the basis of the points closing off the depth of this tactical disposition of first echelon brigade battalions, it can be concluded that this depth amounts to some 3 kilometres of the urban part of the city. See document Int. ob./quartermaster support/no.12/05-14-8/94 of 4 January 1993.

³³⁴ For details see Radovan RADINOVIC, Sarajevo Battlefield (Expert Report for General Stanislav GALIC), 2002.

4.134. In order to be able to at all prove beyond reasonable doubt the allegation in the Indictment, the likelihood of which is very small, that the thousands of civilians who were killed or came to grief on the Muslim side in Sarajevo were the victims of deliberate shelling of civilian buildings, it must be first precisely established that all of them came to harm outside the place and sector beyond the tactical depth of the first-line battalion, i.e. the first position of the 1st ABH Corps brigade. Such proof is absolutely impossible to present for two very cogent reasons: (1) the prosecution did not at all submit any such evidence nor was any investigation conducted into that aspect; and (2) the entire core of the urban section of the city of Sarajevo which was under Muslim control is within the bounds of this so-called tactical depth, within the battle formation of the first-line battalions of the 1st ABH Corps, and that range, as already said, is between three and five km.³³⁵

4.144. Throughout the war there was much manipulation with civilian victims in Sarajevo. This is not to claim that there were none or that they were few. The aim is to point to the problem of making a precise distinction between the victims of deliberate acts and victims who were the consequence of armed combat in the inhabited part of the city.³³⁶ In civil wars such as the war in BH was and its segment waged in and around Sarajevo, actually in particular that segment of the war, it is virtually impossible to draw a clear distinction between civilians and soldiers, and military and civilian targets and facilities. The VRS and the ABH were literally people's militias with a greater or lesser level of developed military organisation, discipline, responsibility and professionalism, while the Indictment alleges elements of responsibility of General Ratko MLADIC as if he had had behind him an organised professional army system. In this way the same elements of the Indictment could be put in the context of the responsibility of the top leadership of the military organisation and personages of the other parties to the conflict, the ABH and the HVO. One could even say that in the initial period of the war the VRS displayed a better military organisation than the ARBH. That is because it had a somewhat larger number of professional commanding officers. Another fact /which/ convincingly supports our claim that in Sarajevo, especially in the first year of the war (1992) it was almost impossible to distinguish between civilians and soldiers, is that at the time the ABH did not have uniforms but wore all kinds of clothing. In fact, Colonel Stjepan SIBER in his already quoted book claims that the first uniforms arrived only in October 1992. And, given the post he held in the ABH GS, SIBER was certainly well informed on the subject. In point of fact, the video footage submitted to the defence by the Office of the Prosecutor shows Muslim soldiers (1st ABH Corps) in civilian and military clothes. On that basis one could say that most of the male victims in Sarajevo, excepting children and old men, were at the same time military and civilian.

4.145. Was it at all possible to avoid civilian casualties in the conditions in which battles were fought on the Sarajevo battlefield? We think that it was not possible and that the Muslim side had reckoned with that in their plans expecting, quite rightly, that it might be an argument in their favour in their struggle to win the sympathies of the international public. Had that not been so, it would be hard to explain why the Muslims constantly refused that Sarajevo be demilitarised.³³⁷ Apart from that, several experienced high-ranking UN officers as well as highest level diplomats and negotiators confirmed that the Muslim side did everything it could to involve the international community, namely Western countries and NATO in the war on their side. The Muslim side was forced to bear the horrors of war and to defend their part of the city just as the Serbs defended their part of the city of Sarajevo. Both the Muslims and the Serbs were aware that war in a divided city would entail civilian casualties, especially civil war, where many armed persons behaved arbitrarily and contrary to the provisions of international humanitarian law and

³³⁵ See KoV /Ground Forces/ Brigade Rules, the part on the width and depth of battalion defensive positions.

³³⁶ "One of the basic problems of legal analysis of siege is that during a siege combatants and non-combatants intermingle, frequently using the same resources and facilities", Final Report of the Vutako Commission, paragraph 76.

³³⁷ Stjepan ŠIBER, one of the assistants in the ABH Main Staff wrote in his book that they opposed demilitarisation because it would have legalised the military conquests achieved by Serbs. *Zablude, prevara, istina* (1D01272).

the law of war. In the 1st ABH Corps they did not pay sufficient attention to limiting the stay of civilians in the zone of units' defence and to take adequate measures for their protection. That is an obligation of the warring party which controls and transforms into a battlefield an area from which civilians have not been evacuated. Every side must prevent civilian structures and institutions from being used for military purposes.³³⁸

4.146. Witness KDZ 262, the Chief of Staff in the 1st ABH Corps in Sarajevo, confirmed that the city was too narrow for them to remove their weapons, units and military infrastructure far enough from the civilians.³³⁹ On the following pages of the transcript the same witness confirmed that eminently civilian facilities, often of cultural nature, were massively used for military purposes.³⁴⁰ The commanders of the Muslim forces not merely failed to comply with this provision, but did quite the opposite. They knowingly placed civilians under VRS fire by misusing civilian facilities and institutions without any restriction or control for military purposes and permanently housing in them units, staffs, sniper nests, logistics bases, artillery weapons, and other firing positions, and they also opened fire from positions in the immediate vicinity of kindergartens, hospitals or United Nations forces, endangering the civilians on the Serbian side and the positions and lives of the SRK troops until fire was returned.³⁴¹ By removing their temporary firing positions, they made sure the VRS response was seen and condemned as an unprovoked, disproportionate and random act of terrorism against civilians, or any other thing that could lead to a foreign military intervention. It is clear that this tactic is not a permissible ruse of war but a violation of international norms and a crime against their own civilian population.

4.147. Even had they wanted to remove civilians from the combat zones, in Sarajevo, with so large a number of military units firing in and out of the city and the high density of such formations in the city, that was almost impossible to do. No, we repeat, they actually had no such intention, and that begs the question then who assumes the risk for unnecessary civilian casualties: he who keeps them in danger zones and on top of that opens fire from those zones provoking hostile fire in return or he who is returning fire to fire endangering him. That precisely the commanders of Muslim forces bear the greatest part of responsibility for the unnecessary suffering of civilians can be illustrated by just one example, that of the commander of the Dobrinja Brigade of the 1st ABH Corps, Ismet HADŽIĆ. When asked by General GALIĆ's defence why he had not moved civilians from the so-called danger zones where combat was in progress, Commander HADŽIĆ said the following: (1) they did not have any locations to which they could move the population, presumably because the entire area had been taken over by military forces, and (2) any movements of the population would have weakened the combat morale of the troops and demotivated them from continuing the fight.³⁴²

³³⁸ *Regulations on the Application of Humanitarian Law*, SSNO, Belgrade, 1988, paragraphs 77 and 81, specify what must be done to protect the civilian population.

³³⁹ T 15189/90, 22 June 2011: Q. You told us that it wasn't possible to adhere to all the rules of engagement when it came to the evacuation of civilians and infrastructure as well as in positioning headquarters and weapons further away from residential areas; is that right? A. Yes, *that's absolutely correct. Since the area of responsibility in the town was a very narrow strip, it was impossible to make sure that military units go about their daily business and engage in combat outside of residential areas.* It was impossible because of the lay of the ground and because of the way the area of responsibility ran. Q. Thank you. With your assistance I'd like us to go through the situation as it existed during the time when you were Chief of Staff. Please answer with a yes or no or I don't know to save time. Of course you're quite free to say - to confirm or simply say that that was not the case or that you don't know. Did the 1st Corps have up to 60,000 men in Sarajevo? A. According to the information I had, that was roughly the figure, around 60,000 soldiers. There are documents specifically listing the head count as per individual units. This is something that I cannot tell you off the top of my head.

³⁴⁰ Ibid., pp. 15191-93.

³⁴¹ Order of the commander of the 102nd mtbr, strictly confidential no. 23/2114-1 of 15 November 1993 (PID02393); strictly confidential no. 23/2244-1, of 1 December 1993 (D00679); strictly confidential no. 08/13-138 of 26 August 1999, etc.

³⁴² For details see Radovan RADINOVIC, *The Sarajevo Battlefield*, 2002.

Transcript of the testimony of the commander of the Dobrinja Brigade, Ismet HADŽIĆ, at the trial of General Stanislav GALIĆ (1D06018).

4.148. Although the greatest responsibility for civilian casualties in the Muslim part of Sarajevo lies with the authorities and commands in the Muslim part of the city, the civilian population failed to comply with the necessary safety measures that are implicit in an area that has become a battlefield. By this we mean unnecessary movements, taking walks, and any grouping or loitering in the areas at risk, where merely going to and from work is risky enough, to say nothing of gatherings at various cultural, entertainment or sports events, which is a practice unprecedented in any previous wars, etc.³⁴³ Civilians did not comply with any of the above, nor were they made to comply by local or higher level military commands. On the contrary, the authorities encouraged mass gatherings, the restoration of public transport services right next to the confrontation lines, and other developments that endangered civilians, as if it had not been that very same government that had declared war on the Serbs (on 12 April in effect, and on 20 June 1992 formally) and turned the whole of BH and the city of Sarajevo into a battlefield. By way of illustration, this is what an UNMO observer wrote in his end of month report for December 1992: "However, the resilience of the Sarajevo people continues to amaze me. Most go about their daily business as if there was no war."³⁴⁴

4.149. A quotation from the book of Kerim LUCAREVIC, a special forces member in the war in Sarajevo, who enjoyed the great trust of the highest political and military leadership in BH, patently illustrates how much officers of the 1st ABH Corps and the police in Sarajevo abused civilian buildings for military purposes: "...I am placing all my soldiers along the defence line of Dobrinja 5. I am positioning them in buildings. At every second entrance there is one machine-gun group, a sniper shooter, and one anti-armoured fighter. I am sending one anti-armour group toward the Airport settlement, where there was a mosque."³⁴⁵

4.150. Civilian buildings in the Muslim section of Sarajevo were routinely abused for military purposes. The abuse of civilian structures for military purposes is patently illustrated by a letter of protest General Philippe Morillon, UNPROFOR Force Commander for BH sent to Alija IZETBEGOVIC and which illustrates that the abuse of civilian buildings by the forces of the 1st ABH Corps was a widespread and completely uncontrolled practice.

„Mr. President,

*You will I am sure be aware that the firing of weapons from a hospital is against the Geneva Convention. I regret to have to inform you that for some time now I have been receiving reports that some mobile mortars have been operating from the vicinity of Kosevo Hospital. This sadly has been confirmed and I now have concrete evidence from witnesses with signed statements that this was in fact the case at 1430 hours on Monday 11 January. An 82mm mortar had been set up on the western side of Kosevo Hospital, within the hospital grounds. This mortar and its crew then proceeded to fire nine rounds, using the hospital as a screen. The direct consequence of this disreputable and cowardly act was that shortly afterwards the hospital came under fire from anti-aircraft gun fire, artillery fire and mortar fire...*³⁴⁶

4.151. ABH forces in Sarajevo ignored the requirement prohibiting the use of civilian structures for military purposes. In such circumstances it was not in fact realistic to expect that the VRS could abide

³⁴³ An example of this practice is a football match played by the fighters of a Muslim unit in Dobrinja only 400 metres away from the front line. There were heavy casualties both among the soldiers and civilians.

³⁴⁴ Cutler, End Month Report for December, of 2 January 1993, (P01429).

³⁴⁵ Kerim LUČAREVIĆ, *Battle for Sarajevo*, p. 195 (1D01271).

³⁴⁶ Letter of General Morillon to Alija IZETBEGOVIC. (1D01854)

by the principle of selective fire, because the civilian character of a building changes the minute positions are taken up on it and fire opened from it. Violating the laws or customs of war, the Muslim forces deleted the distinction between military and civilian facilities and soldiers and civilians within the range of the front. Accordingly, especially given the practice of self-mobile or self-propelled mortars and other artillery pieces, and the abuse of high-rise residential buildings for sniping and other firing nests, it was almost impossible to make a distinction between VRS actions that could be described as legitimate and those which could be described as illegitimate. A number of combat documents and reports clearly show what the situation had been like within the front range. Snipers were positioned on the wide high-rise building in Pofalići, on the *Elektroprivreda* building, at the Faculty of Mechanical Engineering, on the *Momo* and *Uzeir* skyscrapers (the *Unis* buildings), at the *Betonjerka* in Ilidža, on the skyscrapers in Vojničko polje, on the roof of the school in Dobrinja 4, on the Faculty of Civil Engineering, at Petra Kosorića square, on the *Bristol* hotel, in the Tobacco Factory, etc.³⁴⁷ It is similar with the locations of mortar and artillery positions and the locations of logistical bases and command elements.³⁴⁸ The Artistic Company of the 1st ABH Corps staged group events within the range of the front, performing at military and other ceremonies in order to boost combat morale. Should by any chance this artistic company or any part of it be hit and members killed, the victims would be automatically classified as civilians, and evidently civilians are not in question there. They could be considered civilians even less if parts of the company performed at concerts and performances as part of military ceremonies on the front lines.³⁴⁹

4.152. One could not distinguish between civilian and military facilities for the simple reason that both used the same buildings: apartments, schools, public institutions, cultural and religious buildings, etc.³⁵⁰. This is also because the combat disposition of the troops of both warring parties passed through settlements, literally through buildings. Both civilians and soldiers stayed and lived in these buildings. In many public buildings both civilian and military institutions were stationed. In residential buildings, in schools, post offices, health centres, kindergartens, etc., were positioned communications centres of the units of the 1st ARBH Corps, their command posts, logistics bases and other unit combat formation elements.³⁵¹ In addition to hospitals, maternity wards, old age and pensioners' homes, mortar and artillery firing positions and in particular sniping nests were occasionally emplaced on top of skyscrapers of Sarajevo companies, newspaper publishing houses, hotels and other public buildings.

³⁴⁷ Regular Combat Report of the Command of the 1st Romanija Infantry Brigade, strictly confidential, no. 247/92, of 18 July 1992.

³⁴⁸ Report of the Command of the 102nd mtbr of the 1st ABH Corps reports that the firing positions of 12.7 mm PAMs are emplaced on the *Hladnjaca* and *CENEX* buildings, on the railway tracks and in students' hostels - document strictly confidential no. 23/2186-1, of 25 November 1993. Information on these military targets can also be found in numerous other documents of this and other brigades (*ID05567*).

³⁴⁹ According to Radovan RADINOVIC, Sarajevo Battlefield, 2002. "...Yesterday the 3rd intake of combatants of the 4th mtbr took the solemn oath and a ceremony was held to mark the occasion where our popular singer Ms. Hanka Paldum, a member of the 1st Corps Artistic Company, participated ...". Regular Combat Report of the Command of OG Igman, Strictly confidential no. 03-06/20, of 8 March 1993.

³⁵⁰ Senior UNMO observer Cutler, in one of his reports on the situation in Sarajevo, talking about the behaviour of civilians, says the following: "However, the resilience of the Sarajevo people continues to amaze me. Most go about their daily business as if there was no war..." See Cutler End Month Report for December, of 2 January 1993, OTP document, p. 00479724, paragraph 8.

³⁵¹ In the above sense, an operations report of the Command of the 4th MAP submitted to the SRK Command is illustrative. In the report, the MAP commander claims that the forces of the 1st Corps opened mortar fire from the city, precisely listing the locations from which the fire came: *ASTRO*, *BOSNA* Construction company, Blagoja Parovica Street, and other downtown spots. The MAP Commander adds that fire was opened in response from the firing positions in Crepoljsko and Gradiste, using 155 and 122 mm howitzers. A total of 28 (12+16) shells were used in this action. See Operations Report of the MAP Command, strictly confidential, No1127/10 of 3 October 1992, paragraphs 1 and 2.

How could one judge in such circumstances where a civilian structure ended and a military one began and vice-versa.³⁵²

4.153. Not only did the forces of the 1st ABH Corps not refrain from using civilian buildings for positioning on them their forces and firing positions, thus rendering them legitimate military targets for the adversary, but they also attacked civilian facilities in Sarajevo under the control of the Serbian side. This claim is best supported by Item 4. of the Supplement to the Order of the Commander of the 1st ABH Corps. It reads as follows: "...neutralise the enemy at the p/k /forward defence line/, sow panic among the Chetniks and civilians and assume the offensive along the Stupsko Brdo - Nedzarici Barracks - School of Theology and Vojnicko Polje - Lukavica Road axes, as well as along the Dobrinja 5 - *Aleksa Santic* Elementary School and Dobrinja - Aerodromsko Naselje axes..."³⁵³ This decision is spelled out in detail on 7 (seven) pages with precise tasks assigned to the units. Having regard to the subject at hand, this document shows that: (1) the Command of the 1st ABH Corps designated also civilians in Nedzarici, Dobrinja and Lukavica as targets of action by its forces, and (2) they designated civilian structures as combat disposition elements also, without any restrictions to protect civilians from becoming legitimate targets of the enemy, which this order made objects of attack. It was quite to be expected that this and similar orders and conduct involving fire from civilian facilities against Serbian civilians would elicit SRK counter-attacks, without regard for the principle of proportionality and selectivity, which was impossible to apply in the given circumstances. The Sarajevo battlefield itself and the front line between civilian structures made full selectivity impossible in terms of positioning elements of the combat formation and firing at military targets in the zone or in civilian structures. This especially refers to machine gun and sniper nests in civilian buildings.

4.154. The Order for Defence of the Commander of the 102nd ABH mtbr clearly shows the number of civilian facilities where positions were taken up in ordering the battle formation and lines of defence: "... the 102nd mtbr shall organise a decisive defence in the zone up to but not including *Centrotrans* - the Pensioners Home - the *Zora* Factory- *ŠIPAD*..." (item 2 of this Order). In item 5 assignments are given to the battalions, including their defence sectors, their command posts and other elements of their combat disposition. The zone of the 1st Motorised Battalion includes the *Pilicarnik* /poultry farm/ and the Fire Fighting Department structures, the battalion fire support group is deployed in the *Vranica* company, and the forward command post is in the *Sava Kranj* building at Stup. The 2nd Motorised Battalion is deployed in two sectors: the first: *Pilicarnik*, the tramway line, the *LAV* coffee shop, and the second: the airport road, *Gusica Halls*, the cemetery, Stupsko Brdo. The battalion fire group is in the area of the Stupsko Brdo cemetery, the command post in the *PLINARA* building, the IKM in the *LAV* building; the 3rd mtb organises the defence in the sector of the tramway line, the airport road, and in the depth of Stupska loop. Its fire group firing positions are in the Laticka Street area, and its command post in the *Pavle Goranin* primary school; the 4th mtb is organising defence in the sector of *Gusica Halls* - Pensioners' Home - and in the range of the *Zora* factory. Anti-armoured combat of this battalion focuses on the *Monaliza* coffee shop – the dry cleaning store - *Crvena kuca* – Pensioners' Home axis. Naturally, anti-armour equipment is deployed along that axis. The battalion command post is in the

³⁵² For details see Radovan RADINOVIC, *Sarajevo Battlefield*, 2002. On the subject of the conduct of Muslim forces in Sarajevo and their observation of the obligation to steer clear of civilian structures, very illustrative is the information contained in a statement of Viktor Bezruchenko, Chief of UNPROFOR Military Operations Planning Sector in Sarajevo, who held that post from July 1992 to July 1993. Bezruchenko says that a routine inspection of the UN building (*PTT Inzinjering* in Sarajevo) revealed that the rooms below those where the UN was stationed had been transformed into an ammunition factory. That means that the UNPROFOR Staff was sitting on a legitimate military target. See ICTY OTP document, Sarajevo, p. 02098332.

³⁵³ Supplement to the Order of the Commander of the 1st Corps, Strictly confidential no. 05/7-466-4, of 8 December 1993, in particular T-2, 4, 5.2, 6, 14 and 15; Order for the Defence of the Command of the 1st Corps, Strictly confidential no. 05/7-466, of 25 October 1993.

Petar Djokic primary school building, and the forward command post in the *Lipa* coffee shop.³⁵⁴ These are not at all military facilities in terms of their purpose, but actually a textbook example of abuse of civilian facilities and infrastructure for military purposes. Such a solution is possible, but only after civilians have been removed to safe locations. Otherwise, the risk of civilian casualties is assumed by those who perpetrate such abuse, namely the commanders of the 1st ABH Corps. Is it at all possible in such a situation to apply the principle of selective fire and target exclusively military targets if such military targets are in the middle of settlements and in public buildings used by civilians.

4.155. The 1st ARBH Corps totally disregarded the obligation to protect civilians, i.e. the prohibition to protect their military effectives by shielding, masking and deploying them in a civilian environment. "The BH Army spread its units all over the war ... Heavy weapons were not emplaced in fixed positions but were hidden in the zones and changed positions in order to avoid SRK anti-artillery fire. To that effect, units of the 1st BH Army Corps unrestrainedly used civilian facilities and resources for military purposes, and that is quite understandable having in mind the type and popular character of the army, the character of the civil war and the militia form of military organisation and organisation of the defence sectors and positions in inhabited places, and in particular in the urban city sections. However, what is not understandable is that the legitimacy is challenged of the actions of VRS units directed at military targets positioned on civilian facilities within the range of the front line. VRS units at Grbavica, Ilidza, Vogosca, Ilijas, Rajlovac, Vojkovici, Hadzici and Lukavica were in the same situation as Muslim ones. The entire civilian infrastructure of the system of communications in the Muslim and Serbian sections of Sarajevo had been put in the service of military need, as communications centres for the Corps and brigade KM and IKM.³⁵⁵ There practically does not exist a document of the 1st ABH Corps or of its subordinated units which does not expressly refer to the use by those units of public or private civilian facilities for deploying their operational, logistical and command elements, such as: production or storage plants and areas, children's kindergartens, primary schools, pensioners' homes, cafes, hotels, motels, refrigeration plants, post offices, and even hospitals.³⁵⁶

4.156. The command system of the ABH 1st Corps, GS and Supreme Command did not at all respect the security regime which is customary in inhabited places. It is clear that in the war the army could not have assumed full responsibility for the security regime in the city, because that should have been the concern of primarily the police and the civilian authorities, but military commanders at all levels should have assumed responsibility for the observance of that regime within the so-called tactical depth as far as possible. In those sectors and zones the freedom of movement of civilians must be restricted and their

³⁵⁴ See Order for Defence of the Command of the 102nd mtbr, Strictly confidential no. 23/2244-1, of 1 December 1993 – OTP document 02056445-0205-6452.

³⁵⁵ Communications Order of the Command of the 102nd mtbr, Op. no. 02/4-22, of 2 February 1994, and Communications Order of the Command of the 1st mbr, Strictly confidential no. 01-52, of 27 January 1993.

³⁵⁶ For example: Order of the Command of the 102nd mtbr, Strictly confidential no. 23/2114-1 of 15 November 1993; Order, Strictly confidential, no. 23/22-44-1 of 1 December 1993; Order, Strictly confidential, no. 23/2038-2 of 19 November 1993; Order, Strictly confidential, no. 23/1686 of 18 September 1993; Command, Strictly confidential, no. 23/2-559 of 17 October 1993; Order for engineering support, Strictly confidential, no. 23/2244-5 of 1 December 1993; Order, Strictly confidential, no. 23/2334-1 of 12 December 1993; Order, Strictly confidential, no. 23/1-385 of 30 March 1993; Order, Strictly confidential, no. 23/14-1618 of 24 May 1993; Order, Strictly confidential, no. 23/2053-1 of 9 November 1993; Combat Report to the Command of the 1st ABH Corps Strictly confidential, no. 752-1 of 11 April 1993; Order for engineering support, int.ob. no. 12/05-14-8/99 of 4 January 1993; Order to Attack of the Command of the 102nd mtbr, Op. no. 02/4-16 of 1 February 1994, Order of the Command of the 102nd mtbr for using artillery in defence, Op.no. 02/4-19, of 1 February 1994, Order, Op. no. 12/02-56-18 of 31 July 1994; Order for Transformation of the 1st mtbr, Strictly confidential, no. 03-1-1-87/99 of 6 September 1994, etc.

In addition to the above listed fifteen documents on the use of civilian buildings for stationing of and fire by units of the 1st ABH Corps, we could list countless others. But this should suffice to demonstrate without any dilemma that in Sarajevo it was impossible to separate military from civilian buildings, and this means that it was not possible to apply the principle of selective action.

protection /ensured/.³⁵⁷ That is what professional armies would do. However, if the situation is to be objectively assessed, one should understand that those soldiers and units, namely the people in the city and those on the front, were the same people. That was probably the reason for which most of the VRS and ABH soldiers and commanding officers persistently defended the front line because there in fact were no reserve positions behind their houses. Many Muslims and Serbs thus laid their lives defending their houses, residential buildings, city quarters and municipalities.

4.157. In such a context of the reality of war, civilian casualties and destruction of civilian property are inescapable collateral damage, for which those who wished it and did nothing to prevent it are just as blameworthy as those who perpetrated the collateral damage.³⁵⁸ Viktor Bezruchenko makes similar claims in the statement he gave to OTP investigators. He says that the BH Territorial Defence chose its firing positions in spots near UN positions. From these positions they fired at Serbian positions, attempting in that way to draw fire in response from the Serbian side, and were almost always successful. In one such instance of shelling the Muslim side hit the radar of the Ukraine UNPROFOR troops. A Ukrainian soldier was killed on that occasion.³⁵⁹ In another instance of shelling of the Ukraine UNPROFOR Battalion, 8 Ukrainian soldiers were wounded. The shelling was carried out by members of the 1st ABH Corps, claims Viktor Bezruchenko.³⁶⁰

4.158. Disruption of the security regime in zones of intensive combat and the mutual exchange of fire was one of the main reasons for violating one of the essential principles of the law of war, which is the principle of distinction. That principle makes it binding upon military commanders to direct their operations exclusively at military targets and military facilities and to avoid to the extent possible causing civilian casualties or damage to civilian property. In civil war, where there is no clear distinction between soldiers and civilians, where these two categories do not even differ in outward appearance, when civilians and soldiers are in the same place, when they use the same buildings and live in civilian buildings, it is absolutely impossible to respect the principle of selective fire. Neither the VRS nor the ABH could do so in Sarajevo. A problem with the objectivity of the Indictment is among other that it is as if the forces of the 1st ABH Corps had not at all fired at the Serbian part of Sarajevo and as if civilians in that part of the city did not get killed. That is incomprehensible and unobjective in terms of right and justice, which should respect facts and reality.

³⁵⁷ In the documents quoted in the preceding footnote many examples can be found of the selection of artillery and mortar firing positions for units of the 1st ABH Corps at civilian locations and in the vicinity of civilian buildings. From these locations, i.e. firing positions, artillery and mortar fire was opened at the positions of the VRS and settlements under Serbian control. To name but a few: Lukavica, Grbavica, Ilidža, Nedžarići, Rajlovac, Dobrinja, Pazarić, Hadzici. Within these settlements, according to the documents listed below, there are many individual buildings which were of civilian character and under Muslim fire. See documents of the 1st ABH Corps: Combat Report of the 101st mtbr, Strictly confidential, no. 03-1/52-3 of 8 January 1994; Strictly confidential, no. 03-1/52-31 of 5 February 1994; Strictly confidential, no. 01/1409 of 12 January 1993; Confidential, no. 01/1517 of 18 January 1993; no. 01/1648 of 24 January 1993; no. 01/17.07 of 27 January 1993; Confidential, no. 01/1895 of 5 February 1993; Confidential, no. 01/1946 of 7 February 1993. These documents are quoted here only as an illustration of how Serb artillery was provoked to return fire, probably more forcefully and with greater destructive effects, which were meant to be recorded by the local and foreign media and international military and civilian observers. For details see Radovan RADINOVIC, Sarajevo Battlefield, Expert Report for General Stanislav GALIC, 2002.

³⁵⁸ "Complete demilitarisation of Sarajevo also meant the withdrawal of all Muslim soldiers from the city... especially opposed to this were some extreme leaders of the SDA, who cared little for the shells falling on the heads of their own people because they were using this to convince the United States to enter the war on their side, which was a part of their so-called devious strategy...", Rose, *Mission of Peace*, p. 62.

³⁵⁹ For details see Radovan RADINOVIC, Sarajevo Battlefield, (Expert Report for General Stanislav GALIC), 2002, pp. 99-102.

³⁶⁰ See OTP document, ICTY, Sarajevo, p. 02098332.

4.159. The principle of proportionate fire is of the essence in war and in armed conflicts from the aspect of humanisation of relations, the code of the profession and from the aspect of general and military ethics. The point and intention of that principle is to avoid inflicting excessive suffering on all those who are involved in the conflict on the opposite warring side, whether civilians or soldiers. The call to uphold that principle is a fundamental pillar of war ethics. In it two mutually contradictory principles of warfare conflict and confront: the principle of military efficiency and the principle of humanity. The first principle requires of military commanders to carry out war, i.e. combat missions in the shortest time possible with maximum effect and with minimum own casualties. The second principle requires chivalrous conduct towards the enemy, refraining from activities which inflict additional suffering on the enemy when he has already been neutralised and rendered incapable of offering further efficient resistance. This author has not found anywhere in military doctrine or military theory reliable instructions or even suggestions how in practice to set a criterion for counter-action in a way and to an extent which would not violate the principle of proportionate response. Namely, there are no reliable expert authorities in the military profession for the legal interpretation of this criterion or for establishing the level of incrimination of war actions and combat procedures by invoking the proportionality criterion. And in the absence of solid expert authorities, arbitrary judgments and conclusions are resorted to.³⁶¹

4.160. In respect of the application of the principle of proportionate return fire from VRS positions on positions of the 1st ABH Corps, account must be taken of the fact that the forces of the 1st Corps very skilfully changed positions, that they mounted their fire assets on vehicles rendering them extremely manoeuvrable in tactical terms and as such very difficult to neutralise. Just as one thinks a previously active target covered by adequate fire, it disappears and resurfaces at another spot.

4.61. If on top of that a facility where civilians were staying or a public building from which the enemy had opened fire should get hit, that is immediately cause and reason to invoke the principle of proportionality of military actions. UN experts and observers themselves admitted in their reports that the Muslims very skilfully manoeuvred their assets around the whole city not refraining from using civilian structures as firing positions or screens and shelters. It is along those lines that the letter of protest can be understood which General Philippe Morillon sent to Alija IZETBEOVIC warning him of violations of the Geneva Conventions because the grounds of Kosevo Hospital were being used for emplacing and opening fire from an 82 mm mortar which fired 9 shells provoking VRS counter-fire at the hospital compound.³⁶²

4.162. The mentioned allegation in the Indictment is seriously called in question precisely by the "Final Report..." which was quoted already a number of times in this paper, namely its part reading: "As regards the destruction of cultural property, there is some evidence suggesting that ABH forces positioned their weapons either directly on or in the vicinity of these buildings."³⁶³ Kerim LUCAREVIC Doktor advances a similar claim in his book *Battle for Sarajevo*. There he says that already at the beginning of the war the Muslim forces positioned their sniper nests in the rooms of the *Bristol Hotel*,³⁶⁴ opening fire at the enemy's targets from there. Having abused a civilian building for military purposes, i.e. fire, they drew counter-fire from SRK units. A tank shell set the hotel on fire. It is very difficult to assess whether the SRK always abided by the principle of proportionality when firing in response, but it is certain that such fire cannot be or that it is not justified to put it in the context of General Ratko MLADIC's responsibility, bearing in mind that it was not possible for him to be personally present or

³⁶¹ For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002, pp. 104-105.

³⁶² Letter no. 00479801 of 19 January 1993.

³⁶³ Final Report, paragraph 45.

³⁶⁴ K. LUCAREVIC, *Battle for Sarajevo*, Ed. TZU, Sarajevo, 2000, p.137.

make decisions on such actions, as the same were determined by the combat situation at the tactical level. Demolishing or destroying a building from which the adversary is opening fire and inflicting losses may be questioned in terms of legitimacy and proportionality. We appreciate the fact that the importance of a public or cultural facility is incomparably higher than that of an 82 mm mortar or sniper nest located in or near such a structure, but the fact must be equally appreciated that it had been the obligation of both the adversary and the UN mechanism not to allow civilian structures to be used for military purposes. Otherwise it can hardly be expected that a structure from which soldiers on the front line are being killed will remain unattacked. Any serious army highly values human life and it takes a series of steps to reduce casualties to the minimum. It is a matter of expert assessment of a special class of military specialists what is in such cases the principle of proportionality and how to ensure its application in practice. This is not to claim that all the VRS actions on the Sarajevo battlefield were in accordance with the principle of proportionality, but only to point to the problem of gauging the measure of and method for such proportionality before counter-action is undertaken.³⁶⁵

5.3. Sniping on the Sarajevo Battlefield

4.163. In sniper weapons and sniper actions the forces of the 1st ABH Corps were by far superior to SRK forces. To corroborate this we can adduce the following arguments: (1) at the very beginning of the war the Muslims pulled out over 500 sniper rifles from the *Zrak* factory³⁶⁶ and distributed them to their units in Sarajevo; (2) before the war Sarajevo was the marksmanship centre of the former Yugoslavia, which made it possible for the Muslim army and paramilitaries to man their units with professional marksmen;³⁶⁷ (3) The *Zrak* factory of sniper sights in Sarajevo produced for the needs of the BH Army throughout the war; (4) the VRS did not have a 12.7 mm sniper rifle until the end of 1994, while the Muslims had such a sniper rifle much earlier;³⁶⁸ (5) most of the high-rise buildings in the urban part of the city were under the control of the 1st ABH Corps. Sniper fire from there and from the surrounding hills and salient structures listed in this expert report was very efficient. There is not a single officer in the VRS, interviewed by the investigators and the prosecution, nor any international observer or UN or UNPROFOR official, who did not point out the massive and efficient deployment of snipers by the Muslim Army in Sarajevo.³⁶⁹ Sharpshooters were the main source of danger for SRK troops at Grbavica, in Vrace, Dobrinja, Ilidža and Rajlovac, and especially in Nedžarići, where the front was as close as the one in the battle for Stalingrad.³⁷⁰

4.164. By media manipulation, sniping on the Sarajevo battlefield was ascribed to the VRS as a way in which the SRK terrorised the civilian population. This thesis was underpinned by occasional stage-managed crimes of the *Seve* specials unit and other 1st ABH Corps sniper units. For the VRS to be accused of terrorising civilians by sniping, the Prosecution documents would have to provide information giving reliable answers to the following questions: (1) What is the number of civilians killed using sniper rifles? (2) On the basis of what and what kind of evidence has it been established that that number of victims really fell as a consequence of sniping, and (3) Was there really a sniper from any SRK unit at the localities from which each of the victims could have been hit? Examination of the documents and testimonies could hardly warrant a reliable conclusion that civilian casualties caused by sniping are really in question. This observation is not meant to question whether a victim was hit or not

³⁶⁵ For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002.

³⁶⁶ S. SIBER, *Prevare, zabluda, istina*, p. 78.

³⁶⁷ *Seve*, see source – testimony from the trial in Sarajevo.

³⁶⁸ "...the 2nd mtbr is executing tasks along the Brezice and Ozrenska Street line, the snipers of the 2nd mtb and MUP units are engaged. 12.7 mm snipers are included". See: Combat Report of the 101st mtbr to the Command of the 1st ABH Corps, Strictly confidential. no. 02-2/82-298 of 25 December 1993, OTP document 02056861.

³⁶⁹ For details see Radovan RADINOVIC, *Expert Report for Sarajevo*, 2002, p. 81.

³⁷⁰ *Ibid.*, p. 84.

and similar, but which projectile killed it, a sniper or any other small arms projectile. There is no data that such expert analysis or reports exist. As well, it is impossible to ascertain whose sniper killed or wounded a victim – own ones or VRS snipers.³⁷¹

4.165. In the combat documents brigade commands sent to the SRK Command, the most often mentioned public high-rise buildings on whose roofs and floors 1st ABH Corps sniper positions and machine-gun nests were positioned were: the building of the BH Executive Council, the building of the BH Assembly, the *Marsal Tito* barracks, the wide skyscraper in Pofalici, the *Loris* building of the electricity company, the Faculty of Mechanical Engineering, the *Momo* and *Uzeir* skyscrapers, the *Betonjerka* at Ilidza, the skyscrapers at Vojnicko Polje, the school at Dobrinja 4, the building of the Faculty of Civil Engineering in Stjepana Tomica Street, the Refrigeration Plant at Stup and many other tall buildings in Sarajevan neighbourhoods under the control of the 1st ABH Corps. A very illustrative example is that of the building of the Faculty of Civil Engineering, which was used as a barracks. Firing and combat systems were deployed in its yard – a *Praga* and several armoured vehicles. How can in such circumstances such a place be considered a civilian compound, and the counter-action of SRK artillery as shelling of civilian buildings as part of the Serbian plan to spread terror among civilians? The position and deployment of combat equipment were a legitimate military target.

4.166. The situation with sniping in the range of the front line and the perfidious ruses of the Muslim side are evident in the very answer given by Jovan DIVJAK, retired ABH general. “Throughout the war there were over 20,000 Bosniaks in Banja Luka who had no problems whatsoever. But this side will not say that. In the Federation we read every day about the mass graves of Bosniaks but seldom do they say that Serbs too ended up in such graves. The Serbs do not yet want to show the mass graves in Srebrenica and similar. In June or July 1994, here at Grbavica which was then held by the Serbs, two children aged between 12 and 13 were killed by snipers. For three days the BH Army denied that something like that could have happened. Alija also said that it was impossible, only to later admit that it did happen and that it had been done by a lunatic. To return to this Bosniak in the RS Army, he remained, like I did, with his people, his neighbours, and I do not hold it against him, but at the same time here they hate him, they have branded him a traitor of the Muslim people. Alija IZETBEGOVIC, as a very devout man, believed himself to be God's emissary. He thought that the Almighty had sent him to Earth.”³⁷²

4.167. It should be borne in mind that in addition to high-rise buildings, the 1st ABH Corps had under its control most of the vantage points for the deployment of snipers. These were salient features around Sarajevo such as Zuc, Hum, Grdonj, Velika Colina Kapa and Mala Colina Kapa, Debelo Brdo, Mojnilo, Orlic, Brijesko Brdo and Sokolje, from which it efficiently covered the front line and all the key points of the Serbian defence in settlements comprising the Serbian part of Sarajevo.³⁷³ Most of the statements of /?on/ sniper victims are a matter of the perception of first-hand witnesses, whether ordinary citizens or UN observers. It is a well-known fact that it is almost impossible for an ordinary soldier to distinguish

³⁷¹ The fact has already been proven that groups for liquidation in Sarajevo also targeted their own people – see testimony in the SEVE group case.

³⁷² Jovan DIVJAK, retired BH Army general, Interview given to Dusan STOJAKOVIC, *Vecernje novosti*, 22 February 2003.

³⁷³ The following combat reports refer to sniping from different structures in the city: the 1st smbr, strictly confidential no. 1-1145, of 14 December 1992, strictly confidential no. 1152, the same year (14 December 1992) (1D06002), the Ilidza Brigade, strictly confidential no.19/8841, of 31 January 1994 (1D06003); the 1st Sarajevo Mechanised Brigade, strictly confidential no. 3-8461/ 4 of 21 July 1994, etc. In view of the spots from which it came, one can hardly speak about it being a peaceful civilian neighbourhood, but obviously about a very militarily active section of Sarajevo, making counter-action directed at that part of Sarajevo fully legitimate.

between sniper fire and that from an ordinary rifle, an automatic weapon or a machine gun fired as a single shot and not in rapid succession.³⁷⁴

4.168. Most civilian casualties in Sarajevo were probably victims of the exchange of small arms fire at lines of contact or in the tactical depth, as that area was saturated by dense fire from automatic infantry weapons. All armies in the world have sharpshooters in their ranks as specially trained, selected and equipped combatants and marksmen. For that combatants must be screened and those selected who are capable of observing their target through the optical sight and can bear to watch live their bullet hit the target i.e. causing the death of an unknown person. This requires a particular mindset and such persons are recruited in a rigorous procedure of selection and classification of the recruitment intake of young men old enough to pursue a professional military career or to do military service. Then, a sniper must be trained to select and configure positions, including for night fire. As well, a sniper should be highly mentally stable, independent in action and decision-making and responsible enough not to abuse his skills for targeting civilians. The majority of professional sniper soldiers is like that, but in a civil war many military norms are violated and do not apply. That was also the case with the war in BH. Many criminals and mentally unstable persons took the lives of innocent people on both sides of the front line. When the role of sniping and sniper weapons in the structure of the military potentials of the parties to the conflict on the Sarajevo battlefield is analysed, the conclusion is that the 1st ABH Corps had a marked advantage over the SRK. Here are a few illustrations to prove that point:

4.169. It has already been noted that the 1st ABH Corps held most of the vantage points where snipers could be positioned. They are the high altitude features around Sarajevo such as Zuc, Hum, Grdonj, Velika Colina Kapa and Mala Colina Kapa, Debelo Brdo, Mojmiro, Orlic, Brijesko Brdo and Sokolje. Then, also most of the tall structures – public buildings and skyscrapers, and residential houses from which it efficiently covered every part of the city, including all Serbian neighbourhoods comprising the Serbian part of Sarajevo.³⁷⁵ The balance of power in sniping weapons in respect of their number and quality and that of sniper units was markedly in favour of the 1st ABH Corps. At the outset of the war, the BH Territorial Defence Staff (later evolved into the ABH Supreme Command Staff) distributed 540 snipers from the ZRAK factory to the Muslim forces.³⁷⁶ At the time, the SRK did not have half that number, because more than half of its brigades had been restructured as light brigades, which did not have snipers in their establishment. As well as superiority in numbers, the BH Army 1st Corps also had better quality sniper weapons. Up until the end of 1994, SRK units did not have 12.7 mm sniper rifles, while the units of the 1st ABH Corps had those weapons much earlier.³⁷⁷

4.170. Forces of the 1st ABH Corps did not only have sniper rifles and snipers but also sniper units, which was not the case with SRK units. Except for an order for a sniper training course to be organised for individuals, this author has not come across a single operational document of the VRS, a command, order, combat report or similar which would warrant the conclusion that the SRK had sniper units. The only exception to this rule was the Ilijas Brigade, where just one document was found to refer to a squad of six snipers. In contrast to the SRK, the 1st ABH Corps issued a number of documents showing that it had sniper units. Thus, for instance, on 11 December 1993, the 1st ABH Corps commander issued an order for the merging of sniper formations and establishment of manoeuvre (mobile) sniper units under

³⁷⁴ For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002, pp. 110-115.

³⁷⁵ *Ibid.*

³⁷⁶ Stjepan ŠIBER, *Prevare, zablude, istina*, p. 78 (1D01272).

³⁷⁷ Combat Report of the 101st mtb of the 1st ABH Corps, strictly confidential no. 02-2/82-298, of 25 December 1993, says: the 2nd Motorised Battalion is executing tasks on the Brezice - Ozrenska street (Grbavica) axis. Snipers from the 2nd mtb and a MUP unit are engaged, including 12.7 mm snipers. (1D01837)

the direct command of the corps commander.³⁷⁸ In a combat report, the Command of the 102nd mtbr (its combat deployment was on the front facing Stup and Nedzarici), informs the 1st ABH Corps Command that “...the sharpshooters have done their regular job...”³⁷⁹ In another report, the same Command stresses the following: “... the establishment and training of a reinforced squad of sharpshooters in all motorised battalions and their active engagement along the line of the entire zone of responsibility has instilled a feeling of uncertainty and a psychosis of fear and insecurity among the aggressor's soldiers”.³⁸⁰ This means that every battalion of the 1st ABH Corps brigades had a sniper squad, which is not a small force in terms of this specific kind of infantry fire. The battalion commander thus had a powerful manoeuvre force for urban warfare, because fire manoeuvrability is much more important than troop manoeuvrability in those circumstances.³⁸¹ The commander of the 1st mtbr ordered his subordinates to form a sniper platoon consisting of snipers of the 1st, 2nd and 3rd Battalions, and to station it at the *Blagoje Parovic* school.³⁸² Many examples can be given to illustrate the size of the sniper forces and assets in the ABH, and the conclusion would always be the same, namely that units of the 1st ABH Corps were markedly superior to VRS SRK forces in all elements of combat capability referring to snipers and sniping. In that connection one must seriously ask whether the SRK was at all able to neutralise the enemy's snipers, at least to some extent, by sniping, and not whether it was capable of planning to and terrorising civilians by the use of snipers. As it happens, terrorising civilians was a specialty of the Muslim forces, as the eminent journalist and director Veljko KOJOVIĆ described compellingly in his book *Krvava kosulja sarajevska* /The Blood-Stained Sarajevo Shirt/. KOJOVIĆ recounts that at the beginning of the war when a Serb came up to a checkpoint, the Muslim forces manning the checkpoint would raise his identity document above their heads to signal to the snipers that this was their mark. A few dozen metres later, the unlucky person would be killed.³⁸³

4.171. The sniping actions of the 1st ABH Corps posed a major security problem for the SRK, for the troops and for the civilian population. All Serbian neighbourhoods in Sarajevo came under sniper fire. Particularly vulnerable was the Kasindol - Lukavica - Zlatiste -Trebevic point and further on towards Hresa and Radava. That was the only SRK manoeuvre route from Trebevic, Grbavica, Lukavica and Dobrinja towards Vogosca and Rajlovac after the VRS had turned over Sarajevo airport to UNPROFOR in June 1992. This route came under constant Muslim sniper fire from Mojmiilo, Debelo Brdo, Colina Kapa and the high-rise buildings in downtown Sarajevo. That is why the SRK command ordered that anti-sniper screens be installed in the part of the area constantly exposed to sniping.³⁸⁴ In charge of these works was the Command of the 1st Sarajevo Mechanised Brigade. In all Serbian settlements in the city of Sarajevo – Grbavica, Dobrinja, Nedzarici, Lukavica, Gornji Kotorac, Ilidza, Rajlovac, Vogosca and Ilijas there were numerous civilian casualties.³⁸⁵

4.172. Concluding the part of the presentation dealing with VRS sniping actions, the definitive conclusion is that there was sniping, but on both sides, in fact much more and far more efficient on the Muslim side who also targeted civilians much more. This party to the conflict had the advantage in respect of the number and quality of sniper weapons, in respect of the number of sharpshooters and

³⁷⁸ Order for sending sharpshooters to the 1st ABH Corps Command, strictly confidential, no. 23/23-18-2 of 11 December 1993.

Combat Report of the Command of the 102nd mtbr, strictly confidential, no. 01/1946 of 7 February 1993.

³⁷⁹ Combat report of the Command of the 102nd mtbr, strictly confidential, no. 01/1946 of 7 February 1993.

³⁸⁰ Report to the Command of the 102nd mtbr, confidential, No. 05/6-19 of 26 January 1994. (1D20070)

³⁸¹ For details see Radovan RADINOVIC, Sarajevo Battlefield, Expert Report for General Stanislav GALIC, 2002.

³⁸² Order of the commander of the 1st mtbr for the forming of a sniper platoon, Strictly confidential no. 01-444, of 2 October 1993. (1D05566)

³⁸³ Radovan RADINOVIC, Ibid.

³⁸⁴ Order, strictly confidential, no. 20/15-388, of 25 July 1994. (1D06015)

³⁸⁵ For details see Radovan RADINOVIC, Sarajevo Battlefield (Expert Report for General Stanislav GALIC), 2002, pp. 112-114.

sniper units, and in respect of the number and locations of sniper positions. In order to at least to some extent alleviate the consequences of the sniper fire that Muslim forces opened at VRS positions and the Serbian settlements in Sarajevo, the SRK Command had so-called masking screens and partitions erected at the most vulnerable spots, so that, for instance, all the streets in Grbavica had either built-up or hanging cloth screens, as without those, children would not have been able to go to school. Everyone who visited this neighbourhood noticed the numerous screens and partitions. The Serbian side had an interest in frequently requesting and obtaining anti-sniping agreements through UNPROFOR, which the Muslim side, regrettably, invariably failed to honour. Only a small part of the SRK forces on the Sarajevo battlefield, the equivalent of four or five battalions, faced the urban section of the city. Account being taken of the fact that according to establishment the squads of some of these battalions had one or two snipers at most, the allegation in the Indictment that sniping was employed to realise the plan of killing as many civilians as possible and spreading terror among the civilian population sounds implausible. The issue is confused here: the Muslim side reported to UNPROFOR and UNMO casualties resulting from the exchange of fire at lines of disengagement as victims of sniper fire. And no expert has established what the share is of these casualties in the total losses reported as being the victims of SRK sniper fire, nor was that possible to expertly establish, the more so as many of the soldiers of the BH Army were killed in civilian clothes, their families were awarded “certificates” and treated as families of fallen fighters, whereas in the media they were portrayed as civilian victims. Witness KDZ 193³⁸⁶ described the dual treatment of those who were killed: they were civilians when Serbs needed to be accused and for the Ministry of Defence they were fallen fighters.

4.173. There are numerous reports of subordinated units from which it is easy to conclude that mortar and sniper fire of the adversary – the 1st ABH Corps – on positions of SRK units and on settlements under Serbian control was regular practice.³⁸⁷ Sniper fire was a combat element of all the three warring parties on the Sarajevo battlefield and it can and should be placed in the category of legitimate action for a number of reasons: (1) this type of action is not prohibited by the provisions of the international law of war or humanitarian law; (2) some of the sniping by VRS and ABH units was caused as counter-action in response to the action of the adversary and (3) sniping has been an essential element of combat in cities and at fortified front lines throughout the history of the art of war.

4.174. The ratio of sniper forces on the Sarajevo battlefield does not substantiate the claims and conclusion that by constant sniping VRS forces deliberately and systematically terrorised civilians in Sarajevo. It is an irrefutable fact that in that type of weapons, in that military occupational speciality, the forces of the 1st ABH Corps were far superior to those of the SRK. This conclusion is drawn on the basis of a series of facts and figures given in information on the organisation, training and activity of these units.³⁸⁸ Units of the 1st ABH Corps had better quality military sniper weapons than SRK units, and were

³⁸⁶ Eset MURACEVIC, TR p. 12780, 2 March 2011.

³⁸⁷ See: Daily Report of the 1st Smbr, strictly confidential, no.1-1145 of 14 December 1992, and strictly confidential, no. 1152 of the same date; Daily Report of the Ilidža Brigade, strictly confidential, no. 19/8841 of 31 January 1994, item 1, para.1; Combat Report of the Command of the 1st Smbr, strictly confidential, no. 3-846/4 of 21 July 1993; 3-625/1 of 8 June 1993; Strictly confidential 3-325/3 of 6 May 1993; Strictly confidential 3-626/2 of 19 June 1993, and many other reports of this and all other SRK brigades. These reports speak of enemy action against civilian houses, their burning down and destruction, of the shelling of the out-patient clinic at Vrace (Strictly confidential, no. 3-625/1 of 8 June 1993), etc. One can say that these were absolutely not peaceful civilian areas but areas from which fire was opened at Serbian settlements. Their firing positions were virtually all over the city and its edges, such as: Debelo Brdo, Mojmiro, Sokolje, Briješće, Kobilja Glava, Bistrik, Donji Kotarac, Sokolovic Kolonija, etc. After such combat and firing actions by the forces of the 1st Corps, it was normal to expect return fire strikes at these areas, which certainly entailed numerous consequences for the civilian population as well. But it cannot be a case of terrorising civilians and deliberate firing at civilian buildings, as alleged in the Indictment, but a case of counter-action, which is a legitimate method of military action.

³⁸⁸ For details see Radovan RADINOVIC, Sarajevo Battlefield (Expert Report for General Stanislav GALIC), 2002, pp. 110-111.

also superior to the SRK in respect of what are referred to as civilian sniper rifles, i.e. sniper rifles as well as hunting weapons owned by various riflemen associations in Sarajevo. Namely it was only at the end of 1994 that SRK units got some 12.7 mm snipers with a 2,000 metres range. The 1st ABH Corps had such snipers much earlier, and therefore a major advantage over the SRK.³⁸⁹

4.175. There practically does not exist a combat report from which it could not be concluded that the opposing (Serbian) side was engaged in active combat. Perceiving matters in this way it is quite reasonable to draw the following conclusions: (1) both warring parties on positions in Sarajevo engaged in active combat and fire; (2) the exchange of infantry fire on the lines of disengagement was daily practice; (3) losses due to sniping were very low, and (4) the largest number of what are referred to as casualties caused by sniping are actually victims of massive-scale bursts of infantry fire as part of everyday activities on the Sarajevo front lines.

4.176. The serious question arises whether all combatants on the front in SRK units who had sniper weapons could have had the status of snipers as a particular military occupational speciality. Namely, the documentation on rules and doctrine prescribe how the status of a sniper is acquired and when a marksman can be elevated to the rank of sharpshooter as a special form of specialist training of the best marksmen.³⁹⁰ This documentation also sets forth the criteria for the selection and training of snipers and their regular drills through day and night shooting practice and similar.

4.177. If the role of snipers and sniping as part of the firing system of front line units is consistently appreciated, then the allegation of sniping as planned terrorisation of the civilian population in Sarajevo becomes even less tenable. Namely, snipers are primarily intended for fire at targets which can essentially influence the course and outcome of a conflict at a given tactical position. They are enemy commanders and high-ranking officers, observers, forward air controllers, crews at firing positions within the range of the first positions, i.e. on the front line, signallers in direct combat contact and other very important military figures. It is more probable that civilian casualties were for the most part the consequence of the exchange of infantry fire or its uncontrolled opening from positions within the reach of the front.

4.178. The Order for sniper fire completely dispels all doubts about the strategic vision of sniping within the VRS combat doctrine followed by the VRS command system on the Sarajevo battlefield.³⁹¹ That Order strictly specifies that the preparation of snipers shall consist of: the selection of sectors and positions for deploying snipers, the place, time and manner of their action, the manner of controlling that action and reporting on the consequences including expenditure of ammunition, and that such preparation shall be within the sole purview of brigade commanders. Accordingly, any sniper fire from SRK positions can only be classified as individual or group action within squads.³⁹² The consequences which witnesses and the Indictment allege as the consequences of sniping are actually consequences of automatic small arms fire in the front range on the Sarajevo battlefield. The existence of sniper fire on all the three warring sides cannot underpin the Indictment which rests upon Muslim media propaganda in good measure. Today we know for a fact that what the VRS units are accused of was actually carried

³⁸⁹ This is corroborated by a Combat Report of the Command of the 101st mtbr from December 1993. It claims the following: the 2nd Motorised Battalion (101st mtbr) is executing tasks along the Brezice and Ozrenska Street (Grbavica) line. Snipers from the 2nd mtb and MUP units are engaged, including 12.7 mm snipers. See: Combat Report of the 101st mtbr, Strictly confidential, no. 02-2/82-298 of 25 December 1993.

³⁹⁰ Training plan and programme, Rule 7.9 mm M-76 Semi-automatic sniper rifle. Ed. SSNO, Belgrade.

³⁹¹ See Order of 29 July 1994.

³⁹² Richard Phillips, Prosecution military expert witness, testified that SRK brigades had sniper platoons. That information has not been empirically confirmed. Such platoons have not been registered in the structure and establishment of brigades nor found as *ad hoc* units in brigades, namely their combat reports and orders. The only exception is the Ilijas Brigade in one of the documents of which a squad of 6 (six) snipers is referred to.

out by ABH special units and snipers in order to accuse the Serbs as the inhumane side in the war. More about this has been said in the description of the sniping actions and organisation and commission of crimes by the *Seve* special unit. The *Black Swans* were also known for this, as well as many other reconnaissance and special units.

4.179. Due to the sniper fire of units of the 1st ABH Corps, the VRS SRK had to erect different barriers. This is particularly evident in the order which was probably issued after another order³⁹³ which orders the installing of protective screens on the Kasindol-Lukavica-Zlatiste road. This is a road that connected SRK forces in the Lukavica area, via Trebevic, with Vogosca and Ilidza and Hadzici. That was the only route for supply and evacuation and the manoeuvre of SRK forces from one to another section of the strategic front on the Sarajevo battlefield. Figuratively, it was a “lifeline”. The Muslim forces constantly attacked that road with sniper fire from Mojnilo (on the Kasindol – Lukavica section), from Debelo Brdo on the Vranjace-Palez section and from Colina Kapa on the section from Knjeginac towards Trebevic.

4.180. SRK units had sufficient reason to engage in anti-sniper action by using their own sniper fire, fire by armoured units, and artillery and mortar fire at observed nests. That this is correct can be illustrated by examining a number of documents of units of the 1st ABH Corps. Pursuant to an order of the Command of the 1st A BH Corps (Strictly confidential no. 23/2318-2, of 11 December 1993) on the merging of sniper units and establishment of manoeuvre sniper units under the direct command of the 1st Corps commander, the commander of the 102nd mtbr ordered the commanders of his four battalions and the commander /komandir/ of the reconnaissance and sabotage company to immediately detach a sniper shooter each and dispatch them with weapons to the Corps Command.³⁹⁴ Some twenty days after that order, the commander of the 102nd mtbr ordered his battalions to single out 15 soldiers each and have them attend a sniper training programme from 1 to 10 January 1994. He also ordered that theoretical instruction be delivered at the *Pavle Goranin* elementary school and shooting practice in the field to be organised by the battalion commands. It is quite certain that this shooting practice was executed using live targets namely the SRK and Serbian civilian targets.³⁹⁵ In its Combat Report from February 1993, the Command of the 102nd mtbr informed the Command of the 1st Corps that artillery had shelled Nedzarici and Lukavica, and that during that time, “...the snipers did their regular job...”. One could really ask what is it that constitutes the snipers’ regular job, except taking out Serbian targets.³⁹⁶ The Moral Guidance organ of the 102nd mtbr informed the Command of the 1st Corps, namely its Sector for Moral Guidance that “...establishing and training a reinforced sniper squad in all motorised battalions and by their active engagement along the entire line of the zone of responsibility, has instilled a feeling of uncertainty and a psychosis of fear among the aggressor’s soldiers.”³⁹⁷

4.181. The Report of the Command of the 1st Motorised Battalion of the 101st mtbr illustratively confirms the thesis that the Muslim forces had and constantly upgraded the capacity for increasing the number of snipers along the entire Sarajevo front line. /“/The combatants of the 1st Company of that Battalion, in the capacity of snipers, noticed enemy soldiers in the Trapare sector and fired 15 rounds at them.”³⁹⁸ Over the past seven days three of our snipers have been on duty around the clock and active on

³⁹³ Order, Strictly confidential no. 20/15-388 of 25 July 1994.

³⁹⁴ Order for dispatching snipers to the Command of the 1st Corps, Strictly confidential, no. 23/23-18-2 of 11 December 1993.

³⁹⁵ Order for training snipers, Strictly confidential, no. 23/245-1 of 28 December 1993.

³⁹⁶ Combat Report, Confidential, no. 01/1946 of 7 February 1993.

³⁹⁷ Command of the 102nd mtbr – Organ for Moral Guidance: Report on the State of Combat Morale, Confidential, no. 05/6-19 of 26 January 1994.

³⁹⁸ Combat Report of the Command of the 1st /mtb/ to the Command of the 101st mtbr, Confidential, no number, of 19 August 1993.

almost all the lines of defence in our city...”³⁹⁹ This report shows that these were obviously “loose cannon” whom nobody directly controlled and who were completely independent.

4.182. In a number of Prosecution documents it is quite evident that the Command of the 1st Corps very seriously counted on sniper fire as part of its overall combat activities. These documents contain information about the selection, training and deployment of snipers, insist on their being active all day and all night, etc.⁴⁰⁰ On the basis of an analysis of combat documents one can definitively conclude that the command system of the 1st ABH Corps paid very much attention to sniper units as elements of battle formation, starting from the Corps Command to battalions. Thus, for example, the Command of the 1st Motorised Brigade ordered its subordinates to establish a sniper platoon from snipers of the 1st, 2nd and 3rd Battalions and to station it at the former *Blagoje Parovic* school – opposite the *CENEX* company.⁴⁰¹ That is at the same time proof of the abuse of civilian structures, such as schools. The Command of the 3rd Motorised Battalion of the 2nd Motorised Brigade also informed its brigade commander that a sniper squad of 9 snipers had been in action in his zone of responsibility the previous day⁴⁰². All nine names are given in the document. That was in effect the sniper squad of that battalion. By analogy, the brigades probably had sniper platoons, and *ad hoc* formations would be established in the Corps when needed. It should also be borne in mind that the *Seve* were active in the zone of the 1st ABH Corps, as a special unit of the state security service who sowed death on the front line, primarily in the inhabited section of the city of Sarajevo. All in all these were great potentials that the VRS SRK could not match. That is why it is surprising that for more or less proportionate sniper actions on the Sarajevo battlefield General MLADIC should be accused of terror in which he in no way participated.

5.4. *Shelling - terrorising civilians or legitimate military action?*

4.183. We should proceed from the fact that there is no dispute about the allegation contained in almost all the supporting documents of the Indictment, namely that the SRK was superior in long range artillery weapons on the Sarajevo battlefield. SRK could open support artillery fire at any target in the urban part of Sarajevo. The allegation in the Indictment and the supporting documents that the SRK used artillery fire to spread terror among civilians in Sarajevo is absolutely unacceptable. A huge percentage of the artillery fire of SRK units was forced by offensive action of units of the 1st ABH Corps and definitely not meant to terrorise civilians in any way.⁴⁰³ The Muslim forces provoked SRK artillery counter-action very cunningly and very often, precisely in order to force a reaction from Serbian artillery and spread propaganda in the media in order to discredit the struggle of the Serbian people in BH. They were very adroit and successful at that. Many truths are only now coming out, but painstakingly so and for a number of reasons. The media propaganda was an element of the political strategy of the Muslims in BH.

4.184. The forces of the 1st ABH Corps had mortar and artillery pieces, including short-range ones such as portable grenade launchers (hand-held and rocket-assisted launchers, rifle grenades and other) mounted on trailers and motor vehicles, on railway cars, in the immediate vicinity of civilian buildings

³⁹⁹ Combat Report of the IDG Command to the Command of the 101st mtbr, no. 12/23-2047-11/93, of 27 December 1993.

⁴⁰⁰ “Put snipers existing in the brigades on constant and uninterrupted duty in all weather conditions when feasible. Weapons fitted with night sights must be in use around the clock”- Command of the 2nd mtbr, Strictly confidential no 03/01-33-07/93, of 5 March 1993.

⁴⁰¹ Order of the commander of the 1st mtbr for the establishment of a sniper platoon, Strictly confidential no. 01-444, of 2 October 1993.

⁴⁰² Report of the commander of the 3rd mtb/2nd mtbr, no number, of 12 November 1993.

⁴⁰³ That SRK artillery was used mostly for neutralising enemy artillery and mortars, but also other fortified and shielded targets, is best illustrated by the SRK Command Order on the setting up of artillery reconnaissance groups. Item 3 of this Order states that their main task is to gather data on important deeply shielded targets, primarily on elements of combat positions of the enemy artillery.

or structures of general civilian use – hospitals, maternity wards, kindergartens, PTT facilities, media houses, hotels, etc. Machine gun and sniper nests were emplaced on the windows, roofs, terraces, etc. of residential and other buildings.⁴⁰⁴ The Muslims used mobile firing positions to open fire at Serbian positions or at Serbian settlements. That would draw artillery fire from the firing positions of SRK units, and, of course, there would be civilian casualties. These situations were a real treat for the media, to reinforce their earlier projected negative image of the Serbs and their army.⁴⁰⁵

4.185. There are numerous combat reports of SRK brigades and independent regiments which contain information about enemy artillery and mortar fire at Serbian settlements or Serbian positions and about SRK's fire in return:

“1. In the firing zone of the unit the enemy opened small arms and mortar fire at the positions of Serbian SRK units in the sectors of Zuc, Poljine and Zmajevac. It is characteristic that the enemy mortars fired from the city (ASTRO, BOSNA GP /?Construction Company/, Blagoja Parovica St.).

2. ...In response to enemy fire, fire was opened from positions at Crepoljsko and Gradiste using h-155 mm /howitzer/, expending the following:

- projectiles for h-155 mm 12 pcs.
- projectiles for h-122 mm 16 pcs.”⁴⁰⁶

4.186. It is evident from the information given in the report that the artillery in Crepoljsko, where the firing position of one of the Corps artillery groups probably was, was used to neutralise the fire of enemy mortars. The expenditure of ammunition was not even 5% of the minimum required for neutralisation according to table norms.⁴⁰⁷ The indicated positions of the mortars of the 1st ABH Corps are in the city zone between civilian buildings. It stands to reason that SRK artillery counter-fire at detected mortar firing positions in the urban part of the city caused destruction and demolition of parts of civilian structures as well, and perhaps also civilian casualties, for no artillery in the world could avoid that in identical circumstances. A report of the Ilidza Brigade reports even heavier fire by the 1st ABH Corps artillery directed at Serbian civilian targets and settlements: “...As of 1400 hours today, the enemy intensively shelled the general sector of Ilidza. The principal targets of the enemy were different strategic facilities such as the transformer station at Vrelo Bosne, the hospital in Blazuj, and civilian buildings and settlements...”⁴⁰⁸ Firing at civilian buildings was not, namely, the “privilege” of the Serbian side, but was also done by the Muslim side, probably with the same intention and on the assumption that there were military targets as well in the civilian buildings sector.

⁴⁰⁴ In his book *Battle for Sarajevo*, Kerim LUČAREVIĆ says that snipers of the 1st ABH Corps were positioned in the Hotel Bristol, see mentioned book, published in Sarajevo, p. 137. On page 155 of the same book, this special forces member and commander /komandir/ of a special unit of the 1st ABH Corps in Sarajevo, during the unblocking of Dobrinja (a Sarajevo suburb which was divided into a Serbian and a Muslim part) says the following: “...I have decided: I am placing all my soldiers along the defence line of Dobrinja 5. I am positioning them in buildings. At every second entrance there is one machine-gun group, a sniper shooter, and one anti-armoured fighter. I am sending one anti-armour group toward the Airport settlement, where there was a mosque”. The question arises, was it possible on that 17 June 1992 in Dobrinja to apply the principle of selectivity of action, i.e. was it possible to spare civilian buildings? Of course it was not. And this begs another question - how is it at all possible to apply this universally valid principle under such circumstances? Every such building, regardless of its original and primary purpose - military or civilian — is a legitimate military target. Fire action against these buildings by the VRS, i.e. SRK cannot be characterised as action targeting civilian buildings and targets, and even less as the planned terrorising of civilians as alleged in the Indictment against General Ratko MLADIC.

⁴⁰⁵ For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002. p. 121.

⁴⁰⁶ See: Operations Report of the Command of the 4th map, Strictly confidential, no. 1127/10 of 3 October 1992.

⁴⁰⁷ For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002. p. 122.

⁴⁰⁸ See: Daily Report of the Command of the Ilidza Brigade, Strictly confidential no.19/4109-1, of 13 December 1992.

4.187. The author of this expert report did not come across a single document in VRS records, particularly not those of the SRK command or its subordinated brigades, issuing direct orders to demolish or burn houses of Muslim residents. This, however, could not be said of Muslim combat documents, i.e. the documents of units of the 1st ABH Corps. On the contrary, one of their orders explicitly orders the following: "With one squad destroy and burn all houses above the railway track to the right of Anja's house – to the left of the house where the LIMA 33A positions were..."⁴⁰⁹ Most of these houses are still uninhabitable today and have not been renovated. In a civil war, and particularly in urban combat where the lines of conflict pass through city streets and buildings, it is practically impossible to tell where civilian structures end and military ones begin and vice-versa within the range of the front lines and positions.

4.188. Nothing describes so eloquently how the Muslims destroyed Serbian neighbourhoods in Sarajevo and in that way drew fire in return from the Serbian artillery, as Kerim LUCAREVIC himself does in his book *Battle for Sarajevo*. Therefore we shall quote a passage from that book, abridged as necessary: "...We were waiting for midnight. We have positioned the Sova /owls/. Sova sees in the dark up to a distance of 150 metres. As if it were daylight. Had the Chetniks (Serbian soldiers, defenders of Dobrinja, mainly local inhabitants) known what we have, they would not have tried anything. But, after midnight, Chetniks emerge two by two from all sides and crawl towards the corpses (of those killed in previous combat). My Sova crew fired noiselessly and with precision. The Chetniks were liquidated without a sound, in complete silence (with silencers on the SP/sniper rifle/). (...) And this went on late into the night... the field was covered with dead Chetniks. Only four days later did we allow them to take away their dead (...). In front of our building, on whose upper floors my fighters were, at a distance of fifty meters there were a hundred houses with Chetniks in them. Their major strongholds were in four big houses (...). Ramiz Salčin with his gun was ready on Mojmiolo. All the houses were below his ZIS /field gun/. Memko was on the balcony of our building, and could "guide" him. We could not go wrong. Memko used a signalling device to guide Ramiz who was pounding house after house in which the Chetniks were. In fear, they jumped out of the windows, close to the buildings in which my fighters were. They could not miss (...). This went on all day long. Memko was "guiding", and Ramiz was shelling the houses in which the Chetniks were. Ramiz even demolished three houses with a single ZIS shell. As if he was on a firing range, practicing. Then the turn came of those four large houses with a machine-gun nest."⁴¹⁰ These words and deeds really need no comment, and this was in June 1992. The hatred and the urge to kill the adversary are incredible. This is hate speech and the stances of a Muslim special who was held in very high esteem by both the army and the police but no less so by the state leadership in the Muslim section of Sarajevo. More references to this can be found in the books of Stjepan SIBER and Hasan EFENDIC, who for a time were LUCAREVIC's superiors.

4.189. Information contained in numerous regular and interim combat reports corroborates the assertion that the Muslim forces very frequently fired at Serbian settlements i.e. Serb-controlled parts of Sarajevo unprovoked, namely without having been fired at from Serbian positions. Thus, in a report of 23 December 1992,⁴¹¹ the SRK commander informs the VRS Main Staff that on that day the enemy fired 110 shells on Hadzici, 50 on Rajlovac, 60 on Ilidza, 120 on Vogosca and 70 shells on Ilijas. One could say that already at the end of that first year of the war the Muslim forces had sufficient weapons as well as ammunition. Four civilians were killed and three wounded in the shelling. There was major damage to civilian property. Such a large number of fired projectiles is quite sufficient to produce i.e. provoke counter-fire from VRS artillery, which is probably what happened. In another report, the SRK Command informs the superior command (VRS GS) about the violation of the cease-fire by Muslim

⁴⁰⁹ Order of the Command of the 3rd Motorised Brigade, Strictly confidential no. 23/1-284, of 24 March 1992.

⁴¹⁰ See: LUCAREVIC, pp. 157-158.

⁴¹¹ See: Regular Combat Report, Strictly confidential no. 10/74-780, of 23 December 1992.

forces, and their artillery and mortar fire at civilian targets and facilities.⁴¹² In the period from 31 August 1993, upon entry into force of one of the cease-fire agreements which were often concluded and even more often violated on the Sarajevo battlefield, the Muslim forces fired 53 shells on Dobrinja, 101 shells on Grbavica, 41 shells on Lukavica, 44 shells on Vojkovici, 250 shells on Rajlovac, 280 shells on Vogosca, 135 shells on Ilidza, 179 shells on Hadzici, 190 shells on MZ /local commune/ Koricina, 108 shells on Ilijas, and 45 shells and mortar shells on Hadzici. Only in the period in which the effective cease-fire agreement should have been observed, the Muslim forces fired about 1,426 projectiles, killing 24 and seriously wounding 37 and less seriously 25 persons. All these persons were civilians.⁴¹³

4.190. In a report on the violation of the cease-fire, the SRK states that from 5 November to 6 December 1993, Muslim forces had fired about 224 projectiles on facilities in Serbian Sarajevo.⁴¹⁴ The Rajlovac Brigade and the entire Rajlovac settlement were in a particularly difficult position, for three basic reasons: (1) the tactical position of the brigade was very unfavourable being below the higher features of Sokolje and Brijesce, from where it was constantly exposed to intensive Muslim mortar and sniper fire; (2) the combat capabilities of the brigade were limited and there was constant pressure to reduce replenishment because of the need for skilled labour (3) the special-purpose production plant in Rajlovac was of special interest to the Muslim side whose forces therefore put constant pressure on the Rajlovac Brigade. This eroded morale and resulted in personnel fatigue. The Muslim forces kept Rajlovac under heavy and continuous fire around the clock. Its intensity is convincingly illustrated by the daily casualties on 27 January 1993. On that day alone 11 soldiers of the Rajlovac Brigade were killed and 21 wounded.⁴¹⁵ This best illustrates the afore-mentioned claim that the Muslim forces of the 1st ABH Corps used every occasion to inflict the heaviest possible losses on SRK units regardless of the civilian casualties their artillery and mortar fire caused. Thus the SRK often had a compelling reason to return artillery fire at the mortar and artillery positions of the 1st ABH Corps. That is why fire elicited in this way cannot be characterised as deliberate and planned terrorising of the civilian population in the Muslim part of Sarajevo,⁴¹⁶ but only as counter-action, which is, also according to the principles of military doctrine and the law of war, fully legitimate action. Any army in the world would respond adequately to such crimes.

4.191. In the Combat Report of the Ilijas Brigade, the brigade commander informs the SRK Command that from 1630 hours on 2 December 1992 until the time of preparing the report (around 1800 hours of the same day), 17 projectiles were fired on the brigade positions and 21 shells on civilian targets.⁴¹⁷ Such Muslim actions were even more drastic in the case of the SKR Igman Brigade. On 17 January 1993, this brigade reported to the SRK Command that on that day within a span of five hours, more than fifty 120 mm calibre shells had landed on the position of just one of its battalions (Hadzici).⁴¹⁸

⁴¹² Report on violation of the cease-fire, 5 November 1993, Strictly confidential no. 20/15-1274.

⁴¹³ Report on violation of the cease-fire, 5 November 1993, Strictly confidential no. 20/15-1274.

⁴¹⁴ Report on violation of the cease-fire, 7 December 1993, Strictly confidential no. 20/15-1306.

⁴¹⁵ Command of the Rajlovac Brigade, Combat Report to the SRK Command, Strictly confidential no.423-220, of 28 January 1993, paragraphs 1.1 and 1.3.

⁴¹⁶ In the regular Combat Report of the Igman Brigade, the brigade commander reports the following to the SRK Command: "At 1615 hours the centre of Hadzici came under heavy shelling with seven 120 mm projectiles fired at it. Only civilian facilities were targeted, and five civilians were wounded on that occasion, two of them little girls. The shelling came from the direction of Ormanja and was adequately responded to." Thus, it is obvious that this was a case of mortar fire of the 1st ABH Corps and counter-fire of the SRK unit. See: Regular Combat Report of the Igman Brigade, Strictly confidential no. 01/3/-529, of 13 January 1994.

⁴¹⁷ Combat Report of the Ilijas Brigade, Strictly confidential no. 02/913-46, of 2 December 1992.

⁴¹⁸ Combat Report of the Igman Brigade, Confidential, no. 01/3-27 of 17 January 1993. Similar data are contained also in the combat reports of other brigades: Rajlovac, Strictly confidential, no. 423-219 of 27 January 1993; Ilidža, Strictly confidential, no. 19/4109-1 of 13 December 1992; the 1st Smtbr, Strictly confidential, no. 2-12 of 18 December 1992, and others. This number of documents is however quite sufficient to illustrate the thesis of this author that the fire action of both

4.192. A number of fire support units of the 1st ABH Corps kept some of their pieces in the tunnels near Kosevo, and/or the Zetra Sports Centre. When needed, they occasionally pulled them out of the tunnel and opened fire on SRK positions in the sector of Radava, Mrkovici, towards Grbavica (Jewish Cemetery) and Trebevic and then quickly returned into the tunnel and protected their forces from SRK artillery fire.⁴¹⁹ Some documents exist of the 1st ABH Corps from which it can be concluded that the units of that Corps very skilfully hid their mortars from the UN Observer Mission. Thus, one of these documents contains, among other, this quotation: "...At 1415 hours, 120, 82 and 60 /mm/ MB /mortars/ were removed from the positions on orders of the brigade duty officer. Today at 1615 hours UNPROFOR came for a tour of inspection to see if there were any mortars for they assume that one opened fire from Butmir last night."⁴²⁰ This is a document of one of the battalions of the 4th mtbr which held positions from Hrasnica on the extreme southeast, through Donji Kotorac and Butmir up to Glavogodina and Vrelo Bosne in the northwest. From this document it is not hard to see that mortars from the Butmir sector opened fire at some VRS positions, probably those at Ilidza, Hadzici or Dobrinja.⁴²¹

4.193. The claim that 1st ABH Corps artillery and mortars in Sarajevo were active and often provoked SRK forces on the front and thus drew return fire from SRK artillery, is supported by numerous reports of UNMO observers: Cutler⁴²², Mole⁴²³, Cucola⁴²⁴ and others. All or almost all of these reports contain data on the mutual shelling of enemy territories, so that the allegation in the Indictment that the Serbs around Sarajevo shelled the city as part of their long-term and planned "strategy of terrorising civilians" is quite tenuous.

4.194. The SRK resorted to more intensive artillery shelling using higher calibre and longer range pieces only when forced, in order to prevent a breakthrough of the front on the Sarajevo battlefield towards its inner ring, because it was always inferior in the ratio of infantry forces. Whenever forces of the 1st ABH Corps attempted to break through and link up with their forces in the outer ring of the Sarajevo front, planned artillery fire would be opened.⁴²⁵ As a rule heavy losses would be inflicted on units of the 1st ABH Corps and civilian casualties and destruction were inevitable. We are of the opinion that this kind of artillery fire cannot be defined as terrorising civilians by artillery either, as provoked counter-action,

sides for the most part demonstrated that a very active front was established in the city sector, and that this cannot be qualified as terrorising of civilians.

⁴¹⁹ Rose, *Mission in Bosnia*, p. 94: "... There was the danger of both Serbs and Muslim violating the Sarajevo airport agreement (9 February 1994). Sometimes at night we could hear tank and mortar fire from the weapons the Muslims were hiding in the tunnel behind the *Rezidencija* with which they pounded Serbian positions at the Jewish cemetery..."

⁴²⁰ Daily Combat Report to the Command of the 4th mtb for 8/9 June 1994, OTP document no. 02057521.

⁴²¹ For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002, p. 128.

⁴²² Cutler's report no. 276, states on page 3, paragraph 2, that on 5 December 1992, 606 shells and mortar shells were fired from SRK positions and 98 shells and /mortar/ shells from the positions of the 1st ABH Corps.

⁴²³ UNMO observer Mole wrote in his report for 20 October 1992 that 52 shells were fired from SRK positions and 26 artillery and mortar shells from 1st ABH Corps positions. See OTP document no. 160, p. R006722, paragraph 1.

⁴²⁴ In his report for 26 – 28 July 1993, UN observer Cucola informs that during those two days the SRK fired 2,562 /artillery and mortar/ shells and that the most endangered were Golo Brdo, Kobilja Glava and Zuc. These obviously were salient military positions of the 1st ABH Corps and not civilian facilities, although it cannot be claimed that there had been no civilian casualties or that fire had not been opened at facilities where there were no military targets but the SRK considered them to be military. In that part of his report, Cucola also informs that two mortar shells hit the Serbian hospital that day, killing one doctor and wounding a female nurse. Also, the report of the same observer for 28 July 1993, claims that in the evening of 28 July 1993 Serbian areas came under heavy shelling by units of the 1st ABH Corps. Thus, for instance, that evening 64 projectiles landed on Ilidza alone, wounding seven civilians – see Cucola, document 179 (OTP), p. 1, paragraph 3.

⁴²⁵ One of the Orders sets out a plan for artillery fire of artillery units: the 4th map, the BRAG /brigade artillery group/ of the 1st Smb. The document gives precise coordinates for every fire and the signal approving the opening of planned fire – see Order, Strictly confidential no. 20/15-16 of 4 January 1993.

and, as such, a legitimate manner of using forces was in question. SRK artillery and mortar fire was also used in the form of preventive fire strikes on concentrations of enemy forces.⁴²⁶

4.195. UNPROFOR always sought to and was successful in reducing the advantage the SRK had over the 1st ABH Corps in heavy weapons, primarily higher calibre artillery. This started in June 1992, almost at the very beginning of the war, when an agreement was concluded with UNPROFOR to concentrate and place under UNPROFOR control artillery and mortars in the general area of Sarajevo Airport⁴²⁷, then an Agreement on artillery control on the entire Sarajevo battlefield,⁴²⁸ and finally an Agreement on relocating all pieces of a calibre above 12.7 millimetres to a distance of 20 kilometres, reckoning from Marijin Dvor which was taken as the centre of downtown Sarajevo.⁴²⁹ The Order of the SRK Command was signed by General Manojlo MILOVANOVIC, Chief of the VRS GS, on the basis of an agreement previously signed by Radovan KARADZIC and Yasushi Akashi.⁴³⁰ On the basis of all these agreements and the consent reached between General MILOVANOVIC on behalf of the VRS, and General Rose on behalf of UNPROFOR, General Subiroux sent to General GALIC a letter ordering him to pull out and position at nine locations around Sarajevo all weapons of a calibre above 12.7 millimetres, and to place the weapons at those locations under full UNPROFOR control. Also, in his letter General Subiroux threatened the SRK Command that any weapons found outside UNPROFOR control after 21 February 1994 would be the target of NATO aviation.⁴³¹

4.196. That it could never have been intentional and planned terrorising of the civilian population of Sarajevo is best corroborated by many documents in which the SRK Command strictly prescribes for its subordinate units the methodology of deployment of artillery and mortar pieces, and just as strictly prohibits firing at three types of targets: (1) UNPROFOR; (2) civilian targets and the urban section of the city of Sarajevo; (3) humanitarian convoys. The SRK observed multi-level political and military prohibitions of opening fire at Sarajevo. First and foremost, it was prohibited by the Prime Minister and the state and military leaders of Republika Srpska, and approval from the SRK commander was required for opening fire.⁴³² Orders issued in June (4 June and 12 June) 1993, warn subordinated commanders that fire was not to be opened on the urban parts of Sarajevo without prior approval. The SRK commander ordered his subordinates to take rigorous steps against violators of this measure, including dismissal from their posts, removal from the unit up to taking them to court and holding them criminally responsible.⁴³³

4.197. One of the orders of the SRK Command signed in July 1993 by the deputy commander, explicitly regulates the use of artillery. That is not the only order which deals with this subject as there are many,

⁴²⁶ For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002, p. 130.

⁴²⁷ Document of the SRK Command, Strictly confidential no.10/74-65 of 14 June 1992. In that document the SRK commander submits to the VRS GS a report on the VP /firing position/ locations of the artillery in the southwestern section of the Sarajevo battlefield, in the context of airport security, following the agreement on its handover to UNPROFOR. On the basis of the agreement which Colonel M. Zivanovic, Chief of Artillery of the VRS GS, concluded with Richard Gray, UNPROFOR officer, and the above report on the locations of artillery firing positions, Colonel Živanovic decided to set up seven observation points at SRK artillery firing positions in: the village of Vojkovici, Vrelo Bosne, Blazanji, Bojnik, Rajlovac, the *Slavisa Vajner Cica* military barracks, and in the village of Uzdojnica. The observer service was to operate around the clock.

⁴²⁸ See Agreement on placing artillery under UNPROFOR control.

⁴²⁹ VRS GS Order, Strictly confidential no. 20/19-311 of 18 February 1994. This order was issued after the massacre at Markale, for which the Serbian side was unjustly accused.

⁴³⁰ For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002, p. 131.

⁴³¹ The locations for artillery and mortar control were the following: the Lukavica barracks, Grbavica, Bajino Brdo, Hreša, Krivoglavci, Osijek, Ilidža, Hadžići and Poljine. See: Letter of General Subiroux sent to General GALIC on control of weapons around Sarajevo, of 19 February 1994.

⁴³² Order, Strictly confidential, no. 20/15-642 of 22 May 1993.

⁴³³ Order Strictly confidential no. 20/15-720 of 12 June 1993.

some of which have already been quoted in this expert report and others will be. This is particularly emphasised because it leaves no dilemmas whatsoever in respect of the position and stance of the SRK Command and its commander General GALIC on the use of artillery and the methodology for approving that use. The Order says:

“With the objective of the coordinated deployment of artillery, proceed as follows:

- open fire only on observed targets outside the city - the city core of Sarajevo;
- inform without fail the SRK Command OC /operations centre/ before opening fire;
- promptly report on the effects of artillery fire;
- the OC shall immediately inform other units that our artillery is opening fire from specific VP on previously observed enemy targets.

Apply these measures at once.”⁴³⁴

In the next paragraph the Corps Command informs its subordinates that the mechanism of exchanging information on own artillery fire is necessary also because there had been instances of the enemy opening fire, and the SRK forces, namely its counterbattling (anti-artillery combat) units remaining inactive, believing that their own forces were in action.⁴³⁵

4.198. If it is correct, and it follows unambiguously from the quoted and a large number of unquoted documents, that during the entire war SRK forces were expressly prohibited from opening artillery and mortar fire on the urban part of Sarajevo under Muslim control, then the allegation in the Indictment that shelling had been a component part of a strategy of terrorising civilians is wholly untenable. The instances of shelling which were chosen as exemplifying the terrorising of civilians – the humanitarian relief queue in Dobrinja, the football match in Dobrinja and the Markale market – are distinct evidence of *a priori* constructions on the alleged strategy of spreading terror among the civilian population in the Muslim section of Sarajevo. Although specialised experts will be imparting judgment on all such “shelling”, at this point we can and must make a number of observations of a general military nature which are the result of the author’s repeated inspections of the actual scenes of events.

4.199. The use of mortars and artillery is from the standpoint of deployment tactics illogical, also because of the absence of simultaneous fire from a number of weapons in such shelling, otherwise normally practiced in all the armies of the world and all the wars waged to date where such types of armaments have been used. Fire using this type of weapons is as a rule opened in the form of battery or platoon fire. In incidents which have assumed the proportions of massacres, such as *Markale 1* and *Markale 2*, the guilt was ascribed to the VRS SRK in advance and without any prior investigation. Serbs denied /?having committed/ the infamous crimes in Sarajevo which occurred as a result of shelling or the planting of explosive devices in the Muslim part of Sarajevo. General Rose, UNPROFOR Force Commander for BH and his team had every possibility to objectively investigate the case. The VRS Main Staff requested that a mixed commission be formed, which UNPROFOR did not accept.⁴³⁶ General Michael Rose directly blamed the Muslim side for that massacre and neither he nor anyone from his circle ever recanted that initial statement. That means that the investigation did not establish beyond all doubt who was to blame for the massacre. If we bear in mind that the two shelling incidents with the gravest consequences (soccer playground in Dobrinja, and the Markale market place) were appraised partially and incorrectly by experts who should have been independent, then we have every

⁴³⁴ Order of the SRK Command, Strictly confidential, no. 20/15-799 of 5 July 1993.

⁴³⁵ For details see Radovan RADINOVIC, *Sarajevo Battlefield* (Expert Report for General Stanislav GALIC), 2002, p. 133.

⁴³⁶ Letter addressed by General MILOVANOVIC to the UNPROFOR Command no. 09/20-941 of 5 February 1994 and General MILOVANOVIC’s communiqué on behalf of the VRS GS, document no. 10/24-48 of 5 February 1994.

reason to doubt much of the other evidence produced by similar experts, on the basis of whose findings was construed the allegation in the Indictment that SRK forces had used shelling as an integral part of the strategy of terrorising civilians. All our findings call this allegation in question.⁴³⁷ More recent information as well as the statements of perpetrators of the crime before the BH War Crimes Tribunal have confirmed that the murder of the wife of ABH General Sefer HALILOVIC and her brother was not committed by VRS SRK artillery units but by the special unit of the BH state security service called Seve. In addition to a series of assassinations and crimes committed by this unit, there is reason to suspect that Markale 1, Markale 2 and the Dobrinja soccer pitch incidents were orchestrated by this criminal organisation which prepared and executed mass murders and crimes under the command of the top political leadership and elements of security structures (the state security service and the military security service). It is good that the truth is slowly coming to light, but it is not good or moral that many have been convicted or are on trial today for planted monstrous crimes, which were the basis of the media demonisation and condemnation of the VRS, General Ratko MLADIC and the Serbian people in general.

4.200. In the so-called cease-fires, SRK forces suffered the heaviest losses. This caused frustration at all decision-making levels, and in particular among the soldiers. By way of illustration, in the period from 12 November 1992 to 27 April 1994 alone there were a total of five extended truce periods, with many brief cease-fires during the course of the war. It is more correct to say that under the influence of UNPROFOR the warring parties accepted these cease-fires. The forces of the 1st ABH Corps violated these five cease-fires 782 times overall. In one of its combat reports sent to the VRS GS, the SRK Command informs that the Muslim side did not respect the cease-fire agreed on 31 August 1993, and that over three months - September, October, and November – its forces fired 1,426 artillery and mortar shells on the Serbian part of Sarajevo. On those occasions 24 soldiers were killed, 37 were seriously and 251 slightly wounded.⁴³⁸ What can one say to such breach of faith and the consequences emanating from these cease-fire violations? In question are totally unnecessary losses which the SRK did not provoke and which were suffered in periods of agreed cessations of hostilities. Observance of a truce should be secured by whosoever organised and conducted the relevant negotiations, which in this case was UNPROFOR. And if it was not strong enough to compel the 1st Corps to honour its signature, it should have imposed sanctions on it. Had UNPROFOR done so, the parties to the conflict would have respected their obligations under such agreements more responsibly. UNPROFOR's conduct not only undermined its own credibility in the eyes of the Serbian side but it also seriously compromised the credibility of the VRS SRK command system in the eyes of the Serbian public, and especially in the eyes of the lower levels of command and the combatants. The VRS accepted to do many things to its own detriment only to alleviate the media pressure and the falsehoods planted in the media to the effect that the SRK was terrorising civilians by shelling and sniping.

4.201. Paramilitary units were one of the serious obstacles to the efficient functioning of the SRK command system on the Sarajevo battlefield and in the VRS. Already in November 1992, in its regular combat report to the VRS GS, the SRK commander warned the superior command of the problem of paramilitaries on the territories of the municipalities of Ilijas, Vogosca, Ilidza and Rajlovac. In that report he particularly accentuated the municipalities of Ilidza and Vogosca, emphasising: "In Ilidza and Vogosca municipalities a group of Serbian volunteers of about 80 men (Bokan's Chetniks) who had come there at the invitation of the president of Ilidza municipality, are outside the control of the Ilidza Light Infantry Brigade. In some cases they do not even refrain from blocking the barracks or stirring up riots with a clear political background /?in/ the SRK."⁴³⁹ In order to prevent the arbitrary conduct of all

⁴³⁷ For details see Radovan RADINOVIC, Sarajevo Battlefield (Expert Report for General Stanislav GALIC), 2002, pp. 130-138.

⁴³⁸ SRK Command, Combat Report, Strictly confidential no. 20/15-1274, of 5 November 1993.

⁴³⁹ SRK Command, Regular Combat Report, Strictly confidential no.10/74-559 of 3 November 1992.

paramilitaries and their links with the local politicians, the SRK commander issued an order for all paramilitaries to be placed under the control of military commands or be disbanded or expelled if they should resist⁴⁴⁰. This formal placing of some paramilitary units under command control did not solve the problem nor fully prevented them from doing as they pleased. Major DUNJIC, the commander of the Blažuj (later Igman) Brigade, is singled out as the principal organiser of paramilitary formations. He introduced some paramilitary units and special detachments into the brigade and supplied them with arms and ammunition, having pulled out all the combat equipment from the Hadžići TRZ. He did all that completely unauthorised and without the knowledge or approval of the Corps Command. In order to rectify the situation, the Corps Command dispatched two officers from the Moral Guidance Sector, and only 5 days later (on 13 December 1992) set up a forward command post in the area, headed by the SRK Chief of Staff, Colonel MARCETIC. In response to these corrective measures, municipal and political potentates decided to arrest the commanders of the Rajlovac and Vogošća Brigades. Two officers from the SRK Command Sector for Moral Guidance, Colonel KOSOVAC and Lieutenant Colonel MALJKOVIC, were also arrested after considerable maltreatment.⁴⁴¹ Colonel MARCETIC, Deputy SRK Commander, was also maltreated and arrested. The perpetrator of all these offences was Major DUNJIC, the Commander of the Blažuj Brigade.⁴⁴²

4.202. A number of paramilitary organisations and their leaders disrupted relations between the VRS SRK and UNPROFOR by their activities, undertaking unauthorised actions targeting its operational deployment or individuals and facilities or seizing and plundering their equipment and property. The worst case of such conduct was in the area - zone of responsibility of the Vogošća TG. The VRS General Staff imperatively demanded that the SRK take energetic measures against the local commander of the paramilitary unit, namely to prohibit use of all symbols not prescribed by VRS regulations, to bring his unit to order, and to prevent his destructive action against UNPROFOR.⁴⁴³ The Corps Command reacted promptly and decided to initiate criminal proceedings against the commander of the paramilitary unit before the competent court.⁴⁴⁴

4.203. Such acts, where a number of undisciplined officers served as exponents of local power brokers, seriously undermined the efficiency of the system of operational command in the SRK and the VRS. This was particularly manifest after large-scale operations or operations of major significance, such as Srebrenica. Their misdeeds and self-will were ascribed to even the VRS NG/S/ /Chief of Main Staff/ General MLADIC as his intention and decision. Formally, the commander is always responsible, but account should be taken of the fact that the VRS NG/S/ had not always been able to implement his will and intention, because of the small number of professional officers at the tactical command level. That is the reality of civil war which is by far more ruthless and bloodthirsty than classical wars between states.

6. PARTIAL CONCLUSIONS

4.204. VRS actions on the Sarajevo battlefield throughout the war were the most disputed and condemned, considerably more than those of all the others in the war in BH. Nowhere are political and

⁴⁴⁰ Order disbanding paramilitary formations.

⁴⁴¹ For details see Radovan RADINOVIC, Sarajevo Battlefield (Expert Report for General Stanislav GALIC), 2002, pp. 148-153.

⁴⁴² According to Radovan RADINOVIC, Ibid., See: Document *Interim Memo* of the SRK Command to the VRS Main Staff on the state of morale, Strictly confidential no. 12/25-71, of 16 December 1992.

⁴⁴³ Order of the SRK Deputy Commander to the Vogošća TG Command, Strictly confidential, no. 20/15-982 of 27 August 1993.

⁴⁴⁴ Report of the SRK Command /?to/ the VRS General Staff on measures undertaken in the Vaske case, strictly confidential, no. 20/15-983 of 27 August 1993.

military strategy in the domain of war objectives so contiguous as on the Sarajevo battlefield and nowhere as on the Sarajevo battlefield has the UN mechanism so rigorously tested all its methods of operation in conditions of civil war and street combat, the true nature of which was not always sufficiently understood, particularly not the fact that on both sides local armed populations were in question and not some armies that had arrived in Sarajevo from elsewhere. Failure to appreciate that fact led to the parties to the conflict being treated differently, primarily to the detriment of the Serbs, whom the Muslims and their authorities portrayed as an aggressor. The Croats were portrayed as aggressors in the same way. That was an expression of the policy of the Muslim leadership who aspired after a unitary state with Muslim domination in every respect.

4.205. Manipulation of the media by the Muslim authorities in BH was very successful and inflicted irreparable damage on the Serbs and Croats, as these constituent nations were depicted as aggressors. This deception lasted for a shorter or longer time, but it certainly did not contribute to an even-handed treatment of the warring parties in BH by the international community. Sarajevo never was a besieged or encircled city, but a divided one, semi-encircled and reciprocally blocked, and as of the summer of 1993, the manoeuvre of the 1st ABH Corps forces was complete, as evident from numerous documents of the ABH⁴⁴⁵ and of the brigade commands.⁴⁴⁶ The so-called *blue routes* were in operation on the main accesses to Sarajevo, from Trebević, Trnovo, Pazarić and Visoko, with lesser or greater problems and incidents. These routes were used to bring in humanitarian relief into the city. The flow of humanitarian relief was continuous. There were also instances when humanitarian relief convoys were abused to bring in weapons and military equipment.^{447 448 449 450 451 452}

4.206. As the VRS GS Commander, General MLADIC, is charged in the Indictment with two types of impermissible acts: (1) illegitimate siege of Sarajevo, and (2) planned terrorising of civilians in Sarajevo by indiscriminate shelling and sniping, inflicting suffering on the civilian population. Analysis has shown many elements of the Indictment to be unsustainable and not based on reliable arguments. Sarajevo was not a besieged but a divided city. This division was defined as one of the 6 (six) strategic goals of the RS, accepted at the Assembly Session in Banja Luka on 12 May 1992. The division of Sarajevo resulted from the Assembly's position that both sides had the historical and national right to consider Sarajevo their capital. Pursuant to a thus defined political strategic aim, the division of Sarajevo into its Serbian and Muslim parts was a fully legitimate military objective, with every warring party having the legitimate right to militarily occupy the part of the city where its people was in the majority.

4207. The division of Sarajevo into a Serb and a Muslim part started when roadblocks were first erected (in March 1992), and continued during the first months of the war in BH. The only changes in this division took place in order to improve the tactical positions of the parties to the conflict. In this context, the Muslim side captured Orlić and Žuč in 1992, acquiring a decisive operational advantage in the northwestern and western parts of the Sarajevo front, while the SRK, by taking Otes, slightly shortened and rectified the front line in the Ilidža sector. All the other lines dividing Sarajevo - in Grbavica,

⁴⁴⁵ Order of the 1st ABH Corps Commander on the transfer of one battalion from Sarajevo over the Airport and its sending to Mt. Igman - no. 02/876-1, of 14 July 1993.

⁴⁴⁶ Order of the Commander of the 5th Motorised Brigade of the 1st ABH Corps on organising traffic through the D-B (Dobrinja – Butmir) structure, strictly confidential no.4365/93, of 2 July 1993.

⁴⁴⁷ Daily Operations Report of the Ilidza Brigade of 12 February 1994, no. 19/9798 and for 9 April 1994, Strictly confidential no. 79/9497.

⁴⁴⁸ Rusmir MAHMUTCEHAJIC, *The War in Croatia and Bosnia and Herzegovina*, p. 348. (P18421)

⁴⁴⁹ VRS GS letter to heads of humanitarian organisations, April 1993. (1D06019)

⁴⁵⁰ Request of S. HALILOVIC for oxygen cylinders, ERN 01817453, of 29 November 1992. (1D20708)

⁴⁵¹ R. DELIC's comment to Muhamed LEMES that "ammunition is clinking" in the cylinders. (1D06005)

⁴⁵² (1D03803)

Dobrinja, Nedžarići, the slopes of Trebević, on Mt. Igman and towards Vogošća, Rajlovac, Ilidža, Hrasnica and Vojkovići remained basically unchanged.

4.208. Sarajevo was neither a besieged nor a blocked city. The blockade pertained only to its Muslim part, or more precisely the Muslim-controlled part. The blockade pertained to the Muslim Army - the BH Army in Sarajevo which endeavoured to take control of all of Sarajevo so that these forces could emerge as free on other parts of the BH theatre of war. The VRS could not allow the Muslim section of Sarajevo to be unblocked because it would have lost the Serbian section of Sarajevo in that way and consequently the war. In order to prevent losing the war, the SRK opted for a military blockade of the forces in the Muslim section of Sarajevo, and blockade as such is a fully legitimate military method. Practice in the history of the art of war has demonstrated this. UNPROFOR Force Commander for BH, General Michael Rose himself used to say that Sarajevo was not a besieged city.⁴⁵³ Most of the time the Muslim side in Sarajevo received all basic necessities for civilian life across Serbian territory without any impediment. Apart from the humanitarian, the Serbian side also offered possibilities for commercial traffic, and the international forces have evidence that the Serbs were interested in the unhindered supply of the city with water, electricity and gas, as well as evidence that the Muslim side used the media for manipulations with the suffering of its citizens with a view to obtaining international support in the pursuit of its political aims.

4.209. In Sarajevo and on the Sarajevo battlefield, an elaborate UN system was in operation: UNPROFOR, the UN Observer Mission and the EU Monitoring Mission, various forms of diplomatic and consular missions, occasional visits by UN and UN GA bodies and representatives, humanitarian organisations, the ICRC, etc. This mechanism was deliberately and purposefully abused to the detriment of the VRS. That was the consequence of the proclaimed and predetermined truth that the Muslims were the victims and the Serbs the aggressors and that it was just to stop the Serbs in their alleged campaign to seize Sarajevo. Thus UNPROFOR first obtained control of the airport, only to later treat very benevolently the needs of the 1st ABH Corps and the communication of its forces between Mt. Igman and Sarajevo across and later also under Butmir Airport. There is even much evidence about UNPROFOR using humanitarian convoys to smuggle weapons and lethal assets for the 1st Corps. One cannot claim that this was UNPROFOR's general plan, but it was so frequent that it can hardly be considered a coincidence or the work of individuals. That UNPROFOR was biased is also evidenced by the handover of the area between Mt. Igman and Mt. Bjelasnica, which the 1st ABH Corps placed under its control under an agreement from August 1993, after Operation *Lukavac 93* and then proceeded to execute offensive actions against the VRS SRK and HK in the spring of 1994.

4.210. The blockade of the city exclusively aimed at preventing the Muslim forces of the 1st ABH Corps on the external front from linking up with the forces inside the city core, and preventing the exit of military forces from and the entry of new military forces into the city core of Sarajevo. Thus, the blockade was a method of military action of a people's army, such as the VRS was, which did not come "from elsewhere" to lay siege to the city, but was part of that people and was defending its settlements and the city municipalities in which the Serbs were a majority.

4.211. Between 12 and 15 ABH brigades were based and actively fought during the entire war in the urban part of the Sarajevo battlefield⁴⁵⁴. This number varies because reorganisations resulted in the merging of forces and changes of zones of responsibility. Every brigade had between 80 and 120 group military targets on the average. The number of targets depended on the type of the brigade and whether it had its entire combat formation in the city or also elements outside the city core. Calculated, this gives

⁴⁵³ See General Michael Rose, *Mission in Bosnia*, pp. 40-41. (1D06021)

⁴⁵⁴ The locations of the bases of brigades and entire elements of the 1st ABH Corps Operational Deployment in the city are best seen in document strictly confidential no. 05/281-1 of the 1st ABH Corps, of 13 April 1993. (D00496)

a total of about 2,200 legitimate military targets in the urban core of Sarajevo. They were located in parts of the city covered by the zones of responsibility of the brigades and independent battalions, i.e. where elements of the Corps organisation and parts of the ABH GS and Supreme Command were. All of Sarajevo, its Muslim and its Serbian part could thus be realistically and with grounds defined as a large military war proving ground tying down the forces of two reinforced corps with large military effectives in personnel and lethal assets. As between 60,000 and 80,000 soldiers clashed every single day for three and a half years on a small area it is a true wonder that the consequences were not even greater.

4.212. Account being taken of the mentioned number, disposition and density of military targets within the city core, it is quite logical to ask on what arguments the claims are based that VRS shelling and sniping were exclusively intended to terrorise civilians and that General Ratko MLADIC is responsible for that. Even a perfunctory analysis demonstrates that such allegations in the Indictment are unsustainable and untenable. The Indictment proceeds from the media manipulations of the Muslim side as if these were confirmed truths. A multitude of examples have shown this to be impermissible and at variance with the actual situation i.e. the war reality that obtained. It is certain that such an allegation ignores the fact that Sarajevo was a divided city and that a war was fought in it, that the military forces of the Muslim and Serbian warring parties had taken up positions in its parts and that their armies opened fire at one another and returned fire as well.

4.213. Reciprocal artillery and mortar fire is also referred to in UNMO observer reports, which could not in principle be said to have favoured the Serbian side. On the contrary, but one could not infer from their reports either that VRS shelling was aimed at terrorising civilians, rather it was an exchange of all types of fire. The reports of Cutler, Mole and Cucola are illustrative in that regard. On 5 December 1992, according to Cutler's report, 606 projectiles were fired from VRS positions and 98 projectiles from the positions of the 1st ABH Corps.⁴⁵⁵ In his report of 20 October 1992, observer Mole claimed that the SRK had fired 52 projectiles and the 1st ABH Corps 26.⁴⁵⁶ UNMO observer Cucola, in his report of 28 July 1992, claims that the SRK fired 2,562 projectiles in two days⁴⁵⁷, while 64 projectiles fell on Serbian Ilidza. As these places came under long-range mutual shelling and therefore fire was not necessarily exchanged by the same opposing forces, this observer's report illustrates our claim that the purpose of the shelling was not to terrorise civilians. This can easily be concluded from a closer analysis of this report, which states that most of the projectiles were fired at the features of Golo Brdo, Kobilja Glava and Žuč. Those were dominant heights to the north and south of the urban part of the city which were held by ABH Muslim forces and uninhabited, so it can be stated with a substantial degree of certainty that the artillery fire was not targeting the civilian population or meant to terrorise civilians.

4.214. Apart from the shelling, sniping has also been described in the Indictment as an illegitimate action intended to deliberately terrorise the civilian population in Sarajevo⁴⁵⁸. Most of the civilian casualties in Sarajevo can be considered to have been the victims of the mutual exchange of small arms fire at the lines of contact or in the tactical depth (about 1.5 – 2 kilometres from the front lines), but these casualties were tendentiously reported by the Muslim media for propaganda purposes as victims of sniping by the "Chetniks" from the hills. The claim that all sniping actions are *a priori* illegitimate is incorrect and prejudiced. Every army in the world has snipers in its ranks, who are specially trained, selected and equipped soldiers and marksmen. When we analyse the role of sniping and sniper weapons

⁴⁵⁵ Cutler's report no. 276 of 5 December 1992, p. 3, paragraph 2.

⁴⁵⁶ Report of UNMO observer Mole, no. 160, p. 1, paragraph 1, of 20 October 1992. (1D06016)

⁴⁵⁷ Report of UNMO observer Cucola, document no. 179, p. 1, paragraph 3, of 28 July 1993. (1D06012)

⁴⁵⁸ Indictment, the part on sniping as terrorising civilians.

in the structure of military capability of the two parties to the conflict on the Sarajevo battlefield, the conclusion is reached that the 1st ABH Corps had a distinct advantage in this area over the SRK.⁴⁵⁹

4.215. The claim that the VRS, namely the SRK, occupied all the salient elevations on the Sarajevo battlefield enabling it to shell the city and terrorise civilians from a safe distance, is incorrect. Analysis of the positions and elevations on the battlefield gives a quite different result. The truth is very different: in the north, east and southeast sections of the Sarajevo battlefield in the sense of the general area, SRK units held the salient positions facing the eastern half of the urban part of Sarajevo. In the south, southwest, west and northwest of the Sarajevo battlefield, the salient heights were held by forces of the 1st ABH Corps. From those positions they were in full control of, with fire from all weapons and ordnance, the western half of the urban part of Sarajevo, from the Grbavica-Kosevo imaginary line, including the settlements of Grbavica and Kosevo which belong to the city core. As well, from all these salient elevations and positions, the 1st ABH Corps had full control of all suburban settlements which were under RS authority and VRS operational control. They are Vogosca, Ilijas, Rajlovac, Ilidza, a part of Hrasnica, Hadzici, a part of Dobrinja, Vojkovici and Lukavica. Throughout the war, UNPROFOR sought to change the balance of power to the detriment of the VRS SRK and to deprive it of its only combat advantage, namely high calibre artillery and armoured-mechanised units.⁴⁶⁰

4.216. The 1st ABH Corps had a distinct advantage over the SRK in personnel and light infantry arms; the Corps had quality infantry weapons, light anti-armour equipment, mortars and sniper rifles. In the urban environment it was able to deploy its forces and assets on hidden positions and to fire covertly, constantly changing firing positions. This served a dual purpose: (1) protected its weapons from destruction; (2) provoked counter-fire from the SRK forces on positions of the 1st ABH Corps, causing accidental civilian casualties and damage to physical property, as well as an unprecedented demonisation of the Serbs in the media.⁴⁶¹ In this analysis we have explained that the deployment of artillery was legitimate for a number of operational reasons, namely the fact that the ABH had based its forces in the city and was opening fire from its urban part using all available resources - artillery, mortar and infantry. The documents supporting this analysis contain compelling evidence that the forces of the 1st ABH Corps deployed and used their combat formation elements in and from public and private buildings, making all such buildings legitimate military targets.⁴⁶² Accordingly, it can be confidently assumed that artillery and mortar fire from SRK firing positions was opened in response to ABH fire, namely as a counter-action, and also because Sarajevo had not been declared either an open or an undefended city, which solely could *a priori* delegitimise any SRK military action, including artillery fire, directed at the city. That legitimate military targets of the 1st ABH Corps in the urban part of Sarajevo were in question has also been testified to by many military observers.

4.217. SRK artillery opened fire targeting legitimate military targets of the enemy, deployed and active from the firing positions in the part of Sarajevo under the control of the 1st ABH Corps. There is no confirmation that the incidents specified in the Indictment in which apart from soldiers a number of civilians were killed involved fire by Serbian military forces and particularly not that they were caused by deliberately targeting civilians. Such a conclusion is refuted by numerous pieces of evidence as well

⁴⁵⁹ Sniping from different city structures is reported in the following Combat Reports: 1st smbr, strictly confidential no. 1-1145, of 14 December 1992, strictly confidential no. 1152, the same year (14 December 1992). (1D06002), the Ilidza Brigade, strictly confidential no. 19/8841, of 31 January 1994 (1D06003); 1st Sarajevo Mechanised Brigade, strictly confidential no. 3-8461/4, of 21 July 1994, etc. Given the firing locations, the claim that it was a peaceful area inhabited by civilians is hardly tenable for this was obviously a highly militarily active part of Sarajevo, making counter-fire at that part of Sarajevo fully legitimate.

⁴⁶⁰ For details see Radovan RADINOVIC, Sarajevo Battlefield, Expert Report for General Stanislav GALIC, 2002.

⁴⁶¹ For details see Radovan RADINOVIC, Sarajevo Battlefield, Expert Report for the Defence of General Stanislav GALIC, 2002.

⁴⁶² See Attachment 11, Map of respective dispositions on the Sarajevo battlefield.

as by the opinions of UN and defence experts. It is true that the SRK had a significant advantage over the 1st ABH Corps in heavy weaponry. But this advantage was substantially offset through a series of actions undertaken by UNPROFOR and UNMO observers, and also because the ABH became increasingly better equipped with high quality artillery, mortars and sniper weapons. On the other hand, urban warfare to which the 1st ABH Corps had adapted better to than the SRK, deprived the SRK of this evident military advantage in significant measure.

4.218. Empirical data corroborate the claim that the 1st Corps had a significant advantage in sniping capability over the SRK. For the duration of the war, the *Zrak* factory manufactured this type of equipment, while at the very beginning of the war, as admitted by an ABH official (SIBER), the ABH had distributed about 500 sniper rifles, which considerably exceeded the number that SRK could have had at the time. Already in late 1993, the 1st ABH Corps had better quality snipers (12.7 mm) than the ones the SRK had. In conditions of urban warfare, such as obtained on the Sarajevo battlefield, this combat formation element was highly lethal. Most of the high-rise buildings and salient positions around the urban core were in the hands of the 1st ABH Corps, which consequently had much better possibilities than the SRK for selecting favourable positions for the deployment and action of snipers. The only kind of at all dependable defence against such snipers was anti-sniper fire using own snipers, artillery and mortars.

4.219. Examination of most of the documents of the warring parties and foreign observers convincingly demonstrates that civilian casualties on both sides were the consequence of coalesced military and civilian systems, and the Muslim side was in the lead because it occupied the far more densely inhabited and urbanised part of Sarajevo but had taken no steps to protect the civilians. In such circumstances civilian victims must be considered collateral damage of urban warfare. This, of course, refers to those who were killed from military firing positions and not those killed in prisons and camps of which there were too many on the Muslim side in Sarajevo and its environs. Indeed, there exist numerous documents and records of crimes against Serbian civilians in Sarajevo, Tarcin and other places under Muslim control. Mass grave sites are still under investigation, some were really monstrously selected, such as the city dump in the Muslim part of Sarajevo where the first bodies of those executed were found, many of them first burned. The burning of the dead bodies of Serbs killed in Sarajevo was also confirmed at their trial by members of the infamous *Seve* unit. After the first Commission suffered a fiasco, the families of Sarajevo Serbs who were killed or are missing keep demanding the setting up of a new commission to investigate the fate of more than 3,300 Serbian civilians who were killed. The task of this commission should also be establish the truth about the detention of more than 3,000 Serbs in 126 Sarajevo camps. Death camps, incarceration, torture, killing... these words describe the ordeal of the Serbs in wartime Sarajevo. Even after two decades the truth is a jealously guarded secret in this city. Because of the thousands of Sarajevo Serbs whose fates are unknown to this day, the families of the victims are demanding that a new Commission for Serbian victims in Sarajevo be set up. Will Sarajevo open its dark chambers this time? Or will it, as so far, assisted by the judiciary, continue to build the cult of a victim?⁴⁶³

4.220. There was no end to the perfidy and crime in the Muslim section of Sarajevo and fabrications in an orchestrated media campaign in order to elicit international support to the Muslims in the pursuit of their political goals. The lies were unremitting in the critical periods of the war when the ABH was in crisis and when it was unable to accomplish political ends by military means. In addition to Markale-1 and Markale-2, the most heinous crimes were committed and innocent individuals killed. Thus the Muslim leadership stage-managed the murder of two young Sarajevans, Admira and Bosko. In accordance with the criminal script, they were deliberately offered the opportunity to leave Sarajevo on

⁴⁶³ Branka KUSMUK, RTRS, 25 October 2013.

19 May 1993. Having made arrangements, through criminal circles and mutual friends on both sides, around 5 p.m. they set off towards Grbavica across the Vrbanja bridge. First Bosko was shot dead on the bridge and then Admira was also wounded and died 10 minutes later holding her dead boyfriend in her arms. Their bodies remained on the bridge for a full week and were then pulled out by a work detail to Grbavica, a part of Sarajevo under VRS control. UN forces refused to help recover the bodies, while Serbs and Muslims traded accusations for the death of the young couple. They were buried at the Serbian Military Cemetery in Lukavica, and in 1996, the bodies were transferred to the Lav Cemetery in Sarajevo as Admira's parents wished. As there had been no post-mortem examination nor was an investigation conducted, the direction of the shooting and the murderers remained unknown for a long time,⁴⁶⁴ until by chance the plot unravelled and the Muslim media truth i.e. blaming this monstrous crime on the VRS was disproved.

4.221. That crime shocked the international community. It was attributed to the Serbs, which very seriously tarnished the general image of the Serbs in the war in BH and of the objectives of their struggle. Even today, after it has been exposed as a stage-managed crime prepared and executed by members of the Seve unit of the Muslim state security service, on orders of the top Muslim leadership for the purpose of discrediting RS and the VRS in the media and in the international arena as a criminal organisation on the Sarajevo battlefield, nothing has basically changed. From habit and by inertia, political and military leaders of Republika Srpska continue to be blamed, and the media harm done the Serbian people is irreparable and unalterable. That narrative about "Serbian criminal activity" was immediately released to the world media. HERENDA was precise in his statement in connection with that crime too and said that the girl and boy had been shot dead by sniper by Dragan BOZIC, a member of the Seve. HERENDA even indicated the spot at which BOZIC had waited for them and from which he killed them. Edin GARAPLIJA, a former operative of the Bosniak Secret Service AID /Agency for Investigation and Documentation/, said this already on 23 April 2002 to the prosecutor of the Sarajevo Canton and the statements were published much later by the Sarajevo *Dnevni Avaz*. GARAPLIJA testified that the Seve, namely Nenad HERENDA, who for a time was the leader of the group, and Dragan SOSIC, a Seve member, killed the young couple Bosko BRKIC and Admira ISMIC on the Vrbanja bridge. The media broadcast this as the death of Romeo and Juliet bestially killed by VRS members from Grbavica. All that was done to discredit the VRS and represent it as a criminal organisation terrorising civilians by shelling and sniping. The story that they had been killed from the Serbian side was promoted by the media. HERENDA was precise and explained that he and Dragan had been on the grounds of the former *Steleks* building, i.e. the Faculty of Electrical Engineering. Masked, they shot at the boy and girl on the bridge as they were trying to cross over to the territory of Republika Srpska. HERENDA also admitted that there had been sniping at French UNPROFOR forces, and that he had killed a French soldier from the building of the Executive Council on orders, shooting through the passage between the Museum and the Executive Council building and creating the false impression that the shot came from the VRS in Grbavica. The Serbian media reported at the time that Admira and Bosko had been killed by a sniper from the former Executive Council building, but the truth was of no interest to the Sarajevan and world media which were bent on accusing the VRS.

4.222. In May 1992, 12 prisoners who were brought to the Police Social Centre, among whom eight JNA reservists, were also liquidated. HERENDA said that he had been ordered to liquidate that group. When I asked him why he had done it he told me: "So what, they were Chetniks". Then he explained that that day a total of 12 people had been liquidated, eight JNA reservists and four civilians, among whom one woman. He said that he had lined them up outside the Police Social Centre and shot them using a machine gun. Then HERENDA shot each of them in the head. On orders from the bosses, other

⁴⁶⁴ Edin GARAPLIJA, former agent of the AID secret police, in an interview to *Slobodna Dalmacija*, accused the Bosniak special unit Seve of the murder of the young couple.

members who were there pulled the bodies to Dariva and burned them there. This is GARAPLIJA's statement and it is only the part disclosed to the public. The Hague Tribunal has many more details which will hopefully help in the process of establishing the objective facts in respect of responsibility for crimes in Sarajevo unjustly ascribed to the Serbian people, the VRS and General MLADIC as the commander of the Main Staff. According to him, the Seve, in addition to shooting at selected targets, also practiced shooting at Grbavica, a part of town under Serbian control in the war, from Sarajevo buildings and elevations. HERENDA admitted that he picked out "old women wearing mourning black" because he knew that Bosniak women never dressed like that. I asked him who stood behind those orders and he invariably mentioned Nedžad UGLJEN, man number two in AID. He went on to say that high-ranking police officials Bakir ALISPAHIĆ, Asim DAUTBAŠIĆ, Enver MUJEZINović, and even military factors namely Generals Fikret MUSLIMOVIĆ and Jusuf JAŠAREVIĆ as the military chief of security, were privy to the activities of the Ševe – GARAPLIJA emphasised.⁴⁶⁵ The old women in black were Serbian women wearing black clothes because they were mourning for a killed or deceased dear one. There was a period in which pregnant women were shot at so that they would not give birth to "Chetniks". Monstrous acts and crimes cannot be rationally understood or explained. After everything, there is reason to suspect that in addition to the explosive device intended to assassinate General Sefer HALILOVIĆ after he had been dismissed from his post, the explosive devices and mass liquidations of civilians at Markale-1 and Markale-2 are the doing of these criminals. The latest findings resulting from expert analysis also suggest this. In statements given to the electronic media, for example in a talk show on Radio Television of Republika Srpska on 15 March 2013, Edin GARAPLIJA clearly says that the Seve actually were a terrorist paramilitary and para-state organisation behind which stood the top Muslim political and state leadership.

4.223. The Dayton Agreement brought peace, stopped the killing and the war but the suffering of the people remained great and will not be forgotten by many contemporaries in their lifetime. "The Serbian population has gone, many of them in tears, and most of them settled down in the region of the Sarajevo district under RS administration, namely in Lukavica and at Pale. Others went on to Banja Luka, Bijeljina, Bratunac... and a smaller number also towards Serbia. If today we add up the numbers of Serbian inhabitants in Lukavica, a part of Dobrinja, at Pale and the near-by places, we will see that a good part of them were displaced from the city into those surroundings of Sarajevo."⁴⁶⁶

4.224. There is not a single act among the numerous documents which the VRS GS verified or drew up under the command of General Ratko MLADIC directed at the commission of war crimes against the civilian population or ABH soldiers in Sarajevo. However, through a media campaign, all crimes and criminal offences which happened on the Sarajevo battlefield were as a rule attributed to General MLADIC. From the standpoint of military doctrine, account being taken of all the relevant facts considered when preparing a military expert analysis, in General MLADIC's actions there does not exist either intent or complicity in planning or terrorising the civilian population of the city of Sarajevo. In the initial stage of the civil war in Sarajevo and BH, when in the process of the division of peoples, settlements and municipalities mass murders, expulsions, violence, incarceration and killing were being committed, in particular on the Sarajevo battlefield, General MLADIC was forced, with the still unorganised army of the Serbian people, to try to protect that people from the adversary who greatly outnumbered it in Sarajevo. In so doing, at the beginning of the war General MLADIC had to issue orders for the use of artillery on the Sarajevo battlefield in order to deter Muslim forces from wreaking terror on the Serbs in Pofalici and Buca Potok. It is precisely in that period that Muslim paramilitary units killed many civilians. It is not known to this day where many were killed or buried.

⁴⁶⁵ 28 March 2012, *Vecernje Novosti*.

⁴⁶⁶ KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 90.

4.225. When all this is correlated with the conclusively established facts which have been referred to in this report, namely that in the documentation available to the author as his analytical terms of reference, not a single document can be found in which General Ratko MLADIC requests his subordinates to open artillery and sniper fire at civilian targets, nor any documents encouraging subordinates to do so, the conclusion must be drawn that the allegation in the Indictment that General MLADIC is responsible for numerous instances of shelling and sniping at the Muslim part of Sarajevo and terrorising civilians is wholly unsustainable. The Sarajevo battlefield is an operational category and concept and almost all matters pertaining to the war and operations were addressed by the corps commanders with their subordinated commanders of brigades, battalions and independent units. Artillery shelling and sniping are under the authority of the tactical level and it is not appropriate to put them in the context of the responsibility of the VRS NGS. The analysis has indisputably demonstrated that there does not exist any direct link between the command function of General Ratko MLADIC as the VRS GS commander, and specific events on the Sarajevo battlefield. Whenever cease-fires, truces or agreements were on the agenda, General Ratko MLADIC expressed readiness for cooperation and saw to it that the SRK command observed the cease-fires and placed heavy weaponry under control, which almost invariably ended detrimentally to Serbian interests, in support of which quite a few facts and arguments have been presented. The Muslim side took advantage of the activity of UNPROFOR on the Sarajevo battlefield as direct assistance in order to change the balance of power and release a part of the forces of the 1st ABH Corps and dispatch them to other battlefronts in BH. New evidence of the perfidious and stage-managed crimes of the Muslim special forces sheds new and true light for an objective perception of the armed conflict on the Sarajevo battlefield. That is important for the sake of history and fairness to those accused for war crimes.

Part V

SREBRENICA AS A SYMBOL OF MASS CRIME IN THE WAR IN BOSNIA AND HERZEGOVINA

5.0. Following years of media demonisation, condemnations and judgments pronounced in advance for the many evils which transpired in the civil war in BH, defending Ratko MLADIC is a difficult if not impossible undertaking. Awareness of this placed a strain on me, as a military expert, because analysis of primary military facts which can be associated with his role and command responsibility in the events of July 1995, yielded information which does not correspond to the “predetermined truths” which had been promoted in the international public through media propaganda for a long time. In the media and a part of the international public all guilt for mass executions and crimes committed against the Muslims in Srebrenica has principally been attributed to General MLADIC. Analysis of documents and reports reveals a considerably different truth. An attempt has been made to present in this part of the report as objective findings as possible, with substantiation deriving from international and Muslim sources, about the military operation for Srebrenica known under the name *Krivaja 95*⁴⁶⁷ and the events which followed it.

5.1. Having studied the Indictment brought against General Ratko MLADIC by the Office of the Prosecutor of the International Criminal Tribunal for Crimes in the Former Yugoslavia, I realised that the accused was charged with the most serious crimes stemming from his “acting in concert and participation in a joint criminal enterprise” with other members of the RS VRS and MUP. Acting thus in concert, the Indictment further alleges, and in keeping with state policy and organisation, they launched a widespread and systematic attack against the Bosniak people in the BH generally and in particular in the UN safe area of Srebrenica with the objective to permanently and forcibly remove the complete Bosniak civilian population from the enclave, and to capture, detain, forcibly transfer and summarily execute and bury men of military age from the Srebrenica enclave and thus exterminate the Bosniak people.

5.2. Based on reports and upon selection and analysis of relevant military facts, questions and problems, it should be pointed out that it is not customary for the VRS GS Commander, who was not directly in command of the forces in the operation, and who did not have effective control over units at the tactical

⁴⁶⁷ The author of this report is rather reserved vis-à-vis the events which took place after Operation *Krivaja 95*, because much information is still inaccessible about the participants who led to the crime. So far all responsibility has mainly been ascribed to the VRS and its commanders at various levels and its soldiers. This responsibility is not disputable in general terms, but rather than institutional, it should be personal. Some go to extremes in the intention to represent all those who were killed in action around Srebrenica and along the breakthrough route as the victims of mass execution. For the sake of the truth and justice for the dead and living it is necessary to obtain data which will reflect the reality of those wartime days. Judgments which do not appreciate that reality can only become the source of new divisions and misunderstandings. Of the total number of soldiers and civilians who were killed in Srebrenica and on the breakthrough route, information that they were killed after having been taken prisoner exists for only about a half of them, meaning that all other victims fell on the breakthrough route of the 28th ABH Division. These facts are not being presented with the intention of lessening the crime against the prisoners, but for the sake of the objective truth. As well, many Muslim and Serbian sources doubt the correctness of the total number of those killed and give different figures, with the number of casualties ranging between 6,500 and 8,000 people. There are also elements of politicisation of the crime with attempts to increase in all possible ways the number of those who perished, for instance transferring those who were killed in the war in Srebrenica also to the Memorial Cemetery in Potocari and burying them there. All this leads one to believe in the existence of a political intention of Muslim circles to represent all innocent victims and those killed in the war as “victims of genocide” committed by the VRS. Today anyone in the world who respects facts realises that what happened in Srebrenica was not genocide and that there had been no such intention. What happened was a crime against a number of captured soldiers and civilians who were in the column breaking through to territory under the control of the Muslim forces of the 2nd ABH Corps.

level after the operation, or reliable information about the crimes committed by renegade groups of avengers and paramilitary groups during and after the operation /end of sentence missing/. General MLADIC was for a time in the zone of operations and directly issued several oral orders and participated in the negotiations with members of the 28th Division on laying down arms in order for further casualties to be prevented. That is a legitimate and desirable military approach, namely to achieve the objective of an operation with the least possible casualties. However, everything was done differently, causing the conflict to unnecessarily escalate further in the breakthrough stage, which led to mass crimes.

5.3. The acts General MLADIC is charged with require an analysis of Operation *Krivaja 95* and of its direct and indirect consequences, as well as of /his/ place and role in the process of its preparation and execution, and finally analysis of the chain of command. It is particularly important to proceed from the causes and reasons for planning it and go through its course and outcome, to be able to conclude by reference to proven facts and arguments whether General MLADIC could at all have precluded or prevented the serious consequences in the course of and after Operation *Krivaja 95*. In creating reasons and causes for the attacks on Srebrenica and Zepa, there was awareness that a critical potential existed for crimes and revenge against members of the 28th Division and that if a breakthrough was attempted deaths and crimes would be a foregone conclusion that no one would be able to prevent. These two key determinants were behind the commission of the crimes after the operation.

5.4. Following a review of the military dimension of the operation from 2 July 1995 to 17 July 1995, special attention has been devoted to the breakthrough of the column from Srebrenica towards Tuzla and an analysis of the circumstances which led to the evacuation of the civilian population, the capture of members of the 28th Division and of men of military age who had joined it. It was difficult to obtain reliable information on the flow of information in the chain of command starting with the capture of the members of the column and their transport to facilities in the Zvornik Brigade zone of defence up to their liquidation and burial in graves. In respect of the activities surrounding the mass execution of prisoners, it is evident that neither the strategic nor the operational command levels had timely information and that they only subsequently received some incomplete information about it. It is also hard to understand how the political and military leadership of RS approved the execution of the operation failing to realise on time the strategic trap deliberately set to discredit the objectives of the struggle of the Serbs in the civil war in BH. When all these major issues are reviewed it is possible to speak more objectively about whether command responsibility attaches to General Ratko MLADIC for the crimes that happened, or whether those crimes happened according to someone else's plan, drawing on ethnic hatred and the vast revenge potential and using mercenaries at the recommendation of those who steered the war in BH and who needed the tragedy in Srebrenica to ethnically cleanse and expel Serbs from the Republic of Serbian Krajina and from the western part of Republika Srpska.

5.5. For the preparation of this expert report, General Ratko MLADIC's defence team put voluminous documentation at my disposal: (1) operational documents, of primarily the VRS, which contain military facts that from the side of the VRS shed enough light on developments during the preparation and execution of the operation. The problem is the lack of information about the treatment of prisoners of war, notably in the facilities in the defence zone of the Zvornik Brigade. From then on operational military documentation is increasingly scant; (2) voluminous documentation refers to the testimonies of numerous participants in the events; (3) a series of reports of military experts who prepared expert reports for cases related to Srebrenica.⁴⁶⁸

⁴⁶⁸For details see Radovan RADINOVIC, Expert Report on Srebrenica.

5.6. A serious setback for making reliable factual conclusions is the lack of original documentation of the Muslim armed forces of the BH Army. If these documents were also available, cross-referencing of documents as well as of the views of the parties to the conflict would be possible, as a two-sided process was in question where the conduct and decisions of the protagonists were mutually interdependent.

1. Basic geographic, demographic, historic and geostrategic features of Central Podrinje

5.7. In the widest geographical sense Central Podrinje covers the municipalities of Bratunac, Srebrenica, Milici, Sekovici, Vlasenica and Zvornik. However, given the military-political, spatial-geographic and demographic, as well as administrative-political developments and changes immediately after the war, during its course and after its end, the term Central Podrinje can conditionally and for the needs of this analysis be restricted to the Bratunac and Srebrenica municipalities which existed from before, and to which were added the newly-formed municipalities of Milici and Skelani. The mentioned four municipalities cover an area of about 1,520 sq. m., which is about 3% of the total territory of BH. According to the results of the 1991 population census, about 80,000 inhabitants lived in the area of these municipalities, or about 1.8% of the total Serbian population. In terms of ethnicity, the population shares were as follows: Serbs 28,500 or 35.6% and Muslims 49,500 (61.9%). The number of inhabitants belonging to other ethnic groups was negligible and those figures can therefore be omitted from this analysis. The ethnic structure of the population varied considerably from municipality to municipality. Thus, for instance in Srebrenica, Serbs accounted for 25% of the population and in Milici for as much as 90%.⁴⁶⁹

5.8. Bearing in mind the requirements of this kind of analysis, it is of the essence to review the ethnic identities of the rural and urban settlements. In the municipalities of Bratunac, Srebrenica and Skelani, where the Muslims were a demographic majority, there were 29 purely Serbian, 37 purely Muslim and 64 villages of mixed composition. These are big villages with numerous hamlets which bear their own names, which is why a much larger number of villages may feature further on in the analysis than the 120 referred to in the preceding sentence. All villages in Milici municipality were purely Serbian. Some indicators raise doubts regarding the authenticity of demographic data published after the statistical processing of the 1991 census results. It was, namely, established that more voters of Serbian ethnicity turned out at the 1990 joint multiparty elections in Srebrenica than was their number established in the population census less than a year later. Another reason for suspicion is the fact that the BH organs failed to forward the population census results to the Yugoslav Statistical Office as envisaged so that the census results could not be properly verified by the state authorities. Despite reasonable doubts about the results of the 1991 population census in the municipalities of Central Podrinje, we can nonetheless conclude for the needs of this analysis that Muslims were the majority population in the municipalities of Bratunac, Srebrenica and Skelani and Serbs in Milici. In the civil war in BH in certain regions an ethnic majority did not guarantee that the areas in question would remain under the control of own armed forces. Thus the Serbs also lost vast areas, four municipalities in western Bosnia in which they were the absolute majority, with over 92% (Drvar, Grahovo, Petrovac and Glamoc).⁴⁷⁰

5.9. Title deeds in the land registers provide a markedly different picture relative to the demographic structure. Namely, the land area in Serbian ownership is inversely proportionate to the ethnic composition of the population. This is understandable if one remembers that even earlier, and especially after three pogroms against the Serbs in this century and three Serbian exoduses (1914, 1941-1945 and 1991-1995), the Muslims were the majority in the towns, and the Serbs in villages. With the decrease of the Serbian population in these three genocides, the mismatch between their share in the total population

⁴⁶⁹ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, Belgrade, 2010, pp. 8-10.

⁴⁷⁰ Ibid., p. 11.

of Srebrenica and Bratunac and their share in the ownership of land in these municipalities became even more acute (Attachments number 14 and 15). The greatest pogrom of Serbs in Podrinje took place during the fascist construct of NDH, when over 6,000 civilians were killed in Ustasha offensives in which Muslim units prominently participated.⁴⁷¹ This pogrom was the source of the fear and insecurity the Serbian people felt at the beginning of the war, rendering untenable the position set forth in paragraph 13 (d) of the Indictment that General MLADIC worked on the permanent removal of Bosnian Muslims and Bosnian Croats, by "...disseminating, encouraging and/or facilitating the dissemination of propaganda to Bosnian Serbs intending to engender in Bosnian Serbs fear and hatred of Bosnian Muslims and Bosnian Croats...". Regrettably, history abounds in facts about the inter-ethnic and religious relations and strife between Serbs, Muslims and Croats, which were weighed down the most by the Muslims' arrogant and violent treatment of Serbs and Croats during the period of the Ottoman Empire. In the First and Second World Wars these relations were further exacerbated by the mass crimes against Serbs during the fascist construct of NDH. The hatred from those times became a latent constant of interethnic relations and mistrust. It is therefore unjustified to attribute to General MLADIC something which is untenable from the historical viewpoint and does not express his powers or intention. Interethnic relations in BH were disrupted even before General MLADIC arrived in this republic of the former SFRY. In spite of persistent attempts to alter that situation, land registers from the Austria-Hungary period to date show that the Serbs own 52% of the land, the Muslims about 29 %, while the remaining cca. 19 % belongs to the state. A case in point relevant to this part of the analysis is that of the village of Zedanjsko in the municipality of Srebrenica. At the time of the Second World War, the number of Muslims and Serbs in this village was equal. During the war, Muslims in Ustasha units from the village and the immediate vicinity killed the entire Serb population. Ever since that time the village has been populated exclusively by Muslims, but the land⁴⁷² was still registered in the land registers as the property of the slaughtered Serbs. There were very many such villages in BH.

5.10. Podrinje was not nor is today of the same geopolitical and strategic importance to all the three constituent peoples in the civil war in BH. One can say that Central Podrinje is of great importance to all the three sides. Muslim geopolitical strategy was based on domination over the other two constituent peoples, centralised government and an indivisible BH. Without Podrinje there can be no integral BH or its unitary state project. In the Muslim geopolitical strategy governing Podrinje was of much broader regional significance, which is not the subject of this analysis. Podrinje is, in the communication sense, the gravity hub of the entire area across which different corridors led in every direction. For Croatia's geopolitical strategy, Podrinje is important not as a geographical area in its own right but as a border area in the vision of Croatia within its "natural geopolitical frontiers" with Serbia. In the pursuit of those objectives Croatia was directly involved in the war in BH all the time, intending to suppress Serbian interests and expand the area under greater direct Croatian influence.

5.11. Podrinje is of vital strategic importance for the Serbs in RS. Whereas both Muslims and Croats can realise their minimal geopolitical and strategic aspirations without Podrinje, without it Serbs in BH would have no chance of realising even their minimal strategic objective – the preservation of any kind of political identity of the Serbs in BH. Had they been driven out of Podrinje, as the Muslim strategic plans had envisaged, the Serbs in BH would have had to settle for so-called enclaves, without integral territory and contiguity with the territory of the Republic of Serbia, something the Croats ensured by conquering Serb ethnic territories in the Bosnian Krajina (1995). All Serbian enclaves in BH would find themselves in deep Muslim and Croat encirclement, exposed to constant assaults and pressures and as such condemned to demographic evacuation and disappearance from those areas. The second stage would be a unitary BH, or better to put it a Muslim BH, under Croatian influence in terms of culture,

⁴⁷¹ The massacre and pogrom in Stari Brod and Milosevici, in the vicinity of Visegrad, lasted from 22 March to May 1942, when about 6,150 civilians were killed.

⁴⁷² Radovan RADINOVIC, Military Expert Testimony on Srebrenica, Belgrade, 2010, pp. 5-9.

security and in every other respect. An obvious example is the so-called Bosniak language, which essentially does not exist as such but is part of the Serbian language. Under political influence many terms from the Croatian language have been forcibly introduced into that language. Such subordination and domination are elements of the imposition of a cultural paradigm which is not historically intrinsic to Muslims, whose biological roots are in the Serbian people.⁴⁷³

5.12. Appreciating the exceptional geostrategic and state-political importance of Podrinje for both Muslims and Serbs, one comes to understand the roots of such sharp confrontations between them and of their conflicting political and military strategies. On 20 April 1992, the first ambush was set up to the local Serbs in Potocari and six Serbs were killed and four wounded.⁴⁷⁴ Between 7 and 8 May 1992, Bosnian Muslim forces regained control of the nearby town of Srebrenica, killing several Bosnian Serbs on that occasion, including reportedly also Goran ZEKIC, a deputy to the SRBH Assembly.⁴⁷⁵ Despite the strength and lead of the TO, local Bosnian Muslims operating out of Srebrenica launched a series of surprise strikes and attacks, inflicting considerable casualties on the Serbian side, in particular among village but also municipality defence commanders.⁴⁷⁶ By the end of May 1992, large scale and effective ambushes were being successfully orchestrated by the Bosnian Muslims.⁴⁷⁷ In the first half of 1993, until the establishment of the UN "safe areas", the Serbs tried to recover part of the positions they had lost in Podrinje while Muslims strove to hold on to them and in a favourable unravelling of the whole situation in BH establish decisive control of Podrinje.⁴⁷⁸

5.13. As a result of the exodus of the whole Serbian people, which ended in January 1993 with the fall of Skelani and Kravica, all trace of Serb existence in Central Podrinje was extinguished. This applies to the whole area from Žepka Stena in the south and southeast to Drinjača in the north and northwest. Solely exempted from this ethnic cleansing was the town of Bratunac. In lieu of multiethnic life such as existed for decades after the Second World War, Central Podrinje began a life featuring all the accoutrements of Islamic fundamentalism. The central place around which everything revolved was Srebrenica, under the command of Naser ORIC. A situation in which Central Podrinje was without Serbs, that is, under total Muslim control, was absolutely unacceptable for the Serbian political and military strategy.

5.14. In order not to compromise the fundamental strategic goals of the struggle of the Serbian people in BH, namely the preservation of their political autonomy and physical survival in this former Yugoslav republic, the Serbian political and military leadership in BH had to take the strategic decision to substantially improve the situation in Central Podrinje. For that purpose, the Drina Corps of the Army of Republika Srpska was formed in November 1992 with headquarters in Han Pijesak and subsequently in Vlasenica. Its zone of responsibility more or less coincided with the Central Podrinje region, in places extending beyond its borders.

5.15. On 15 February 1993, almost a year since the beginning of radical ethnic cleansing carried out by Muslims in Central Podrinje, the Corps Command launched attacks along three tactical routes: from Zvornik southwards, from Višegrad northwards and from Ljubovija westwards. At the same time, units

⁴⁷³ Radovan RADINOVIC, *Military Expert Testimony on Srebrenica*, Belgrade, 2010, p. 14.

⁴⁷⁴ The situation in Bosnia and Herzegovina before the beginning of the war and the situation in the territory of Bratunac municipality, 1992-1999, (translation into English by the ICTY CLSS) see p. 7.

⁴⁷⁵ Ibid., see p. 6.

⁴⁷⁶ The situation in Bosnia and Herzegovina before the beginning of the war and the situation in the territory of Bratunac municipality, page 7. On 26 May 1992, the commander of the Kravica area defence was severely wounded. On 29 May 1992, the secretary of the Bratunac MUP was killed. On 31 May, the deputy commander of the Kravica TO Defence Staff was ambushed and killed near Glogova.

⁴⁷⁷ Richard J. Butler, *Military Narrative on Srebrenica (revised) – Operation Krivaja 95*, 2002, p. 15.

⁴⁷⁸ For details see Radovan RADINOVIC, *Military Expert Testimony on Srebrenica*, Belgrade, 2010.

of the Corps organised a firm defence line on all axes leading out of the Sarajevo region and emerging in the general Central Podrinje area and along axes leading out of the general region of Tuzla towards Central Podrinje. In a powerful drive, units of the Corps, mostly consisting of men born in Central Podrinje, very quickly achieved decisive military success. Already in April 1993 it seemed very likely that Srebrenica would be liberated. The élan and combat morale of Serbian combatants were so high because their own villages and the ashes of their own homes were in question. During the operations many soldiers liberated their own villages, came across the cinders of their own homes and the bodies of their family members.⁴⁷⁹

5.16. The large concentration of Muslims, troops and police in Srebrenica greatly surpassed the town's ability to meet the people's basic material and spiritual needs in that time of war. Already at the beginning of spring 1993 (April), Srebrenica assumed the form of an enclave. The Drina Corps had both the strength and the resolve to liberate Srebrenica, but the VRS Supreme Command would not permit it to do so for a number of reasons: (1) the international community personified by UNPROFOR and its prominent military commanders wished to prevent it at any cost, and (2) it would have been difficult to prevent acts of vengeance on the part of combatants who had gathered the mutilated remains of their dearest ones and seen the cinders of their ancestral homes all the way from the Drina to Srebrenica.⁴⁸⁰ Hatred was immense and the desire for revenge even greater.

5.17. The opinion of the president of the Muslim part of BH eloquently describes the genesis of the problem from 1993 to July 1995. “/?Q/ In April 1993, when Srebrenica was about to fall, the option of relocating the population to free territory existed but it was abandoned. In the latest United Nations report on Srebrenica you stated that in hindsight you believed that not moving the population then had been a mistake. Why was the plan abandoned? /?A/That was the result of consultations with the local political and military leadership of Srebrenica. They believed that they would be able to defend themselves. To me it seemed that in the event of a massive-scale enemy attack the situation would be unsustainable and I was in favour of evacuation, but I did not insist. As far as I remember, the military were not in favour of evacuation either.”⁴⁸¹ They even said that Muslim and Serbian political and national leaders had agreed on the places of resettlement. The same report also refers to talks with the Serbian side on exchanging Srebrenica and Zepa for Vogosca and Ilijas. Also, men from Srebrenica who participated in November 1993 in the Bosniak Assembly in Sarajevo, told me that you informed them then that KARADZIC was proposing that Srebrenica and Zepa be exchanged for Vogosca and Ilijas and asked them for their opinion. Would you please explain what that was about? What you are saying is true, but only Srebrenica was in question. In Geneva, KARADZIC offered that Srebrenica be exchanged for Vogosca. I discussed this with representatives of Srebrenica at the first Bosniak Assembly in Sarajevo. They refused and I accepted their position.⁴⁸²

⁴⁷⁹ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, Belgrade, 2010, p. 15.

⁴⁸⁰ Ibid., p. 16.

⁴⁸¹ Interview given by President Alija IZETBEGOVIC to Sefko HODZIC. The Ordeal of the people of Srebrenica – the Greatest Misfortune in Our Lives (In December 1995 and January 2000, President Alija IZETBEGOVIC answered a large number of questions about the defence and fall of Srebrenica and Zepa. I have not published this interview up to know and it is the only interview of President IZETBEGOVIC the public does not know of. Namely, President IZETBEGOVIC and I agreed that I would publish the interview in a book. As I had already included this interview in the manuscript of the book, I decided to exclusively publish parts of that interview with president IZETBEGOVIC from the manuscript in this issue of redesigned KORAK).

KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 16.

⁴⁸² KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 16.

5.18. Bearing in mind these negative effects and consequences, the VRS Supreme Command correctly appraised that in strategic terms it was quite sufficient to establish efficient control of most of the Central Podrinje area and that there was no need at all to incur any risks that might ensue in the event of the complete liberation of the town of Srebrenica with the surrounding area. The most important thing was to prevent the further use of Srebrenica as an operational foothold for the actions of the Muslim army towards the Drina and Podromanija. That was the basic reason for tolerating the undiplomatic and see-through game around Srebrenica of UNPROFOR General Philippe Morillon, calculated to make it impossible for the forces of the VRS Drina Corps to enter Srebrenica. From then on Srebrenica actually became an enclave inside the territory of Republika Srpska, and would formally become that after the adoption of the UN Security Council Resolution. By its Resolution no. 819 of 16 April 1993, the UN Security Council declared the town of Srebrenica and its surrounding areas a UN safe area.

519. The Agreement was concluded on 8 May 1993 between General Ratko MLADIC and General Sefer HALILOVIC in the presence of General Philippe Morillon, UNPROFOR Force Commander for BH⁴⁸³. Demilitarisation is a substantial part of the agreement, as without it there cannot be a safe area. In that respect the Agreement provided for the following:

- All military or paramilitary units shall either withdraw from the demilitarised zone or lay down /hand over their weapons. Ammunition, mines, explosives and combat equipment in the demilitarised zone will be handed over to/laid down to UNPROFOR.⁴⁸⁴
- Non-combatants who are in or wish to enter the demilitarised zone, except members of UNPROFOR, shall not be not permitted to possess any weapons, ammunition or explosives. Weapons, ammunition and explosives in their possession shall be seized by UNPROFOR.⁴⁸⁵
- Combatants will not be allowed to enter or be in the demilitarised zone.

5.20. Article 60 of Chapter V, under the heading Localities and Zones Under Special Protection, of the Protocol Additional to the Geneva Conventions of 12 August 1949⁴⁸⁶, specifies that zones which are placed under a special regime of protection must be demilitarised. In regard to the status of a demilitarised zone, it is prohibited for the parties to the conflict to extend their military operations to zones which they have agreed to demilitarise. In order for an area to attain the status of a demilitarised zone in accordance with Article 60 of the Additional Protocol, it must fulfil the following conditions: (1) all combatants, as well as mobile weapons and mobile military equipment must have been evacuated; (2) no hostile use shall be made of fixed military installations or establishments; (3) no acts of hostility shall be committed by the authorities or by the population against the other party to the conflict or anybody else in and outside the enclave; and (4) any activity linked to the military effort must have ceased. According to paragraph 7 of Article 60 of this Protocol, if one of the parties to the conflict commits a material breach of the provisions listed above, the other party shall be released from its obligations under the agreement conferring upon the zone the status of demilitarised zone.⁴⁸⁷

5.21. Based on the above mentioned resolutions of the UN Security Council declaring Srebrenica and Žepa UN safe areas, agreements on demilitarisation were signed by the highest military commanders of the conflicting sides, General Ratko MLADIC and General Sefer HALILOVIĆ. As the first agreement

⁴⁸³ Agreement on Demilitarisation of Srebrenica and Zepa territory of 8 May 1993. (D00135)

⁴⁸⁴ Agreement, section 2, /?Article/ 3. (1D00135)

⁴⁸⁵ Agreement, section 2, Article 5. (1D00135).

⁴⁸⁶ See Additional Protocols, Chapter V, Article 60.

⁴⁸⁷ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, Belgrade 2000, pp. 16-17.

of April 18, 1993 was not precise enough, the same commanders signed another one on 8 May 1993.⁴⁸⁸ This new Agreement was witnessed by French General Philippe Morillon, UNPROFOR Force Commander for BH.

In the preamble, the Agreement refers to the Protocol Additional to the Geneva Conventions and its already cited Article 60. That means that all obligations and conditions which must be met by the parties to the conflict and specified in the mentioned Article, also apply to this Agreement. The Agreement provides for the following: 1) all military or paramilitary units shall withdraw from the demilitarised zone or hand over their weapons. That also applies to ammunition, mines, explosives and all lethal assets generally; 2) no combatants shall be permitted to possess weapons, ammunition or explosives if they wish to enter the zone or are already in it, except for UNPROFOR personnel; 3) combatants will not be allowed to enter or be in the demilitarised zone.⁴⁸⁹

5.22. Today we know that the Agreement and all its substantial provisions which were to ensure that Srebrenica actually became a demilitarised zone, free from military activities and without active combatants, in keeping with Article 60 of the Additional Protocol was not honoured. There is no dispute that that is correct as the UN Secretary-General also claims in his report of 15 November 1999⁴⁹⁰. In items 60 and 61 of that report, the Secretary-General claims the following: (1) HALILOVIĆ has understood the agreement to cover only the urban area of Srebrenica, and not the rural parts of the region; (2) HALILOVIĆ has ordered the Bosniaks in Srebrenica not to hand over any serviceable weapons or ammunition. The Secretary-General goes on to say: "...The Bosniaks accordingly handed over approximately 300 weapons, a large number of which were non-serviceable; they also handed over a small number of heavy weapons, for which there was no significant amount of ammunition. A large number of light weapons were removed to areas outside the town." Sefer HALILOVIĆ says the same in his book *A Devious Strategy*. On page 129, HALILOVIĆ, himself a negotiator and signatory of the agreement, has this to say about demilitarisation: "I returned to the headquarters and sent orders to Srebrenica and Žepa that they were not to surrender a single serviceable weapon, nor one whole bullet". The ABH GS commander, with the consent of the Supreme Command and the BH President, immediately sent orders instructing how the signed agreement, which *de facto* salvages the Muslims, was to be obstructed and bypassed, while at the same time, VRS NS, General MILOVANOVIĆ, on the very day the agreement was signed, dispatched orders to the DK commander with precise instructions on how to implement the signed agreement to the letter. These two diametrically opposed orders by two high-ranking officers of the VRS and ABH best illustrate the behaviour of the two sides at that moment, but also throughout the war.⁴⁹¹

5.23. Combat documents from Muslim sources contain information, statements and facts demonstrating that Srebrenica was very active in the military sense throughout the war, starting with the establishment of the safe area regime up to July 1995, i.e. that the Srebrenica safe area had not been demilitarised. Muslim documents provide evidence of the combat activities the Muslims carried out in and out of the enclave, including armament and ammunition transfers by land and air (by helicopter), as well of encouragement of such activities by the BH Supreme Command and the 2nd ABH Corps. The soldiers and officers of the Dutch Battalion in Srebrenica, as well as the commanders and military leaders in the UNPROFOR BH Command were all aware of this. By their inaction and failure to take adequate measures, they encouraged Muslim units to carry out armed activities from the so-called safe area directed at Serbian soldiers and civilians. Muslims saw that as support to their military actions out of the safe area, which was completely in contravention of the Security Council resolutions and the agreement reached on demilitarising Srebrenica. The fact that UNPROFOR did not prevent the Muslims from

⁴⁸⁸ Text of the Agreement on the Demilitarisation of Srebrenica.

⁴⁸⁹ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, Belgrade 2000, pp. 16-17.

⁴⁹⁰ Report of UN Secretary-General, items 60 and 61.

⁴⁹¹ Radovan RADINOVIC, Ibid., p. 17.

carrying our military activities out of Srebrenica was decisive for launching Operation Srebrenica in July 1995. The logical question to ask is who is really to blame and to what extent for what happened in Srebrenica in July 1995?

5.24. Analysis of Muslim statements, monographs and similar reveals what they thought of the agreements and their milieu. "It was very difficult to organise joint logistical support, because every local commune had its own logistics and fed its own army. We tried to reach agreement that whenever a Serbian village was liberated all war booty should be stored in joint warehouses and then distributed even-handedly, but every time a village was liberated the people pounced upon it and everyone made off with what they laid their hands on. That is why we abandoned the idea of establishing joint logistics. The lists which the Serbs have name some of our people as having participated in crimes against Serbs, but I have found that there are people on those lists who had never been ARBH members and could not therefore have taken part in crimes. For example, an elderly school teacher by the last name of KRALJEVIC, Esma, I believe, is on the list, and she certainly could not have taken part in the commission of any crimes. Then Resid SINANOVIC is also on that list, and I know that he never was an ARBH member. I saw this Chetnik list in a Chetnik newspaper that circulated around Srebrenica."⁴⁹²

5.25. It can be quite confidently asserted that all activities within Srebrenica and Zepa were contrary to the obligations undertaken under the agreement on safe areas, because no military activities were to be carried out in them nor weapons and ammunition brought in and taken out of them. From the very beginning there was no handover of armaments and military equipment but rather the safe area literally protected the Muslim troops from VRS counter-action during the many combat actions which that army launched against the VRS from the safe areas, behind the line of contact. Ambassador Akashi in his address before the French Parliament presented clear evidence that rather than safe areas they were ABH bases.⁴⁹³

5.26. Srebrenica and its surrounding area was the arena where different clans clashed, often about booty plundered from Serbian villages and areas. "In Srebrenica the moral and political situation was very difficult. There were occasional food shortages and salt was never to be had. The constant danger and the specific syndrome of a closed city made people nervous and there were quarrels and mutual recriminations, brawls and even murders. We called Naser ORIC to see what was going on. The accounts of what was happening were contradictory then and are so today. We are encircled here and they are encircled there. The truth was hard to arrive at. One should talk to scores of people, confront them mutually. All this was impossible to do. DELIC and ALISPAHIC wrote about that in their letters."⁴⁹⁴

⁴⁹² Statement of Ramiz BECIROVIC, spokesman for the commander of the 28th Division to security organs of the 2nd ABH Corps.

KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 23.

⁴⁹³ Interview of Mr Yasushi Akashi, Nat. Assembly (Thursday 26. April 2001.) The alleged "safe areas". The term "safe area" is quite unfortunate. As pointed out by many observers, it is an imperfect concept. Dr Boutros-Ghali, UN Secretary-General continuously reminded the Security Council that the essential conditions for implementing such a concept were never met. The Security Council never provided an unequivocal response to this, despite its reports in March, May and December 1994 and May 1995. A safe area cannot be secure unless the parties to the conflict are in agreement with regard to its existence. An agreement on the demilitarisation of the area in question and a clear border are especially necessary. However, the Bosnian Government often took advantage of the six designated safe areas - Sarajevo, Tuzla, Srebrenica, Zepa, Gorazde and Bihac - as places in which to rest its troops or equip and train them, and from which to organise attacks on the Serb forces, much more than as areas of relative safety for the civilian population." (1D06007)

⁴⁹⁴ KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 18.

5.27. A strictly confidential document of 7 March 1994 of the Sector for Moral Guidance of the 2nd ABH Corps (Tuzla) provides an overview of Muslim army units and installations in Srebrenica and of periodic changes in their organisational and establishment, namely of the introduction, organisation and arming of new units and the restructuring of existing ones. This activity is indicative of the fact that armed units of the Muslim army moved around, namely were in Srebrenica, in plain view of UNPROFOR, although according to the Agreement on Demilitarisation only UNPROFOR troops were allowed to be there. Also, this document lists in detail all military actions carried out by the Muslim army between January 1992 and March 1994, that is, at the time of the fiercest ethnic cleansing of Central Podrinje and expulsion of Serbs from it, and after the establishment of a safe area. Understandably, in the document these operations are referred to as liberation from the aggressors, the aggressors being no other than Serb farmers and inhabitants of Podravanje, Ratkovići, Sase, Kravica and other villages.

5.28. An order of the BH OS Supreme Command Staff to the 2nd Corps Command (Tuzla) of 1 January 1994⁴⁹⁵, over half a year after the demilitarisation of Srebrenica, orders the forming of *Srebrenica Operations Group-8*, composed of five brigades and one independent battalion, listing their exact numeration and designation. The order bears the signature of Stjepan ŠIBER, colonel of the former JNA's technical service, who at that time was deputy commander of the BH OS Supreme Command Staff. How was it possible to keep such large forces in a safe area, in which no armed persons whatsoever except UNPROFOR troops were permitted.⁴⁹⁶

5.29. On 6 October 1994, the commander of Srebrenica Operations Group-8 issued orders to his brigade commanders to form reconnaissance groups⁴⁹⁷ to be dispatched to VRS-controlled territory and reconnoitre the situation outside the zone. That is a patent example of violation of the safe area and demilitarised zone regime. The superior command was aware of all this. Thus, the commander of Srebrenica Operations Group-8⁴⁹⁸ informs the commander of the 2nd Corps on the state of morale, saying that within the plan for offensive action they have carried out detailed reconnaissance of the terrain. In the same report, the superior command is informed that the morale of the combatants in Srebrenica has greatly risen in the last several days, since they found out that new weapons and equipment have been brought to Srebrenica from Tuzla. All these activities from ABH sources clearly demonstrate that the units of the 28th Division did not observe the Srebrenica and Zepa safe areas regime. In an interview Alija IZETBEOVIC relates his impressions about the operation for Srebrenica several years later. /?Q/ "The Serbs attacked Srebrenica on 6 July, but documents show that even on 9 July our General Staff did not assess the situation to be as alarming as reported by the 28th Division Command and president SULJIC. According to documents, you too started to make energetic moves on the morning of 9 July. Why was the reaction to Chetnik attacks on Srebrenica delayed for three days? /?A/ As far as I remember, the attacks in the first days were like all those earlier limited-scope incursions. Only on 8 or 9 July could we conclude that a massive-scale attack was in question. It was a matter of a lack of reliable information and justified expectations that the international community would not allow that UNPROFOR forces be overrun. On the other hand, we expected more from the defence of Srebrenica itself because they had impressive anti-tank weapons, among other almost 300 RPG projectiles and ten or so *Red Arrows*, quite sufficient to stop a tank attack. As far as I know, in the general panic, these assets were not used or were not used adequately."⁴⁹⁹

⁴⁹⁵ BH OS SVK /Supreme Command Staff/ Order of 1 January 1994.

⁴⁹⁶ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, Belgrade 2000, p. 19.

⁴⁹⁷ Order of the Commander of Srebrenica OG-8 of 6 October 1994.

⁴⁹⁸ Report of the commander of OG-8 to the Commander of the 2nd ABH Corps, on the state of morale, of 5 July 1994.

⁴⁹⁹ Interview of Alija IZETBEOVIC, KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 18.

5.30. The Plan of attack of the *Srebrenica* Independent Battalion of 7 November 1994⁵⁰⁰ gives a detailed description and instructions who, how and where will take specific elevations and salient features around Srebrenica. The order of the commander of the 283rd Eastern Bosnia Light Brigade of 7 November 1994,⁵⁰¹ sets out a plan for the infiltration of a reinforced infantry company into the rear of the VRS with the intention of capturing important points for the next planned offensive operations. These features and points are listed precisely and the plan elaborated. In addition to the textual segment, the plan includes sketches of planned offensive actions. These activities are an obvious example of impermissible violation of the safe area regime. On 1 November 1994, the commander of Operations Group-8 reported to the commander of the 2nd Corps and the BH Army Chief of Staff⁵⁰² that he had not been able to discharge the assigned task, namely dispatch a group of combatants towards Kladanj to take over weapons and equipment sent to Srebrenica from Tuzla. In that document, the commander of Operations Group-8 asks that *Ciko* speed up the delivery of ammunition for Srebrenica. This points to the conclusion that there was well-established and organised illicit arms traffic on the Tuzla to Srebrenica route and that it was the operation of a specific individual or group code-named *Ciko* and that it was carried out completely overtly without fear from any UNPROFOR punitive measures for violations of the safe area regime. On 7 January 1995, the commander of Operations Group-8 ordered that the 283rd Brigade be replenished by other brigades seconding a hundred soldiers each. This brigade was designated a manoeuvre brigade and was in the service of preparations for offensive actions out of the safe area. The commander of the 28th Infantry Division, prior to the commencement of Operation Srebrenica on 22 May 1995, ordered his subordinated brigades and independent battalions to carry out sabotage actions in the rear of the front of VRS units. All this was part of a scenario for continued crimes against the Serbian people in the areas surrounding Srebrenica and Zepa to provoke the VRS to respond by an offensive operation against the so-called safe areas. In a report of 28 July 1995, when the safe area regime should have been strictly observed, the 28th Infantry Division informed the superior command (2nd ABH Corps) that the 283rd Brigade had infiltrated nine sabotage groups to carry out sabotage actions in the rear of the VRS. The commander bragged that 40 “Chetniks” had been killed in those actions.⁵⁰³

5.31. There are many other written and electronic sources which corroborate the claim that the Muslim forces in Srebrenica and Zepa did not respect the safe area regime, and that, with express or tacit UNPROFOR approval, they constantly violated the regime prescribed by Security Council Resolutions and the agreement reached between the warring parties. “With respect to the trafficking of goods with the Chetniks, two or three individuals from Dugo Polje whose names I do not know were taken into custody, but I do know that they were detained and that their goods were confiscated. On one occasion, Commander ORIĆ personally intervened on the firing line in Buljim, because it had already been reported that there would be trafficking in goods, and on that occasion three or four Chetniks were liquidated and the goods confiscated.”⁵⁰⁴ As well, the statements of the division commander show the attitude towards the demilitarisation of Srebrenica and towards the agreement on safe areas. “After we got those two agreements on the demilitarisation of Srebrenica, we had to disarm completely. We barely managed to secure some older weapons in disrepair to hand over to UNPROFOR while the troops hid the rest at their homes. It was a custom for the troops to keep their weapons at their homes and only exceptionally were they handed out to other troops at the line. It was never permitted to have weapons grouped in one place. Heavy weapons were surrendered to UNPROFOR. As far as I can recall, the

⁵⁰⁰ Control Plan of the Srebrenica Battalion of 7 November 1994.

⁵⁰¹ Order of the commander of the 283rd lpb of 7 November 1994.

⁵⁰² Report of the commander of OG-8 of 1 November 1994.

⁵⁰³ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, Belgrade 2000, pp. 19 and 20.

⁵⁰⁴ Statement of Ramiz BECIROVIC, spokesman for the commander of the 28th Division to security organs of the 2nd ABH Corps.

KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 24.

following was handed over: two T-55 tanks, a 105 mm howitzer, a B-1 76 mm gun, two 20/3 and 20/4 anti-aircraft guns, an armoured personnel carrier which was in disrepair and which had two 82 mm recoilless guns, a small multiple rocket launcher which we captured from the Chetniks and which I think was removed from an aircraft, a 120 mm mortar and several 82 mm mortars which were for the most part incomplete without a gun-carriage and so forth. On the occasion of our breakthrough, the heavy weapons remained, while we took infantry weapons with us. After we turned over our weapons to UNPROFOR, we obtained some MTS in 1994 and 1995 which was smuggled through the defence lines and the zone of responsibility of the 2nd Corps. I was told by Kasim SULJIĆ, who is currently serving in the Division Command in Tuzla, that the MTS was transferred in cooperation with Hasan MURATOVIĆ, OG commander at the time, and the General Staff. As part of this organised transfer, we got some 20 *Zoljas* /hand-held rocket launcher/, a small quantity of hand grenades and a small quantity of ammunition for 7.62 rifles. I heard that some 40 men carried the equipment in our direction, but we did not get everything. Part of the equipment was buried somewhere around Kamenica. The ammunition was buried, and as far as I know there was no communications equipment on that occasion or any other anti-tank weapons. Since Kasim was personally present when the supplies were received, he could know the details. I do not know if there were other cases of MTS transfers in this manner except for this one instance, because later, at our request, MTS was brought in by helicopter.”⁵⁰⁵

5.32. Of course, there is also ample evidence in the documents of the VRS indicating that the Muslim side completely ignored the safe area regime in Srebrenica, and that from this area it launched military operations towards territory controlled by the VRS, inflicting serious losses. Here are several illustrative examples to confirm this. All these documents were studied and used in the formulation of the conclusions and assessments in this expert analysis. On 27 July 1993 (after the demilitarisation), the VRS Drina Corps commander forwarded to his superior command a list of captured Muslim soldiers⁵⁰⁶. Seven of them were captured after the safe area had been declared. This fact indicates that the so-called safe area was still very active militarily.

5.33. On 13 May 1995, the Bratunac Brigade Command forwarded to the Executive Committee of the Assembly of the Municipality of Bratunac a list of this brigade's combatants whose houses had been burned by the Srebrenica Muslims.⁵⁰⁷ Among them are a significant number of those whose houses were burned during 1994 and the first half of 1995. The houses were torched in offensive sabotage activities of the Muslims from Srebrenica, in violation of the demilitarised area regime. Apart from the fact that combat activities prohibited by the Geneva Conventions were in question, this proves that neither Muslims nor UNPROFOR respected the signed agreement. The same Command (Bratunac Brigade) forwarded to its superior command a list of the brigade's combatants killed between 18 April 1992 and 29 September 1995.⁵⁰⁸ The list contains the names of 35 combatants killed before the beginning of operation Srebrenica in July 1995, and after Srebrenica was declared a demilitarised area. This means that the safe area regime was not functioning. If this is so, and it evidently is, what were UNPROFOR forces doing in it? Were they there to secure compliance with the UN Security Council Resolution and of the agreement the warring sides had signed or to secure freedom of manoeuvre and a base for the Muslim forces, as was the case in practice. The 1st Zvornik Brigade forwarded to the Drina Corps Command on 25 September 1995 a list of 281 combatants killed in action. All those combatants were killed between March and May 1995. Most of them were killed on Visoka Glavica, which is

⁵⁰⁵ Statement of Ramiz BECIROVIC, spokesman for the commander of the 28th Division to security organs of the 2nd ABH Corps.

KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 24.

⁵⁰⁶ List of captured soldiers in the DK Command Report of 27 July 1993.

⁵⁰⁷ List of combatants of the Bratunac Brigade whose houses were burned by the Muslims – Report of 13 May 1995 submitted to the Executive Committee of Bratunac Municipality.

⁵⁰⁸ List of combatants of the Bratunac Brigade killed in action.

geographically outside the safe area, but no small number died at positions and features around the safe area. This fact indicates that the safe area regime was not functioning at all.⁵⁰⁹

5.34. “The Command of the 2nd Corps and the General Staff issued an order that the enemy’s attention be drawn by sabotage actions by carrying out reconnaissance in depth in order to help lift the blockade of Sarajevo. I selected several groups which had the task of reconnoitring, ordering them to engage in combat only if they had to. All the groups executed their reconnoitring tasks without engaging in combat and all of them came back. One group headed in the direction of Kragljivode with the task of engaging in combat and they destroyed a vehicle and killed three soldiers. A group was infiltrated into the area of Rupno brdo, and it also engaged in combat, killing four Chetniks. All of this happened after my return to Srebrenica, namely in June 1995. I tasked all reconnaissance and sabotage platoons from the Žepa area with emerging on the Han Pijesak–Vlasenica road in the direction of Han Pogled, Han Pjesak and Sokolac. According to the decision of the commander of the 285th Brigade, nine groups were formed to carry out these tasks. These groups engaged in combat and killed some 60 Chetniks, while one group entered the village of Višnjica and torched several houses.”⁵¹⁰

5.35. All reports coming to the Drina Corps Command from the commands of its brigades in the spring of 1995, as well as the statement of the NS of the 28th ABH Division refer to intensive combat activities of the 28th Division and other ABH units out of the Srebrenica safe area, as well as out of other safe areas - Žepa and Goražde. These were sabotage and terrorist activities, namely infiltration of reconnaissance groups, and even brigades (Goražde, 14 June 1995), and laying ambushes deep in the territory controlled by the VRS, far outside the safe area, and so on. In one such ambush in the sector of the village of Osmača five Serbian policemen were killed. They were killed on 24 June 1995.⁵¹¹

5.36. Considering the attitude of the warring parties also in respect of the no fly zone over BH, it is obvious that it too was abused to serve the logistics of the Muslim forces in Srebrenica and Zepa. The no fly zone applied to all aircraft of all the three warring sides. The Muslim units did not observe that regime, and the UN and NATO who were policing that regime did nothing to prevent them. In one such unannounced flight in May 1995 the VRS shot down an ABH helicopter over Zlovrh, in the Zepa sector. Apart from the crew of the Muslim helicopter, seven soldiers were also killed and a number wounded.

5.37. The number of crimes committed by the Muslim forces of the 28th ABH Division out of the safe areas is large. On 27 May 1995, a Muslim sabotage and terrorist group laid an ambush in VRS-controlled territory in the Podravno sector. On that occasion five VRS soldiers who were transporting firewood for a brigade base were killed.⁵¹² In the period during which the safe area regime was in force, 25 combatants from the Zvornik Brigade alone were killed in combat actions against the Muslim forces “springing out” of the Srebrenica enclave, while another 13 were listed as missing. It is almost certain that those 13 were also killed or liquidated in one of ORIC’s death camps in Srebrenica. Based on the information given above, one must conclude that the Muslim units did not observe the safe area regime, and that UNPROFOR failed to control them or to prevent their actions. On the contrary, Muslim forces from Srebrenica, with the tacit consent of UNPROFOR, used the safe area as a base from which to mount offensive actions against the civilian population in the nearby villages and VRS units. After these actions, units of the 28th Division retreated into the safe area and placed themselves under the protection

⁵⁰⁹ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, Belgrade 2000, p. 21.

⁵¹⁰ Statement of Ramiz BECIROVIC, spokesman for the commander of the 28th Division to security organs of the 2nd ABH Corps.

KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 30.

⁵¹¹ Report on the killing of policemen, 24 June 1995.

⁵¹² Report on the killing of combatants transporting firewood, 27 May 1995.

of UNPROFOR.⁵¹³ In these actions, during the period when the safe area regime was in force, dozens of Serb soldiers and policemen were killed; hundreds were wounded, maimed, or captured and taken into numerous private prisons in and around Srebrenica. The behaviour of UNPROFOR was, to say the least, biased. They readily reacted to every report received from Muslims, verified or not, immediately demanding meetings with the Serbian side or threatening with NATO air strikes. As for the protests of the Serbian side concerning actions in provocation by the 28th ABH Division, they had no reply. From talks with participants in the conflict around Srebrenica, the impression is gained that UNPROFOR staff were unable and incapable of placing Muslim units under control and dealing with them.

2. Reasons for executing Operation Krivaja 95

5.38. The essence and point of the operation for occupying Srebrenica should be sought in facts indicating the untenability of claims that an illegitimate operation was in question. The Office of the Prosecutor bases this claim on two postulates which have not been confirmed in any judicial case by indisputable military facts, i.e. by relying on relevant military theory and doctrinal premises. These postulates are: (1) Operation *Krivaja* 95 was an attack on a safe UN area and (2) the operation constitutes a "... widespread or systematic attack on members of the Bosniak people, in line with state and organisational policy..."

5.39. The circumstances and facts as well as the reasons which led to Srebrenica being proclaimed a safe UN area are known. It is also known what this concept means in military and specialist terms. This has been written about in numerous expert reports, such as those prepared by the military expert of the Office of the Prosecutor, Richard Butler,⁵¹⁴ in several reports prepared for trials at the Hague Tribunal by retired Lieutenant General Dr Radovan RADINOVIC,⁵¹⁵ by the chief of Staff of the Supreme Command of the BH Army, General Sefer HALILOVIC⁵¹⁶ and other authors and UNPROFOR and UN officials. The common standpoint of all these authors, irrespective of the fact that they come from different states and military and political options, is reflected in the statements that the Srebrenica enclave did not fulfil the criteria for a UN safe area, for two main reasons:

(1) Because Srebrenica and the surrounding villages had not been demilitarised. For the duration /of the war/ the units of Operations Group 8, later the 28th Division of the ABH, had not been disarmed and demobilised in military terms in and out of that area;

(2) During the entire war – according to General Sefer HALILOVIC himself and UNPROFOR military officials – out of that so-called safe area, forces of the 28th Division infiltrated Serb territory through UN checkpoints and the VRS combat dispositions. By sabotage actions and guerrilla operations in the depth of undefended territory in the area of Republika Srpska, they inflicted vast losses primarily on the civilian population and on the forces of the VRS Drina Corps.

5.40. A major problem was caused by the situation on the ground and the fact that UNPROFOR did not specify the borders of the safe area but just installed its checkpoints. It is quite unclear why these borders had not been precisely drawn but it had been left up to the conflicting sides to interpret this line of disengagement on the ground at their discretion. The Muslim side was of the opinion that this area

⁵¹³ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, Belgrade 2000, p. 22.

⁵¹⁴ Richard Butler: Srebrenica Military Narrative – Operation *Krivaja* 95, Chapter One, pp. 6-7. Item 1.2-1.4. "Srebrenica Military Narrative – Operation *Krivaja* 95, Revised, pp. 13 and 14, item. 1.24-1.27; *Report on command responsibility in the VRS Main Staff*, pp. 17 and 18, items 3.4-3.6.

⁵¹⁵ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, pp. 31-35.

⁵¹⁶ Sefer HALILOVIC, *A Devious Strategy*, Sarajevo 1997, p. 108.

included the town and surroundings of the municipality of Srebrenica and the Serbian one that it included only the town, as the urban part of the municipality. Given the different interpretations of the safe area and the line of disengagement, and as the Muslim forces were armed and operational also outside the urban part of Srebrenica proper and the surrounding villages, Operation Krivaja 95 cannot be characterised as an attack on a UN safe area. This can in particular be seen through a careful analysis of the operational documents for the preparation and execution of this operation, primarily the Order of the Command of the Drina Corps on active combat.⁵¹⁷

5.41. Three paragraphs of the Order of the Command of the Drina Corps on active combat are particularly important for answering the question if Operation *Krivaja 95* had been an attack on a safe area or a legitimate military operation. They are the following: the paragraph in which the commander of the Drina Corps formulates the task of his forces in this operation, the one in which the commander presents his main concept and the objective of the operation and the one in which the commander formulates the combat disposition of Corps forces for this operation, i.e. the grouping of forces. That is why these parts of the document need to be quoted: The commander formulated the task of the Drina Corps as follows: "... with free forces execute offensive actions. In the depth of the DK (Drina Corps) zone, separate as soon as possible the enclaves of Zepa and Srebrenica and reduce them to their urban areas."⁵¹⁸

5.42. In his basic concept for the preparation and execution of Operation *Krivaja 95*, the commander of the Drina Corps points out that he has decided: "...with DK main forces continue a persistent and active defence, and separate the enclaves of Zepa and Srebrenica as soon as possible by attacking with a part of the free forces. The more immediate task is to come out on the Divljakinje-Banja Guber-Zivkovo Brdo-Alibegovac-Kak line, and the next one on the Gradac-Bojna-Siljato Brdo line."⁵¹⁹ The mentioned lines are outside the enclave and outside the city area.

5.43. The aim of the actions and the combat disposition for the operation: "By a surprise attack completely separate and reduce the Srebrenica and Zepa enclaves, improve the actual position of forces in the depth of the zone and create conditions for the elimination of the enclaves. Combat disposition – forces for active defence at the front and active operation forces for separating and reducing the enclaves in size."⁵²⁰ From the commander's decision it can be seen that the main forces of the Corps engaged in defensive combat action, and that only part of the free forces executed offensive combat action and that exclusively for severing the area between the two enclaves in Central Podrinje and reducing the Srebrenica enclave to its urban part. These tactical level actions aimed at reducing manoeuvring space for the frequent incursions of Muslim forces into Serbian territory and their inflicting losses on the civilian population and VRS units.

5.44. Operation *Krivaja 95* was legitimate in military terms as in fact it was not an attack on a safe area in accordance with the SC resolution on the establishment of such areas and the May 1993 Agreement of the conflicting sides. It is stated in the Indictment that the operation for Srebrenica was in essence: "... a widespread or systematic attack on members of the Bosniak people..." In military terms that means that the Drina Corps with other VRS forces had the civilian population as its target of attack. This claim is not true. VRS units did not attack the civilian population but units of the 28th ABH Division which, using the UN safe area as a safe base, engaged in active combat activities and committed crimes against the civilian population /did/. At the same time these forces destroyed property

⁵¹⁷ Document Strictly confidential no. 04/156-2, of 2 July 1995.

⁵¹⁸ Ibid., p. 2, item 2.

⁵¹⁹ Ibid., p. 2, item 4. paragraph 1.

⁵²⁰ Ibid., p. 2, item 4. paragraphs 2 and 3.

by torching houses and outbuildings and depriving the Serbian people in these areas of life and the survivors of a livelihood. The following quotation supports this claim: "...During the last few days, Muslim forces from the enclaves of Zepa and Srebrenica have been particularly active. They are infiltrating sabotage and terrorist groups (DTG), which are attacking and burning unprotected villages, killing civilians and small isolated units around the Zepa and Srebrenica enclaves. They are trying especially hard to link up the enclaves and open a corridor to Kladanj."⁵²¹

5.45. There are numerous examples of the military actions of the forces of OG 8, later the 28th Infantry Division, out of the so-called safe area of Srebrenica, which is attested to also by documents from BH Army records and archives. Active offensive actions and DTDs were executed all the time, from the establishment of the safe area to the beginning of Operation *Krivaja 95*. The operation was essentially caused by the failure of the Muslim forces to honour the reached agreement and respect the status of the safe area. One of the last actions, which probably actually triggered the launching of the operation for Srebrenica is the incursion of and terror by a DTG from the 28th Division in the village of Visnjica on 26 June 1995. On that occasion there were civilian casualties and houses and other civilian facilities were burned.⁵²² In the opinion of the commander of the Muslim forces that action was so successful that the Command of the 2nd ABH Corps saw fit to congratulate the 28th Division, i.e. its Command, on such a successfully executed sabotage action.⁵²³

5.46. There is a lot of physical evidence on the basis of which it can easily be established that Operation *Krivaja 95* was not an attack on a UN safe area and UNPROFOR forces, nor an attack on the civilian Muslim population but a legitimate and offensive combat operation of part of VRS units against forces of the 28th Division of the BH Army which were deployed in the zone of Srebrenica and which held under their control salient terrain features which they used as strong points for executing offensive combat actions. To avoid being destroyed in counteractions of the forces of the VRS Drina Corps, forces of the 28th Division, after successfully executed actions, withdrew behind UNPROFOR checkpoints and forces, thus constantly abusing and compromising the status of the safe area. The warnings issued by Republika Srpska and the VRS never had any effect. The result were fear and hopelessness among the Serbian people, and the wish for revenge among the local Serbian combatants whose dearest ones had been killed.

5.47. In order to prevent the BH Army from further abusing the UN safe area for military purposes and thwarting its obvious intentions to link Zepa and Srebrenica and come out on Central Podrinje through such a wide corridor, the VRS executed Operation *Krivaja 95* with the sole operational objective of reducing the enclaves to their urban parts and establishing military control over the area between Zepa and Srebrenica. There is not a single military reason on the basis of which the full legitimacy of the objective of this operation could be challenged. The course of the execution of the operation and the changing circumstances led to the initial goal of separating and restricting the enclaves being redefined and evolving into taking full control of the enclaves. The crimes committed are not arguments for disputing the legitimacy of the military nature of the operation. They are a problem in themselves and it is necessary to investigate the responsibility of the perpetrators of the crimes, for these crimes did not occur as a result of a plan, intention or commanding during and after the operation.

⁵²¹ Order of the Command of the Drina Corps on active combat action, Strictly confidential, no. 04/156-2, of 2 July 1995. p. 1, item 1, paras. 1 to 3.

⁵²² Operational Report of the Command of the 28th Division /?to/ the Command of the 2nd Corps, Tuzla, Strictly confidential no. 04-114/95, of 30 June 1995, item 3.

⁵²³ Congratulatory note from the Command of the 2nd ABH Corps to the Command of the 28th Division for successfully executed sabotage combat action, Strictly confidential no. 02/1-670/4 of 28 June 1995.

2.1. Military strategic conditions in which the operation was planned

5.48. On the basis of the parameters of the development of the crisis and the depletion of resources, experts estimated that the war in BH would be over by the end of 1995, with the consent of the warring parties to a peace concept or by the imposition of peace, with the application of force with a corresponding mandate from the UN Security Council. All the warring parties gradually exhausted their physical and mental energy and war resources. None of the warring parties individually was capable of inflicting a military defeat and imposing a solution. Also, the Muslims and Croats in BH could not defeat the VRS, but because of that all the elite units of the Croatian Army were also engaged in order to reduce the percentage of territory under Serbian control.

5.49. Preparations of the military situation on the ground for a peace solution where the ratio of control of territory would be 51% to 49% in favour of the Muslim-Croat coalition began already in 1994. This was primarily realised through support to Croatia and the 5th ABH Corps in their preparations to occupy the Republic of Serbian Krajina and Serbian territories in the western part of BH bordering on Krajina. Primarily NATO extended this strong military and political support to the Muslim-Croat coalition.

5.50. The four-month truce, from January to the end of April 1995, was in the service of preparing the final operations of the HV, the ABH and the HVO, which would gradually start from the spring of 1995. The provisional negotiated cessation of hostilities suited the Muslims and Croats, their aim being to prepare forces of the Muslim-Croat coalition for final operations against the Republic of Serbian Krajina and the VRS in Republika Srpska. Since the Republic of Croatia was not a signatory of the above cease-fire, it used that time to realise its territorial claims on the Glamoc and Grahovo battlefields by bringing its forces closer to Knin. By offensive combat action it managed to take part of RS territory and more important topographic features, which they later used as a suitable attack position for action on a number of axes. In that period the RS Army was exhausted, as it was at the time fighting against three armies, thinned out on an enormous front, with depleted human and material resources.

5.51. Throughout that period UNPROFOR benevolently looked upon the preparations of the Croato-Muslim coalition and quite overtly sided with the Muslims and Croats in the war in BH. Also, UNPROFOR constantly threatened the VRS that in the event of any activity or mistake it would resort to NATO air strikes and immediate fire support of the rapid reaction force which was brought in and deployed around Sarajevo during 1994 and in the first half of 1995. This support to Muslims by UNPROFOR and NATO was particularly manifest in the enclaves and on the Sarajevo battlefield. Nothing was done to prevent abuse of the safe areas regime, and it seemed as if the enclaves were invented with the sole purpose of preventing the Serbs from preserving their own territory and for creating strong points from which the Muslim forces could freely carry out attacks against the VRS and inflict heavy losses on it. These safe areas tied down large VRS forces. Particularly questionable is the role of UNPROFOR around Sarajevo for the plan of relocation of the artillery changed the balance of forces and created scope for diverting large forces to other fronts, the reasons for which have been discussed in the analysis of the Sarajevo battlefield.

5.52. Despite the vast support by the HV to the ABH and the HVO it was assessed that without the significant and direct support of the NATO, primarily Germany, the USA and their European allies and Turkey the situation on the ground could not be changed quickly. That is why they launched a strong campaign to prepare the international public for a military intervention against Republika Srpska. At the same time, strong support was given to the offensive of the Croatian army, first on Western Slavonia (beginning of May 1995) and then on the western parts of Republika Srpska, the offensive in the areas of Glamoc and Grahovo, which had to be characterised as armed aggression of Croatia on BH. For influential circles in the NATO, that was a fast way to change the balance of power in the war in BH to

the detriment of the Army of Republika Srpska and generally to the detriment of the Serbian people. That was also in accordance with the letter and spirit of the Split Declaration on joint operations by NATO, the Croatian Army and the Army of BH, against the VRS.⁵²⁴

5.53. Basically, the VRS had to be on the defensive on the entire front. It only tried to single out smaller forces as a reserve at the tactical level. Forces of the Drina Corps, namely its main forces, were engaged on defence against the Muslim offensive on the Tuzla-Zvornik, Kladanj-Vlasenica, Olovo-Sokolac and Gorazde-Visegrad axes. The frequent military activities of Muslim forces out of the Srebrenica and Zepa enclaves and from Gorazde to Central Podrinje posed the risk of the enclaves merging, expanding territorially and linking up, which would practically mean that the Muslims would try to take control of Central Podrinje. That was in fact unrealistic but the Muslim forces of the 28th Division of the ABH nevertheless managed to tie down large VRS forces and instil fear and panic among the civilian population in Podrinje. Despite military superiority, in Podrinje the VRS tried to solve problems peacefully, by abiding by the agreement. The Muslim side paid no heed and there was no positive response. "During this crisis in Srebrenica, preceding the Chetnik attack, UNPROFOR requested that we negotiate with the Chetniks. I duly informed the Corps Command, the General Staff, the RBH Presidency and Government of the matter, but I received no instructions from anyone. As a result, I did not want to negotiate with the Chetniks."⁵²⁵

5.54. It is increasingly difficult to explain from the military standpoint why the operation for occupying Srebrenica was executed, for the preparations of the Croatian Army and the BH Army for aggression on the Republic of Serbian Krajina and on the southwestern parts of Republika Srpska were already well under way. It is as if, regrettably, Srebrenica was a forced operation, which due to the injudicious decisions of the political and military leadership of RS resulted in unforeseeable consequences for the Serbian people. In the fratricidal war in Srebrenica primarily Muslims, historically a part of the Serbian people, perished. It was in someone's interest for the crime in Srebrenica to be used as a cover before the international community for the genocide being prepared by the Croatian armed forces against the Serbian people in the Republic of Serbian Krajina by the execution of strategic Operation STORM, which began on 4 August 1995. On the basis of historical facts, one can assert that Serbs of the Islamic and of the Orthodox faith were the victims of developments in July and August 1995. The Serbs and Muslims remained living side by side in enormous hatred, their suffering only taken advantage of for media promotion by the Republic of Croatia where no one answered for the committed crimes and the ethnic cleansing of around 220,000 people and for over 2,300 dead or the devastation of property. This operation is still celebrated in Croatia as a state holiday while the Serbian people commemorate it as genocide, pogrom and exodus from the area of the Republic of Serbian Krajina, i.e. as the continuation of the crime committed by the Ustashes in the Second World War at the time of the NDH.

5.55. Srebrenica is a crime for which not even today do we know for certain who exactly ordered or committed the mass executions. As a mass execution and pogrom site Srebrenica has come to symbolise crimes in the civil war in BH and the entire former SFR Yugoslavia also. Thus, to date the actual truth has not come to light about the mass killing of the Serbs in Croatia and in Sarajevo, as if it never happened. This gave rise to assumptions on a joint criminal enterprise and mass crimes by the political and military leadership of the Serbs in BH. The Serbs did not need the operation for occupying Srebrenica. Having been terrorised for three years in Podrinje by the incursions of the forces of the 28th Division and as territory in the western part of Republika Srpska was already falling under the control of

⁵²⁴ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, p. 24.

⁵²⁵ Statement of spokesman for the commander of the 28th Division, Ramiz BECIROVIC to the security organs of the 2nd ABH Corps, KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 36.

the Croatian army in the zone of the 2nd KK, it was neither logical nor justified from the military standpoint to execute an operation which played into the hands of the adversary. The injudiciousness of the leadership of Republika Srpska and the VRS in the political and military and strategic sense is evident, for they did not foresee the potential consequences of the operation. When they became known it was already too late. In the ensuing chaos, groups of avengers and mercenaries committed atrocities and crimes. Command echelons at the tactical and operational levels were not in control of the situation with regard to the killing and treatment of prisoners. Not even today can reliable conclusions be drawn on the number of members of the 28th Division who were killed in the breakthrough and those who were executed after capture. Dispersed and panic-stricken as the column was during the breakthrough, according to survivors there was even mutual fighting and mass casualties. Srebrenica is a crime, committed in a fratricidal war, actually within one people, between Serbs of the Islamic and of the Orthodox faith. It is a consequence of revenge and hatred in a civil religious war, within a centuries-long spiral of violence. In the turmoil and chaos of such a war and a tactical level operation, the command structures at the operational and strategic levels could not control the situation on the ground in real time.

2.2. Composition and respective disposition of forces prior to operations

5.56. The 28th Infantry Division, which belonged to the 2nd ABH Corps headquartered in Tuzla was deployed in Srebrenica and Zepa. The Srebrenica enclave comprised an area of some 280 -300 square kilometres. Immediately before the operation there were about 40,000 inhabitants and refugees from other settlements and towns in Podrinje in the town. From the beginning of 1992 to mid-1995, Muslim forces in Srebrenica underwent a number of organisational and establishment changes. The first paramilitary organising dates back to the time of the forming of the Patriotic League of the People, as a party para-army of the SDA of Alija IZETBEGOVIC. That was in the autumn of 1991. Already on 20 May 1992, the Srebrenica Territorial Defence Staff was formed in the village of Bajramovici, with a total of 9 detachments numbering 4,600 armed men.⁵²⁶ In the second establishment reorganisation in Srebrenica, three brigades and a cannon battery in Potocari, Sukeska and Kragljivode and five independent battalions were formed: Srebrenica, Skenderovic, Biljeg, Osmace and Luka. The total numerical strength was about 5,000 armed men. As part of the third establishment reorganisation on 15 December 1992 another 4 independent battalions were formed: Vojevica, Tokoljci, Glogova and Zeleni Jadar. In addition, a sabotage and reconnaissance platoon was formed in the village of Bakovci and an artillery battery. All this together amounted to 1,800 new soldiers. The overall number of armed men in and around Srebrenica increased to 7,200. The fourth reorganisation of Muslim units in the sector of Srebrenica was carried out at the beginning of 1993. Four zones were created in this fourth important reorganisation. All units in the zone were placed under the single command of the Srebrenica Staff, commanded by Naser ORIC.⁵²⁷

5.57. In March 1993, Muslim forces lost territories towards Vlasenica, Bratunac and Zvornik and the troops from those zones and part of the population moved to Srebrenica. This increased the number of men under arms in Srebrenica to a total of around 10,900 combatants. From 1 January 1994, all military forces in Srebrenica joined together within Srebrenica Operations Group 8, and just before operation Srebrenica, this group was renamed the 28th Infantry Division. It was still under the command of Naser ORIC and it remained part of the organisation and establishment of the 2nd ABH Corps, with headquarters in Tuzla. The 28th Division comprised 5 brigades and corresponding headquarters support units and police forces (Attachment number 16).

⁵²⁶ Report of the Srebrenica OS Staff to the Command of the 2nd Corps of 19 September 1993.

⁵²⁷ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, pp. 25-26.

5.58. Names and axes of engagement of brigades:

- 280th Brigade on the Potorcari-Srebrenica axis,
- 281st Brigade on the Podgaj-Borovac-Suceska axis,
- 282nd Brigade on the Zeleni Jadar-Bojna-Srebrenica axis,
- 283rd Brigade on the Podravno-Bucje-Viogor axis,
- 284th Brigade on the Ravni Buljin-Milacevici-Potocari axis.

A mountain battalion and police forces were deployed in Srebrenica, Potorcari and Suceska as reserves of the Commander of the 28th Infantry Division. The total number of armed men in and around Srebrenica was between 12,000 and 13,000 combatants and armed policemen and various other types of paramilitary units which were in Srebrenica at the time.⁵²⁸

5.59. The operational position of the Muslim forces was rather specific, in terms of both command and logistics and in terms of the permanent commission of crimes in their immediate environs. Defence was organised on a flexible attack position and a relatively small tactical depth, with well configured positions on the front end. The area between the Zepa and Srebrenica enclaves had not been occupied by VRS forces, which enabled forces of the 28th Infantry Division to freely communicate and manoeuvre with their forces. The attempted breakthrough of the forces of the 2nd Corps in mid-June 1995, from the Tuzla and Kladanj axis and their linking up with forces of the 28th Infantry Division failed. At that time the 28th ABH Infantry Division had an exceptionally favourable overall ratio of forces vis-à-vis elements of the Drina Corps which controlled axes leading to the safe area. The Srebrenica enclave was in the zone of responsibility of the Drina Corps.

5.60. The VRS Drina Corps (Attachment number 17) was formed on 1 November 1992. It was one of the six VRS Corps. The Corps comprised eight brigades: the 1st Zvornik Infantry Brigade, the 1st Vlasenica Light Infantry Brigade, the 1st Birac Light Infantry Brigade, the 1st Milici Light Infantry Brigade, the 1st Bratunac Light Infantry Brigade, the 2nd Romanija Motorised Brigade, the 1st Podrinje Light Infantry Brigade, the 5th Podrinje Light Infantry Brigade, one mixed artillery regiment, a military police battalion, an engineer battalion, a communications battalion and the Skelani Independent Infantry Battalion. From the names of the brigades it can be inferred that they were connected to specific zones of responsibility, but this connection was not strict. The Corps Command could move them around depending on the development of the operational situation and needs in the operations zone. However, the fact that the brigades and lower tactical units were organised and recruited according to the territorial principle and that this was a people's army, meant that insufficient tactical and operational mobility was an essential characteristic of the Drina Corps' organisation and doctrine of use.⁵²⁹

5.61. Very small forces were engaged in the operation around Srebrenica. Their striking force were actually four battalions from the 1st Zpbr, the 1st Bpbr and the 2nd Rmtbr. For tying down Muslim forces and blocking areas and axes leading to the depth of the zone engaged were DK forces already directly engaged around the Srebrenica enclave (the 1st Brlpbr, 1st Mlpbr and the Skelani Independent battalion). The size of the forces shows that it had not been planned to totally occupy or take the safe areas. The main forces of the DK were engaged on front lines towards other enclaves and in the defence of the zone of responsibility of the Corps from the penetration of Muslim forces from the directions of Tuzla, Kladanj and Gorazde. The ratio of forces in the Srebrenica sector was extremely unfavourable in terms of personnel for the Drina Corps and was about 2.5: 1 in favour of the 28th Infantry Division. The Drina Corps was executing operations on two fronts: on the outer front on the axes towards Tuzla,

⁵²⁸ Ibid., p. 26.

⁵²⁹ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, p. 27.

Kladanj, Olovo and Gorazde, and on the inner front towards Srebrenica and Zepa. Consequently, the operational position of the DK was very unfavourable.

5.62. Srebrenica also contained an UNPROFOR contingent. First it was the Canadian and then the Dutch battalion, 500-600 men strong and equipped with 21 armoured personnel carriers and the corresponding anti-aircraft, anti-armour and infantry weapons. These forces had a rather reserved attitude towards the VRS. On that basis it could be assumed that in a possible armed conflict they would side with the Muslims. In point of fact in a possible conflict they would be threatened by extremists from the 28th ABH Division. The Muslim forces in Srebrenica had a detailed plan for the capture of the Dutch Battalion's base in Srebrenica and Potocari. This plan and this sketch were worked out already in November 1994, i.e. long before Operation *Krivaja 95*. This is clear evidence of the intentions of the Muslims in Srebrenica in terms of respect for the safe area regime and their attitude towards the UN forces deployed there to protect the established security regime in accordance with the agreement signed by the warring sides in the spring of 1993. The Muslim forces carried out these intentions in practice by attacking UNPROFOR in July 1995, when one member of the Dutch Battalion was killed.⁵³⁰

3. Basic features and character of Operation *Krivaja 95*

5.63. All events and acts General Ratko MLADIC is charged with are for the most part linked to the operation of units of the Army of Republika Srpska executed in the general zone of Srebrenica in July 1995, under the name *Krivaja 95*. Therefore, this expert report addresses the primary military facts, the events in the zone of the operation, and the essence and meaning of the command authority and responsibility of General MLADIC for the events he is charged with and which happened for the most part after VRS units entered Srebrenica.

5.64. For drawing conclusions about the character of the conflicts around Srebrenica more information can be found in the recent statements of participants in the events. It is certain that this information is more reliable and less tinted by the war. Particularly important is information describing events in Srebrenica after the town fell under the control of the VRS DK, given by the deputy commander of the 28th ABH Division, Colonel Ramiz BECIROVIC, in his statement of 11 August 1995 to Military Security /organs/ of the 2nd Corps. This testimony of the leading figure in the defence of Srebrenica, given only a month after its fall, is specific, or, better to put it historic testimony on the fateful and tragic developments in this town.⁵³¹

5.65. In the framework of research into the nature of Operation *Krivaja 95* it is necessary to establish if it was a large-scale operation of major proportions, with a radical military objective, or an operation with a limited objective. In analysing the facts it is very important to determine whether it had been an operation planned well in advance or one that was forced in order to prevent crimes out of the safe areas. On the basis of data and answers to these questions it is possible to draw informed conclusions on whether it had been possible to foresee the grave consequences of the operation, the commission of the crimes committed after entry into Srebrenica in the period from 11 July to 17 July 1995. According to a preliminary analysis of documents and information, there was no VRS plan to move out the civilian population and capture en masse members of the 28th Division and then kill those captured in the general sector of Zvornik. Not a single physical piece of evidence or any reliable information to that effect has been found. In view of the character of the operation, the engaged forces and the objective of the operation, there was nothing to indicate the grave consequences which later ensued. This is why these

⁵³⁰ Ibid., p. 28.

⁵³¹ Statement of the spokesman for the commander of the 28th Division, Ramiz BECIROVIC to security organs of the 2nd ABH Corps.

KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 19.

consequences cannot be considered a crime planned in advance, especially not by the VRS Main Staff and its Commander General Ratko MLADIC.

5.66. The combat actions executed by parts of DK forces in the zone of Srebrenica in July 1995, are not even designated an “operation” in the original operations documents of the Corps but as “active combat actions”. The reason for this is that the term “operation” in the military doctrine in force in the VRS at the time, implied the engagement of military forces of at least one Corps and most often even stronger.⁵³² Therefore, operations are executed by operations units of one or more Corps, depending on whether their objective and importance are operational or strategic. The Command of the Drina Corps did not call the actions in the zone of Srebrenica an operation, precisely bearing in mind the limited forces which were engaged, and consequently, the limited objective of action assigned to those forces. Moreover, the term operation was not added even to the code name *Krivaja 95* for these offensive actions, in the top right corner of the document, because it could not be an operation but was, according to the VRS doctrine an offensive tactical action.⁵³³ The term “operation” was added to the code name *Krivaja 95* later, for in Western usage an operation does not a priori determine the strength of the forces. In view of the meaning of the term operation in the West, namely that it refers to an engagement of forces irrespective of size, it can be said that it is an operation and that all the necessary explanations can be found in that theoretical and doctrinal context.

5.67. The Commander of the Drina Corps engaged the following three battalions for this operation: one reinforced battalion from the Zvornik Brigade which the commander in his Marching Orders called a Tactical Group,⁵³⁴ and one weakened battalion each from the Bratunac and the 2nd Romanija Motorised Brigade as well as the Skelani Independent Battalion.⁵³⁵ Compounded with the fact that the Bratunac and Milici Brigades with part of their forces only tied down forces of the 28th Division, the conclusion is reached that Operation *Krivaja 95* was executed with forces equivalent to two brigades. According to the history of warfare and current doctrinal literature in principle the required ratio of forces for offensive combat actions is at least 3:1 and even higher for attacks on inhabited places. This shows that VRS forces were not sufficient for executing combat actions at operational level, nor for occupying Srebrenica which was defended by five light brigades of the 28th Division. It is difficult to give a reliable and logical answer to the question why the forces of the 28th ABH Division so quickly stopped defending the enclave and decided to make a breakthrough. Was it a consequence of the collective psychosis of life in the enclave, or the result of someone’s intention, put in practice through the chain of command?

5.68. In view of the history of doctrinal knowledge and military practice, we can say that it is evident that the forces of the VRS Drina Corps in Operation *Krivaja 95* were not sufficient to occupy the town but only to confine the area around the enclaves to their urban part and establish control of the accesses to Srebrenica and Zepa. These were efforts to improve their tactical position in order to preclude the permanent infiltration of smaller units and DG from the 28th ABH Division in the rear of DK units, which were deployed on accesses to the enclave. Therefore, no one from the VRS, the UN, or UPROFOR could have expect that the forces of the 28th Division would withdraw from Srebrenica, that the civilian population would also withdraw to Potocari, and that the forces of the 28th Division, together with part of the men fit for military service would unreasonably venture to break out of the encirclement and that they would suffer massive losses and casualties on that road.

⁵³² See term “operation” Military Lexicon, ed. Military Publishing House, Belgrade, 1981, p. 361.

⁵³³ DK Order, Strictly confidential no. 04/156-2 of 2 July 1995, p. 1.

⁵³⁴ Marching Orders of the TG commander of the 1st Zvornik Infantry Brigade, strictly confidential no. 01-246, of 3 July 1995.

⁵³⁵ Order of the DK Command for active combat. Strictly confidential no. 04/156-2 of 2 July 1995, p. 3.

5.69. All that was planned to happen in Operation *Krivaja 95* was for DK forces to move the line of contact closer to Srebrenica and to advance towards the town to a depth not larger than 10 kilometres, and not even a metre on some axes, such as the Bratunac-Potocari and Konjevic Polje –Jaglici, but to be active only to the extent necessary to tie down the forces of the 28th Division on those axes. The population was supposed to stay in the town, not to leave it, and the troops in the town were to cease military action and the abuse in that way the status of the safe area. Everything planned to be done in military terms did not go beyond the framework of a legitimate military operation, the ultimate aim of which was to improve the tactical position of VRS DK units on that part of the battlefield.

5.70. Operation *Krivaja 95* was in every respect a forced military action, planned in an untimely and short manner. That is why we cannot say that it was, as alleged in the indictment a "...widespread or systematic attack on members of the Bosniak people, in line with state and organisational policy..."⁵³⁶ The claim that it was a hastily planned and forced operation is based on a number of facts, primarily the fact that it was prepared and executed in a very short time and that the VRS DK units were unprepared for the situations which arose after the operation for Srebrenica. This primarily refers to the movement of the civilian population to Potocari, their intention being to move out and the decision of the military forces to embark on a breakthrough and not lay down arms.

5.71. Operations which were part of the strategic plan of the VRS and which combined the actions of the forces of two or more Corps such as *Koridor 92*, *Lukavac 93* and others were, as a rule, planned by the Main Staff. In the case of operations of operational and tactical significance, consent for their planning and execution was routinely requested or previous orders or directives or orders of the Commander of the VRS GS to that effect received in advance. It is certain that Operation *Krivaja 95* was planned, prepared and executed by the Drina Corps, with part of its own and attached forces and that the idea and execution were the exclusive responsibility of that Command. That is not unusual, for commanders are left the possibility to plan and execute combat actions on their own initiative, without disrupting the general strategic plan and concept or radically changing the situation on the battlefield, in accordance with the general concept set forth in the directive. We can now safely assume and note that neither the GS nor the Command of the VRS DK expected any radical consequences of that operation, least of all those and of the kind that later arose, for they could not have stemmed from a limited operation of the type *Krivaja 95* was. The question therefore seriously arises of both command authority and responsibility for the events which occurred for the most part bypassing the chain of command with a part of those activities carried out exclusively at the tactical command level.⁵³⁷

5.72. In the Order for active combat of 2 July 1995, the Command of the Drina Corps refers to Directive VK /Supreme Command/ no. 7⁵³⁸ and Directive 7/1 of the VRS GS,⁵³⁹ but these two Directives cannot be considered normative and doctrinal sources for DK Operation *Krivaja 95*. Directive No. 7 of the President of RS, envisages two operations for the Drina Corps, namely Operation *JADAR* only in case UNPROFOR left Srebrenica and Zepa, in which case the Corps should execute this operation to eliminate the forces of the 28th Division and liberate Podrinje, and operation *ZVIJEZDA* which refers to actions for Gorazde.⁵⁴⁰ Since the operation was limited in terms of both its objective and the engaged forces, the usual intensive communication between the DK Command and the VRS GS did not take place. This fact further supports the thesis that it was an operation of very limited scope with a limited objective, not expected to result in any serious consequences the redressing of which would

⁵³⁶ Indictment, KT-RZ 74/08, p. 2, paragraph 2.

⁵³⁷ Radovan RADINOVIC, Analysis of the control authority of Momir PELEMIS in the events in July 1995 in the sector of Zvornik 2010, p. 11.

⁵³⁸ Directive No. 7, RS President, DT no. 2/2-11, of 8 March 1995.

⁵³⁹ Directive No. 7/1 of the Command of the VRS GS (RN 00868778-00868785), DT no. 02/2-15 of 31 March 1995.

⁵⁴⁰ Directive No. 7, p. 8 (00823173).

necessitate the engagement of far stronger forces. The commands of ABH units were of the same opinion. "In a short dispatch to Commander Rasim DELIC of 12 July 1995 you mildly reproached him that, while battles for the defence of Srebrenica were going on, the Army on the other fronts fought "in inchmeal fashion". As the supreme commander, how do you assess the help of our army, from this side, to the defenders of Srebrenica and later also in their breakthrough? - Yes, that was my impression. However, the big question is if more could have been done. I think that our major handicap was the lack of reliable information on the strength and intentions of the enemy. UNPROFOR must have had data on the concentration of the Chetnik army, but they too could only guess their intentions. By its conduct we could conclude that they were taken by surprise. That is also seen in their indecisiveness in respect of the order for air strikes. The aviation received two different orders within an hour. The Chetniks took full advantage of these circumstances."⁵⁴¹

5.73. One could say that the initiative for the DK Command to undertake limited scope combat actions in the zone of Srebrenica, to separate the enclaves and control the situation in the so-called safe areas is contained in numerous directive sand orders of the VRS GS. One such order is the GS Order of 12 May 1995.⁵⁴² Still, these command documents did not determine the deadlines for planning and executing the operation. That was left to the Corps Command to decide, in keeping with the combat situation on the ground. The dates taken as the beginning of planning and preparations for this operation are the date of infiltration of a DTG from the 28th Division and its serious crime in the Serbian village of Visnjica and the day and date when the Drina Corps sent to its brigades a warning order for Operation *Krivaja 95* and the order for its execution.

5.74. The attack of the DTG of the 28th ABH Division on the Serbian village of Visnjica was the immediate cause for planning and executing Operation *Krivaja 95*, the real reason being the daily attacks and raids of the Muslim forces out of the Srebrenica and Zepa safe areas, which the Muslim forces used as a base and to protect their own forces, under UNPROFOR auspices. This attack took place on 26 June 1995, and the Division Command got a written order for that action from the Command of the 2nd ABH Corps. On the basis of this we can conclude that the planning of Operation *Krivaja 95* could not have started before 26 June 1995 or after 1 July 1995, the date of commander's reconnaissance with officers of the Drina Corps who took part in the operation.⁵⁴³

5.75. An analysis of the time and key events leads to the conclusion that the planning of this operation could have taken four days at most. If we know that the planning of Corps operations in regular procedure lasts around fifteen days, then we can definitely conclude that Operation *Krivaja 95* was planned according to a fast-track methodology of staff work and that it was all executed rather hastily. For these reasons we can say that this operation was planned in an untimely fashion, that the process has been shortened and that this operation can fall into the group of so-called forced operations. Bearing these facts in mind we can say that it was not primarily the result of own planning and thought-out strategic intentions, but an expression of extreme necessity on account of the adversary's activities.

5.76. With regard to the time the Corps Command had to prepare Operation *Krivaja 95*, and this means the selection, bringing in and disposition of forces, their operational grouping for actions, additional tactical preparations on the ground, the organising of logistics support, the situation was even less favourable. We can conclude this when we look at the dates of issuance of the warning order, of the command for executing the operation and the date the operation started.

⁵⁴¹ Interview of Alija IZETBEOVIC, KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 19.

⁵⁴² VRS GS Order, Strictly confidential no. 03/4-887 of 12 May 1995, ERN0529-6730-0589-6731.

⁵⁴³ Testimony of V. PANDUREVIC in his defence before the Hague Tribunal.

5.77. The theory and practice of the art of war recognise the fact that immediate preparations for executing an operation start with the date of issuing a warning order or some other form of written or oral order from a superior command on pending combat activities. Preparations for the corps command last to the day and date when the subordinate commands were issued the combat order – order to attack, for defence and similar. The Command of the Drina Corps sent the Warning Order⁵⁴⁴ for Operation *Krivaja 95* to subordinate commands on 2 July 1995. That same day, the Order for active combat⁵⁴⁵ around Srebrenica was also forwarded to the subordinated commands. On the basis of this data, we can conclude that the Command of the Drina Corps either envisaged no preparatory actions for itself for the execution of this operation or that these preparatory actions lasted only one day. In both cases the preparations are short. This leads us to conclude that in question is an operation which was prepared for an unusually short time, so the claim cannot be accepted that it was a widespread and systematic attack, for to be systematic it requires precise planning and sufficient time for preparations in order to elaborate all the variants of the development of the situation in the details of that operation.⁵⁴⁶

5.78. Analysis of the time of receipt of the Order of the DK Command for active combat, points to the same conclusion. The order for offensive action was received on 2 July 1995, and units ordered on the ready at 0400 hours on 6 July 1995.⁵⁴⁷ When we proceed from the assumption that the Order could not have been received in the morning, but during the day or more probably in the evening, the Commander of the Zvornik Brigade who had to form a tactical group as a temporary unit, practically did not have even 24 hours to prepare for action which was to be executed out of his own zone of responsibility, at a distance of several tens of kilometres.⁵⁴⁸ All other units which were to participate in the execution of combat actions had less than two days and three nights, which is too short for serious preparations for actions which include reconnoitring the area and issuing orders on the ground and organising of coordinated action.

5.79. Operation *Krivaja 95* had some other important characteristics: (1) by its scope, the operational objective to be achieved and the total engaged forces, the operation for Srebrenica was of a tactical character and it was a limited operation in every respect. Such a limited military operation could not in itself produce the major and strategic consequences that occurred; (2) with regard to planning and preparations, the operation was planned hastily, according to a fast-track methodological and staff procedure of work of commands at operations and tactical levels, without some of the elementary ingredients of such an exercise. Also, the time for preparing the operation was very short.

4. Evacuation of the civilian population from the Srebrenica enclave

5.80. The overall context of the Indictment leads to the conclusion that General MLADIC is charged as being principally responsible for participation in crimes of forcible removal of the civilian population of Srebrenica to territory under the control of the BH Army "... to eliminate the Bosnian Muslims in Srebrenica by killing the men and boys and forcibly removing the women, children and some elderly men from Srebrenica..."⁵⁴⁹ The moving out of civilians as one of the consequences of Operation *Krivaja 95* is mentioned in a number of places, in a number of documents and in different contexts. This report lists only some relevant sources and facts in this respect, which give a very different picture on the

⁵⁴⁴ Warning order of the DK Command, 04/156-1, of 2 July 1995.

⁵⁴⁵ Order for active combat, strictly confidential no. 04/156-2 of 2 July 1995.

⁵⁴⁶ Radovan RADINOVIC, Analysis of the control authority of Momir PELEMIS in the events in July 1995 in the sector of Zvornik 2010, pp. 12-13.

⁵⁴⁷ Marching orders of the commander of the Zvornik Brigade, Strictly confidential 01-246 of 3 July 1995.

⁵⁴⁸ DK Order for active combat, no. 04/156-2, p. 2, item 4.

⁵⁴⁹ Prosecution Indictment against General Ratko MLADIC.

treatment of the civilian population in Srebrenica than the one transmitted to the world through media propaganda for a long time. In that sense, it is important to take account of some documents and statements such as: Notice of the President of Srebrenica municipality addressed to the President of the BH Presidency, Alija IZETBEGOVIC; statement of General Nicolai, Chief of Staff of UNPROFOR Command in Sarajevo, and meetings in Bratunac on 11 and 12 July 1995 of representatives of the VRS, UNPROFOR and later also the civilian population of Srebrenica. "When I left for the UNPROFOR camp at the *Vezionica* in town, the camp commander informed me that he had taken the wounded into his camp, that he intended to transfer them to Potocari, and the people were already gathered in large numbers around the wire. I noticed UNPROFOR soldiers were directing the inhabitants to Potocari. When I asked why, I was told that they, too, had the intention of moving to Potocari."⁵⁵⁰

5.81. The civilian population of Srebrenica moved out of Potocari and headed towards for Kladanj and Tuzla on 12 and 13 July 1995. Civilians had been trying to leave Srebrenica throughout the entire war, but they were prevented from doing so by the Muslim central authorities in Sarajevo. There are numerous examples of misunderstandings between civilians and the UNHCR on the one side and the authorities on the other concerning the evacuation of civilians. The civilians were particularly keen to leave Srebrenica in the spring of 1995, as evidenced by a report of the Muslim military leader General Rasim DELIC.⁵⁵¹ However, these facts carry no weight because they probably did not fit into the stereotype predetermined truth and picture of the responsibility of the civilian and military leadership of Republika Srpska.

5.82. In the Indictment and other documents, the prosecution puts the departure of the civilian population in the context of some of the sentences in Directive no. 7, signed by the President of RS Dr Radovan KARADZIC "... By daily planned and well-thought-out combat operations create an unbearable situation of total insecurity with no hope of further survival or life for the inhabitants of Srebrenica and Zepa."⁵⁵² When ultimately account is taken of the fact that the Srebrenica enclave was eliminated with the completion of Operation *Krivaja 95*, that the civilian population departed to territory under the control of the BH Army and that a large number of members of the mixed column of the 28th Division which was, after the fall of Srebrenica, breaking out from the encirclement towards Tuzla, were killed in ambushes, in action, in mutual exchanges of fire, captured and executed, it almost seems as if it all had been part of a plan, planned and executed in a timely manner, and that the underlying idea for that had been precisely that incriminatory sentence contained in aforementioned Directive no. 7. The fact is forgotten that large numbers of civilians wished to leave the enclave much earlier seeing no prospects for a future life in it.

5.83. It is not disputed that Directive 7 bears the signature of Dr KARADZIC, just as it is not disputed that General Radivoje MILETIC signed it as the person who was involved in its drafting. It is also beyond dispute that the cover letter with which the directive was distributed to the corps commands was signed by the Chief of the VRS GS, General Manojlo MILOVANOVIC.⁵⁵³

5.84. The RS President signed documents proposed to him by the VRS GS with confidence. A directive is not an executive document, but a whole series of executive documents is prepared on its basis in the form of commands, orders, plans, and similar, which offered possibilities for correcting what

⁵⁵⁰ Statement of spokesman for the commander of the 28th Division, Ramiz BECIROVIC to security organs of the 2nd ABH Corps, *KORAK* – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 32.

⁵⁵¹ R. DELIC, Report on the fall of Srebrenica, Str. confidential no. 1/1-941, 30 July 1996, ABH GS, Office of the Commander. (D01033)

⁵⁵² Directive 7, DT no 2/2-11 of 8 March 1995, item 5. (P00838).

⁵⁵³ Cover letter, no. 02/2-16, of 31 March 1995 (P02247).

was not formulated well in the directive. Some ten days after it was issued, General Staff Directive no. 7/1⁵⁵⁴ was drawn up. Its number indicates that it is a follow-up document to Directive 7. It is important to note that Directive 7/1 altered a few elements contained in Directive 7, primarily by omitting the incriminatory sentence on the tasks of the Drina Corps.⁵⁵⁵ This means that there was no intention to put civilians in jeopardy and that this formulation can be attributed to the poor judgment of an operations officer from the VRS GS who wrote the document, and that this mistake was later noticed and removed from the new combat document, VRS GS Directive no. 7/1. It is particularly important to note that in the operation there was no coercion for the civilians to move out from Srebrenica, but regrettably that was common practice in the war in BH. All civilians departed when their army left positions or was unable to defend cities and settlements. That was the case in Glamoc, Kupres, Drvar, Petrovac, Ključ and Mrkonjić Grad in 1995 when the VRS was retreating.

5.85. On 9 July 1995, Major General TOLIMIR referred VRS Main Staff Order number 12/46-501/95 to the Command of the Drina Corps, with instructions that it be forwarded “to Generals GVERO and KRSTIC, personally”.⁵⁵⁶ This Order reiterates the support of the President of RS for the continuation of VRS military operations against the “safe area” and expands the objectives of the operation by including the taking and occupying of Srebrenica. This Order, issued on behalf of the RS President, further orders that civilians and prisoners of war be treated in accordance with the 1949 Geneva Conventions, and that the destruction of civilian property and dwellings be reduced to the minimum in keeping with military needs.⁵⁵⁷ The mentioned document shows that there had been no intentions to occupy Srebrenica, expel the civilian population or commit mass executions and crimes against civilians and soldiers of the 28th ABH Division.

5.86. Analysis of the document “Notice from the Session of the Presidency” of Srebrenica municipality held at 1900 hours on 9 July 1995 shows the essence of the military situation and intentions of the Muslim side and its civilian and military authorities. The following is written in that document: “The aggressor army entered the town at 1800 hours from the direction of Zeleni Jadar. Our military command is dissolving and the members of the 28th Division are no longer able to do anything to prevent the aggressor forces from entering the town. Chaos and panic prevail and the civilian authorities are left with the last unpopular step to save the population, namely that a meeting at the level of the state organs of the RBH with the Serbian aggressor side with the aim of finding a possibility to open a corridor for the population to move to the nearest safe territory of the RBH under the control of international factors, must be urgently arranged. We need an urgent reply, at the latest by 2400 hours.”⁵⁵⁸ Intentions to move the civilian population out as a consequence of combat actions, the fall of Srebrenica and of the general intentions of the civilian authorities are mentioned here for the first time.

5.87. In his statement at the trial in the Popović et al. case before the Hague Tribunal in 2007/2008, General Nikolai said that they had given instructions and orders – by telephone and in writing – to the commander of the Dutch Battalion, Lieutenant Colonel Karremans on what to do in the newly-created situation after the fall of Srebrenica and what to demand from General MLADIC at the meeting in Bratunac on 11 July 1995, which would be held at the *Fontana* Hotel around 2230 hours. General Nicolai said the following in that connection: “We instructed him (Karremans) to stay with the civilian population so that he and his men could observe the evacuation, in order that it would be carried out

⁵⁵⁴ See Directive no. 7/1 VRS GS, no. 02/2-15 of 31 March 1995. (P02246)

⁵⁵⁵ Radovan RADINOVIC, The control authority of Dr Radovan KARADZIC in the strategic command system of the VRS, 2012, pp. 141-149.

⁵⁵⁶ VRS Main Staff Order number 12/46-501/95.

⁵⁵⁷ Richard J. Butler, Srebrenica Military Narrative (revised) – Operation *Krivaja* 95, 2002, p. 94.

⁵⁵⁸ Notice from the Session of the Presidency of Srebrenica municipality, attn. President of the Presidency Alija IZETBEGOVIĆ and ABH Commander Army General Rasim DELIĆ, no. 01/95 of 9 July 1995.

according to international rules. Directly after we stopped the air strikes (and it was at 1700 hours on 11 July), we realised that the civilian population would have to be evacuated from Srebrenica ... On 11 July I had informed the Dutch minister of Defence of the planned evacuation and our intention to use UNPROFOR trucks, and he had agreed with that.”⁵⁵⁹

5.88. At meetings in Bratunac, at the *Fontana* Hotel on 11 July 1995, and in connection with the surrender of weapons of members of the 28th Division and the departure of the civilian population all the participants presented their views on that. Having analysed these positions, saved in the form of electronic records and stenograms and compared them with expert reports, we concur in large measure with the assessments made in terms of veracity. What Richard Butler, military expert of the Prosecution for trials at the Hague wrote about this is almost identical to what General Nicolai said. The following is written in his report:⁵⁶⁰ “General MLADIC then turned to the Dutch commander and asked him what they wanted. Lieutenant Colonel Karremans said that he had been in touch with General Nicolai, UNPROFOR Chief of Staff in Sarajevo, and that the loss of the enclave was a well-known fact. Lieutenant Colonel Karremans demanded on behalf of his superiors the withdrawal of the Dutch Battalion, the Muslim population and the MSF, an international medical non-governmental organisation that was active in the enclave. Later on in the meeting General MLADIC asked if buses could be obtained through General Nicolai. Lieutenant Colonel Karremans replied that he thought it could be arranged.”⁵⁶¹

5.89. According to his own words, Richard Butler wrote this on the basis of video and audio recordings of meetings held in Bratunac on 11 and 12 July 1995, at the *Fontana* Hotel, which were attended by: the first meeting held after 2000 hours was attended on behalf of the VRS by General MLADIC, Major General KRSTIC and some other officers of that operative unit, and on behalf of the UNPROFOR – the commander of the Dutch Battalion, Lieutenant Colonel Karremans with his assistant. The second meeting held that same day at the same place, but sometime later, around 2300 hours, in addition to the aforementioned, was attended also by representatives of the Muslim civilian population, and that at the request of General MLADIC. The third meeting held in the morning of 12 July 1995, also at the *Fontana* Hotel in Bratunac, was attended by VRS representatives headed by General MLADIC, UNPROFOR representatives headed by Dutch Battalion Commander, Lieutenant Colonel Karremans and three authorised representatives of Muslim civilians from Srebrenica. In addition to them, the meeting was also attended by the civilian commissioner for Srebrenica of the President of Republika Srpska, Miroslav DERONJIC.⁵⁶²

5.90. The following quotations from the transcript of the third meeting contain details of the statements made, which essentially present the General’s attitude towards the civilian population and members of the 28th ABH Division:

MLADIC: I want to help you, but I want absolute co-operation from the civilian population because your army has been defeated. There is no need for your people to get killed, your husband, your brothers or your neighbours. All you have to do is say what you want. As I told this gentleman last night, you can either survive or disappear. For your survival, I demand that all your armed men, even those who committed crimes - and many did – against our people, surrender their weapons to the VRS. Upon

⁵⁵⁹ Statement of General Nicolai at the trial of the Srebrenica Group of VRS military officers.

⁵⁶⁰ Srebrenica Military Narrative – (Revised) – Operation *Krivaja 95*, p. 37, item. 4.4.

⁵⁶¹ Transcript of the recording of the meeting at the Fontana at 2030 hours, p. 00874177-00874183, Document from the set of documents prepared for Radovan KARADZIC’s trial.

⁵⁶² Radovan RADINOVIC, Analysis of the control authority of Momir PELEMIS in the events in July 1995 in the sector of Zvornik 2010, pp. 19-20.

surrendering the weapons you may choose to stay in the territory or, if you so wish, go wherever you want. The wish of every individual will be observed no matter how many of you there are.⁵⁶³

And further:

MLADIC: You can, if everything is ready... The rest of your army can disarm and surrender their weapons to my officers in the presence of UNPROFOR officers. You can choose to stay or you can choose to leave... If you choose to leave, you can go anywhere you like. When the weapons have been surrendered every individual will go where they say they want to go. The only thing is to provide the needed gasoline, and I'll provide the vehicles. You can't provide the gasoline. You can pay for it if you have the means. If you can't pay for it, UNPROFOR should bring four or five tanker trucks to fill up trucks because there are a lot of people there and that should be ... solved. It is your choice to leave – and I don't want to influence this – I don't mind anyone. I have nothing against the innocent and guiltless. You can choose...⁵⁶⁴

5.91. A number of conclusions is to be drawn from the aforementioned operational documents and information: (1) the idea for the evacuation of civilians from Srebrenica was primarily initiated by the civilian authorities of Srebrenica 4 days before the meeting in Bratunac, so that this idea can in no way be put in the context of intent or complicity of General MLADIC; (2) the decision to move the civilian population of Srebrenica was brought by the UNPROFOR command in cooperation with the civilian and military authorities of Srebrenica, immediately after the termination of NATO air strikes on VRS positions and actually three hours before the beginning of the meetings in Bratunac and the commander of the Dutch Battalion who represented UNPROFOR at the meetings in Bratunac informed of it; (3) evacuation as the decision of UNPROFOR i.e. the UN, was the answer Karremans gave to General MLADIC's question "... what do they want..." referring to both UNPROFOR and the Muslim civilians. It was only when he heard this decision that MLADIC raised the question of buses and gasoline. And the order of the VRS GS, the Command of the Drina Corps and the Ministry of Defence of the RS Government on obtaining means of transportation ensued only after this meeting, and by no means before that. If it had been a plan, intention or decision of the VRS GS or the RS civilian authorities the order for mobilising means of transportation would have been issued before these meetings and not as their consequence.⁵⁶⁵

5.92. Account being taken of all the relevant facts, it is completely incorrect to claim that anyone in the VRS or the civilian authorities of RS had decided to forcibly remove the civilian population of Srebrenica. Operational documents and information in them prove without a doubt that RS authorities had no intention of removing the civilians, but that it had been left to the citizens to decide. The Decision of the RS President appointing a civilian Commissioner for Srebrenica contains a lot of information which sheds true light on the course of the events and responsibility in that process. In that document the President of RS orders the following: "... The Commissioner shall ensure that civilian and military organs treat all citizens who participated in combat against the Army of Republika Srpska as prisoners of war, and ensure that the civilian population can freely choose where they will live or move to..."⁵⁶⁶ This document was issued by the highest executive authorities of RS and is relevant for a number of reasons, especially because it enabled the civilian population to choose where they would live, meaning also the possibility of remaining in Srebrenica. No ethnic group, neither the Muslim nor the Croatian nor the Serbian one – during the armed conflicts – remained living in a place which its

⁵⁶³ Third meeting at the Fontana Hotel (transcript of video recording) (Prosecution exhibit 49/a), p. 9.

⁵⁶⁴ According to Richard J. Butler, Srebrenica Military Narrative (revised) – Operation *Krivaja* 95, 2002, p. 42.

⁵⁶⁵ Radovan RADINOVIC, Analysis of the control authority of Momir PELEMIS in the events in July 1995 in the sector of Zvornik 2010, p. 20.

⁵⁶⁶ Decision on appointing a civilian commissioner for the municipality of Srebrenica, no. 01-1350/95 of 11 July 1995.

army had been forced to leave. Neither was it to be expected that the Muslims would stay in Srebrenica, for it has been a common practice in all internal ethnic and religious wars in the recent political history of the world, including the Balkans, but it must be established as an irrefutable fact that the civilian population from Srebrenica was not expelled but moved out of its own choice to territory under Muslim control, irrespective of the reasons which influenced this choice.

5.93. That was only logical after so many years of the bloody war, for the Serbs did the same *en masse* after the Dayton Agreement, when they left their ancestral homes and huge land holdings in the Sarajevo municipalities which went to the Muslim and Croatian Federation of BH. They even exhumed a large number of their dead buried during the war in winter and in the bitter cold and moved and reburied them in Republika Srpska. This is proof of vast hatred and mistrust, caused by the horrors of war and the suffering of all the warring parties. This is incomprehensible hatred within one and the same Serbian people divided by religion through history, with new, so called political, nations created in the process. The degree of hatred which reigned in the civil war in BH cannot be rationally explained.

5.94. In the context of the evacuation of the civilian population from Srebrenica it is important to reiterate the claim emphasised a number of times already, namely that Operation *Krivaja 95* was of such scope and intensity that the removal of the civilians from the town had not at all been planned or expected. The evacuation of the civilian population became a problem when that was decided by the civilian and military authorities in Srebrenica, probably in agreement with the Sarajevo authorities. The majority of the forces of the 28th Division had already separated from the civilian population and assembled in the Jaglici-Susnjari sector to break through towards Tuzla, refusing to surrender their weapons. "After having covered some four kilometres, I met a soldier from that Brigade, who informed me that the people from Sucevka were being evacuated in the direction of Potocari, and that the Commander of the 281st Brigade with his troops would soon be withdrawing in the direction of Susnjari. I contacted the Commander of the 281st Brigade by walkie-talkie and he confirmed the report. I returned to the village of Susnjari and in the village of Babuljice obtained a /?source of power/. The village had been abandoned, although it was deep within the territory. Then I arrived in the village of Susnjari where I found a large number of soldiers and able-bodied civilians. Ibro DUDIC, the Commander of the 282nd Brigade was there (we don't know what happened to him), who informed me that the Commanders of the 280th and 284th Brigades and the Chief of the SJB were in the house of Sidik MUSTAFIC (It is not MUSTAFIC but ADEMOVIC). I issued an order that he order the officers in his brigade to line the brigade up, establish its numerical strength, the number of weapons and the number of soldiers without weapons, while he should come with me to that house to make further arrangements. In the meantime, the Chief and President of the Municipality arrived at the house. Also present there was the Chief of Staff of the 283rd Brigade, a representative of the Mountain Battalion known as Kezo, and the decision was taken to attempt a breakthrough to Tuzla.⁵⁶⁷ After that agreement I was informed that communications had been established with the 2nd Corps Command. I ordered the commanders to line up their units and form a column, and in the vicinity of the location where the "packet communications" was, I encountered the Commander of the 281st Brigade, who had with him a good part of troops from the Brigade. All this transpired in the night between 11 and 12 July 1995. I was communicating with the Corps Chief of Staff, whom I informed about the situation in Srebrenica and the fact that it had to all purposes fallen, and that our intention was to head out for Tuzla. He warned me of the risk we were incurring, to which I responded that we had no choice. He asked me to inform him of the direction we would be moving in and I said that we would be heading toward Baljkovica. We conducted that conversation by packet communications. The number of people in the column which set out that evening was not established, but in my estimate there were between 10,000 and 15,000 people. I

⁵⁶⁷ Statement of the spokesman for the commander of the 28th Division, Ramiz BECIROVIC to security organs of the 2nd ABH Corps.

KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 33.

had around 6,000 troops, not counting the troops from Zepa. There were not many women in the column, and I did not see a lot of children. Maybe there were about ten women.”⁵⁶⁸ At meetings of representatives of the VRS, the 28th Division and the civilian authorities of Srebrenica, as well as UNPROFOR it was repeatedly insisted that weapons be surrendered and that all the prisoners would be guaranteed all rights in line with the provisions of international humanitarian law and the law of war. General MLADIC particularly insisted on that. That was the turning point in the operation because members of the 28th Division would not accept military defeat and being granted the status of prisoners, but set out into inconceivable uncertainty. Breakout from encirclement is a legitimate military act which has always in the history of wars been risky and entails heavy casualties. These were units which had already been exhausted in previous battles and which had no serious prospects of breaking out from the encirclement without major consequences.⁵⁶⁹

5.95. Refusal to accept military defeat in the battles around Srebrenica, and the decision to separate soldiers from civilians led to the population moving out. These are facts, and everything else alleged to have been an intention and a plan to expel civilians are ungrounded claims, which cannot be based on physical evidence or arguments. The fall of Srebrenica was not sufficient in military terms. Had the Muslim armed units of the 28th Division admitted defeat and surrendered their weapons, the crime against soldiers captured during the breakthrough would probably have been prevented. There are numerous indications that the Muslim military and civilian leadership in Srebrenica, and in Sarajevo, would not allow the forces of the 28th Division to surrender. It is sufficient to comprehensively analyse the following facts, suggesting that an offensive operation of VRS units had probably been deliberately provoked and the defensive capability of the 28th Division reduced:

- departure of wartime commander Naser ORIC from Srebrenica three months before the operation;
- intensification of offensive combat actions and sabotage and terrorist actions on Serbian territory against the civilian population and VRS units;
- refusal of the 28th Division to surrender weapons after suffering military defeat.

5.96. Each of the above facts requires additional comments because precisely they considerably contributed to the dramatic incidents which are a consequence of the capture of Muslim forces breaking out from the encirclement and /to/ their mass execution under unexplained circumstances by various paramilitary, renegade and avenger groups.

5. Capture of members of the 28th ABH Division as a consequence of Operation Krivaja 95

5.97. After DK units entered Srebrenica, the capture of members of the 28th Division of the ABH was a consequence of Operation *Krivaja 95* but not an integral part of it.⁵⁷⁰ Their capture was a result of the decision of the Chief of Staff of the 28th Division to withdraw from Srebrenica, almost without putting up a battle and to assemble in the Jaglici-Susnjari sector, some ten kilometres from Srebrenica (Attachments numbers 18 and 19). In this way the military authorities of Srebrenica in fact turned over the town to units of the VRS DK, and directed the civilian population to Potocari to put themselves under the protection of the Dutch UN Battalion and move out to territory under ABH Control. Capturing

⁵⁶⁸ Statement of the spokesman for the commander of the 28th Division, Ramiz BECIROVIC to security organs of the 2nd ABH Corps

KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 35.

⁵⁶⁹ Radovan RADINOVIC, Analysis of the control authority of Momir PELEMIS in the events in July 1995 in the sector of Zvornik 2010, pp. 20-21.

⁵⁷⁰ Order of the Drina Corps Command for Active Combat, Strictly Confidential, no. 04/156-2, of 2 July 1995 – especially the part on security, pp. 4 and 5.

a large number of soldiers of the 28th Division of the ABH had not been not anticipated when assessing the operation, in any of the variants of its course. That is evident from the basic document for this “operation”, namely Order of the Drina Corps Command, Strictly confidential, no. 04/156-2, of 2 July 1995, “Put captured and disarmed Muslims in suitable buildings that can be secured by small forces and immediately inform the superior command...”⁵⁷¹ Taking prisoners in armed conflict is a regular practice in all wars and is, from that standpoint, assessed as a legitimate military action. With regard to the “prisoners of war in this document” subordinated units are ordered the following: “Security organs and military police will indicate the areas for gathering and securing prisoners of war and war booty...”⁵⁷² In line with this order and the order from his superior command on the selection of sites where the prisoners of war would be accommodated, the Commander of the Bratunac Brigade issued his own order also regulating the areas where prisoners of war should be gathered. This document specifies the Pribicevac sector, some ten kilometres to the east of Srebrenica, towards the River Drina, as the site where the prisoners of war were to be gathered.⁵⁷³ This sector is removed from the sector of expected combat action and was, as such, suitable for protecting the prisoners of war from the consequences of armed activities.

5.98. At a briefing in the Command of the Bratunac Light Infantry Brigade on 3 July 1995⁵⁷⁴ with subordinated commanders and Brigade Staff organs, Assistant Brigade Chief of Staff for Recruitment and Personnel, Major ESKIC, said that on 11 July 1995, a ceremony would be held where medals and other honours for fighters of the brigade killed in action would be awarded. As we know, on 11 July 1995, Srebrenica fell into the hands of the VRS, Potocari was full of refugees from Srebrenica, NATO aircraft bombed VRS positions and the forces of the 28th Division vanished without a trace. We are convinced that the Bratunac Brigade Command would not have planned an award ceremony for the families of dead soldiers had it expected to face the serious consequences of the fall of Srebrenica on 11 July 1995 or any other day. For this was its zone of responsibility. In any case, the fact that the award ceremony planned for 11 July 1995 was not held on that date, and we do not know if it was ever held at all, further corroborates our argument.⁵⁷⁵

5.99. Able-bodied men from Srebrenica had the status of prisoners from 12 July 1995 when the breakout from the encirclement began, because they were members of the 28th ABH Division. Many of the men who were in the column, although not armed, could have been members of the 28th Division, for the ABH was a people’s army, like the VRS. All the able-bodied men who set out in that column towards Tuzla had that same status, because the VRS and the police forces of the MUP that had been engaged to prevent the breakthrough could not have known in advance on the wooded and rugged terrain who was a soldier and who a civilian. There were no visible external signs on the basis of which this could be established from a distance on such terrain and at dusk and night. A column breaking out from encirclement is, according to all the provisions of military science and doctrine, a legitimate military target. This means that it is legitimate to take action to prevent its breakthrough and prevent its linking up with the other forces of the hostile army. Its capture is also a completely legitimate military action. Only by subsequently checking was it possible to establish who from that multitude was a soldier

⁵⁷¹ Order of the Commander of the Drina Corps of 13 July 1995, p. 1, items 1, 2 and 3. (P02035)

⁵⁷² Ibid., p. 5, paragraph 2.

⁵⁷³ Order of the Commander of the Bratunac Light Infantry Brigade, OP no. 439-2, of 5 July 1995.

⁵⁷⁴ See logbook: Briefings and meetings in the Command of the 1st brlpbr, p. 8. Taking the floor at this meeting in the Brigade command, Major ESKIC said that a ceremony where medals would be awarded to the fighters killed in action was planned for 11 July.

⁵⁷⁵ Radovan RADINOVIC, Analysis of the control authority of Momir PELEMIS in the events in July 1995 in the sector of Zvornik, 2010, p. 22.

and who a civilian. The risk of losses and capture is assumed by the side breaking out from the encirclement.⁵⁷⁶

5.100. The Main Staff tried to influence events with regard to the breakthrough of the Srebrenica Muslims towards Tuzla and Kladanj. In charge of these activities was not General MLADIC, but General Milan GVERO. In one such order, the Drina Corps and subordinated brigades are ordered to block the most probable routes of escape.⁵⁷⁷ It also orders that the captured Muslims be held at sites where they can be guarded by the smallest possible number of soldiers and that the units who capture them at once inform their superior command of that. Finally, this order issues a directive to inform the Main Staff of current activities through the timely submission of interim combat reports. The signature typewritten on that order was that of Lieutenant General Milan GVERO.⁵⁷⁸ The reporting process lagged behind to the real situation on the ground, so that command structures at the operations and strategic levels of command could not influence the situation on the ground.

5.101. Various rumours circulated during the breakthrough of the 28th Division, and divisions and suspicions among various persons in the Command were very great. This is seen from the relationship of the Deputy Commander of the 28th Division and the 282nd ABH Brigade. "The Commander of the 282nd Brigade, Ibro DUDIC approached me at this point, having called over the Commander of the 281st Brigade, Zulfo TURSUNOVIC, and told me that I was preparing his murder. I saw that he had panicked. He demanded that his men, scouts, who were out reconnoitring the terrain, be returned to him from the 284th Brigade. I did not permit this. He told me that he had designated ten young men of whom it was certain that some would cross over to free territory, and had given them the task to kill me if I crossed over. I saw that he had panicked and tried to calm him down but did not succeed. A rest was planned in the Udrc sector, so we stopped off there to receive the column. My assessment is that around half of the men that had set off to break through came there. The 282nd Brigade Commander and most of his troops did not arrive there. With the small groups various bits of information arrived about the situation at the rear of the column, that the Chetniks had surrounded them back at the rest area, that the Chetniks were entering the column and taking various groups to the side, that many people had been killed. However, when they started naming the persons who had been seen to be killed, I saw that these persons were with us in the Udrc sector, so I could not accept all this information as accurate. There was some information that some men went to negotiate with the Chetniks, but there was no way of verifying this information... We made a line toward Baljkovica, and the main body of our part of the column also set off later. That evening we started fighting to break through toward the free territory. We captured three tanks in the fighting, destroyed one tank in the morning when it opened fire towards Baljkovica; we destroyed two trucks and a *Praga* and captured a *Praga*. After nightfall we stopped fighting and continued it in the morning. Since we could use only one tank in the fighting, we set fire during our movement to the fuel tanks because there was no other way for us to destroy them. Simultaneously with our attack, an attack was launched from the direction of the free territory, which was led by Commander Naser ORIC, but they could not break through the Chetnik defence line on that day. That morning they, too, again attacked the line from the direction of Nezuk and acting in coordination with our forces, we succeeded in linking up at around 1000 hours, when I met with Naser. Our forces crossed over that line over a

⁵⁷⁶ Radovan RADINOVIC, Analysis of the control authority of Momir PELEMIS in the events in July 1995 in the sector of Zvornik, 2010, p. 23.

⁵⁷⁷ ERN 0308-4819-0308-4820, Order of the VRS GS number 03/4-1629 of 13 July 1995. Re: Order to prevent the passage of Muslim groups towards Tuzla and Kladanj.

⁵⁷⁸ Richard J. Butler VRS Main Staff Command Responsibility Report, 2006, p. 30.

period of several days, and in small groups, and the Chetniks established the earlier line just two days later.⁵⁷⁹

5.102. The separating of able-bodied men at the UNPROFOR base in Potocari is disputable from the moral aspect but militarily justified in order to identify hidden criminals. Capture of members of the column of the 28th Division reflects a common practice legitimate in all armed conflicts and wars. It is necessary to look into all the circumstances which led to separating part of the men in Potocari as there existed reason to suspect that some of them could have participated in crimes against the Serbian people in Podrinje. That is a legitimate military procedure and action, but not so the further action and treatment of prisoners which led to mass crimes and killing. That is a disgrace and a crime not at all like the VRS. The VRS GS Commander did not know of these crimes nor did he order or approve them. The execution of prisoners after the operation is a big strategic mistake which the VRS strategic level of command neither expected nor, regrettably, could have prevented, as it did not have effective control of the situation on the ground in the zone of the breakthrough or at the places where the prisoners were held. This huge strategic mistake of the political and military leadership of the RS was qualified by the Prosecution as an intended and deliberate act in the joint criminal enterprise. When analysing the collected material, it was not possible to find information indicating the existence of a plan or intention at the strategic or operations levels of command to commit a mass crime or forcibly expel the Muslim population from the Srebrenica and Zepa enclaves.⁵⁸⁰ Had the strategic or operations levels intended to expel Muslims from Srebrenica, some physical evidence of that would have remained, and they would have done that in 1993, before the safe areas were proclaimed.

5.103. The separation of able-bodied men from the rest of the population in Potocari was also required pursuant to the Decision of the RS President on Appointing a Civilian Commissioner for Srebrenica Municipality. The following is ordered in that Decision: "The Commissioner shall ensure that all civilian and military organs treat all citizens who participated in combat against the Army of Republika Srpska as prisoners of war."⁵⁸¹ This Decision, therefore, ordered that the status of all able-bodied men must be checked, to establish who had participated in combat and who was a civilian in the true meaning of the word. And this checking and screening was not possible unless the men were previously separated from the civilian population. A similar claim is to be found in Richard Butler's report on the meeting between General MLADIC and representatives of UNPROFOR and Muslim civilians at which the procedure for evacuation from Potocari was agreed upon. Richard Butler wrote the following in that connection: "General MLADIC (in the presence of General Major KRSTIC and others) articulated the intention to separate men between the ages of 16 and 60 in order to screen them for war crimes."⁵⁸²

5.104. To the above we should also add that the Bratunac Light Infantry Brigade had a list of 387 Muslims suspected of having committed crimes against civilians of Serb ethnicity in the area of Srebrenica town and municipality. This fact too justified the decision to screen all able-bodied men in Potocari to determine if they had participated in combat against the VRS and committed crimes against Serb civilians. The screening was not possible without previously separating the men from the other people. The issue of how they came to be captured is raised at this point for the simple reason that the Indictment charges General MLADIC with the act of capture itself. After Srebrenica fell into the hands of the VRS at around 1530 hours on 11 July 1995, but also a little before that, the town was deserted. Civilians and part of the able-bodied men headed for the UN base in Potocari, held by the UNPROFOR

⁵⁷⁹ Statement of spokesman for the Commander of the 28th Division, Ramiz BECIROVIC to security organs of the 2nd ABH Corps, KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, pp. 34-36.

⁵⁸⁰ Radovan RADINOVIC, Expert report on the control authority of Dr Radovan KARADZIC, 2012, pp. 137-140.

⁵⁸¹ Decision on appointing a civilian commissioner for the municipality of Srebrenica, no. 01-135/95 of 11 July 1995.

⁵⁸² Richard Butler, Srebrenica Military Narrative – Operation Krivaja 95, p. 32, item B, paragraph 5.17.

Dutch Battalion. The men separated at the base in Potocari suffered a tragic fate and were killed, some in Potocari itself and some in Bratunac while they were waiting to be taken to the general area of Zvornik. Most were liquidated together with other prisoners of war at various sites in Zvornik municipality.⁵⁸³ There are no facts and data suggesting the command responsibility and influence of General MLADIC on the commission of the crime against the prisoners. This is particularly confirmed by his physical absence after the fall of Srebrenica from 14 to 16 July when he was in Belgrade.⁵⁸⁴

5.105. The question is why the 28th Division did not put up an adequate resistance to defend the enclave. Why did it so easily and so quickly let parts of the enclave, and the town itself, fall into VRS hands in less than five days? That is difficult to explain in military terms, except if some other political reasons and intentions of those directing the war in BH were not involved in the chaos of the war drama. We should certainly take account of the general unfavourable state of morale of both the troops and the people, which was the result of living for a long time in an operational encirclement and without genuine freedom of movement, which by the day eroded the combat morale of the people and its army. But, despite that, this easy and fast defeat of the 28th Division seems more a curse than a combat success of part of the forces of the Drina Corps. As if they were not far-sighted enough to foresee that crime was a realistic possibility and to take every measure to prevent it.

5.106. In assessing these military activities in the town itself and on approaches to it, account should be also taken of the fact that a large number of inhabitants lived in the town, primarily locals and those who had fled from the general and immediate surroundings of the city and Podrinje. This population lived in the belief that the Muslim forces of the 28th Division and UNPROOF would not let their town fall into VRS hands. The fact that the forces and commanding staff of the 28th Division would not take more decisive measures in defending the town, had been noticed by representatives of the civilian authorities much earlier, from the day and hour when DK forces entered the city. This is evidenced by a letter sent by the president of the municipality to the civilian and military authorities of BH.⁵⁸⁵ There was no response to this warning, which is also inexplicable from a military aspect. However, more recent information shows that the political and military leadership as far back as in 1993 seriously considered moving the population of Srebrenica and Zepa to Vogosca and that Alija IZETBEOVIC and Dr Radovan KARADZIC had talked about that. This is attested to by an interview of Alija IZETBEOVIC, published only in 2012.⁵⁸⁶ When this too is borne in mind we can say that the decision of the civilian authorities and population of Srebrenica to move out was foreseeable and that no one forced them that to do that. Throughout civil war in BH, the population on all the three warring sides in BH as a rule shared the fate of the army which protected and defended it. Whenever the army of one party to the conflict lost territory to the adversary, there was always an exodus of the population –

⁵⁸³ Radovan RADINOVIC, Analysis of the control authority of Momir PELEMIS in the events in July 1995 in the sector of Zvornik, 2010, p. 25.

⁵⁸⁴ Prosecution expert Richard Dannatt said at the trial of Ratko MLADIC before the Hague Tribunal, that on 14, 15 and 16 July 1995, MLADIC had been in Belgrade at meetings with the then President of Serbia, Slobodan MILOSEVIC and representatives of the international community, and that the meeting was also attended by UNPROFOR commander, General Rupert Smith (sources: www.rts.rs/page/stories/sr/story/135/Hronika/1442392/Vestak%3A+Mladic+komandovao+iciz+Beograda.html)

⁵⁸⁵ Report no. 01/95 of 9 July 1995 of the President of the Presidency.

⁵⁸⁶ Interview given by President Alija IZETBEOVIC to Sefko HODZIC. The Ordeal of the people of Srebrenica – the Greatest Misfortune in Our Lives (In December 1995 and January 2000, President Alija IZETBEOVIC answered a large number of questions about the defence and fall of Srebrenica and Zepa. I have not published this interview up to know and it is the only interview of President IZETBEOVIC the public does not know of. Namely, President IZETBEOVIC and I agreed that I would publish the interview in a book. As I had already included this interview in the manuscript of the book, I decided to exclusively publish parts of that interview with president IZETBEOVIC from the manuscript in this issue of redesigned KORAK). KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 16.

spontaneous or organised. It was regular practice in the civil war in BH. Out of existential fear of revenge or for other reasons, the population would not stay in an area to which an army they did not consider their own but one which they considered a criminal organisation was coming, and sought salvation in withdrawing together with their troops. This happened in Posavina, Central Bosnia, in the Neretva River valley, in Semberija, in Central Podrinje, and that in several waves of refugees, /and also/ in Sarajevo.

5.107. It is difficult to believe that the military authorities in Srebrenica and the state leadership of BH could not foresee that the population would request to move away if the forces of the 28th Division did not manage to defend the town. If we know that fact and if we know the initiatives and offers for exchanges of population and territories among the warring parties, then it is legitimate to doubt the course and consequences of the operation for occupying Srebrenica. Also, when the population out of fear or for another reason abandons an area, the troops do not stay either and they too leave for the simple reason that they are fundamentally committed to the defence of the homeland and homes, for these were essentially people's armies, which did not even by the end of the war acquire the basics of a manoeuvring professional army. After the Dayton Peace Agreement most of Serbian Sarajevo went to the Muslims. Around 150,000 Serbs left their homeland. A small number remained in Eastern Sarajevo and most went to Podrinje, Posavina and Semberija, with Muslims, mostly from Podrinje and Semberija, coming to their areas. When hearths are stamped out because people have left, the fundamental reason for military engagement no longer exists and the troops leave their positions. This was a regular phenomenon in the civil war in BH and Croatia.

5.108. UNPROFOR's action depended on a number of factors. The Dutch Battalion did not have the military capability required for stopping the VRS advance on the approaches to the city. That was not in fact its mandate, especially as they were perfectly aware of the fact that Srebrenica and Zepa were not safe areas, as they had not been demilitarised. But, if account is taken of the entire power arsenal available to UNPROFOR, primarily meaning NATO providing military support to the UNPROFOR mission, things look quite different. If the entire UN mechanism, including UNPROFOR, did not wish to leave Srebrenica to the VRS, it could have controlled it partially, but not prevented it. How did those who were the superiors of the Dutch Battalion behave and whose duty it was to support it in every respect is another topic for analysis. First, the UNPROFOR Command in BH, the Commander-in-Chief, General Rupert Smith, probably did not expect such an unravelling of the situation, despite the fact that Srebrenica was at the time the most acute crisis area of UNPROFOR's entire mandate. In force at the time was NATO Operation Deny Flight. It is difficult to understand that with so many powerful reconnaissance systems and NATO aviation, UN observers were unable to find out about the executions of prisoners of war of which were taking place and which lasted several days. Such a degree of coincidence and failure by the VRS GS, the ABH GS, NATO and the UN to foresee the possibility of a crime occurring, as well as the absence of the proper reaction of all the participants in the crisis is incomprehensible. Nothing can justify the Srebrenica crisis and crime, nor can they be rationally explained, but it is therefore also ungrounded to attribute all the guilt to the Serbian political and military leadership. In Podrinje, crimes committed by Muslim forces in the general region of Srebrenica engendered in the soldiers of the VRS a desire for revenge. The conclusion that simply imposes itself is that someone wanted a mass crime to happen, which regrettably did happen. Out of respect for the innocent victims, and concerned that this might be seen as justifying or amnestying anyone on the Serbian side, we shall refrain from further analysing and detailing the circumstances surrounding the crime and the massive loss of life of the forces attempting to break through.⁵⁸⁷

⁵⁸⁷ Radovan RADINOVIC, Analysis of the control authority of Momir PELEMIS in the events in July 1995 in the sector of Zvornik 2010, pp. 27-28.

5.109. On 11 July 1995 members of the 28th Division and men who had joined them, found themselves in the area of Susnjari-Jaglici, some ten kilometres from Srebrenica. The very fact that these troops and especially able-bodied men were there, and not in some other place, clearly shows that it had been a planned or ordered decision. Ramiz BECIREVIC, Chief of Staff of the 28th Division at the time and in the absence of Commander Naser ORIC, provided a lot of details for gaining a picture of how that happened. It was decided that the column would attempt to break through towards Tuzla, i.e. territory under ABH control. We cannot say for certain how many people were in that group and how many were soldiers and how many civilians. Nevertheless if we know that at the last reorganisation the 28th Division numbered around 10,400 men – including the Brigade in Zepa, in the evening of 11 July in the Susnjari and Jaglici sector there were around 6,000 soldiers under arms.⁵⁸⁸

5.110. A large number of soldiers and able-bodied men set off on 11/12 July from the Susnjari and Jaglici sector towards Tuzla, to reach territory under ABH control as soon as possible. Military doctrine and theory calls this action breakout from encirclement. The area of the breakthrough was forbidding and rugged and around 100 kilometres deep. The fact that due to VRS resistance the column was broken up and changed direction several times, leads to the conclusion that losses in these ambushes and encounter engagements were vast. This is also attested to by the statements of participants in the breakthrough and the results of military analysis. If account is taken of the fact that the terrain was impassable, that the column was moving on foot and that on its way it had to overcome several lines of encounter with DK forces, it is easy to conclude that the breakthrough could not have lasted less than 5 to 6 days. And that is a period of time which by far exceeds the preservation of combat readiness for a breakthrough. In this great misfortune, it is lucky that VRS units also lacked adequate combat readiness, decisiveness and morale to prevent the breakthrough at any cost. There were many instances of some units even moving away from the axis of the breakthrough of the column.

5.111. It should be taken into account that the 28th Division did not have adequate elements of military forces required for combat support of breakout from encirclement. Also, a breakout from encirclement falls among the most difficult combat actions executed by units on a battlefield. A negative factor was also that the previous state of combat readiness of the 28th Division had been unfavourable for executing such a difficult, complex and uncertain combat action such as a breakout from encirclement. It is not understandable what the political and military authorities in Srebrenica and Sarajevo were guided by when they brought the decision on the breakout from encirclement. In view of the fact that this Division did not have even the elementary prerequisites for executing the aforementioned combat action, the decision to attempt to break through the combat dispositions of the Drina Corps cannot be characterised otherwise than as the sacrifice of these forces, but is impossible to understand which loftier objectives these forces were to get killed for. Today it is already known for a fact that the fall of Srebrenica and the breakout from encirclement were irrational in the military sense, and that it definitely represented sacrificing part of the forces of the 28th ABH Division in the pursuit of the political objectives of the Muslim leadership in Sarajevo. There are statements and testimonies of commanders and leaders to that effect.⁵⁸⁹ The leaderships of the VRS and the ABH behaved irrationally because decisions at the strategic and operational levels of command were injudicious, failing to appreciate the objective existence of mutual hatred and revenge caused by previous crimes committed by the Muslim forces in Podrinje. In addition to the crimes committed by Muslim forces from 1992 to 1995 in the general sectors of Bratunac, Kravica and Srebrenica, the infiltration of DTGs and murders of civilians and DK soldiers in the depth of territory continued. In the months preceding the operation, by infiltrating sabotage

⁵⁸⁸ See document - Statement of R. BECIREVIC to organ of the 2nd Corps, after arriving at Tuzla.

⁵⁸⁹ As can be seen in the testimony of protected witness KW-586, and in the book by Ratko P. SKRBIC, *Srebrenicka podvala /The Srebrenica Hoax/*.

groups, units of the 28th Division inflicted heavy losses on VRS units and the civilian population.⁵⁹⁰ In this way, the 28th ABH Division among some of the soldiers of the VRS DK, whose loved ones had been killed, aroused a wish to exact revenge. Revenge in the Balkans is a historic category with crime often being responded to with an even bigger crime, constantly sustaining the spiral of violence and crime under new historic circumstances. This spiral of crime was a constant of inter-ethnic and religious conflicts in the twentieth century, which intensified during the world wars and in periods of occupation by the big powers.

5.112. Before they even knew about the decision and conduct of the 28th Division, the VRS GS and the Drina Corps Command took the necessary combat and operational measures to prevent the possible passage of infiltrated units of the 2nd ABH Corps or sabotage groups of the 28th Division. First special police forces of the RS MUP were brought to the Bratunac-Konjevic Polje road, their task being full control of the mentioned axis. Also, a company of special police units (CPJP) from the Zvornik Security Centre had been brought somewhat earlier to Konjevic Polje, and the Police Battalion of the 65th VRS GS Protection Regiment had been deployed in Nova Kasaba. In front of the forces of the 28th Division, i.e. on the axis of their breakthrough, defence was organised by the forces of the Bratunac Light Infantry Brigade and the Milici Light Infantry Brigade. In depth, on the axis of the breakthrough of the 28th Division in the general sector of Baljkovica, with the front facing Tuzla, defence was organised by the Zvornik Infantry Brigade, which was one of the strongest brigades of the Drina Corps.

5.113. With regard to the methods and tactical models for preventing the breakthrough of the 28th Division, the available forces of Drina Corps were very small and it therefore resorted to ambushes on successive positions starting from Udrc, over Snagovo and Glojansko Brdo to Baljkovica and Nezuk. On its combat path, the 28th Division had to break through the defence and ambushes of DK units on 5 to 6 lines of encounter, at which it suffered enormous losses. By the time it had reached Baljkovica sector, at the farthest exit from the zone of responsibility of the DK and the zone of defence of the Zvornik Brigade, the 28th Division had lost almost half of its forces. This figure is a result of assessments of combat reports and the number of persons executed in mass crimes. The fact that the entire Division and the unestablished number of able-bodied men who had joined it had not been totally destroyed should be associated with the actions of the Zvornik Brigade and the decisions of its commander who in the crucial moments opened the front at Baljkovica and Nezuk on 16 and 17 July and thus saved several thousand people from destruction.⁵⁹¹

5.114. Practically for the duration of the war there did not exist any real military discipline and responsibility in Srebrenica. The disruptions in the chain of command particularly came to expression during the breakthrough of the column of the 28th ABH Division. There were even rumours that there existed lists for liquidating those who thought differently and those extremists had something against. In that regard MEHOLJIC does not know if lists for liquidating Srebrenica Muslims who knew too much existed, but he confirmed that he personally had been warned to "take care". The wartime chief of the Police Station in Srebrenica, Hakija MEHOLJIC, confirmed the statements of the pre-war president of the executive council of that municipality, Ibran MUSTAFIC that many Bosniaks were killed while withdrawing from Srebrenica towards Tuzla. MEHOLJIC namely said that he did not know if there had existed lists for the liquidation of Srebrenica Bosniaks who in the opinion of the then Muslim structures knew too much, but he confirmed that he had personally been warned to "take care" because he was on a list for liquidation. MEHOLJIC told the *Srna* agency that while the column was withdrawing, Hamdija FEJZIC, the then vice-president of the Srebrenica municipal assembly had come up to him and told him to take care as he was on the list for liquidation. "I asked him – why, who is after me? and he replied: I

⁵⁹⁰ Over 60 soldiers were killed and a number were wounded. Many villages were burned and many older people killed.

⁵⁹¹ Radovan RADINOVIC, Analysis of the control authority of Momir PELEMIS in the events in July 1995 in the sector of Zvornik 2010, pp. 30-35.

have told you enough” says MEHOLJIC and says that when he learned of that danger he started “playing his own game”. “I separated from the column which had already broken up in general disarray several times and when I came to territory under BH Army control I hid for several hours and did not come out of the forest at once, although they called me by name, which means that someone had been following me and knew that I had been in that group”, said MEHOLJIC. He explains that he was not a member of the Party of Democratic Action (SDA), actually that he was in conflict with its leaders and that to date he has not found out if they really made lists for liquidation. “In Tuzla I soon “came forward” and told the media what had been happening in Srebrenica, and I did it to save myself. As a policeman of many years I knew that when I disclosed the names of those who were responsible and who potentially threatened me, they would not dare liquidate me for it would be known who had done it, they would thereby confirm my suspicions and they would have to answer”, says MEHOLJIC. He recalls that the column which set off from Srebrenica broke up several times, groups separated, many stayed behind out of exhaustion, the wounded could not walk any more, there were nervous breakdowns and there were suicides, and some individuals and groups went back towards Srebrenica for food. “In such a situation of helplessness and abandonment people did all sorts of things, killed themselves with grenades and in other ways, fathers left sons with minor wounds as they could not carry them, and in that chaos everyone thought about saving his own life” remembers MEHOLJIC. MEHOLJIC confirms that many fell victim to mental derangement, but precise data will never be known because of the confusion obtaining then. People moved off in different directions, according to their own estimates and plans, groups of Bosniaks wandered through the forests, met and opened fire at one another, some people hanged themselves, killed themselves, walked into mine fields. Like Ibran MUSTAFIC he also blames Alija IZETBEGOVIC and the SDA for, as he says “the betrayal of Srebrenica” and repeats what he publicly said a long time ago – that during the war, in Sarajevo, IZETBEGOVIC told a delegation from Srebrenica that about 5,000 people had to be sacrificed in order for the Serbs to enter Srebrenica and to provoke an international intervention and the bombing of Republika Srpska. He points out that the Bosniak wartime political and military leadership enabled Naser ORIC to leave Srebrenica several months before it fell, which was, as he said, a sign that “Srebrenica had been sacrificed”.⁵⁹²

5.115. The direct consequences of breakout from the encirclement were heavy losses and the mass capture of members of the 28th Division. This happened at a number of places and, in particular, on the Bratunac-Konjevic Polje-Nova Kasaba road where they were captured on 12 and 13 July 1995 by the police of the RS MUP and some units of the Bratunac Brigade, then in the general sector of Konjevic Polje, also on 12 and 13 July, by the company of special police units of the Zvornik CSB and DK units based in that region; then in the region of Nova Kasaba on 13 July 1995, by the Milici Light Infantry Brigade and the Police Battalion of the 65th Protection Regiment of the VRS GS. Prisoners were also taken elsewhere but smaller groups or individuals were in question.⁵⁹³

5.116. During the evening of 13 July 1995, buses and trucks began the process of moving the Muslim men (those separated at Potocari and those from the column) from the Bratunac area to detention facilities in the zone of the 1st Zvornik Infantry Brigade. By mid-afternoon on 14 July 1995, several thousand Muslim men were being held in the Grbavci school in Orahovac, the new Petkovci school (in Petkovci), the Pilica school in Kula and the Culture Centre in Pilica, and probably the school in Rocevic. At the time this occurs, Major Dragan OBRENOVIC is the Chief of Staff of the 1st Zvornik Infantry Brigade. Moreover, due to the continuing absence of the brigade Commander, he is concurrently the Brigade Deputy Commander. Major Dragan JOKIC, the 1st Zvornik Infantry Brigade Engineering Officer is also present and functioning as the Duty Operations Officer on 14-15 July 1995. In the mid-afternoon hours of 14 July 1995, the first of five large-scale mass executions occurs. In a systematic

⁵⁹² *Novi Standard*, 27 February 2013.

⁵⁹³ Radovan RADINOVIC, Expert Report on Srebrenica, 2000. (D 160).

process, Muslim men were removed from the school, transported to the nearby execution site and executed by personnel of the 4th Infantry Battalion of the 1st Zvornik Infantry Brigade. Engineer equipment from the Zvornik Brigade Engineers Company is used to bury the dead. This process continued after darkness fell on 14 July 1995.⁵⁹⁴ There is not sufficient proof that all this happened at this time and in this way, but it is a basis for re-examining data and establishing the truth. It is important to note that all these acts took place without the knowledge and any direct involvement of General MLADIC in the events. The purpose of separating a number of men in Potocari was to identify perpetrators of crimes against Serb civilians in Podrinje in the previous years of the war. The act of separating and interrogating them in itself is no proof that General MLADIC influenced their execution which took place in the following days.

5.117. On 15 July 1995, documents refer to further activities pertaining to the military operation along the road. As reported by Dragomir VASIC of the CJB, two companies of the MUP from Jahorina remained on the Kravica – Konjevic Polje – Kasaba road. He further refers to the presence of a PJP platoon from CJB Zvornik, one tank (with crew) and elements of the Dog Breeding and Training Centre, engaged against the remaining Bosnian Muslim forces.⁵⁹⁵ Dragomir VASIC also notes that the 1st PJP company, elements of the 2nd and 4th SOP detachments (they are believed to be special police detachments), reinforced by a tank, a *Praga*, a BOV and a mortar company headed in the direction of Crni Vrh-Baljkovica together with the VRS to relieve the lines of the Zvornik Brigade.⁵⁹⁶

5.118. Soon after the killings in Orahovac, the prisoners were systematically taken from the school in Petkovci, transferred to the nearby Petkovci dam and executed. This process ended at dawn on 15 July 1995. Earth moving machines under the control of the Engineer Company of the Zvornik Brigade were used to bury the dead. While these first two mass executions were going on, the vanguard of the column of the 28th ABH Division came across the forces of the Zvornik Brigade which were trying to ambush them. In the confusing battles that took place, the forces of the Zvornik Brigade were pushed back and the Muslim column started encircling the rear of three battalions of the Zvornik Brigade. Because of this dangerous development of the situation in the zone of the Zvornik Brigade, forces sent to the vicinity of Zepa, under the command of Lieutenant Colonel Vinko PANDUREVIC, quickly returned to the zone. All reserve forces of the Zvornik Brigade were also engaged in the battles which were intensive and with heavy losses on both sides. Upon returning to the zone of his brigade on 15 July 1995, Lieutenant Colonel Vinko PANDUREVIC quickly assessed the situation and sent an interim combat report to the Command of the Drina Corps. In this report he mentions that, in addition to the combat actions an additional burden for the brigade is the “large number of prisoners distributed throughout schools in the brigade area, as well as obligations of security and restoration of the terrain” (burying of the bodies). This attests to the claim that in the breakthrough zone there were many soldiers and civilians who had been killed in successive battles, in ambushes and in encounter battles.⁵⁹⁷

5.119. Most of the organised mass executions related to the fall of the Srebrenica enclave took place in the zone of the Zvornik Brigade. During this same period, the Zvornik Brigade was involved in heavy

⁵⁹⁴ Richard J. Butler, *Srebrenica Military Narrative (revised) – Operation Krivaja 95*, 2002, p. 3.

⁵⁹⁵ According to Butler, *Ibid.*, p. 59.

⁵⁹⁶ *Ibid.*, p. 59.

⁵⁹⁷ According to exhibit D280 in the Tolimir case, in February 2012, a number of soldiers of the 28th Division who successfully broke through to Tuzla stated that about 3,000 soldiers had been killed during the breakthrough. According to the Demographer’s Report (Prosecution expert witness), 1,500 soldiers were killed during the breakthrough of the Division (Helge Brunborg, Oslo, 12 April 2003, *Addendum on the Number of Missing and Dead from Srebrenica*, p. 8. Tribunal document number 03080316.

According to the regular combat operations report of the 2nd ARBH Corps to the General Staff of the ARBH of 17 July, according to their information, until then 1000 soldiers of the 28th Division had been killed (2nd ARBH Corps, Regular Combat Report, str. confidential no. 02-1-727/37 of 17 July 95 to the ARBH General Staff).

combat against the Muslim column from the former Srebrenica enclave. This column, taking the most direct route to Tuzla, ran into ambushes laid by the Zvornik Brigade during the early evening of 14 July 1995, and by 15 July 1995, the column and the forces of the Zvornik Brigade were involved in a relatively pitched battle with the Muslim forces of the 28th Division.⁵⁹⁸

5.120. With regard to the sequence of combat actions and crimes, according to the testimony of survivors, executions in fields in Orahovac began in the early afternoon of 14 July 1995. At that time, the Zvornik Brigade had still not started battles with the vanguard of units of the 28th ABH Division which was approaching from the south. Word came that the column had come by around 1800 hours and had been broken up without difficulty some nine kilometres to the south of Orahovac. At 2030 hours at the latest, the Muslim column (this time lined up again and two to three kilometres long according to the description) had already broken through the ambushes. At that moment, in Orahovac, five kilometres to the north, executions are still going on. The column (as its movement was drawn on VRS maps) approached Orahovac to a distance of three kilometres at most. When activities related to the executions stopped in Orahovac, they started in Petkovci, six kilometres to the north (as the crow flies). Early in the evening, two persons known to have survived the executions at the dam in Petkovci came to the school. In the early morning hours of 15 July 1995, both survivors were taken from the school to the execution site at the foot of the dam. Approximately at the same time, further to the north, in the sector of the 1st Infantry Battalion, the captured Muslims were in the school in Pilica (Kula), the Culture Centre in Pilica and perhaps in the school in Rocevic. In the morning of 15 July 1995, burials in fields in Orahovac where the executions had taken place, as well as at the dam in Petkovci, started again.⁵⁹⁹

5.121. At 1925 hours on 15 July 1995, the Commander of the Zvornik Brigade, Lieutenant Colonel Vinko PANDUREVIC, sent an interim combat report to the Command of the Drina Corps. In the Report he points out that his unit is completely engaged against forces of the adversary and that he has no more reserves.⁶⁰⁰ In addition, the following is said in the report: "An additional burden for us is the large number of prisoners distributed throughout schools in the brigade area of responsibility, as well as obligations of security and sanitary-technical measures in the field".⁶⁰¹ "This command cannot take care of these problems any longer, as it has neither the material nor other resources. If no one takes on this responsibility I will be forced to let them go."⁶⁰² "In view of the great pressure on the brigade's zone, the losses sustained, the inability of the surrounded forces to hold out for long, the abandonment of the Zvornik pbr Command to deal as best it could with the Srebrenica Turks (and served it right, when it was the brigade that forced them out of Srebrenica into its own area), coupled with the absolute determination of the Turks to save at least some lives, regardless of the losses, and in order to prevent losses in our own ranks, I have decided, in view of the situation, to open a corridor along the line of the three lost trenches, for the civilian population – about 5,000 of them. I have agreed on a method of evacuation with the enemy side and this is now going forward. I have requested the release of a captured policeman and my own missing soldiers. This procedure is in progress and I think it will succeed. It is likely that a certain number of soldiers got out among the civilians, but all who passed, passed through unarmed."⁶⁰³

⁵⁹⁸ Ibid., p. 67.

⁵⁹⁹ Srebrenica Military Narrative (revised) – Operation *Krivaja* 95, 2002, pp. 80-82.

⁶⁰⁰ 1st zvpbr, interim combat report 06-217-1 (translation into English by the ICTY CLSS), 15 July 1995.

⁶⁰¹ The term "asanacija" is defined in the SFRY Military Lexicon as: "sanitary hygiene or sanitary-technical measures taken on the ground, in settlements or in facilities in order to remove anything conducive to the outbreak and spread of infectious diseases and other health hazards. In wartime or during natural disasters, this process includes finding, identifying and burying the dead F...g". Vojni Lexicon, Military Publishing House (1981),

⁶⁰² 1st zvpbr, Interim Combat Report 06-217-1.

⁶⁰³ Ibid., paragraph 3.

5.122. It should be noted that when Lieutenant Colonel Vinko PANDUREVIC sent this Interim Report, the Muslim prisoners previously held at Orahovac and Petkovci were already dead, and for the most part, buried. Only the Muslims still held at the Pilica school, the Culture centre and those who would later be killed at Kozluk (possibly held at Rocevic), well away from the combat activity, remained alive under VRS custody.⁶⁰⁴ By the morning of 16 July 1995, despite continued battles in the zone of the Zvornik Brigade, executions of captured Muslim soldiers started again. From the school in Pilica the prisoners were transferred to the Branjevo military farm where they were executed. In this case, the soldiers who executed them were from the 10th Sabotage Detachment and a unit sent from the Bratunac Brigade. Later that day prisoners from the Pilica Culture Centre were executed there. Prisoners, who had been held at an unknown location, were also killed in Kozluk.⁶⁰⁵

The engineering equipment of the engineer company of the Zvornik brigade was used to bury the bodies on 16 and 17 July 1995. Lieutenant Colonel Vujadin POPOVIC, Assistant Commander of the Drina Corps for Security, supervised the process of execution on 16 July 1995. He was engaged on the provision of fuel. In addition, after the activity was over, he submitted a report through the command of the Drina Corps. Colonel Slobodan CEROVIC, Assistant Commander for Moral Guidance, Legal and Religious Matters of the Drina Corps had also been engaged. By 18 July 1995, both the primary “mass executions” and the burial activities associated with them were completed. Further, detailed reports were again forwarded to the Drina Corps Command. In one such report, the Zvornik Brigade Commander, Vinko PANDUREVIC, openly questioned the wisdom of the decision to place 3,000 military-aged “Turks” into schools in his zone.⁶⁰⁶

5.123. On 17 and 18 July 1995, units of the Zvornik Brigade continued combing the area in their zone and clashed with isolated Muslim groups on territory under VRS control. In addition, this report also gives a critical account of the conduct of the previous battle and consequences for his brigade. In addition to data on victims and local reactions to attacks, he again spoke about the situation regarding the Muslim prisoners in the brigade’s zone: “During the past ten days or so, the municipality of Zvornik has been swamped with Srebrenica Turks. It is inconceivable to me that someone brought in 3,000 Turks of military age and placed them in schools in the municipality, besides about 7,000 or so who have fled into the forests. This has created an extremely complex situation and the possibility of the total occupation of Zvornik in conjunction with forces at the front. These actions have stirred up great discontent among the people and the general opinion is that Zvornik is to pay the price for the taking of Srebrenica.”⁶⁰⁷ This figure regarding the number of prisoners and their later transfer to the prison in Batkovic is also one of the arguments confirming the thesis that the total number of captured ABH soldiers was up to 3,500 and that the rest were killed in fighting with units of the DK and police in ambushes, as well as in mutual conflicts in encounter during the breakthrough.⁶⁰⁸

⁶⁰⁴ Richard J. Butler, *Srebrenica Military Narrative (revised)* – Operation *Krivaja 95*, 2002, p. 82.

⁶⁰⁵ Ratko SKRBIC in the book *The Srebrenica Hoax* analysed data provided in the following documents: *Srebrenica Military Narrative (revised)* – Operation *Krivaja 95*, Richard J. Butler, Prosecution military expert, factual basis in case IT-05-88-PT and Indictment Prosecutor v. Zdravko Tolimir, case IT-05/88/2-I. In this analysis he established quite a few discrepancies in the Prosecution documents regarding the number of prisoners, the transport and accommodation of prisoners as well as the number of executed prisoners. For details see: Ratko P. SKRBIC, *The Srebrenica Hoax*, Belgrade, 2013, pp. 11-24. .

⁶⁰⁶ Richard J. Butler, *Srebrenica Military Narrative (revised)* – Operation *Krivaja 95*, 2002, p. 8.

⁶⁰⁷ *Ibid.*, paragraph 4.

⁶⁰⁸ Also, there are controversial Prosecution figures, from the Tolimir case (IT-05-88/2-I) , Popovic et al. (IT-05-88-PT) on the number of men from Srebrenica who were executed. Ratko P. SKRBIC, *The Srebrenica Hoax*, Belgrade 2013, pp. 17-24.

5.124. On 22 July 1995, the Command of the Zvornik Brigade sent interim combat report number 06-229 to the Command of the Drina Corps.⁶⁰⁹ In paragraph one of this report they inform the Command of the Drina Corps that 10 enemy soldiers were “liquidated” ... while 23 Muslim soldiers were captured. In paragraph one it is also said that Tactical Group *Osmaci* captured another 17 Muslims. Further, in paragraph three of this report instructions are requested from the Command of the Drina Corps “as to what to do with the prisoners, where to put them, and to whom we should hand them over.”⁶¹⁰ Regular combat reports of the Zvornik Brigade following after this one, report that the Brigade captured more Muslim soldiers.⁶¹¹ On 25 July 1995, the regular combat report of the Zvornik Brigade says that the Brigade captured another 25 enemy soldiers and that all were “... duly transferred to the Batkovic - Bijeljina Collection Centre.”⁶¹² This is the first indication that the Muslim soldiers and civilians captured and held by the Zvornik Brigade were transferred to that facility. In that connection, in the regular combat report of the Zvornik Brigade of 26 July 1995, it is said that another 34 members of the “BH Army were captured and sent to the prison in Batkovic”.⁶¹³ The regular combat reports submitted by the Zvornik Brigade to the Drina Corps Command in the 27 to 31 July 1995 period⁶¹⁴ indicate that the terrain was continuously searched and that a small number of Muslim soldiers were captured during those operations.⁶¹⁵

5.125. It is indicative that the phrase “Muslim men” and not prisoners or captives, which is what they in fact were, is used throughout Butler’s Report. The intention was probably to deny that most of them were (members of) a military formation which had been executing a breakout from encirclement. Also, there is no explanation of the killing of members of the column in ambushes and encounter engagements nor are any figures on that given. On the contrary, he attempts to separate the deaths of members of the column who died in battles in the zone of defence of the Zvornik Brigade, near the place where the prisoners were held, from the mass executions, as if the captured and those who were killed in the zones of the mass graves had not been buried together.

5.126. After elaborating the basic concept of attack, the commanders of the Zvornik Infantry Brigade, the Birac Infantry Brigade and the 2nd Romanija Motorised Brigade, were instructed to start sending their units in the direction of Zepa. These units were engaged to the west of Srebrenica. Finally, the Drina Corps Command was ordered to establish a forward command post (IKM) in the village of Krivace by 1800 hours of 13 July 1995 and to draw up the necessary operational plan of attack.⁶¹⁶ “In conjunction with this new mission concerning the Zepa enclave, Major General Tolimir relocated to the Headquarters of the 1st Podrinje Light Infantry Brigade, in Rogatica, south of Zepa enclave. While the main attack axis would come from the northwest, being in Rogatica allowed him the most immediate access to both the Bosnian Muslim leadership in Zepa as well as the Ukrainian UNPROFOR Company monitoring the safe-area perimeter... Major General Tolimir was to try to influence the Muslim leadership in Zepa to surrender, if at all possible” in order to avoid unnecessary victims and civilian and military casualties. “Pursuing this objective, Major General Tolimir reported that at 1200 hours on 13

⁶⁰⁹ 1st zvpbr, interim combat report number 06-229 (translation into English by the ICTY CLSS), 22 July 1995.

⁶¹⁰ Ibid., paragraph 3.

⁶¹¹ 1st zvpbr, regular combat report number 06-230/1 (translation into English by the ICTY CLSS), 23 July 1995, 1st zvpbr, regular combat report number 06-231/1 (translation into English by the ICTY CLSS), 24 July 1995.

⁶¹² 1st zvpbr, regular combat report number 06-232 (translation into English by the ICTY CLSS service), 25 July 1995.

⁶¹³ 1st zvpbr, regular combat report number 06-233 (translation into English by the ICTY CLSS), 26 July 1995.

⁶¹⁴ 1st zvpbr, regular combat report number 06-234 (translation into English by the ICTY CLSS), 27 July 1995, 1st zvpbr, regular combat report number 06-235 (translation into English by the ICTY CLSS), 28 July 1995, 1st zvpbr, regular combat report number 06-237 (translation into English by the ICTY CLSS), 29 July 1995, 1st zvpbr, regular combat report number 06-238 (translation into English by the ICTY CLSS), 30 July 1995 and 1st zvpbr, regular combat report number 06-238 (sic) (translation into English by the ICTY CLSS), 31 July 1995.

⁶¹⁵ For details see Richard J. Butler, *Srebrenica Military Narrative* (revised) – Operation *Krivaja 95*, 2002, pp. 92-94.

⁶¹⁶ ERN 0092-0249-0092-0253, Order number 02/04-158-1 of the Drina Corps Command, of 13 July 1995.

July 1995, he had contacted several members of the Zepa leadership.⁶¹⁷ He said that he considered that the conditions offered by the VRS for urgent surrender (including the plan to offer safe evacuation of all civilians and able-bodied men) had created disorganisation in their ranks, both among the leadership and among the soldiers.⁶¹⁸ Later that day, Major General Tolimir reported that it seemed that the local leadership in Zepa was in favour of surrender, but that the authorities in Sarajevo would not let them do that.⁶¹⁹

5.127. On 24 July 1995, local Muslim leaders signed a document on the termination of battles in Zepa and negotiations were conducted the following day with senior UNPROFOR representatives on the potential surrender of the Muslim forces in Zepa. At a certain point, General MLADIC and General GVERO talked to General Smith, UNPROFOR Commander in Bosnia. While this was happening Major General TOLIMIR tried to have the RS State Commission for Prisoners of War adopt the same stance as the VRS.⁶²⁰ In a dispatch addressed "Personally to General GVERO or General MILETIC" he said that with regard to the exchange of Muslim and Serbian prisoners it was of particular importance not to link the issue of prisoners from Srebrenica with the negotiations on Zepa. Later that day, Colonel Jovica KARANOVIC sent a reply to Major General TOLIMIR, informing him of the results of the meetings on prisoners of war and his talks with Major General MILETIC on the subject.⁶²¹

5.128. Despite the local agreement, the VRS leadership was still very concerned as it believed that the 185th ABH Mountain Brigade would not surrender and would decide on some sort of a breakthrough, like the forces from Srebrenica had done. By 29 July 1995, almost all the civilians had been transferred outside the enclave and, according to unverified information, many of the remaining Muslim fighters planned to attempt to break out of the enclave and cross the River Drina, in order to surrender to units of the MUP of Serbia which were guarding the border.⁶²² In response to that Major General TOLIMIR issued instructions to continue combat operations against the 185th ABH Mountain Brigade until the Muslims complied with the 24 July Agreement.⁶²³ Regardless of their efforts to comply with the Agreement, several hundred /Muslim/ soldiers did make it to Serbia. On 2 and 3 August 1995, the last of the UNPROFOR forces abandoned the enclave and it fell fully under VRS control.⁶²⁴ The result of this limited attack was 70 members of the 285th ABH Mountain Brigade killed in action. Around 10,000 inhabitants and between 150 and 200 wounded were evacuated towards Kladanj and Sarajevo.

6. Command responsibility of General Ratko MLADIC

5.129. General Ratko MLADIC was, in terms of command responsibility, responsible for the acts of his units on the BH battlefield. That is not disputable, but in specific combat actions at tactical and even operational levels responsible are the commanders of the units who directly plan, prepare and execute

⁶¹⁷ Richard J. Butler, VRS Main Staff Command Responsibility Report, 2006, p. 27.

⁶¹⁸ ERN 0425-8573-0425-8573 (draft translation) Order number 04-520-50/95 of the 1st Podrinje Light Infantry Brigade of 13 July 1995. See also ERN R001-5518, UNPROFOR Memorandum of 13 July 1995.

⁶¹⁹ ERN 0425-8572-0425-8572 (draft translation) Order number 04-520-52/95 of the 1st Podrinje Light Infantry Brigade of 13 July 1995.

⁶²⁰ ERN 0425-8578-0425-8578 EDT, (draft translation) Order number 04-520-63-95 of the 1st Podrinje Light Infantry Brigade of 25 July 1995. Subject: Agreement on the Disarmament of Zepa.

⁶²¹ ERN 0425-8577-0425-8577 EDT, (draft translation) Order number 12/45-936 of the VRS GS Security and Intelligence Sector of 25 July 1995.

⁶²² ERN 0425-8565-0425-8565 EDT, (draft translation) Order number 182-250/2 of the 1st Podrinje Light Infantry Brigade of 29 July 1995.

⁶²³ ERN 0425-8566-0425-8566 EDT, (draft translation) Order number 12/45-975 of the VRS GS Security and Intelligence Sector of 29 July 1995.

⁶²⁴ Richard J. Butler VRS Main Staff Command Responsibility Report, 2006, p. 31.

combat actions. According to all available information the forces in Operation *Krivaja 95* were commanded by Major General KRSTIC, as the operational commander, which is in line with military doctrine and the role of Corps Chief of Staff. In reviewing the period prior to 13 July 1995, it is clear that Major General KRSTIC was not only functioning as the Drina Corps Chief of Staff, but he was also functioning as the “operational commander” of forces for Operation *Krivaja 95*. His continuing presence at the Drina Corps Forward Command Post prior to the noted arrival of both Major General ZIVANOVIC and General MLADIC on 10 July 1995, tends to support this, as do various public statements made by General MLADIC and RS President Radovan KARADZIC.⁶²⁵ This claim is about the command relationship with the forces in the operation and not about guilt for the mass executions which took place after the operation.

5.130. It is difficult to establish with certainty the exact time the decision to liquidate the prisoners was taken, but we can be sure that neither the strategic nor the operational command levels took part in making that decision and implementing it. This was assessed indirectly through information that General TOLIMIR had then, for at the time he sent the cited Report (evening of 13 July), he did not know of the mass executions and crimes. It can also be claimed that on 13 July 1995 other people from that chain of command could not have known that the prisoners would be liquidated. The second argument of relevance in respect of whether they knew that the prisoners of war would instead of being exchanged be liquidated is the testimony of Dragan OBRENOVIC at the trial at the Hague and his plea bargain with the Prosecutor. OBRENOVIC stated that on 13 July at 2000 hours he got a call from NIKOLIC who said that he had received a call from POPOVIC (assistant commander for security of the Drina Corps) who told him that on 14 July 1995 a large group of prisoners of war from Srebrenica would arrive at the zone of the Zvornik Brigade and that they would be liquidated.⁶²⁶ The aforementioned facts confirm the position that neither the VRS strategic level of command nor General MLADIC had information about what was going on with the prisoners, especially those who were captured during the breakthrough of the 28th ABH Division towards Tuzla.

5.131. The VRS GS prescribed the procedure vis-à-vis prisoners of war in its Instruction from April 1994, and this document was sent to brigades, regiments and independent battalions by the Drina Corps Command in April 1995, namely three months before the beginning of Operation *Krivaja 95* and the commission of the crime of execution of prisoners of war. In that respect of special importance are items 1, 2 and 3 of this Instruction which read:

- “1. Handcuff or tie up all prisoners or members of the enemy army immediately after their arrest. Search them and seize all items from them except their clothes and footwear, and compile an official note. After they are searched at the place of capture and before being escorted, blindfold them to prevent them from observing /their surroundings/.
- 2. All commands higher than battalion commands shall designate places behind the front line, where captured enemy soldiers shall be collected. This place must not be in the disposition sector of the command post, or in the disposition sector of a communications centre, artillery weapons or significant elements of logistics support. The collection point of prisoners of war must ensure the full safety of both the prisoners and the people in the security organ, the intelligence organ and the military police organ who interrogate and secure prisoners of war.

⁶²⁵ Richard J. Butler, *Srebrenica Military Narrative (revised) – Operation Krivaja 95*, 2002, p. 103.

⁶²⁶ Radovan RADINOVIC, *The control authority of Dr Radovan KARADZIC in the strategic command system of the VRS*, 2012, pp. 154-168.

-3. The prisoners of war shall be escorted from the collection point in the reach of the front line to the prison or the camp for prisoners of war so as to prevent prisoners from escaping or observing anything while they are escorted. This means that the prisoners' hands must be tied and they must be blindfolded. Should the patrol leader in charge of the escort consider it necessary, the legs of the prisoners can also be tied.”⁶²⁷

5.132. Careful examination of the mentioned items of this Instruction and their comparison with the way the prisoners were tied during escort, show that there was no departure from the prescriptions in the cited Instruction. On the basis of this we can conclude that blindfolding the prisoners and tying their hands when taking them out of the facility in Kula and putting them on the bus, does not *a priori* contain illegitimate elements or constitute an illegitimate measure. Possibly members of the vertical chain of control of the security organs could and must have known where the prisoners tied up like this were being taken.

5.133. The Judgment of the Hague Tribunal handed down in the so-called Srebrenica group case shows that it has been established that Vujadin POPOVIC, DK Assistant Commander for Security was present in the Pilica sector and at Branjevo that day, and that he was in charge of the operation of killing and burying the prisoners. The duty officer referred the request to JOKIC and MILOSEVIC, Chief of Engineers in the Zvornik Brigade Command and Assistant Brigade Commander for the Rear respectively. Had such a request been sent by someone from the Battalion Command, and not by someone who controlled the entire criminal operation of liquidating prisoners of war, it certainly would not have been automatically referred to the executors, namely JOKIC and MILOSEVIC, but to the Commander of the Brigade, who was solely authorised to approve such engagement. From the entry in the logbook of the duty operations officer of the Zvornik Brigade it is clear that the request was probably sent by someone authorised to control and order security organs of the Zvornik Brigade. The legitimacy of the removal of the bodies of the prisoners from the Culture Centre in Pilica, is unquestionable, for this is a task known as *asanacija terena* or terrain restoration, and must be done for health, human and moral reasons.⁶²⁸ This category of military tasks includes finding and removing all consequences of war actions conducive to the outbreak of infection and epidemics. It includes finding, removing and burying bodies. What might be questioned is the fact that some of the executed persons were not a direct consequence of war actions, but a consequence of a war crime against prisoners of war, but they too had to be removed taking account of the summer weather and heat.

5.134. With regard to the accommodation of the prisoners, the Report deals only with the capture of large groups of members of the 28th ABH Division on 12 and 13 July 1995 on the Bratunac-Konjevic Polje – Nova Kasaba axis until they were brought to Zvornik municipality and the zone of responsibility of the Zvornik Brigade. The prisoners of war were temporarily detained in Nova Kasaba and Sandici but the collection point was Bratunac, through which all those who were captured *en masse* passed. This all happened on 12, 13 and 14 July 1995 until the day when a large group of prisoners was transported from Bratunac to the general area of Zvornik. As Bratunac, where all the prisoners of war were on 13 July 1995 and during the night of 13/14 July 1994, was in the zone of responsibility of the Bratunac Brigade, it is obvious that the decision to transport the prisoners from Bratunac to the area of the Zvornik Brigade could not have involved anyone from the Zvornik Brigade Command. Only the security organs of the superior commands of the Drina Corps and the VRS Main Staff could have decided that. We can say that the Zvornik Brigade did not have information on the transfer of prisoners, let alone took part in that. This is easy to see from the combat report sent from the Zvornik Brigade Command to the Drina Corps Command on 18 July 1995.⁶²⁹ In this document, the

⁶²⁷ Instruction of the Drina Corps Command, Str. Confidential no. 17/450, of 15 April 1995.

⁶²⁸ For the term “*asanacija bojista*” see Military Lexicon, ed. VIZ, 1981, p. 36.

⁶²⁹ See Combat Report Str. confidential no. 06-222 (P00181) of the Zvornik Brigade of 18 July 1995.

brigade commander asks in amazement who decided to literally flood the Zvornik Brigade's zone with such a large number of prisoners of war.⁶³⁰ Transferring prisoners within the zone of an operation is a problem at the tactical and operational command levels, primarily involving security and military police elements, so decisions were probably made at that level too.

5.135. There is no reliable information about who decided to move the prisoners of war from Bratunac to the Zvornik Brigade area. Dragomir VASIC, the chief of the Security Services Centre in Zvornik was in Bratunac on 13 July 1995 to establish a public security station in Srebrenica, when RS President, Dr Radovan KARADZIC, ordered DERONJIC to move the prisoners to the Batkovic camp.⁶³¹ Since DERONJIC had received an order to establish a SJB in Srebrenica, and since that task could only be implemented by VASIC through the station that was already up and running in Bratunac, DERONJIC and VASIC understandably met on 13 July 1995. When he came from Srebrenica to Bratunac at around 2100 hours that day, he learned from the SJB Chief JOSIPOVIC that the town was overflowing with prisoners of war who had been brought in from the places where they had been captured on the Bratunac-Konjevic Polje road. Such a huge mass of people gathered in one place was naturally a security risk for the town and its residents, and it was extremely risky to keep them under guard in such a small space in a limited number of facilities. That is why DERONJIC, as the duly authorised civilian commissioner for Srebrenica, went to the military authorities to insist that the prisoners of war be moved out of Bratunac.⁶³²

5.136. The operation of distributing prisoners of war in Bratunac was probably supervised by the naval captain who was the Chief of the Security Administration in the Intelligence and Security Sector of the VRS GS. In order to relocate the prisoners of war from Bratunac, DERONJIC had to intervene invoking the RS President and was successful. On 14 July 1995, after spending the night in the school and hangar in Bratunac, and in means of transportation also, the prisoners of war were transported to the general area of Zvornik and held in schools in Grbavci, Orahovac, Petkovci, Kula, the Culture Centre, Pilica and Kozluk. The previous day, 13 July 1995, in the storehouse of the Kravica Cooperative, where the prisoners had tried to overpower the guards, there was shooting and some prisoners who had been recognised as criminals who participated in incursions of the Muslim forces in the previous period were killed. The mock surrender of some Muslim soldiers, who after signalling they would surrender became suicide bombers and activated explosive devices, killing both themselves and those they were surrendering to, only fuelled vengefulness among the comrades of the soldiers who had been killed. All this is a dismal picture of the reality of war which changed by the hour to the surprise of all the protagonists of this painful war story, which has encumbered future relations between the Muslims and the Serbs in historic terms.

5.137. At the time when the prisoners of war were taken from Bratunac to the zone of responsibility of the Zvornik Brigade, and when the decision was made to that effect (in the evening of 13 July 1995 and during the day on 14 July 1995), Chief of Staff, Major Dragan OBRENOVIC was the acting commander of the Zvornik Brigade, whose commander, Lieutenant Colonel Vinko PANDUREVIC was with his TG-1, part of the Drina Corps contingent involved in the Operation *Stupcanica* in the Zepa area, until midday on 15 July 1995. According to the routine chain of command procedure, Dragan OBRENOVIC should have received orders through the operational chain of command regarding the organised reception of the prisoners and to prepare facilities for their accommodation. This did not happen and it is proof that the chain of command had not been dominant in respect of the overall

⁶³⁰ For details see Radovan RADINOVIC, The control authority of Dr Radovan KARADZIC in the strategic command system of the VRS, 2012, pp. 163-166.

⁶³¹ Order of RS President for forming a Srebrenica SJB (P02944).

⁶³² For details see Radovan RADINOVIC, The control authority of Dr Radovan KARADZIC in the strategic command system of the VRS, 2012, pp. 167-169.

procedure with the prisoners. With regard to the accommodation of the prisoners there is only the order of the Drina Corps Commander of 13 July 1995.⁶³³ That was not the case, however, but OBRENOVIC, as he himself testified before the Hague Tribunal, received the information from his assistant for security, Drago NIKOLIC, who had been so ordered by Lieutenant Colonel Vujadin POPOVIC, the assistant for security in the Drina Corps Command. In order to be able to reconnoitre the ground and to choose a place where the prisoners of war could be accommodated and guarded, Drago NIKOLIC had to hand over the duties of operations officer to someone else, and this was done at around 2300 hours on 13 July 1995. The documents which trace the movements of the car used by the Zvornik Brigade Command on 13/14 July 1995 show that NIKOLIC really did visit the sites where the prisoners of war would be accommodated on 14 July 1995.⁶³⁴ The prisoners of war were escorted from Bratunac to Zvornik by the civilian police from the Bratunac SJB, a platoon of policemen from the police company from Pale (part of the detachment commanded by BOROVCANIN), part of the traffic police from Bratunac and part of the military police platoon from the Bratunac Brigade.⁶³⁵

5.138. The accommodation of the prisoners in various facilities in the municipality of Zvornik during the night of 13/14 July 1995 was approved by Drago NIKOLIC, Assistant Commander for Security in the Zvornik Brigade, in line with the order he had received from Vujadin POPOVIC, Assistant Commander for Security in the Drina Corps. Dragan OBRENOVIC stated in his testimony that POPOVIC, as the security officer in the Drina Corps, ordered Drago NIKOLIC how to prepare the accommodation facilities and how to set up security for the prisoners of war.⁶³⁶ The accommodation of the prisoners in Bratunac, their escort and security en route to Zvornik and their reception and accommodation in the facilities were all legitimate military security actions.

5.139. Holding prisoners in facilities for temporary accommodation does not *a priori* in itself contain any unlawful features, for this is a permitted action during war. This refers to those who did not take part in the mass executions of prisoners and who believed that it was a step towards accommodating them in the prisoner-of-war camp in Batkovic or exchange on the border toward Tuzla. That is why this is an important fact in assessing the legitimacy of the procedure of holding the prisoners.⁶³⁷ There is substantiated information that can provide answers to the question of who knew about the fate of the prisoners of war in the area of the VRS Zvornik Brigade. First of all, the document sent to the Drina Corps Command by General Zdravko TOLIMIR, VRS GS Assistant Commander for Security and Intelligence,⁶³⁸ is, according to the time it was drawn up and its subject matter, almost certainly a response to the Order signed on behalf of the VRS GS by General GVERO, Assistant VRS GS Commander for Moral Guidance, in which he orders the procedure to be followed in respect of the prisoners, with emphasis on their accommodation in facilities in which it will be the easiest to set up security for them engaging a minimum of forces. As he was in the Command of the 1st Podrinje Light Infantry Brigade (Rogatica), TOLIMIR saw the document of the GS, i.e. of the Drina Corps, which was identical to the central order of the VRS GS and realised that the accommodation and guarding of the prisoners could pose a problem. In that connection, the document stresses the following: "If you are unable to find adequate accommodation for all prisoners of war from Srebrenica, we hereby inform you that space with pallets (panels and beds of wooden planks) has been arranged for 800 prisoners of war in the facilities of the 1st plpbr in Sjemec, and the 1st plpbr can guard them with its own forces."⁶³⁹

⁶³³ Order Str. Confidential no. 03/156-12 of 13 July 1995 (P02035) of the Commander of the Drina Corps.

⁶³⁴ See Vehicle work log, *Opel* of the Zvornik Brigade Command. (P00173)

⁶³⁵ Transcript of D. VASIC's interview with McCloskey (P04577) and Log of the military police platoon of the Bratunac Brigade, entries for 13, 14, 15, 16 and 17 July 1995. (P00169)

⁶³⁶ See Transcript T-2460-70.

⁶³⁷ For details see Radovan RADINOVIC, Analysis of the control authority of Dr Radovan KARADZIC in the strategic command system of the VRS, 2012, pp. 172-175.

⁶³⁸ VRS GS Memorandum to General GVERO personally, str. Confidential no. 04-520-51/95, of 13 July 1995. (P04769)

⁶³⁹ TOLIMIR, VRS GS Memo, str. confidential no.04-520-51/95 of 13 July 1995. (P04769)

5.140. There is no reliable information and answer to the question of who and when decided that the prisoners of war would be liquidated and why, but one can categorically state that it had not been General Ratko MLADIC. We can also claim that on 13 July 1995 others from the chain of command and decision making at the VRS strategic level of command could not have known that the prisoners would be liquidated, nor is there evidence that anyone close to MLADIC knew that. The following key information for that day is found in available documents: shortly before noon (according to an intercepted conversation), Naval Captain BEARA ordered that a bus and four freight trucks be provided for the transportation of prisoners of war to the POW camp.⁶⁴⁰ This order tells us a lot about the number of prisoners to be transported and what was to be done with them. In the afternoon of the same day, the prisoners from Sandici were transported to the warehouse in Kravica, where the initial incident of the crime occurred when the prisoners attempted to wrest away weapons from the guards and overpower them. Then the crimes of murder out of revenge and other inexplicable criminal motives occurred. The memo from General TOLIMIR on the accommodation of 800 prisoners at a farm basically corroborates the claim that neither he nor consequently General MLADIC knew about the crime which had already happened. We must bear in mind that the incident in Kravica happened before TOLIMIR's memo that the prisoners could be billeted at Borike, but it is clear that General TOLIMIR was unaware of the incident at the time, which may be because the Kravica warehouse was controlled by the police, not the VRS. Finally, at 2305 hours that evening, General MLADIC (as evidenced by an intercepted conversation) ordered BEARA to provide food and water for that many people, by which he was obviously referring to the prisoners who were under the jurisdiction of Naval Captain BEARA and not to the attached police forces.⁶⁴¹

5.141. Upon analysis of the information and events related to Operation *Krivaja 95* and in its aftermath, one can quite confidently take a stand on the legitimacy of the operation and the command authority of General Ratko MLADIC. Authority and responsibility differed in the stage of preparation and that of the executing of the operation, as well as for the events which took place after the fighting for taking Srebrenica ended and during the breakthrough of the 28th ABH Division. Operation *Krivaja 95*, as well as all the events after the operation, capture, ambushes, fighting during the breakthrough and executions after capture can conditionally be divided into several stages: (1) the planning, organisation and preparations for the execution of combat actions; (2) the execution of combat actions pursuant to the Order for Active Combat of 2 July 1995, until the change of the primary task of reducing the enclave to its urban part (until 9 July 1995); (3) execution of the operation pursuant to the changed objective of taking the town, and this stage lasted from 10 July to 11 July 1995; (4) the evacuation of the population from Potocari and the separation of men of military age (12 and 13 July 1995); (5) the prevention of the breakout from encirclement of the 28th Division on several successive lines (12 July to 16 July 1995), until the day the Commander of the Zvornik Brigade opened the front to let the remnants of the column pass through the brigade's combat disposition in the Baljkovica and Nezuk sectors; (6) the *en masse* capture of members of the 28th ABH Division (12 and 13 July 1995), their collecting at places where they were captured *en masse* in Nova Kasaba, Konjevic Polje and Sandici; (7) the collecting of the prisoners and their transfer to Bratunac and control and supervision in Bratunac, which lasted from the afternoon and evening of 13 July 1995 until no later than midnight on 14 July 1995; (8) the transportation, escort and accommodation of the prisoners in guarded facilities in the territory of the municipality of Zvornik, which lasted from the evening of 13 July 1995 until 14 July 1995, by which time most of them had been put in various facilities, although some of the prisoners of war were put in the Culture Centre in Pilica during the morning of 15 July 1995; (9) with the exception of the incident in Kravica in the evening of 13 July 1995 (it has not been determined whether this incident occurred "out

⁶⁴⁰ Croatian intercept, admitted, 13 July 1995 at 1125 hours. (1D05827)

⁶⁴¹ Radovan RADINOVIC, Analysis of the control authority of Dr Radovan KARADZIC in the strategic command system of the VRS, 2012, pp. 178.

of the blue”, i.e. without the cause described above), it can be deduced that the unlawful liquidations started on 14 July 1995 in the Zvornik area, and that they continued throughout 14 July and 15 July 1995 in the villages of Orahovac, Grbavci, Kozluk and on 16 July 1995 at the Branjevo farm and the Culture Centre in Pilica.⁶⁴²

5.142. Many documents of the Office of the Prosecutor and the Report of Mr. Butler mention a number of locations at which General MLADIC was and even some places where the prisoners were being assembled, as proof that he probably ordered the mass crimes and the execution of captured soldiers of the 28th ABH Division and civilians. It is important to note that the very attempt to break out led to mass losses in ambushes and to the capture of soldiers and civilians. The act of capture is not a decision to kill the prisoners. They were mostly transferred to the zone of the Zvornik Brigade, to separate there those soldiers suspected of being criminals and send them to prison in Batkovic and turn over the others who were innocent to the ABH in the process of a prisoner exchange. From the available documentation it is not known who brought the decision to execute the prisoners bypassing the law and due process. That is probably the reason responsibility for this is attributed to General Ratko MLADIC, on the basis of command authority or even evidence he was at some positions in the zone of the DK. His presence was registered on 10 July 1995 at the forward command post in Pribicevac with Major General KRSTIC and Major General ZIVANOVIC.⁶⁴³ Further, General MLADIC was seen in various pieces of video footage shot on 11 July 1995. First, he accompanied Major General KRSTIC and Major General ZIVANOVIC through Srebrenica in the afternoon of 11 July 1995. Later that evening and the next day he dictated terms to UN Dutch representatives and Muslim representatives during three meetings held at the *Fontana* Hotel. As noted previously, Major General ZIVANOVIC was present for the first of these meetings, and Major General KRSTIC was present at the second and third meetings. At all these meetings, General MLADIC was accompanied by Colonel Radoslav JANKOVIC, an intelligence officer from the VRS Main Staff. On 13 July 1995, the physical presence of Colonel General MLADIC was again noted at various locations in and around the area where Muslim males were being assembled... This includes the meadow at Sandici and the football field at Nova Kasaba⁶⁴⁴ As a professional officer of honour and moral integrity, General MLADIC could not have participated in, let alone ordered the execution of prisoners and the commission of crimes which happened after the fall of Srebrenica. It is inappropriate to put facts mentioning his presence at the place of assembling members of the 28th Division and civilians in the context of responsibility for their later fate and the mass executions. Already after the aforementioned meeting with the prisoners General MLADIC was not even physically present in the zone of breakthrough of the 28th Division nor in the Drina Corps zone, but was in Belgrade, and the Report provides information on where and why.

5.143. The mass crimes of executing the prisoners were probably committed by self-organised paramilitary groups from Podrinje, coming from pre-war criminal milieus, as well as by groups of “avengers”, whose family members had been killed during the war by members of the 28th ABH Division. They probably committed these crimes in cooperation with some officers from security structures or even on the recommendation and under the influence of external factors which had an impact on the course of and developments in the war in BH. There is no reliable information to this effect, but there are analyses and comments in the world media, which are ever more openly speaking about the involvement of a number of factors which impacted the decision on the commission of mass crimes. These groups were not commanded through the regular and legal procedure, through the command system, and there is no physical data or any proof of that. Documents show that the only

⁶⁴² Radovan RADINOVIC, Analysis of the control authority of Dr Radovan KARADZIC in the strategic command system of the VRS, 2012, pp. 179-180.

⁶⁴³ 1st brlpbr, Regular Combat Report number 03-253-100.

⁶⁴⁴ Richard J. Butler, Srebrenica Military Narrative (revised) – Operation Krivaja 95, 2002, p. 132.

group which came from the same unit is from the 10th Sabotage Detachment whose member was also Drazen ERDEMOVIC. Drazen ERDEMOVIC testified that on 16 July 1995, at the Branjevo farm near the village of Pilica (Zvornik municipality), on the orders of officer Brana GOJKOVIC, together with seven other members of the 10th VRS Sabotage Detachment, he executed Bosniak prisoners who had been brought there by buses. He added that GOJKOVIC had been given instructions for the execution by “a tall and corpulent VRS Lieutenant Colonel with grey hair”, who had brought them to Branjevo from Zvornik. According to ERDEMOVIC, the first bus with prisoners arrived after the lieutenant colonel left. ERDEMOVIC said that when the executions at Branjevo were over, the VRS Lieutenant Colonel appeared again and said that in the village of Pilica there were “another 500 or so prisoners to be liquidated”, but according to ERDEMOVIC, members of the 10th Sabotage Detachment refused to do that. Instead, the prisoners in the Culture Centre in Pilica were probably killed by soldiers from Bratunac.⁶⁴⁵

5.144. In light of the analysis presented above and the execution of prisoners after 14 July 1995, the justification of launching Operation *Krivaja 95* cannot be called in question, for it was a small-scale combat action. Nor can the legitimacy of the decision to enter the town to demilitarise and pacify it be brought into question by the “protected status of the zone”, because Srebrenica had lost that status in practice because of the actions of Muslim forces from within the zone. But if we take account of the fact that the Muslim civilian authorities of Srebrenica set in motion the process of the evacuation of the population on 9 July 1995 and that the 28th Division clearly showed it did not intend to seriously defend the town, in order to prevent the chaos that would inevitably have ensued, Dr KARADZIC agreed with the decision made by the GS for VRS units to enter the town. Thus, given the orders specifying the measures on how to treat the civilian population, whose presence in the town was anticipated and implicitly understood, as well as property, buildings and UNPROFOR, this part of Operation *Krivaja 95* cannot be labelled unjustified or illegitimate either.

5.145. The decision to move the population out was taken by the Muslim political and military leadership, probably in cooperation with the central authorities in Sarajevo and UN forces. The VRS supported the implementation of the decision on the evacuation of the civilian population, carried out the agreement, attended with incidents that could not be avoided in such circumstances occurring. It is beyond doubt that this operation was justified, especially if we know that the UN mechanism made the decision to seek the VRS’s permission and assistance in evacuating the population, as envisaged by domestic wartime legislation also. Separating the men of military age from the rest of the population is a routine measure, for it was likely that among the men of military age in Potocari there were also those who had committed crimes in the war so far in Podrinje. In this respect we must bear in mind the often repeated statements by the Srebrenica chief of police Hakija MEHOLJIC, that IZETBEGOVIC was ready to condone the killing of up to 5,000 inhabitants in order to bring about a NATO military intervention. The “opportunistic killings” in Potocari cannot be classed as a planned execution but as a foreseeable consequence of the mass encounter of members of two people’s armies in which individuals desired to exact revenge, and they even knew one another. The claim that the separation was planned and carried out for the purpose of their execution is untenable, because there is no evidence that anyone had decided or even known that the executions would take place.

5.146. The taking of prisoners was in all instances a fully legitimate military measure, as it was a consequence of the armed conflict between parts of the warring armies. Elements of the DK, the civilian police and elements of the Protection Regiment clashed with the column of the 28th Division, which had embarked on a breakout from encirclement, which is characterised as an offensive combat activity. The process of collecting, distributing and holding prisoners in schools and other detention

⁶⁴⁵ Seventeen years since the massacre in Srebrenica, *Blic* daily, 10 July 2012.

facilities is in itself legitimate. Also, the moving of the prisoners from Bratunac towards Zvornik can be considered to be bringing them nearer to Batkovic, the POW camp under the control of the International Red Cross, from which legitimate exchanges were carried out and which probably needed time to prepare for the reception of so many prisoners, who could not wait for that in the small town of Bratunac as it did not have the required capacities, and where memories of the crimes of the 28th BH Division were also fresh.⁶⁴⁶ That was why their dispersion and accommodation in temporary facilities in the area of Zvornik was logical also from the standpoint of protecting the prisoners. The Bratunac authorities, apprehensive because of such a large number of prisoners and the crime in Kravica insisted that the problem be resolved because of the security of the citizens and the prisoners also.

5.147. The Partial Conclusions sum up the facts and positions arrived at in the analysis of Operation *Krivaja 95* and the place and role of General MLADIC in that operation. The Partial Conclusions are formalised and generalised in such a way as to primarily focus on the conflicting parties and less on an analysis of the circumstances, the intention being to clearly and precisely depict the events and facts from the professional military standpoint.

7. PARTIAL CONCLUSIONS

5.148. During the civil war in BH the population, almost as a rule, moved with its army, probably for two reasons: (1) fearing the arrival of the enemy army and its treatment of the civilian population, for the experiences of history are painful and unforgettable, and (2) in order to come to territory under the control of the military forces and political authorities of its own ethnic community. On that principle over 600,000 Serbs moved out from the Neretva river valley, Mostar, Konjic, Gorazde, Western Herzegovina and Central Bosnia. Also, on those grounds the section of Sarajevo under Muslim control was practically ethnically cleansed and emptied. The same happened with the Muslims and Croats from parts of BH under Serbian military and political control. Srebrenica is by no means an exception with regard to the movement and resettlement of the civilian population. These are simply the facts of the civil war in BH. Srebrenica is an exception in terms of the killing and mass crimes against prisoners, which took place over a very short period of time.

5.149. Pursuant to the Security Council resolution, the conflicting parties reached an agreement which was signed on 8 May 1993 by General Ratko MLADIC and General Sefer HALILOVIC, with the mediation and consent of General Morillon. No item of the Agreement was abided by. The Muslims did not disarm the troops in the demilitarised zone or put weapons under UNPROFOR control. In that sense, it seems that demilitarisation referred solely to the VRS.⁶⁴⁷ Muslim forces used the safe area to infiltrate sabotage and terrorist groups from it, attack Serbian military and civilian facilities, commit crimes and safely return under UNPROFOR auspices.

5.150. Operation *Krivaja 95* can be characterised as a small-scale operation, executed on a limited space, with tactical level forces the equivalent of four reinforced battalions. It was an operation with an extremely limited objective. From the afternoon of 11 July 1995, i.e. from the time the defence of Srebrenica fell. The total strength of the 28th ABH Division until the beginning of the operation was 10,200 men according to the /relevant/ documents. Probably just a part of them were armed, and the rest

⁶⁴⁶ "As a member of the War Presidency of Srebrenica I did not know that orders had come for groups of saboteurs to raid Serbian villages. Naser was not there, he had already left Srebrenica, but his deputy Ramiz BECIREVIC was. He told me that he had received orders for the attacks from the General Staff. These were perhaps these provocations which someone deliberately staged", concluded MEHOLJIC. News online, 24 September 2011.

⁶⁴⁷ S. HALILOVIC, *A Devious Strategy*, p. 108. ... "I returned to the Staff and sent an order to Srebrenica and Zepa that they must not hand over a single functioning weapon, or any complete rounds."

up to the full complement were on the list of conscripts and members of the brigades and independent battalions of this Division. In view of the overall situation in the enclave, it is realistic to conclude that between 7,000 and 7,500 men were armed.

5.151. The VRS GS and the DK Command could not expect a limited military operation to have such grave consequences as the departure of the population to the UN base in Potocari and the decision of the 28th ABH Division not to lay down their arms and decide to break through towards Tuzla. The consequences which resulted from the situation which developed – the evacuation of the civilians and the mass capture and execution of the prisoners, could not be anticipated at the time of planning and executing the operation either. That is why the claim that *Krivaja 95* had been planned in advance as a massive-scale and systematic attack on a safe area with the objective of permanently removing the civilian population and capturing and executing men of military age is incorrect. This is also demonstrated by the ratio of forces which participated in the operation as well as by numerous other arguments presented in this analysis.

5.152. The forces of the 28th Division practically did not defend Srebrenica. Their superior Command of the 2nd Corps or the ABH GS probably never expected that from them. Proof of this is the decision to pull out Naser ORIC, the Division Commander, and another twenty or so of his officers from Srebrenica only three months before the operation and to send them to Tuzla for training. Also, the superior commands did not take adequate measures to ease the position of the Division in military terms and to support its defence, and, after the fall of Srebrenica, to support the breakthrough of the column. Also, apart from the respectable military forces and numerical strength of the 28th ABH Division, account should be taken of the fact that these forces were to a large extent left to themselves, without adequate moral and political support from the Muslim central authorities in Sarajevo. Rumours circulated among the troops and the people that Srebrenica and Zepa would be turned over to the VRS and that any persistent and long-term resistance and battle were not necessary. These rumours were fuelled by crime, chaos, lawlessness and conflicts among political, military and police leaders.

5.153. It is very important to note that after DK units entered Srebrenica in the afternoon of 11 July 1995, refusal of the forces of the 28th ABH Division to lay down their weapons and accept the status of prisoners of war led to trouble and disaster. The Command of the 28th Division and the brigade commanders of that division decided on a breakout from encirclement, probably with the knowledge and approval of the Command of the 2nd Corps and the ABH GS. One can confidently assume that this was also suggested by the Muslim political leadership in Sarajevo. The first and as a rule most authentic reports from Muslim and foreign sources say that around 20,000 civilians had gathered in Potocari and that in the column for breaking through to Tuzla there were between 12, 000 and 15,000 soldiers and civilians. The Muslim secret service from Tuzla reported on 17 July 1995, that on the previous day, 16 July 1995, 10,000 soldiers of the 28th Division had made it to “free territory”, and that several thousand more were suspected of being in the area between Srebrenica and Tuzla.⁶⁴⁸ It is difficult to determine the exact number of armed and unarmed people in the column which set off on the breakthrough during the night of 12 July 1995. The column set off in several parts. The breakthrough was carried out on the following axis: Jaglici-Buljin-Pobuce-Cerska-Snagovo-Crni Vrh-Krizevici-Baljkovica-Nezuk. Elements of the Drina Corps laid ambushes on the breakthrough route. These ambushes were often weak and they sustained heavy losses in personnel and hardware.

5.154. The first major clash with these forces was at the forward end of defence of the Milici Brigade and elements of the Bratunac Brigade which closed off the front at the Potocari-Kravica-Nova Kasaba section. When the forces of the 28th Division set off to break through the forward line of this brigade

⁶⁴⁸ (D01998)

they met with strong resistance. At the village of Bare alone between 800 and 1,000 people from the column were killed in the clash. Jean-Rene Ruez, investigator of the Hague Tribunal, testified about that. The column engaged in successive clashes and ran into ambushes in a number of instances, almost always incurring heavy casualties. Neither DK records nor those of the Hague Tribunal contain information on where these victims were buried. All of them were recorded as executed prisoners of war which, of course, is not true. The debates of most researchers centre only on proving or disproving the total number of people who lost their lives during and after the operation for Srebrenica.⁶⁴⁹ For the sake of the truth and justice it is of the essence to establish the exact number of those who were killed in combat with DK units and how many were captured and later executed. Data on the number of captured and executed persons refers to about 3,000 to 3,500 soldiers, conscripts and civilians in the column, while the rest were killed in combat during the breakthrough and even in mutual fighting, about which there exist statements and testimonies of participants in the breakthrough.

5.155. It is certain that by the time they broke through on 16 and 17 July 1995 at Nezuk and came out on territory under Muslim control, up to 3,500 people from the column which had set off on a suicidal breakthrough had been killed. Not only Muslims but also members of units of the Drina Corps were killed in those battles. In that sense, indicative and illustrative is the example of the Zvornik Brigade. In several consecutive encounters with the forces of the 28th Division executing a breakthrough, that unit lost more men than while executing Operation *Krivaja 95* itself although an element of that brigade, a reinforced battalion, was executing the attack on the main axis. Moreover, how forceful and resolved some units of the 28th Division were in the breakthrough is shown by the fact that the Zvornik Brigade lost three 90 mm self-propelled weapons, two 30 mm *Praga* and several trucks, while scores of soldiers were killed and several officers and soldiers captured. The fact that the command of the operations group executing the operation at Zepa was forced to pull out the forces of the Zvornik Brigade from that Group at Zepa on 15 July and to return the Commander, Lieutenant Colonel PANDUREVIC, with part of the brigade to the general area of Zvornik to improve the exceptionally grave situation on the defence lines of this brigade in the attempt to defend the brigade's zone of responsibility and prevent the breakthrough of units of the 28th Division towards Tuzla shows what kind of a clash it was.

5.156. The very forceful attack of the units in the breakthrough compelled the commander of the brigade to open the front on 16 and 17 July and let parts of the 28th Division pass and thus avoid even heavier losses, which had even up to then been unsustainable for the 28th ABH Division executing the breakthrough and also for units of the VRS Zvornik Brigade. Therefore, it was not a civilian column, as the propaganda and media campaign often pointed out, but a mixed column comprising quite strong military forces of between 6,000 and 7,000 soldiers and officers. How else would have that column been able to inflict so heavy losses on one of the best DK brigades, the Zvornik Brigade, and overpower part of the forces on the breakthrough axis. This result was certainly achieved through unsustainable casualties and a large number of killed members of the 28th ABH Division.

5.157. The largest number of members of the 28th Division and civilians who had set off on the breakthrough with them were captured on the Konjevic Polje-Bratunac road and also in the Nova Kasaba sector. Mass captures took place on 12 and 13 July. Prisoners of war were driven to Bratunac and from there sent towards Zvornik. They were expected to be sent on to Bijeljina where there was a

⁶⁴⁹ Hakija MEHOLJIC critically spoke on a number of occasions about the victims of Srebrenica as well as attempts at political manipulation of the total number of Muslims who were killed in Srebrenica during the battles and after the mass executions. In that context he says: "... As a Bosniak, I am angry with all those who buried 75 people at the Memorial Centre who had not been killed in July 1995. I only found about that several days ago. I think that Bosniaks who were not killed during the fall of Srebrenica should be buried at a different location, in the immediate vicinity, and that the names of persons who are found to be alive must be deleted from the list at the memorial. Such things must not profane the meaning of the Memorial Centre, which is the result of policies at that time and the international community." *Glas Srpske*, 22 April 2010.

holding centre for prisoners which were to be exchanged. Regrettably a large number of the prisoners were liquidated at locations in the general area of Zvornik. The exact number of prisoners who were liquidated has not been established nor have total Muslim losses been broken down into those who were killed in the battles and those who were killed as prisoners in mass executions. Different data is used for media propaganda and political purposes, but all victims are reported to have been executed as prisoners, which of course is not true. With due respect for all the victims, for the sake of the truth, objective information must be obtained on the number of killed and executed ABH soldiers and civilians. Only the truth can be the basis of reconciliation and future multi-ethnic life in BH. False information and judgments based on it can only be a source of mistrust in the future.

5.158. The departure of the civilian population from Srebrenica to territory under ABH control was neither violent nor forcible and it was not the decision of the VRS GS but the choice of the population and UNPROFOR's decision. The VRS did everything to protect the civilian population and help its organised transfer to territories under the control of Muslim forces. This conclusion is reached on the basis of a number of facts and in particular the request of the Presidency of Srebrenica municipality of 9 July 1995 and the position of the Commander of the UNPROFOR Dutch Battalion presented to General MLADIC at the meeting in Bratunac on 11 July 1995. It was only after the meeting with UNPROFOR representatives where it was proposed that the population should be evacuated to safe territory that work started on collecting means of transportation to transport the civilians. Before that event there is no information on the existence of any intention or plan for evacuating the civilian population from Srebrenica. It was certain that the population feared the presence of the VRS for in previous years many crimes against Serbs had been committed in Podrinje of which the Muslims in Srebrenica had heard and feared revenge. Most of the ordinary people in Srebrenica did not approve of such crimes against the Serbs in the areas of Bratunac and Kravica but could not nor dared oppose various criminal and rampant gangs and their leaders.

5.159. Because of the earlier crimes they had committed against the Serbian people and VRS units in Podrinje, a number of members, commanders, commanders /komandir/ and soldiers of the 28th ABH Division would not lay down their weapons and decided to break out of the encirclement, through the zone of responsibility of the Drina Corps. This injudicious decision was probably also suggested by centres of power which caused and provoked the attack of VRS forces by constantly committing crimes around the enclave. Mass numbers of members of the 28th Division were captured on 12 and 13 July 1995 by forces of the Bratunac and Milici Brigades, the Police Battalion, the 65th Protection Regiment and MUP forces which, from 12 July 1995, controlled the Bratunac-Konjevic Polje route. The assembled prisoners of war were transferred from Bratunac to the area of Zvornik municipality on 14 July 1995, pursuant to the order of the VRS GS and the Drina Corps Command, put in facilities suitable for holding and guarding them, primarily schools which were not working at the time. Part of the prisoners were put in the elementary school in Kula in the village of Pilica and part in the Culture Centre in Pilica. These are civilian facilities which were in the jurisdiction of the civilian authorities.⁶⁵⁰

5.160. It is difficult to determine who and when decided to liquidate the prisoners instead to exchange them as it had been discussed and expected, for physical evidence of that has not been found. The prisoners from the school in Kula were regrettably bussed to the Branjevo farm and liquidated there. The Branjevo site at which the prisoners from the school in Kula were liquidated was owned by the *Agroprom* enterprise from Zvornik.

⁶⁵⁰ Radovan RADINOVIC, Military Expert Testimony on Srebrenica, D-160, 2002, pp. 34-42.

5.161. The crime of Srebrenica was probably conceived of outside the area of BH, but owing to their poor judgment, the political and military leadership of Republika Srpska allowed the execution of the operations for Srebrenica and Zepa with the limited objective of returning the space to the borders of the safe areas. Regrettably, they failed to notice that in the spring and summer of 1995 the extreme wing of the political and military leadership in Sarajevo sought to provoke and desired this operation, as it was known that in Podrinje, around Bratunac and the village of Kravica, around 3,450 people had been killed in the previous years of the war, and that among the families of the Serbs who had been killed many wished to exact revenge, i.e. that the potential for revenge was strong.

5.162. Failure to realise the intentions of the political and military Muslim leadership in Sarajevo to provoke and force an offensive operation by intensifying sabotage actions and constantly inflicting losses on the VRS and the civilian population is an enormous strategic, political and military mistake. Regardless of what actually happened in Srebrenica or what the media portrayed as having happened, it remains a symbol of crime in the civil war in BH and is one of the most shameful crimes which tarnished the objectives of the struggle of the Serbian people. That was indeed the intention of those who were directing the war and who assessed that ethnic hatred and the wish of part of the Serbian soldiers whose families had been killed in Podrinje to exact revenge, would lead to a crime that could not be controlled through the chain of command. After the commission of the crimes against captured members of the 28th ABH Division, the Muslim leadership in Sarajevo sought to discredit the defensive character and objectives of the struggle of the Serbian people in the international public. Even today representatives of numerous political parties from Bosniak ranks base their strategy of a unitary BH and the abolishment of Republika Srpska and its authority on the “genocidal character of the struggle of the Serbian people”, attempting in this way to portray Republika Srpska as a “genocidal construct” to the world. Such an approach is political abuse of the crime which happened. This crime had not been planned by the political and military leadership of Republika Srpska. It was probably designed in order for the media to prepare the international community and public to accept the consequences of the operations executed by the Croatian Army, the ARBH and the HVO, with NATO air, intelligence and logistics support, in which ethnic cleansing and crimes in the area of the Republic of Serbian Krajina in Croatia were committed as well as in the western part of Republika Srpska in BH, when about 2,300 soldiers and civilians were killed and over 220,000 people expelled from their homes. The international public neither saw or heard of these crimes, for the crime in Srebrenica was a screen for continuing the genocide against the Serbian people in Croatia and BH which started in the Ustasha NDH and continued in the final operations in the civil war in 1995.

5.163. General Ratko MLADIC, as the commander of the VRS GS, did not command the forces in Operation *Krivaja 95*, but took part in the preparation and execution stage. By his personal presence he sought to ensure that the civilian population was protected and help their wishes be accommodated. Also, as an experienced commander, he tried to persuade members of the 28th ABH Division to lay down their arms, guaranteeing their safety, in order to prevent unnecessary casualties. It is obvious that it did not suit part of the Command of the 28th Division and the 2nd Corps of the ABH GS. WHY...? The commanding officers of the 28th ABH Division did not autonomously take this unreasonable and injudicious /?decision/, but followed the wrong instructions which they received from the 2nd Corps and the ABH GS. Behind such wrong instructions was the intent to exploit the casualties in furtherance of the objectives of the struggle of the Muslim people in BH and to win the sympathies and political support of influential states of the international community.

5.164. Officers of the VRS Information Service video recorded the following conversation in more detail. The relevant quote from the transcript reads:

MLADIC: Please write down the following: Number one, you need to lay down your weapons and I guarantee that all those who lay down their weapons will live. I give you my word, as a man and a General, that I will use my influence to help the innocent Muslim population which is not the target of the combat operations carried out by the Army of Republika Srpska. Nor are international humanitarian organisations and UNPROFOR forces the targets of our operations. Although NATO forces, as well as UNPROFOR forces, fired today at UNPROFOR's request not only at the positions of the Army of Republika Srpska but also at the civilian population. In order to make a decision as a man and a Commander, I need to have a clear position of the representatives of your people on whether you want to survive, stay or vanish. I am prepared to receive here tomorrow at 1000 hours a delegation of officials from the Muslim side with whom I can discuss the salvation of your people from the enclave, the former enclave of Srebrenica.⁶⁵¹ I shall order a cessation of operations until 1000 hours tomorrow. If your... (recording interrupted).⁶⁵²

And further:

MLADIC: ...fighters, your fighters who lay down their arms we shall treat in accordance with international conventions and we guarantee that everybody will live, even those who committed crimes against our people. Have I made myself clear? Nesib, the future of your people is in your hands, not only in this territory. I am finished. You are free to go. I'll be waiting for you at 1000 hours tomorrow. See them off.

MANDZIC: I need to tell you, General... I am telling you, honestly, I have been chosen as a representative by chance. But if you're not satisfied with me, that's no problem.

General MLADIC:...That is your problem. Bring the people who can secure the surrender of weapons and save your people from destruction.⁶⁵³

5.165. From the military aspect, the last thing the VRS needed in that final stage of the civil war was such a development of the situation after taking Srebrenica. In an interview, Alija IZETBEGOVIC pointed to all the devastating consequences of the crime in Srebrenica for the objectives of the struggle of the Serbian people in BH. "Did the tragedy of Srebrenica affect the further course of the war in BH, as immediately after that KARADZIC and MLADIC were indicted for war crimes? I think it had a strong influence. As it is known, on 30 August 1995, less than two months after Srebrenica, NATO launched strong air strikes on Serbian positions. The immediate cause was the shell fired on the Sarajevo Markale market, but I think that Srebrenica was the real reason. I know for a fact that prior to the decision to intervene the following sentence was heard in the US Congress: "Enough is enough." What cannot be heard in this statement and what it obviously contains is Srebrenica. Srebrenica also directly contributed to the Hague indictments against KARADZIC and MLADIC."⁶⁵⁴ This too is proof that neither the political nor the military leadership of Republika Srpska needed the crime in Srebrenica.

5.166. The decision of the Command of the 28th ABH Division and of the superior commands to attempt a breakthrough was disastrous and in military terms the organisation and deployment of forces in the breakthrough were even worse and had enormous consequences. It is really easy to be wise in hindsight, but any option would have been better than the decision that was made. Had weapons been laid down in Srebrenica, individual crimes and murders might possibly have happened, but the tragedy of a mass

⁶⁵¹ (Prosecution exhibit 40/a in the KRSTIC case).

⁶⁵² According to Richard J. Butler, Srebrenica Military Narrative (revised) – Operation *Krivaja 95*, 2002, p.40.

⁶⁵³ Ibid., p. 5.

⁶⁵⁴ Interview given by Alija IZETBEGOVIC to KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 19.

crime would have not. That is probably why General MLADIC also insisted that members of the 28th BH Division lay down their weapons because he could then be able directly through the chain of command instruct the DK Command to secure the prisoners of war and prevent individuals from possibly acting on their own and committing crimes in revenge. Therefore, we can say with a large degree of certainty that the crime in Srebrenica was the consequence of injudicious and irresponsible action of commands at the operational and tactical level of the VRS and the ABH, after DK forces entered Srebrenica. Chaos followed the end of Operation *Krivaja 95*, and the Command of the 28th Division took an unpredictable step deciding to embark on a breakthrough, which led to the forced and inadequate prevention of that breakthrough by DK units and RS police. The forces preventing the breakthrough of the 28th ABH Division were disoriented and disorganised at the tactical level and there was no timely information about their acts at the operational let alone the strategic level of command.⁶⁵⁵

5.167. Part of the VRS soldiers in the zone of the breakthrough of Muslim forces wanted to exact revenge on the Muslim forces of the 28th ABH Division because of the crimes these forces had committed against their family members in Podrinje. Command structures at the tactical level could not suppress and cope with this hatred and wish for revenge, primarily because of the militia character of the VRS, especially at the tactical level of organisation. The reaction of the operational and strategic levels of command in the VRS and the ABH, as well as of UNPROFOR, was regrettably belated and did not correspond to the situation on the ground. In the period after 20 July 1995, the VRS GS focused on organising and preparing forces to oppose the aggression of the Croatian Army on Republika Srpska in coordination with Muslim forces of the ABH and the HVO in the zones of responsibility of the 1st and 2nd VRS Krajina Corps. In such circumstances it was not possible for General MLADIC or the VRS GS to re-examine the information on the consequences of Operation *Krivaja 95* for veracity. It is not then clear how only the military leadership of the VRS and General Ratko MLADIC are blamed for the tragic consequences of the crime. In the entire war in BH and the operations in which he directly participated he set great store by military honour and pride, protecting the civilian population. In the negotiations at the *Fontana* Hotel, as a soldier he insisted that units of the 28th ABH Division surrender their weapons, believing that in that way its members would be safe and protected. As a consummate professional and commander he was probably aware that the attempted breakthrough, over rough terrain, would lead the Muslim forces into the hands of groups of avengers and criminal groups operating outside the chain of command, with the support of individual officers from the army, police and security services. It is neither moral nor justified to put such individual conduct at the tactical level of command, after the operation, in the context of the authority of General Ratko MLADIC. Responsibility in war should be individual, personal.

⁶⁵⁵ The Tanjug and Fonet news agencies carried the statement of Ibran MUSTAFIC, SDA founder in Srebrenica and a member of the Organising Committee for Commemorating the Srebrenica massacre. MUSTAFIC says that the forces of Naser ORIC killed between 500 and 1,000 Srebrenica Muslims during the breakthrough towards Tuzla in 1995. This claim was already put forward in MUSTAFIC's book *Planirani kaos /The Planned Chaos/*, (source:<http://www.blic.rs/forum/index.php?topic=370167.0;wap2>).

SUMMARY AND CONCLUSIONS

6.0. It is difficult to rationally and objectively explain the roots of the hatred between Muslims and Orthodox Serbs. It is a historical fact that almost all Muslims (Bosniaks) in the territory of BH and of the former Yugoslavia too are of Serbian ethnic origin and that only Islam, as a religion, separated them from the essence of their national being. Encumbered by the syndrome of conversion and cooperation with the occupying regime of the Ottoman Empire, exposed to the scorn of their Serb brethren and compatriots, they sought a new identity. Over time, this need for being different increased and during and after the civil war in BH it became even more pronounced through an attempt to revise historic facts and destroy everything that they had in common with the Serbs, primarily the past, language, culture and similar. Political criteria were predominantly upheld and historical facts obliterated, with deplorable violence against their culture and language sowing divisions and pushing apart peoples oriented to one another and to a joint life. After the civil wars on the territory of the former SFRY, we are witnessing the creation of “new nations” in the Balkans, not naturally but by the political will of state and religious elites. Thus new nations came into being, Montenegrins on the geographical and Bosniaks on the religious criterion. In this they have to date been assisted by Serbs of the Orthodox faith, who due to their passivity and exclusivism failed to keep them within the same national corpus, identifying Orthodoxy as a religion with the Serbian people. Through history this relationship between Orthodox Serbs and Muslims became more and more complex, especially in difficult historic circumstances, in time of wars and conflicts in the area of the Balkans.

6.1. Bosnia and Herzegovina was in every respect constitutionally and politically equal to the other Yugoslav republics. Its population comprised three constituent nations: Muslims, Serbs and Croats. The Muslims as a nation are a communist gain, having been proclaimed a nation by the then federal and republican party leaderships at the beginning of the 1970's. The dominant religions in BH are Islam, Orthodoxy and Catholicism, and the languages Serbian and Croatian, and after the civil war also Bosniak. All three peoples had the status of constituent peoples. Any form of infringement upon the constitutiveness of or abuse of majority by one of the constituent nations of BH led to ethnic and religious conflicts. By its geostrategic position in the former Yugoslavia Bosnia and Herzegovina was a territory which united and bound the Yugoslav state area and mutually linked the central multiethnic and multiconfessional part with its eastern and western parts, as well as with the southern part of the Adriatic coast. The question of the survival of BH as a multicultural, multiethnic and multiconfessional entity further exacerbated after the Badinter Commission arbitrarily proclaimed that Yugoslavia had ceased to exist and that all its members had the right to seek international recognition. In the process, account was not taken of the fact that the SFRY did not come into being as a federal state joined by the republics which came into existence in the Second World War. On the contrary, the Kingdom of Yugoslavia came into being and was formed primarily as a result of the struggle of the Serbian people and the Kingdom of Serbia and the Kingdom of Montenegro in the First World War on the side of the Entente Powers.

6.2. Conditions for the domination of the Muslims in BH were created in the framework of the NDH and then at the time of communism and socialism in the SFRY and BH as its federal unit, with markedly Islamised elements of a culturological characters. Islam, as a political factor gained in momentum and intensity in the late 1960's and early 1970's. Muslim separatism got its full ideological foundation in Alija IZETBEOVIC's *Islamic Declaration*.⁶⁵⁶ In that political programme Alija IZETBEOVIC sees Bosnia and Herzegovina as an Islamic state and a state excluding Serbs and Croats as equal in public, political, economic and cultural life. With a view to attaining these objectives, after the introduction of political pluralism in BH, the Party of Democratic Action (SDA) was founded, which was basically, in

⁶⁵⁶ The Islamic Declaration, Sarajevo, 1990.

terms of its programme orientation a Muslim party, Throughout the war, the rump institutions of the state of BH tried to represent themselves to the world as multiethnic whereas they were essentially Muslim. This is best seen from the attitude towards the system of values of the contemporary world. One fails to understand why the values of Islam from faraway parts are closer to this former and also the current Muslim political elite than the civilisational multiethnic and multiconfessional values of the region in which they live and of the entire Euro-Atlantic area.⁶⁵⁷ Views presented at a forum which brings together Muslim political leaders and ABH commanders speak the most about their inherited system of values in the civil war in BH and the system of values they are trying to impose as the civilisational and culturological model in the area of BH. It is unfortunate that the past and memories of the war are passed on to young generations, with members of the other two peoples, the Serbs and the Croats being labelled the aggressors. It is certain that the national elite and peoples in BH due to these different values and interests should have their national and religious identities which will not endanger the other constituent peoples.

6.3. The expressed intentions of the SDA for BH to secede from Yugoslavia envisaged the forming of a unitary state with Muslim domination and prospects of creating a pure Islamic state in the future for over the long-term the Serbs and Croats would go to Croatia and Serbia respectively. That awoke bad historic recollections and memories from the past and provoked Serbian reactions and mistrust. The Serbian Democratic Party (SDS) was formed, and later some autonomous regions with a Serbian majority proclaimed. During the crisis and war these regions merged to form first the Serbian Republic of BH, and then also Republika Srpska (RS). The Serbian Democratic Party had a national approach and ideology. It represented the interests of the entire Serbian people in BH. It first advocated the idea of BH remaining, and after the secession of BH, it advocated a programme of delineation of the three constituent peoples. The state concept of BH as an independent and unitary state led directly to civil, interethnic and religious war. SDS leaders warned of that, and there is extensive video and written documentation on this. These warnings were not taken seriously. Civil war with grave, long-term and devastating consequences for all three peoples and their future broke out.

6.4. The war in BH (1992-1995) was essentially a civil war of a religious and ethnic nature. Religious and ethnic hatred stirred up by extremists was its main cause and driving force, with a multitude of other factors of a regional and international character, which contributed to hatred finding full expression and

⁶⁵⁷ “The destruction of the state of Palestine which had all the attributes of statehood (institutions of government, symbols, currency, etc.) began under the slogan “Palestine is a state without a people, and the Jews a people without a state”. In 1917 it was occupied by Great Britain and in 1948 /the state of/ Israel was proclaimed on its territory. All of Palestine and parts of Sinai and the Golan Heights were occupied in 1967 and in 1969, Masjid al-Aqsa was set on fire. At that time, enormous efforts were being made in the world to create in any way a pretext for justifying violence against Muslims and marginalising any condemnation of that violence. How is it possible to ghettoise, persecute and terrorise someone and expect sympathy and friendship from him? The Palestine question concerns all the Muslims of the world. Palestine and Quds do not have a special meaning only for the Arabs but for the entire Islamic world. In August 1979, Imam Khomeini (r.a. /?deceased/) issued a call for commemorating World Quds Day. This day can be considered a bond of politics and spirituality, where, precisely in the holy month of Ramadan, religious devoutness comes to the fore. The Palestinians are a symbol of all the Muslims of the world. Quds day expresses the unity of all Muslims. The Zionist regime in today’s world has many sponsors and is obtaining support for its horrendous activity in different ways. This refers putting political, diplomatic, media and information support, as well as support in money, armaments and state-of-the-art technology in the service of the Zionists. The position of the Zionist regime in the world public is today worse than its dark past. All freedom-loving peoples and nations in almost the entire world are raising their voice against it. Demonstrations against this regime were held in 120 states, among other in Great Britain also which planted and nurtured this tree”. What can be said to such statements from such a gathering at which the “... gains of the struggle for BH..” are analysed. The positions speak for themselves more than any declarative narrative on an integral and multiethnic BH.
Dr Džemal NAJETOVIĆ, KORAK – Journal for the Protection of the Gains of the Struggle for BH, Number 28, ISSN 1512-9411, Sarajevo, 2012, p. 149.

coming to the forefront. It is a classic religious and ethnic civil war, with the significant participation of the Croatian Army in some parts of BH during the entire war. The Muslim side in the war in BH constantly attempted to portray the Serbian side as the aggressor. If the JNA and Yugoslavia had really aggressed on the Muslim forces of the BH Army, as the Muslim political leadership kept repeating, it is quite clear that such a war would have been short and that in military terms the city of Sarajevo and all of BH would have been put under JNA control in a very short period of time. It is very easy to substantiate and prove this claim according to all parameters of military power. It was never the objective of the Serbian side in BH, or of the JNA, to keep the Muslims and Croats in the joint state by force. Muslim propaganda was and remained aimed at winning international support for a unitary BH, in which way the will of the other two constituent peoples would have been abolished. No one planned that or had that intention. Therefore the entire story about the Serbian aggression on BH is a media speculation of the Muslim side in the war in BH.

6.5. April 6 1992 is considered the real date of the beginning of the war in BH. That day, without any valid legal and political argument, the European Community and the USA decided to recognise BH as an independent state, by confirming the results of the February 1992 referendum despite that fact that it was evidently unlawful. The Muslim political leadership proclaimed general mobilisation to form the so-called Army of BH and wage war. On 14 April 1992, the Presidency of the Muslim part of BH, as the Supreme Command, issued a Directive ordering the *Green Berets* and all armed Muslims to attack all military facilities, officers and soldiers and even the families of members of the military and to seize military equipment. Religious and ethnic hatred fanned by extremists was its main cause and driving force, with a multitude of other factors of a regional and international character.

6.6. According to its typology, the VRS belongs to the category of people's armies with elements of a standing, operational army. Its forming, manning, logistics and deployment, i.e. manner of action almost fully mirror a militia form of military organisation. Some elements of a regular and operational army exist at higher levels of organisation and control, but they in no respect call in question the militia and people's character of that army. Its strategic concept, i.e. general military doctrine, was of a defensive nature. That is a consequence of the limited defensive basic strategic objective, namely the defence of that part of the territory which the then national elites in RS considered their own ethnic territory. The aim of the VRS was not to militarily defeat the adversary only because it did not consider the entire BH its own territory, and they did not want to occupy land belonging to another. In fact, the VRS had the adequate combat capability which until the end of 1993 guaranteed it military victory in the war in BH. It did not do that only because it did not want that and because that had not been defined as a war objective.

6.7. The Army of Republika Srpska was built-up in a civil, religious and ethnic war, under very difficult conditions. Doctrinal norms in the VRS, as well as in the other two armies, were defined on the basis of the former systemic knowledge acquired in the JNA. Not being fully consonant with the real capabilities of the VRS, the ABH and the HVO, these doctrines were not sufficiently practicable either, for these armies were essentially people's armies, unprepared in terms of organisation, personnel and technology and incapable of responsible and professional doctrinal conduct and action.

6.8. The former JNA, and consequently all three armies in the war in BH, did not have a classical Soviet model of commanding (centralised command model), which is strictly determined by the will of the superiors, but a combined command model which resided upon unity of command and subordination and which enabled subordinates to exhibit full creativity when decisions were made and implemented. This was particularly true of the war in BH in periods between major operations when full creativity and independence was expected of decision-makers at all levels of command. After 1960, the JNA abandoned the Soviet model of command, increasingly decentralising the organisation of the armed

forces and the command function. Flexibility and creativity of subordinates in the chain of command were in fact a characteristic of the armies of all three warring sides. Over 70 per cent of the time in the war in BH was spent in conflicts at the lowest tactical level and in exchanges of fire, actions which were decided by commanders /komandir/ of squads, platoons, companies (batteries) and commanders of battalions in all three armies in BH. Such an approach was necessitated by the linear deployment of forces on a large front.

6.9. The VRS had very outdated communication means and poor protection of information, as confirmed by numerous examples of conversations and communications between officers and unit commands intercepted by the ABH, the HV and the HVO. Frequently these communications were unreliable, i.e. impossible to establish, so that information tended to arrive late. All this prevented superior commands from bringing decisions in real time and knowing the actual situation in individual parts of the battlefield, especially at the VRS GS level. That is why operational level commands often had to deal with the consequences of developments on the battlefield. Thus, in certain periods of the war there was no effective command along the entire depth of the chain of command in the VRS. Characteristic examples pertain to the period after the operation for Srebrenica, during the final operations of the HV, the ABH and the HVO for occupying the western parts of RS. Account should also be taken of the fact that effective command of VRS units, at tactical level in particular, was also hampered by the low percentage of professional officers discharging command duties, which caused various negative consequences, including arbitrary and paramilitary activities.

6.10. Paramilitaries in the ranks of all the warring parties were a constant of the civil war in BH. Measures to place paramilitary organisations and units within the chain of command expressed the authority of commanders aimed at easing the consequences of the action of paramilitary units and exercising control and supervision over them. If sight is lost of the fact that a civil war was in question, that there existed numerous local and even political para-armies, a theoretical conclusion inconsistent with the actual situation in the civil war in BH could be drawn, namely that the commander was responsible for everything. During the entire war, the VRS also had the major problem of putting under its control various paramilitary units and exercising control over their activities in the range of the front line. This problem was particularly pronounced in urban milieus and after the execution of offensive operations, for these individual paramilitary groups were bent on revenge and attempted to "take the law into their own hands" either on their own or in cooperation with like-minded persons and individuals from commands, as was the case in Srebrenica.

6.11. According to the theory of military doctrine and command, the person effectively commanding forces in an operation is responsible for the consequences. General MLADIC was not that in either operations on the Sarajevo battlefield or in the operation for Srebrenica. True, he was present in the zone of the operation and partially influenced the course of events but did not effectively command forces in the DK zone after the operation for Srebrenica. He appeared at different locations during and after the operations but did not have timely information at the time of the commission of the mass crimes against the prisoners.

6.12. The BH Army was formed as the army of the Muslim people in BH, from parts of the BH Territorial Defence, the Patriotic League, the Green Berets and numerous armed detachments and groups. At the very beginning of the war, these armed units were commanded by the TO Staff. The basis for forming the ABH was also the Territorial Defence infrastructure which was under the control of the Muslim authorities and paramilitary organisations as the party army of the SDA. The political programme for paramilitary organisation was formulated at the Congress of Muslim Intellectuals from the entire Yugoslavia, held in June 1991 in Sarajevo. From then on started the boycott of the JNA and all types of obstruction and destruction of its fabric, with the parallel creation of a paramilitary system

based on the Patriotic League and the Green Berets. These paramilitaries were prepared as the Muslim armed force for the civil war waged from 1992 to 1995. Despite efforts to invest the ABH with the legitimacy of a multiethnic army, it never was that. Relations in that army and salutes, as well as its war cries are deeply rooted in Islam. Thus *tekbir* became the main war cry by which the Muslim army of ABH was recognisable. *Tekbir* is an Islamic cry glorifying or exalting Allah dz.s. /May his glory be glorified/. The Arabic original is *Allah-u-akbar*, /written in the Arabic in the original/ meaning Allah is the greatest. This is a cultural and value paradigm of political Islam which in itself makes a distinction vis-à-vis the values of the Serbs and Croats as constituent peoples in BH. The strategic concept of the ABH resided upon two fundamental determinants in the pursuit of the political objectives of the war. The first was that the integrity of BH had to be preserved and the condition for that radical objective was military defeat of the other two ethnic communities which saw the future of BH in a different way. The second pillar of that strategy was to secure, without fail, the direct involvement of the international community and NATO in imposing a military defeat on the VRS. Precisely for that reason its strategic concept throughout the war was offensive in terms of its global intentions. According to its nature and character the ABH also belongs to the type of a people's, militia military organisation.

6.13. Consequently, the allegation in the Indictment against General Ratko MLADIC that the VRS SRK had occupied all salient features above Sarajevo, which enabled it to shell the city and terrorise civilians from a safe distance is incorrect. The truth is quite different:

in the north, east and southeast sections of the Sarajevo battlefield in the sense of the general area, SRK units held the salient positions facing the eastern half of the urban Muslim part of Sarajevo. In the south, southwest, west and northwest of the Sarajevo battlefield, the salient heights were held by forces of the 1st ABH Corps. From those positions they were in full control of, with fire from all weapons and ordnance, the western half of the urban part of Sarajevo, from the Grbavica-Kosevo imaginary line, including the settlements of Grbavica and Kosevo which belong to the city core. Also, from those salient elevations and positions the 1st ABH Corps fully controlled all the suburban settlements under RS authority and under VRS operational control. They are Vogosca, Ilijas, Rajlovac, Ilidza, part of Hrasnica, Hadzici, part of Dobrinja, Vojkovici and Lukavica.

6.14. Sarajevo was divided into its Serbian and Muslim parts basically when the first roadblocks were set up in March 1992, and this continued in the first months of the war in BH, in parallel with the development of the military organisation of all three armies. The only changes in that division were made in order to improve the tactical positions of the parties to the conflict. In that context the Muslim side took Orlic and Zuc, thus acquiring a decisive operational advantage in the northwestern and western parts of the Sarajevo front, and the SRK by occupying Otes somewhat shortened and rectified the front line in the sector of Ilidza. All other lines of division of Sarajevo – at Grbavica, Dobrinja, Nedzarici, the slopes of Trebevic, on Igman and towards Vogosca, Rajlovac, Ilidza, Hrasnica and Vojkovici /end of sentence missing/. Therefore, it is obvious that Sarajevo was neither a besieged nor a blocked city. Its Muslim and its Serbian part were under a blockade. The blockade was imposed by the two conflicting armies, the ABH and the VRS. This analysis has explained why the SRK i.e. the VRS could not allow Muslim forces to leave Sarajevo. Had it done so, the Serbian part of Sarajevo would have been lost and thereby the war too would have been lost in military and political terms. In order not to lose the war, the SRK opted for a military blockade of the forces in the Muslim part of Sarajevo, and blockade as such is a quite legitimate method of military action. Practice in the history of warfare has shown that.

6.15. That Sarajevo as a city, i.e. as an urban settlement of civilian population had not been besieged is evidenced also by some relevant foreign factors. They correctly noted that an international mechanism: UNPROFOR, a monitoring system, humanitarian corridors and the “blue routes, international control of the airport and freedom of air traffic etc. was in operation in Sarajevo. The SRK attempted to block and tie down part of the units of the 1st ABH Corps in the Muslim part of Sarajevo. That kind of a blockade

was not efficient enough because the airport and the tunnel under the airport were, thanks to the unprofessional and biased conducted of UNPROFOR, used for manoeuvres of ABH forces. By its activities UNPROFOR also constantly changed the balance of power on the Sarajevo battlefield in favour of the ABH, by reducing the advantage in the technical factor and placing heavy weapons under control in a zone of 20 kilometres from the centre of Sarajevo.

6.16. It has been explained in this analysis that the use of artillery for the most part was legitimate for a number of operational reasons, namely the fact that the ABH had based its forces in the city and was opening fire from its urban part using all available resources – artillery, mortars and infantry. The documents supporting this analysis contain compelling evidence that the forces of the 1st ABH Corps deployed and used their combat formation elements in and from public and private buildings, making all such buildings legitimate military targets. Accordingly it can be confidently assumed that artillery and mortar fire from VRS firing positions was used in response to ABH fire, i.e. as a counter-action and also because Sarajevo had not been declared either an open or an undefended city, which solely could *a priori* delegitimise any SRK military action, including artillery fire, directed at military targets in the city. That legitimate military targets of the 1st ABH Corps in the urban part of Sarajevo were in question has also been testified to by many foreign observers.

6.17. SRK artillery opened fire targeting legitimate military targets of the enemy deployed and active from the firing positions in the part of Sarajevo under the control of the 1st ABH Corps. There is no confirmation that the incidents specified in the Indictment in which, apart from soldiers, a number of civilians were killed, involved fire by Serbian military forces, and particularly not that they were caused by deliberately targeting civilians. Such a conclusion is refuted by numerous pieces of evidence as well as by opinions of UN and defence experts.

6.18. It is true that the SRK had a significant advantage over the 1st ABH Corps in heavy weapons. However, this advantage was substantially offset through a series of actions taken by UNPROFOR and UNMO observers, and also because the ABH became increasingly better equipped with high quality artillery, mortars and sniper weapons. On the other hand, urban warfare to which the 1st ABH Corps had adapted better than the SRK deprived the SRK of this evident military advantage in significant measure.

6.19. Empirical data support the claim that the 1st ABH Corps had a significant advantage over the SRK in its capability for urban warfare, especially sniping. The *Zrak* factory manufactured sniper equipment all the time. At the very beginning of the civil war, as admitted by an ABH official (General SIBER), the ABH distributed over 500 sniper rifles, which is considerably above the number the SRK had at the time. The 1st ABH Corps already at the end of 1993 had snipers of 12.7 mm calibre, of better quality than those the SRK had. The Muslim part of Sarajevo had a larger number and better quality small arms and hunting weapons than the Serbian side, which increased /their/ possibilities for organising sniping groups. Documents show that sniper units of the 1st ABH Corps were concentrated at brigade and Corps level, which provided command structures with the possibility of elevating sniping units and sniping actions to the rank of a special element of Corps combat disposition. And this element of combat disposition was very important in urban warfare conditions such as those obtaining on the Sarajevo battlefield. Most of the high-rise buildings and salient features around the city core were in the hands of the 1st ABH Corps and its possibilities to select suitable positions for sniper deployment and action were much more favourable than those of the SRK. The only at all reliable method of defence against those snipers were anti-sniper actions with own snipers, fire from armoured units, artillery and mortars.

6.20. Examination of most of the documents of the warring sides and foreign observers convincingly demonstrates that civilian casualties on both sides were a consequence of coalesced military and

civilian systems, and the Muslim side was in the lead because it occupied the far more densely inhabited and urbanised part of Sarajevo but had taken no steps to protect the civilians. Under such circumstances, civilian casualties must be considered collateral damage of urban warfare. Naturally, this refers to persons killed from fire from the firing positions of the army and not those murdered in prisons and camps, of which there were quite a few, on the Muslim side, in Sarajevo and its surroundings. There are numerous documents and records of crimes against Serbian civilians in Sarajevo, Tarcin and other places under Muslim control.

6.21. An elaborate UN system functioned in Sarajevo and on the Sarajevo battlefield: UNPROFOR, the UN and EU observer/monitoring missions, different forms of diplomatic and consular missions, occasional visits of UN and UN /?GA/ bodies and representatives, humanitarian organisations and the ICRC, etc. This mechanism was deliberately and purposefully abused to the detriment of the SRK. This was a consequence of the *a priori* position that the Muslims were the victims and the Serbs the aggressors and that it was just to stop them in their alleged campaign against Sarajevo. UNPROFOR thus arranged to take control of the airport, and was very benevolent in respect of the needs of the 1st ABH Corps and the communication of its forces between Igman and Sarajevo, across and under the airport. The UN observer mission for most of the incidents blamed only the Serbs as the guilty side, and was simply not much concerned with what the 1st ABH Corps was doing in Serbian settlements and in the city itself against Serb civilians. Humanitarian organisations behaved in the same way or even worse. UNPROFOR smuggled weapons and lethal assets for the 1st Corps in humanitarian convoys. We cannot claim that this was UNPROFOR's general plan, but it was so frequent that it can hardly be considered a coincidence. That UNPROFOR was biased is also seen from turning over the area between Mts. Igman and Bjelasnica to the 1st Corps, which UNPROFOR had taken over from the VRS under the August 1993 Agreement (after Operation *Lukavac 93*), after which (in September 1994), units of the 1st Corps committed a mass crime against SRK members and civilians, without any reaction from UNPROFOR. UN observer missions based numerous observations on alleged Serbian guilt without comprehensively looking into the arguments of both sides. Reporters themselves admitted that they received information exclusively from the Muslim side. It is difficult to base on thus one-sidedly established facts credible and objective observations, and particularly indictments which allege guilt and indeed criminal responsibility.

6.22. Butler describes the situation in Podrinje in May 1992 as the military impotence of the VRS and the success of Muslim units under the command of Nasser ORIC, especially in Srebrenica, who were "... systematically expanding their territory". Butler fails to point out that in these sabotage and terrorist actions and incursions into Serb territory, these forces in fact committed systematic crimes against the civilian population and VRS units.⁶⁵⁸ At the time, the Muslim army was not in fact organised as a regular army nor had any military superiority in the area, but was, regrettably, more prepared to commit crimes against the civilian population in the general areas of Bratunac and Srebrenica first. That is very important for a genuine understanding of the crimes, events and conflicts in July 1995. VRS forces could have entered and occupied Srebrenica already in 1993 but did not do so in order to protect the civilian population from coming to harm, because the zone around the city was very small. The problem arose due to the constant action of units of the 28th Division out of the Srebrenica and Zepa safe areas, which carried out sabotage and terrorist actions and occupied new positions, expanded the area under their control beyond UNPROFOR checkpoints and towards Serbian territories. Such action and disregard of the status of the safe areas was the introduction to the misfortune and killings in July 1995 in Srebrenica.

⁶⁵⁸ For details see Richard J. Butler, VRS Main Staff Command Responsibility Report, 2006.

6.23. The RS was forced "...to apply additional pressure on the Muslim forces in the safe areas". That was not pressure on the safe areas but a demand for the agreements signed and UN resolutions adopted to be observed. There is a lot of evidence corroborating the fact that the Muslim forces behaved arbitrarily and that they restricted the movement of some UNPROFOR units in those areas. At the same time, ABH units were supplied with ammunition, weapons and equipment by helicopter in plain sight of UN members. Constant terrorising of the civilian population in villages and sabotage and terrorist actions, as well as non-compliance with the resolution on safe areas are the real causes of the actions of the RS leadership and the VRS Main Staff and the Drina Corps, and not an intention to ethnically cleanse the safe areas. All they demanded was for these areas to be deactivated in military terms. VRS operations were not directed against the "safe areas" but at the Muslim forces which operated on territory and out of the safe areas, bypassing UNPROFOR control and supervision.

6.24. After suffering military defeat the Muslim forces were offered an honourable surrender, of which there is a lot of evidence. Their refusal to lay down arms is the introduction to their being in the breakthrough and to crimes against the prisoners by renegade and avenger groups. Had they accepted to surrender they would probably have been protected and treated as VRS prisoners of war, which would have reduced possibilities for crimes being arbitrarily committed by groups and some small tactical units. Drina Corps Order no. 17/897 clearly says that armed groups "... offering resistance..." are to be liquidated, which is quite legitimate and standard practice of all contemporary armies in executing armed operations. This document also clearly states that members of the Muslim forces of the 28th Division were unwilling to disarm as probably the authorities in Sarajevo would not allow them to do so for fear that that might prove that Srebrenica was full of weapons and in fact was not a safe area.

6.25. The presence of General MLADIC on 10 and 11 July 1995 cannot be put in the context of general responsibility for the events which took place on the following days, often on rugged terrain and in places where there was no effective control of territory due to the breakthrough of the Muslim forces of the 28th Division. The role of the VRS GS in trying to find a solution to the situation with Muslim and UNPROFOR representatives in Srebrenica and at the negotiations in Bratunac is not disputable. The intention of General MLADIC to protect the civilians and to offer the soldiers an honourable surrender and the status of prisoners, in accordance with international law, is clearly recognisable in his actions. There are video recordings of that and quotes of the positions of General Ratko MLADIC are given in the Partial Conclusions in Part V of this Report. The VRS GS indisputably wanted the civilian population to be safely transferred to territory under the control of Muslim forces, according to their wishes. That is why it is important to note that the refusal of armed units to surrender their weapons and their decision or the political decision from Sarajevo is unreasonable and the cause of the chaos and then of the killings and crimes which were committed.

6.26. As for the separation and screening of the men in Potocari, that is a common action in every army, in order to identify those who had committed crimes. VRS had information about criminals within the ranks of the Muslim forces of the 28th Division. As a rule, in military operations in the world and in this one too it is legitimate to look for those for whom evidence exists that they had committed crimes. General MLADIC spoke about those soldiers (butchers) who had in the previous years of the war killed thousands of civilians and VRS members in Podrinje.

6.27. Srebrenica as a safe area was constantly abused during the war by the Command of the Muslim forces of the 28th Division of the 2nd Corps in Tuzla and the ABH GS. Finally, because of their refusal to surrender weapons these forces were placed into a hopeless situation which resulted in total chaos in the breakthrough zone, with enormous losses and mass crimes committed against the prisoners by paramilitary groups or persons acting on their own to exact revenge, especially from the Podrinje area, which had suffered in attacks and sabotage and terrorist actions carried out from Srebrenica and Zepa by

members of the 28th Division from 1992 to 1995. We can confidently claim that the VRS GS did not have any influence on the events and crimes which happened in the breakthrough zone after 12 July 1995. Almost everything happened at the tactical level, and the Drina Corps Command could do little about the general chaos and confusion which occurred in those gullies and woods where there was no classical front or rear. Individual Muslim units also engaged one another and inflicted enormous reciprocal losses, as evidenced by video recordings of the participants and written statements in the media.

6.28. Throughout the war the VRS Main Staff tried to have the safe areas respected by Muslim forces and have the same disarmed, demanding from UNPROFOR that these forces stop executing sabotage actions and military operations on Serbian territory. Regrettably, this was to no avail. The situation demanded military action, but even in that situation, at the negotiations on 11 and 12 July 1995 at the *Fontana* Hotel in Bratunac, General MLADIC kept insisting that civilians be protected and that the military forces surrender and that they would be protected in that way.⁶⁵⁹ Reports and expert reports on Srebrenica and Zepa present one picture and view of the reality based on VRS documents, without the other picture of the chaos and killings which took place in the surroundings of Srebrenica, Kravica and Bratunac, and then against the Muslim forces of the 28th Division during the breakthrough and after their capture. The main problem in establishing responsibility for the crimes after Operation *Krivaja 95* also lies in the failure to establish the total number of Muslim forces killed in the breakthrough and in mutual clashes during the breakthrough and of those executed after they were captured. That would provide the number of liquidated prisoners and of those who were killed in action during the breakthrough. These are different categories of legal and moral responsibility under the international law of war. The Muslim forces killed during the breakthrough are combat casualties and cannot be put in the context of responsibility for a war crime. This is very important for the sake of the truth and justice and in order to put an end to various types of manipulations of the number of those killed in mass crimes.

6.29. All those who were killed in Srebrenica are being subsumed under the concept of a “mass crime” and as having been “executed” after capture. Of the total number of those killed in Srebrenica it is justified to say that roughly a half were killed in encounter battles during the breakthrough of the column towards Tuzla. The available Prosecution documents and reports of military experts do not provide objective evidence or arguments in respect of other members of the 28th ABH Division and civilians who lost their lives after Operation *Krivaja 95*. That is why there are grounds to say that the others who lost their lives after Operation *Krivaja 95* were killed in combat or in the breakout. A special problem is also that there are a number of other outstanding issues without answers to which it is not possible to gain an objective picture of the key events which preceded the operation for Srebrenica and the killing of members of the 28th ABH Division and civilians in the column. Republika Srpska and the VRS did not need Srebrenica as a crime almost at the end of the war. Someone, who took part in the war in BH or directed it, needed such a crime in order to discredit the overall struggle of the Serbian people in the civil war in BH, and even to historically discredit the Serbian people as a whole. The events and the crimes of the Muslim forces before the operation point to someone’s intention to force VRS units to react and attack Srebrenica and Zepa. History will probably find arguments and answers to the questions: Who did that and with what intention? Already today more and more members of the 28th Division are speaking about Srebrenica and that Division as having been sacrificed for the sake of the political aims of the Muslim leadership in Sarajevo and to demonise RS and the VRS and the objectives of their struggle before the international public. Srebrenica as a crime against prisoners and the losses and killing of members of the 28th ABH Division and civilians in the breakout were an introduction to the: (1) killing of Serbs on Mt. Ozren in the general sector of Vozuca⁶⁶⁰ from 10 to 24 September,

⁶⁵⁹ Richard J. Butler, *Srebrenica Military Narrative* (revised) – Operation *Krivaja 95*, 2002.

⁶⁶⁰ Vozuca is one of the mass execution sites of the Serbian people in the civil war in BH, where joint Muslim forces of the 2nd and 3rd ABH Corps, taking advantage of NATO air strikes, over a very short period of time displaced over 30,000

committed by the Muslim forces of the 2nd and 3rd ABH Corps; (2) the mass ethnic cleansing of the Serbian people in Operation *STORM* in the area of the Republic of Serbian Krajina; and (3) the ethnic cleansing and crimes against the Serbian people in the western part of Republika Srpska by the combined forces of the HV, the ABH and the HVO with logistics, intelligence and combat support of NATO forces. The notorious units of the “warriors of Islam” participated in ABH operations, mostly in the 7th Muslim Brigade and the *El Mudzahid* Detachment.⁶⁶¹ These units committed horrendous crimes during the war, especially in the final operations on Mt. Ozren and in Western Bosnia. The then ABH NS, General Rasim DELIC and President Alija IZETBEGOVIC were personally aware of all that and there are numerous video recordings and written documents about that.⁶⁶²

6.30. Extremist Islamic activities in BH are still fostered as a Muslim value, both in respect of building society upon political Islam foundations and solidarity with the struggle of Islamists everywhere in the world. This is best attested to by the farewell ceremony for the mujahidin hosted by the BH Muslim state and military leadership and the words of the former Commander of the 3rd ABH Corps, evoking memories of the war. Such glorification of the role of terrorists and criminals against the Serbs and the Croats is no foundation for building a joint future. Sakib MAHMULJIN put it succinctly: “You came to help the Muslims of Bosnia in their battle on Allah’s path. Your coming is fully justified. You are returning to your homes and further battle on Allah’s path. As one of the best units of the BH Army and its 3rd Corps you have, with Allah’s help, discharged all the set tasks as well as tasks of consolidating the faith in these areas. The roots of Islam have now become firm in Bosnia and will, with Allah’s help, grow from strength to strength”.⁶⁶³

inhabitants, killed and liquidated 700 soldiers and over 400 soldiers and civilians are still unaccounted for. Members of the ABH were supported and honoured by Alija IZETBEGOVIC personally as evidence by numerous video recordings. Alija talked with Corps commanders at the time, to see if they guaranteed security, in order to settle part of the inhabitants of Srebrenica in that area. NATO aviation bombarded the telecommunications Centre on Kraljica Brdo /Hill/ on 7 September 1995, killing the entire shift. This centre had not been a legitimate military target, serving for civilian communications and a TV transmitter.

⁶⁶¹ /? Christophe Kaze/ and Lionel Dumont were the leaders of a French gang and members of the *El Mudzahid*. Kaze was killed while Dumont is testifying about this gang from his prison cell. The well known war photographs showing the mujahidin playing football with severed Serbian heads in Bosnia and Herzegovina were taken by members of the *El Mudzahid* Brigade in which the leaders of the Gang de Roubaix in France, who converted to Islam during the 1990’s, were. Serbs and Croats tried to show these photographs, as well as the crimes of that unit, so that everyone would learn what had been happening. Executions and murders were a daily practice. The forming of the Al Qaeda network began in BH, and America allowed its future enemy to do that. Daniel Salvatore Schiffer, a philosopher and humanist who actually was in BH during the war, wrote for the *?Point/* paper that the documentary revealed incredible historical truths about the horrendous conflict in BH from 1992 to 1995. He points out that the *El Mudzahid* brigade, which was in direct contact with the Al Qaeda, attempting to create the first Islamic state in the history of Europe, committed the worst crimes against Orthodox Serbs, which the Islamists considered “infidels”. Schiffer recalls some journalists claiming that the then Muslim leader Alija IZETBEGOVIC met once in the presidential palace in Sarajevo with Osama bin Laden personally! He reminds that, despite all the evidence which is even today surfacing in connection with the suffering of non-Muslims in BH, only Radovan KARADZIC and Ratko MLADIC are answering in the Hague, while Alija IZETBEGOVIC and Franjo TUŽMAN have died and have been buried as deserving citizens.

RTRS 20 November 2012 at 1216 hours.

⁶⁶² ABH General Sakib MAHMULJIN, who had very close ties with the *El Mudzahid* Detachment, not only as the Commander of the 3rd Corps from the beginning of 1994 to the end of the war, arranged for an agreement pursuant to which this Detachment was subordinated to the 3rd ABH Corps, as patently evident in a number of documents recently published in the Sarajevo press. Therefore, despite the fully established command authority of the Commander of the 3rd Corps over the *El Mudzahid* Detachment at the time when dozens of captured soldiers of the RS Army were killed, and many of those who survived subjected to mistreatment – neither General MAHMULJIN or any other person from the command staff of the Army of RBH whose responsibility covers the activities of that unit as well, ever answered for the killings of Serbs committed by members of that unit. MAHMULJIN himself was after the war rewarded with the office of deputy minister of defence of the BH Federation.

⁶⁶³ Esad HECIMOVIĆ, *Najgorca vecera u mom zivotu* /The Most Bitter Dinner in My Life/.

http://www.danas.rs/danasrs/feljton/najgorca_vecera_u_mom_zivotu.24.html?news_id=163271#sthash.BLxrLXXE.dpuf

6.31. At the end of the Report we can conclude that the civil war in BH involved numerous crimes, committed by the all warring parties. Members of the armies at all organisational levels participated in these crimes. Most of the crimes were committed with the direct participation of units and officers at the tactical and operational levels. The VRS had a very difficult war task of fighting three armies, the HV, the ABH and the HVO for most of the war. In the organisation and system of command of the VRS itself in no period of the war did the intention exist for organised crimes to be committed. Not a single piece of evidence or document verified or drawn up by the VRS GS under the command of General Ratko MLADIC directed at the commission of war crimes against the civilian population or ABH soldiers has been found. However, through a media campaign, all crimes and criminal offences committed on all battlefields in BH were as a rule attributed to General MLADIC. From the standpoint of military doctrine, account being taken of all the relevant facts considered when preparing a military expert analysis, in General MLADIC's actions there does not exist either intent or complicity in planning or terrorising the civilian population of the city of Sarajevo or during the execution of the operation of Srebrenica. The crimes committed in Srebrenica are not an expression of an intention or plan implemented or approved by General Ratko MLADIC. The crimes which were committed are an expression of a combination of unfortunate circumstances which he could not influence because of the general chaos caused by the breakthrough of the 28th ABH Division.

6.32. Aware of the possibility of such consequences, General Ratko MLADIC persistently insisted that weapons be laid down in Srebrenica after the military defeat of the 28th ABH Division, as in that way he could directly see to the security and protection of the prisoners. Otherwise he knew that he could not influence the actions of various avenger and paramilitary and para-police forces on a broad area which was not under the effective control of VRS forces. There is not a single order, command or any other commanding document from which one could conclude that General MLADIC ordered, instigated or planned illegitimate actions of his forces, the commission of mass crimes or the terrorising of civilians. There is not a single document among the numerous ones issued by General Ratko MLADIC that does not order legitimate action and conduct of the VRS towards the civilian population and prohibit fire on civilian facilities in accordance with international law. It is difficult to change the general picture of the responsibility of General Ratko MLADIC when for two decades it has been continuously constructed, tainted with lies, fabrications and imputations in numerous world media to incomprehensible proportions. The impression was created in the public that General MLADIC was to blame for all the crimes which took place in the civil war in BH and, through him, the Serbian people as well. The truth is quite different, the only question being whether it will be gradually reaffirmed in keeping with objective evidence and facts. In the hope that the time has come for that truth to at least partially come to light and for facts to be considered more objectively and not on the basis of media falsehoods, vast efforts have been invested in drawing up this report in the service of fairness and justice.

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LIST OF ABBREVIATIONS

ABBREVIATION	MEANING
ARBH	Army of the Republic of Bosnia and Herzegovina
AVNOJ	Anti-Fascist Council of the People's Liberation of Yugoslavia
b/d	Combat actions
BBC	British Broadcasting Corporation
BH	Bosnia and Herzegovina
Bpbr	Bratunac Infantry Brigade
Brlpbr	Bratunac Light Infantry Brigade
CIA	Central Intelligence Agency
CSB	Security Services Centre
ČPJP	Special Police Units Company
DK	Drina Corps
DTD	Sabotage and Terrorist Actions
DTG	Sabotage and Terrorist Group
EU	European Union
EC	European Community
FBH	Federation of Bosnia and Herzegovina
Gmtbr	Guards Motorised Brigade
GŠ ABH	Army of Bosnia and Herzegovina Main Staff
GŠ VRS	Army of Republika Srpska Main Staff
HDZ	Croatian Democratic Union
HK	Herzegovina Corps
HOS	Croatian Defence Forces
HV	Croatian Army
HVO	Croatian Defence Council
IBK	Eastern Bosnia Corps
IDG	Reconnaissance and Sabotage Group
IFOR	Implementation Force
IKM	Forward Command Post
JNA	Yugoslav People's Army
JVuO	Yugoslav Army in the Fatherland
K	Corps
CSCE	Conference on Security and Cooperation In Europe
MAP	Mixed Artillery Regiment
MES	Mines and explosives
MHF	Muslim-Croat Federation
ICTY	International Criminal Tribunal for the Former Yugoslavia
Mlpbr	Milic Light Infantry Brigade
MO	Ministry of Defence
MOS	Muslim Youth Association
Mtbr	Motorised Brigade
MTS	Materiel and equipment
MUP RS	Ministry of the Interior of Republika Srpska
NATO	North Atlantic Treaty Organisation

ABBREVIATION	MEANING
NDH	Independent State of Croatia
NŠ VRS	Chief of Staff of the Army of Republika Srpska
OG	Operations Group
OIK	Organisation of the Islamic Conference
Okb	Armoured Battalion
okbr	Armoured Brigade
OKM	Main Command Post
ONO	All People's Defence
OS BH	Armed Forces of Bosnia and Herzegovina
OUN	United Nations Organisation
PAR	Anti-aircraft rocket
Pbr	Infantry Brigade
PL	Patriotic League
PLN	Patriotic League of the People
PTR	Anti-tank rocket
PVO	Anti-aircraft defence
R2P	Responsibility to protect
RiK	Command and Control
RPG	Hand-held rocket launcher (of Soviet make)
RS	Republika Srpska
RSK	Republic of Serbian Krajina
RŠTO	Republican Territorial Defence Staff
RTV	Radio and Television
USA	United States of America
SC	Security Council
UN SC	United Nations Security Council
SDA	Party of Democratic Action
SDS	Serbian Democratic Party
SFRY	Socialist Federative Republic of Yugoslavia
SJB	Public Security Service
SR	Socialist Republic
SR BH	Socialist Republic of Bosnia and Herzegovina
FRY	Federal Republic of Yugoslavia
SRK	Sarajevo-Romanija Corps
SSNO	Federal Secretariat of National Defence
USSR	Union of Soviet Socialist Republics
ŠOV	Vogosca Defence Staff
TG	Tactical Group
TO	Territorial Defence
TRZ	Maintenance and Repairs Depot
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNMO	United Nations Military Observer
UNPROFOR	United Nations Protection Force
ViPVO	Air Force and anti-aircraft defence
VJ	Yugoslav Army
VO	Military District

Translation

ABBREVIATION	MEANING
VRS	Army of Republika Srpska
zntp	Motorised Protection Regiment
Zpbr	Zvornik Infantry Brigade

ATTACHMENTS

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**IZVEŠTAJ O KOMANDNOJ NADLEŽNOSTI GENERALA
RATKA MLADIĆA U RATU U BOSNI I HERCEGOVINI
(1992. – 1995.)**

- VOJNA EKSPERTIZA -

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Beograd, 2013. godine

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UVOD

1. Doći do približne istine o uzrocima, povodima, učesnicima u ratu i oružanim sukobima u Bosni i Hercegovini (BiH), kao i do identifikovanja činjenica, koje ukazuju na odgovornost pojedinaca za događaje u kojima su počinjeni zločini izuzetno je teško jer još nisu prisutna sva dokumenta zaraćenih strana. To se posebno odnosi na dokumenta Armije BiH (A BiH), Hrvatske vojske (HV) i Hrvatskog Veća Odbrane (HVO) na strategijskom i operativnom nivou komandovanja. Posebno je teško doći do relevantnih argumenata koji se odnose na delovanje spoljnih činilaca u građanskom ratu u BiH, a aktivnosti u toku oružanih sukoba nesumnjivo ukazuju da je uticaj tih spoljnih aktera bio veliki u svim periodima rata, posebno u njegovom početku, završnim operacijama i u procesu rešavanja krize. Veliki broj pitanja, problema, manipulacija od strane brojnih aktera međunarodnih odnosa u građanskom verskom ratu u BiH, dezinformacija vezanih za Sarajevo i Srebrenicu, deo je šireg istorijskog konteksta jugoslovenske krize i procesa raspada Socijalističke Federativne Republike Jugoslavije (SFRJ).
2. Da bi se moglo dovoljno objektivno analizirati i oceniti šta se dogodilo u ključnim događajima rata u BiH i da bi se prethodno sagledali i razumeli odnosi aktera, potrebno je imati u vidu uslove u kojima je nastao i odvijao se rat u BiH, odnosno potrebno je analizirati taj najširi istorijsko-socijalni, politički i vojni kontekst koji je doveo do stanja sukobljenosti i rata sa tragičnim posledicama. Bez te dimenzije nije moguće razumeti niti ceniti na objektivnan način pojedine događaje u ratu, posebno operacije zaraćenih strana na operativno-strategijskom nivou. Zbog obuhvata ekspertize koja se težišno odnosi na strategijski, politički i vojni nivo, nije moguće niti potrebno ulaziti u pojedinačne događaje izuzev ako su oni svojim posledicama uticali na tok rata i izazivali posledice strategijskog i operativnog značaja. Nivo uopštavanja i generalizacija ne umanjuje objektivnost i pouzdanost nalaza ekspertize u domenu značajnosti uticaja pojedinaca na kreiranje odluka i na stanje događaja u zoni sukoba uopšte i u pojedinim zonama ratišta.
3. Prostor Jugoistočne Evrope je vekovima jedno od većih kriznih područja. Tu se ukrštaju strateške komunikacije i koridori, vere, nacije i kulture. Narodi, kroz istoriju nisu se mogli odupreti moćnim osvajačima, pa su zato trpeli ogromne gubitke i zaostajali u razvoju za drugim delovima Evrope. Okupatori su dobro manipulirali sa podelama između naroda i razvijali protivrečnosti i stanje sukobljenosti i nepoverenja u njihovim odnosima. Svi ti narodi imali su ili tražili veću regionalnu ili svetsku silu koja će im pomoći u ostvarenju njihovih nacionalnih interesa, posebno u periodima većih međunarodnih kolebanja i bezbednosnih izazova. Na bazi podela raspirivana je mržnja i ekstremizam. Najveće posledice nastale su u toku Prvog i Drugog svetskog rata, jer su narodi i države na Balkanu bili podeljeni i suprotstavljeni, anjihove i učestvovali neposredno u etničkim čišćenjima i sprovođenju zločina nad nedužnim civilnim stanovništvom.
4. Nakon Prvog svetskog rata srpski narod je svoju državotvornost i državu Srbiju i Crnu Goru, kao i pobeđe iz Balkanskih ratova i Prvog svetskog rata uneo u novu državu Kraljevinu Srba, Hrvata i Slovenaca, a potom Kraljevinu Jugoslaviju, da bi doživeo da komunistički pokret u Drugom svetskom ratu izmeni suštinu i smisao te države, te da ukine monarhiju kao oblik državnog uređenja, i da promoviše nove narode i republike koje su konstituisane na štetu srpskog naroda. Nova komunistička vlast je mnoge srpske teritorije uključila u te nove republike čiji su temelji dati na Drugom zasedanju AVNOJ-a u Jajcu 29.11.1943. godine. To je urađeno pod parolom **tzv. bratstva i jedinstva između naroda**, te da su granice republika fiktivne i

formalne, te da nemaju suštinski značaj. Na taj način je veliki broj Srba ostao da živi na prostoru Hrvatske i BiH, ali kao konstitutivni narod.

5. Najveći stradalnik na Balkanu u poslednjih pet vekova, bili su Srbi, za vreme Otomanske imperije tizički je uništavan i asimilovan srpski narod skoro 500 godina. Mušku decu su pretvarali u janjičare, muškarce koje nisu poubijali nasilno su prevodili u islam, a taj proces se u narodu zove poturčivanje. Na području današnje Turske živi oko tri miliona ljudi koji su poreklom Srbi.

6. Srbi su zbog slobodarskih tradicija i pravdoljubivosti branili svoju zemlju od zavojevača, ginuli i gradili sistem vrednosti ponosnog naroda. Samo u poslednja dva svetska rata nestalo je oko 3 miliona Srba. Izvršen je nezapamćeni genocid nad srpskim narodom u Hrvatskoj i Bosni i Hercegovini. Vinovnici tog genocida bili su ustaše tzv. Nezavisne države Hrvatske (NDH), među kojima su bili i muslimani, koji se po svireposti i zločinu nisu razlikovali. Naprotiv, po zlu čuvene muslimanske fašističke divizije „Handžar” i „Kama“, prevashodno su bile namenjene za etničko čišćenje Srba u Bosni, a potom su postale uzor pri formiranju i profilisanju paravojnih formacija, pa i dela jedinica Armije BiH u ratu 1991-1995. godine.¹ Ustaški logori u NDH bili su po zločinima poznati u celom svetu. U novijoj istoriji čine se razni pokušaji umanjivanja broja stradalih i posledica koje su tim zločinima uradjeni.²

7. Teško je racionalno i objektivno objasniti poreklo mržnje između Muslimana, koji su u osnovi srpskog porekla i Srba pravoslavaca. Istorijska je činjenica da gotovo svi Muslimani (Bošnjaci) na teritoriji BiH, pa i prethodne Jugoslavije potiču od Srba. U velikim istorijskim iskušenjima nisu izdržali teror turske okupacije već su, zarad boljih imanja i povlašćenog društvenog statusa, primili islam. Opterećeni sindromom izdaje, a i odnosom i prezirom njihove braće i sunarodnika tražili su neki novi identitet i to u mržnji prema svom poreklu i neprijateljstvu prema Srbima. Zato je u velikoj meri u srpskom narodu ostala udomaćena izreka „...poturica gori od turčina...“. U tome su im do danas pomagali pojedini pripadnici srpskog naroda pravoslavne vere, jer svojom isključivošću nisu ih zadržali u svom nacionalnom korpusu, jer su poistovećivali pravoslavlje i srpski narod. Jedino se dozvoljavalo da oni koji se vraćaju kao pripadnici srpskog naroda ponovo prime u pravoslavnu veru. Za vreme kraljevine Srbije i Kraljevine Jugoslavije muslimani su popisivani kao Srbi muhamedanske veroispovesti, što je bilo i saglasno istorijskim činjenicama.³ To stanje pravednog nacionalnog i verskog statusa muslimana narušio je komunistički pokret u Drugom svetskom ratu jer im je pridavao obeležja i attribute nacije, kako bi prema Srbima razvijao netrpeljivost zbog njihove naklonjenosti monarhiji. Mnogi među muslimanskim intelektualcima, bili su potpuno svesni svog srpskog porekla i vraćali su se u njegovo okrilje. Najpoznatija imena su Meša Selimović, jedan od najvećih srpskih pisaca 20. veka, i poznati srpski režiser svetskog ugleda Emir Kusturica, najnoviji primer vraćanja korenima je Mehmed Bušatlija, konsultant za strana ulaganja, potomak zetske vladarske loze Crnojevića, koji se nakon 500 godina vratio svojim korenima primivši pravoslavlje na Sretenje, 15. februara 2014. godine. Kada se imaju u vidu ove istorijske činjenice onda nije teško razumeti prirodu i suštinu nacionalnih i verskih protivrečnosti, koje su se ispoljile u građanskom ratu u BiH.

¹ Radovan Radinović, Vojna ekspertiza za Srebrenicu D-160, 2000. str. 2

² Neosporna je činjenica da su Srbi sistematski ubijani u logoru Jasenovac, takođe je neosporno da je Jasenovac bio najveći koncentracioni logor van Trećeg rajha, ali oko broja ubijenih Srba u ovom logoru postoje sporenja. Međunarodna komisija za istinu o Jasenovcu je utvrdila da je ubijeno preko 700.000 Srba, 23 000 Jevreja i 80.000 Roma među kojima je bilo 110.000 dece, Izraelski Yad-Vashem centar navodi brojku od preko 600.000 žrtava, .

³ U ovoj ekspertizi muslimani se pišu malim slovom sve do sedamdesetih godina prošlog veka, kada su na osnovu verske opredeljenosti u komunističkoj SFR Jugoslaviji dobili status naroda.

Ako je u mirnodopskim razdobljima bilo izvesne tolerancije među verskim zajednicama, u kriznim situacijama, pogotovo u ratovima, veliki broj Muslimana je bio zajedno sa neprijateljem u borbi protiv pravoslavnih Srba. To se posebno ispoljilo za vreme Drugog svetskog rata, kada su muslimanske oružane formacije delovale zajedno sa ustaškim jedinicama NDH i okupatora. Manji broj pripadnika muslimanskog naroda podržavao Kraljevinu Jugoslaviju i bio uz pokret generala Draže Mihajlovića, boreći se u Jugoslovenskoj Vojski u Otadžbini (JVuO). Veći deo Muslimana je tokom Drugog svetskog rata zajedno sa Srbima učestvovao u Narodno-oslobodilačkom ratu (NOR), boreći se za drugu Jugoslaviju. Glavne operacije na Jugoslovenskom ratištu u toku Drugog svetskog rata izvedene su na prostoru BiH, što je dodatno doprinelo gubicima i stradanju Srba i Muslimana. Zajedništvo i tzv. "bratstvo i jedinstvo", ubrzo je zaboravljeno početkom rata 1991. godine. Srbi su muslimanima zlodela često praštali, pa i zaboravljali sve u nadi da će se vratiti u okrilje srpskog naroda, a ako se i ne vrate da će se onda bar ponašati tolerantno prema Srbima pravoslavne vere, kao svojim sunarodnicima. To istorijsko neprijateljstvo i spirala nasilja nažalost nije se zaustavila ni u procesu raspada SFRJ i u ratu u BiH.⁴

8. Viševjekovni povlašćeni položaj tokom turske okupacije, uz represivan odnos prema pravoslavnom stanovništvu, razvio je kod Muslimana osećaj superiornosti. Verskim delovanjem, naročito oživljavanjem islamizma u nizu zemalja Azije i Afrike razvijan je ekstremizam i netolerancija kod dela muslimana. Od prestanka turske okupacije, u periodima mira oživljavale su ilegalne mladomuslimanske organizacije sa idejama o islamskoj državi i povratku na stare islamske vrednosti.⁵ Te ideje je trebalo realizovati mirom ili silom. U miru je to činjeno pod plaštom komunizma, „bratstva i jedinstva i ravnopravnosti naroda“, a u vreme jugoslovenske krize uz primenu oružanog nasilja. Mladomuslimanske organizacije postojale su konstantno u Bosni, Hercegovini i u Raškoj oblasti u Srbiji, ali im je aktivnost posebno intenzivirana u povremenim nacionalističkim previranjima. Tako su neposredno posle Drugog svetskog rata muslimani aktivirali organizaciju „Mladi muslimani“ radi rušenja ustavnog poretka tek uspostavljene posleratne druge Jugoslavije.

9. Tokom razbijanja prethodne Jugoslavije islamski ekstremizam i radikalizam nastali su pretežno na teritoriji BiH. Tome su naročito doprineli muslimanski intelektualci koji su školovani u islamskim državama, i doživeli religiju kao instrument za ostvarenje političkih ciljeva. U tom smislu glorifikovali su ekonomski uspon islamskih zemalja stečen energetske potencijalom. U tome su imali podršku u državama političkog islama sa kojima je bivša SFRJ imala razvijenu saradnju. Sasvim blagonaklono i bez adekvatne kontrole prihvatane su investicije u verske institucije i ustanove koje su davali lideri pojedinih islamskih država.

10. Rat u BiH (1992-1995.) u suštini bio je verskog i etničkog karaktera. Verska i etnička mržnja koju su raspirivali ekstremisti, bile su njegov glavni uzrok i pokretač, uz mnoštvo drugih činilaca regionalnog i međunarodnog karaktera, koji su doprineli da mržnja dođe do punog izražaja i da izbije u prvi plan. Bitno je uočiti da to nije bio međunarodni sukob niti bilo kakva agresija Jugoslavije na BiH. Radi se o klasičnom građanskom ratu verskog i etničkog karaktera uz značajno učešće Hrvatske vojske u pojedinim delovima BiH u toku celog rata.

⁴ Slikovit primer predstavljaju događaji nakon bitke na Kozari, jula 1942. godine. Oko 68.500 civila upućeno je u koncentracione logore ili na rad u Nemačku, od tog broja 33.398 civila je ubijeno. Najstrašniji je podatak da je ubijeno 11.219 dece starosti do 14 godina, a ovi podaci se odnose za malo područje Kozare i Podkozarja. (izvor: www.sr.wikipedia.org/) U svetlu ovih događaja razumljiv je strah Srba od novog genocida.

⁵ Radovan Radinović, Vojna ekspertiza za Srebrenicu D-160, 2000. str. 2-5.

11. Socijalistička Republika Bosna i Hercegovina bila je u svakom pogledu ustavno i politički ravnopravna sa ostalim jugoslovenskim republikama. Njeno stanovništvo su činili tri konstitutivna naroda: Muslimani, Srbi, Hrvati. Muslimani su kao narod komunistička tekovina, kao nacija proglašeni od strane tadašnjeg saveznog i republičkog partijskog vrha početkom 70-tih godina. Dominantne religije u BiH su islam, pravoslavlje i katolicizam, a jezici srpski i hrvatski, a nakon rata i bošnjački. Političko ustrojstvo republike, kao federalne jedinice SFRJ zasnivalo se na ravnopravnoj zastupljenosti konstitutivnih naroda u organima državne i partijske vlasti u federaciji, republici i na svim nižim nivoima organizovanja lokalne samouprave. Bilo kakav oblik narušavanja konstitutivnosti ili majorizacije jednog od konstitutivnih naroda u Socijalističkoj Republici BiH, vodio je u etničke i verske sukobe.

12. Bosna i Hercegovina, ujedinjavala i spajala jugoslovenski državni prostor i međusobno povezivala zapadni deo, sa njegovim istočnim delom, te sa južnim delom jadranske obale i otoka. Secesijom Hrvatske i Slovenije, a nešto kasnije i Makedonije, ta strateška uloga BiH postala je nevažna. Pitanje opstanka BiH kao multikulturne, multietničke i multikonfesionalne tvorevine još više se zaoštrilo nakon arbitrarnog proglašenja od strane Badinterove komisije da je Jugoslavija nestala i da sve njene članice imaju pravo da traže međunarodno priznanje. SFRJ nije nastala kao savezna država u koju su se uključile republike nastale u Drugom svetskom ratu, kao samostalni politički entiteti. Naprotiv, Kraljevina Jugoslavija je nastala i formirana, prvenstveno kao rezultat borbe srpskog naroda, i Kraljevine Srbije i Kraljevine Crne Gore u Prvom svetskom ratu, na strani sila Atante.

Uslovi za domanaciju muslimana u BiH su stvoreni u NDH, a potom u u okviru SFRJ i BiH, kao njene federalne jedinice, sa izrazito islamizovanim obeležjima kulturološkog karaktera. Islamizam u BiH je dobio na zamahu i intenzitetu krajem 60-ih i početkom 70-ih godina. Svoju punu ideološku podlogu muslimanski separatizam, fundamentalizam i unitarizam dobili su u delu Alije Izetbegovića „Islamska deklaracija“⁶. To delo je na srpskom jeziku objavljeno tek 1990. godine, ali su se njegovi stavovi i opredeljenja krišom propagirali iz engleske i arapske verzije, tako da je to postalo deo obavezne literature u muslimanskim verskim školama u BiH. Na taj način je širena ideologija islama koja će postati osnova političkog i partijskog delovanja Stranke demokratske akcije i njenog vojnog krila Patriotske lige i Zelenih beretki.

13. U tom političkom programu Alija Izetbegović Bosnu i Hercegovinu vidi kao islamsku državu i da ta država iz javnog, političkog, ekonomskog i kulturnog života isključuje ravnopravnost Srba i Hrvata, kao konstitutivnih naroda. Osnovne ideje knjige svode se na to da su moderna društva, nastala u zapadnoj Evropi, na osnovama Hrišćanske vere i kulture i da takve ne odgovaraju ljudima islamske vere. Međutim, za razliku od savremenih društava i sistema, nastalih najpre u zapadnoj Evropi, gde je jasno izvršena sekularizacija između državnih i verskih institucija, knjiga „Islamska deklaracija“ ne vidi mogućnost da se stvori društvo, u kome preovladavaju ljudi muslimanske vere, a da može funkcionisati sa distinkcijom između državnih i verskih institucija. Tako da, kao suprotnost jednom modernom poretku jedne države, u knjizi se definiše „islamski poredak“; kao suprotnost današnjim društvima definiše se „islamsko društvo“ a državnom sistemu „islamski sistem“. Islamski poredak je definisan kao „jedinstvo vjere i zakona, odgoja i sile, ideala i interesa, duhovne zajednice i države, dobrovoljnosti i prisile“. Oslonci islamskog poredka je islamska vlast i islamsko društvo. „Islamsko društvo bez islamske vlasti je nedovršeno i nemoćno; islamska vlast bez islamskog društva je utopija ili nasilje.“ Pri čemu je islam više od religije, on je „integralni način života“. Muslimansko društvo je definisano kao „zajednica sastavljena od muslimana“.⁷ Kada je Izetbegović krenuo da organizuje

⁶ Islamska deklaracija, Sarajevo, 1990. godine

⁷ http://sr.wikipedia.org/sr/Исламска_деklarација

Muslimane u prethodnoj Jugoslaviji radi ostvarivanja ideja njegove „Islamske deklaracija“, bilo je izvesno da se radi o opasnoj strategiji, koja se odnosila i na druge prostore na kojima žive muslimani, pre svega na deo Raške oblasti (Sandžak) i na Kosovo i Metohiju.⁸

14. Nakon uvođenja višepartijskog sistema u Jugoslaviji, među prvim je formirana muslimanska stranka - Stranka demokratske akcije (SDA) i to 26.05.1990. godine. Neposredno nakon osnivanja SDA, osnovan je „Muslimanski omladinski savez“ (MOS) Stranke demokratske akcije. Muslimanska omladina pripremala se za ostvarivanje ciljeva „Islamske deklaracije“. Takvim delovanjem razvijana je mržnja, netolerancija i nepoverenje Muslima prema Srbima, a potom na toj osnovi razvijana je spirala straha, sukobljenosti i krize.

15. Rat u Hrvatskoj bio je u znatnoj meri generator krize i odnosa političkih subjekata i vodećih političkih stranaka u BiH. Stranka demokratske akcije i Hrvatske demokratske zajednice (HDZ) nakon koalicije na antisrpskom programu izašle su na izbore u jesen 1990. godine. Posle izbora koalicija je uzurpirala sva važnija ministarstva i resore u BiH. Duže od godinu dana ova koalicija je, metodom preglašavanja Srba, nametala politička rešenja koja nisu bila ni po volji ni u interesu srpskog naroda. Vrhunac takvog postupanja ogleda se u usvajanju Odluke o raspisivanju referenduma o državnom osamostaljivanju BiH. Taj referendum⁹ su bojkotovali Srbi, zato što je odluka o njemu doneta suprotno političkim opredeljenjima Srba u BiH i Ustava SR BiH, koja je tada još uvek bila u sastavu bivše SFRJ.

16. Ispoljene namere SDA za otcepljenjem BiH, iz sastava Jugoslavije, predviđeno je bilo formiranje unitarne države sa muslimanskom dominacijom i sa planom stvaranja čiste islamske države, bez Srba i Hrvata koji bi se pod pritiskom iselili u Hrvatsku i Srbiju. To je probudilo loša sećanja iz prošlosti i izazvalo reakciju i nepoverenje Srba. Osnovana je Srpska demokratska stranka (SDS) 12.07.1990. godine, a potom su proglašene pojedine autonomne regije sa pretežno srpskim stanovništvom. Tokom krize i rata, spajanjem tih regija nastala je, najpre Srpska republika BiH, a potom i Republika Srpska (RS). Srpska demokratska stranka je imala nacionalno odgovoran pristup i ideologiju. Zastupala je interese celog srpskog naroda u BiH. Prvo je zastupala ideju ostajanja BiH u sastavu Jugoslavije, a nakon otcepljenja BiH, zastupala je program razgraničenja tri konstitutivna naroda. Državni koncept BiH kao samostalne i unitarne države vodio je direktno u građanski, međuetnički i verski rat. Na to su upozoravali lideri SDS. a Ta upozorenja nisu shvaćena ozbiljno. Došlo je do građanskog rata sa teškim, dugotrajnim i razarajućim posledicama po sva tri naroda.

17. Stranka demokratske akcije, zastupala je političke stavove unitarnog uređenja države u kojoj će supremaciju imati Muslimani i taj cilj je bila spremna da ostvari i ratom. Na tom planu istovremeno je sprovedena strategija i organizovano delovanje u više pravaca: (1) kontinuirano delegitimisanje JNA i proglašavanje za agresora; (2) pozivanje vojnika i starešina rođenih u BiH da napuste JNA i pridruže se paravojnim formacijama, više od pola starešina Muslimana je napustilo JNA, vojnici Muslimani su bežali iz svojih jedinica, a regruti Muslimani po savetu SDA nisu se odazivali na odsluženje vojnog roka u JNA; (3) stvaranju partijske paravojske SDA pod nazivom „Patriotska liga naroda“ (PLN), sa odgovarajućom štabnom strukturom i brojnim paravojnim i parapolicijskim jedinicama. U tu svrhu je formiran Glavni štab u Sarajevu sa devet regionalnih štabova, sa 103 opštinska i brojnim drugim štabovima za manje teritorijalne celine, sa velikim

⁸ Radinovic R., isto str.4-7.

⁹ Referendum je održan od 29. februara do 01. marta 1992. godine, izlaznost je bila 64,31% a za nezavisnost BiH je glasalo 99,44% izašlih. (www.historija.ba/d/4-dan-nezavisnosti-bosne-i-hercegovine/). Tadašnji zakonski uslov za afirmaciju rezultata referenduma bio je da na referendum izađe više od dve trećine građana(66%), te da isti broj afirmativno glasa.

brojem jedinica ranga od voda do brigade.¹⁰ U sklopu tih i takvih aktivnosti SDA, do početka avgusta 1992. godine naoružano je oko 170.000 ljudi svrstanih u 28 brigada, 138 odreda različite namene i 16 samostalnih bataljona.¹¹ Kakve su bile prave namere Alije Izetbegovića i njegove stranke (SDA) u toku raspada SFRJ i BiH, govori i činjenica da je Deseti regionalni štab PLN formiran za teritoriju izvan administrativnih granica BiH, tj. za prostor Raške oblasti (Sandžaka). Time su jasno izražene teritorijalne pretežije prema delovima Srbije i Crne Gore naseljenim muslimanskim stanovništvom. Već 7. jula 1991. godine u okviru Patriotske lige formirane su partijske paravojne jedinice i specijalni vodovi za diverzantska dejstva. Komandovanje je bilo strogo centralizovano i pod neposrednim rukovodstvom centrale SDA u Sarajevu. Vojno rukovođenje Patriotskom ligom naroda povereno je potpukovniku Seferu Haliloviću, koji je 1991. godine dezertirao iz JNA. Avgusta 1992. godine imenovan je za načelnika štaba GŠ Armije Republike BiH. Izradio je Plan blokade svih kasarni JNA u BiH. Do januara 1992. godine svi krizni i regionalni štabovi muslimanske paravojske imali su precizno razrađene planove i objekte dejstva. To su bile pre svega kasarne, skladišta JNA i vojni aerodromi (Dubrava kod Tuzle, Bihać, Mostar i Banja Luka), relejni centri, komunikacije i značajni objekti na njima, kompaktna područja naseljena srpskim stanovništvom koja su se nalazila u muslimanskom okruženju (npr. Ozren i Smoluća). Na toj dužnosti je ostao do juna 1993. godine.

18. Početkom 1991. godine SDA je organizovala redovna dežurstva svojih aktivista radi praćenja bezbedonosne situacije na terenu. Osmatrači sa terena su izveštavali dežurne u stranci o kretanju vozila JNA i svim drugim detaljima iz okvira vojno-bezbedonosne problematike. To se proučavalo u centrali stranke i na osnovu toga rađene su studije koje su služile kao podloga za planiranje i preduzimanje oružanih akcija protiv jedinica JNA. Suštinski građanski, etnički i verski rat u BiH otpočeo je 1.03.1992. godine. Tog dana je u centru Sarajeva, spaljena srpska zastava koju su nosili srpski svatovi i ubijen Nikola Gardović, otac od mlade¹². Zločin su izvršili Muslimani i to kao znak triumfalizma i pobeđe na referendumu održanom 29.02. i 1.03.1992. godine, kada su se Muslimani i Hrvati izjasnili za unitarnu BiH, mimo volje Srba kao konstitutivnog naroda. Pravi početak rata u BiH ipak se uzima 6. april 1992. godine. Tog dana, bez ikakvog valjanog pravnog i političkog argumenta, Evropska zajednica i SAD odlučile su da priznaju BiH kao samostalnu državu i to tako što su, uprkos očiglednoj nelegitimnosti referenduma iz februara 1992. godine, potvrdile njegove rezultate. Političko-vojni vrh na čelu sa Alijom Izetbegovićem je, proglasio opštu mobilizaciju radi formiranja tzv. Armije BiH i radi vođenja rata u kojem će jedna od zaraćenih strana biti muslimanski deo BiH. Predsedništvo muslimanskog dela BiH, kao Vrhovna komanda, 14.04.1992. godine izdalo je Direktivu kojom se naređuje „Zelenim beretkama“ i svim naoružanim muslimanima da napadnu sve vojne objekte starešine i vojnike, pa čak i porodice vojnih lica i da otimaju i vojnu opremu.

19. Predsedništvo Jugoslavije, pod snažnim političkim, diplomatskim, vojnim i medijskim pritiskom dela međunarodne zajednice, pre svega SAD i EZ, dana 27. aprila 1992. godine donelo je odluku da se JNA povuče iz BiH, do 19. maja 1992. godine.¹³ To je bio uvod u početak haosa građanskog rata. U uslovima potpuno razvijene vojne i organizacijske infrastrukture, sistema komandovanja, jedinica i vojnih ustanova, etničkih paravojski, najpre kod bosanskih Hrvata, po modelu vojnog organizovanja tadašnje Hrvatske, pa onda i kod Muslimana, da bi se taj proces ubrzao i kod Srba u BiH kada je postalo jasno da će ostati bez zaštite Savezne države i njenih legalnih i legitimnih organa vlasti. Ultimativni zahtev za povlačenje JNA na teritoriju Srbije i Crne Gore nije mogao ništa drugo da proizvede do krvavi građanski rat tri etničke zajednice. Za takvu ulogu njoj je bila neophodna podrška međunarodne zajednice i zvaničnih vlasti BiH. Tek nakon saniranja krize, te uspostavljanja dugoročnih

¹⁰ Podvučeno od strane autora.

¹¹ Sefer Halitević „Lukava sirategija“, str. 123

¹² http://www.glassrpske.com/novosti/vijesti_dana/Godisnjica-ubistva-srpskog-svata-na-Bascarsiji/18496.html

¹³ Naredba broj 5-30 Predsedništva SFRJ od 27. aprila 1992. godine.

međunacionalnih, političkih i teritorijalnih aranžmana između tri konstitutivna naroda, JNA se mogla povući iz BiH jer su sve druge snage republike već bile pocepane po nacionalnim šavovima kao što je: MUP, policija, Teritorijalna odbrana (TO), Civilna zaštita itd. Običan narod u sve tri etničke zajednice je to priželjkivao i očekivao, ali ekstremisti to nisu hteli i radili su po scenariju širenja rata na prostoru SFRJ. Krnje Predsedništvo BiH (bez predstavnika Srba) je 19.05.1992. godine donelo Uredbu o oružanim snagama Republike BiH, što se može smatrati zvaničnim javnim podatkom o uspostavljanju muslimanske vojske, a ne Armije BiH. U suštini Muslimani su organizovali i formirali paravojne formacije još u maju 1991.godine i otpočeli sa pripremama za građanski rat.¹⁴ Hrvatski deo ove BiH takvu odluku je doneo znatno ranije, još u jesen 1991. godine uz prisustvo Hrvatske vojske u Zapadnoj Hercegovini i Bosanskoj Posavini. Odluka o formiranju VRS doneta je 12.05.1992. godine¹⁵. To je bilo trideset pet dana posle priznavanja nezavisnosti BiH od strane SAD i EZ, tj. kada je bilo izvesno da JNA do 19.05.1992. godine mora da napusti BiH pod pritiskom dela međunarodne zajednice. Takođe, Vojska Republike Srpske (VRS) je formirana znatno kasnije nego što je Herceg Bosna formirala sopstvene paravojne formacije i formalizovala ih kao svoju vojsku. Jedino srpska strana u BiH početkom 1992. godine nije imala svoju vojsku, pa ni u obliku paravojnih formacija.¹⁶

20. Rat u BiH je bio i etnički verski rat za teritorije, ostvarenje državnih nacionalnih projekata i zaštitu nacionalnih interesa konstitutivnih naroda. Svaka od ratujućih strane imala je različite ciljeve, mape nacionalnih teritorija i viziju države za koju se bori. Muslimani su sopstvenom etničkom teritorijom smatrali celu BiH i za nju su ratovali. Hrvati su u prvoj fazi imali cilj da se deo BiH pod njihovom kontrolom Herceg Bosna pripoji Hrvatskoj. Pošto to nije bilo izvodljivo zbog nemogućnosti promene republičkih granica, u skladu sa istorijskim težnjama da gospodare celom BiH kao za vreme NDH, utvrdili su novi cilj da je cela BiH sastavni deo geopolitičkih aspiracija i interesa Hrvatske. U funkciji tog strateškog cilja došlo je do uspostavljanja ratnog savezništva Muslimana i Hrvata, što će kasnije dovesti i do njihovog zajedničkog političkog entiteta Federacije BiH u R BiH.

¹⁴ *Patriotska liga* je bila paravojna formacija bosanskohercegovačkih muslimana na početku Rata u Bosni i Hercegovini. Osnovani su je general Sefer Halilović i njegovi saradnici 2. maja 1991. kao stranačku organizaciju, da bi već 10. juna 1991. u Domu milicije bio održan sastanak muslimanskih vođa iz cijele Jugoslavije. U nju su se učlanili i mnogi kriminalni elementi, koji su patriotizam pokazivali napadima na osobe druge nacionalnosti, a za svoje ciljeve su proglašavali očuvanje suvereniteta Bosne i Hercegovine i njenih granica i zaštitu muslimanskog življa u slučaju rata. Kao znak raspoznavanja, njeni pripadnici su koristili amblem na kojem se nalazio grb Bosne i Hercegovine, iznad kojeg je pisalo „Patriotska liga“. Liga je od samog početka rata bila umešana u ubistva vojnika JNA i osoba druge nacionalnosti, te su bili umešani u sam početak rata. Najviše uspjeha Patriotska liga je postigla u Sarajevu gdje je bila i najaktivnija i najmnogobrojnija početkom rata, da bi bila ukinuta sa osnivanjem Armije Bosne i Hercegovine. Branka Magas, Ivo Zanic *The War in Croatia and Bosnia-Herzegovina 1991-1995*. Routledge. (2013). ISBN 978-1-136-34099-4.

¹⁵ Toga dana je zasedala Narodna skupština Srpske Republike BiH, kasnije Republike Srpske, u Banja Luci i donela Odluku da se pristupi formiranju VRS: "Na osnovu Amandmana na Ustav Srpske Republike BiH, a u vezi sa članom 70. tačka 2. Ustava SR BiH, Narodna skupština donosi Odluku o formiranju Vojske Srpske Republike BiH. Prvo: Formira se Vojska Srpske Republike BiH. Drugo: Dosadašnje jedinice i štabovi Teritorijalne odbrane preimenuju se u komande i jedinice Vojske čiju će organizaciju i formaciju utvrditi predsednik Republike. Treće: Za komandanta Glavnog štaba Vojske Srpske Republike BiH postavlja se general Ratko Mladić. Četvrto: Vojska Srpske Republike BiH nosi uniforme i činove koje su nosili pripadnici JNA i Teritorijalne odbrane. Osnov oznaka na kapama čini srpska zastava, a na lijevoj nadlaktici srpska zastava na kružnoj podlozi sa natpisom Vojska Srpske Republike BiH. Peto: Ova Odluka stupa na snagu danom donošenja i važiće do proglašenja Zakona o Vojsci Srpske Republike BiH."

¹⁶ Vidi šire, Radovan Radinović, Isto, str.7-8

23. Vojsku Republike Srpske(VRS) bila je oružana sila srpskog naroda u BiH. Sačinjavali su je starešine i vojnici koji su tu živeli pre rata ili su na tom prostoru rođeni. U VRS bilo je i dobrovoljaca iz redova svih jugoslovenskih naroda i narodnosti i sa cele teritorije bivše SFRJ, a koji su se u skladu sa ustavnom obavezom suprotstavili razbijanju SFRJ. Dobrovoljačka tradicija u spskom vojevanju za slobodu veoma je prisutna još od davnina. Vojska Republike Srpske je po osnovnoj tipologiji bila narodna vojska. To je bitno uticalo na planiranje njene upotrebe i operativne sposobnosti. Na strani VRS, osim dobrovoljaca, nisu ratovala strane oružane formacije. Nasuprot tome, na strani HVO ratovala je Hrvatska vojska i to u Hercegovini i Posavini, a na strani muslimanske vojske Armije BiH dobrovoljci i plaćenici bili su islamski ekstremisti i teroristi, „psi rata“ iz brojnih islamskih zemalja, ogrezli u ratovima u Avganistanu, Iraku, na bliskom Istoku i na drugim svetskim ratištima¹⁷, kao i brojni muslimanski i albanski ekstremisti sa Kosova i Metohije i iz Raške oblasti (Sandžak)¹⁸, itd. Muslimani i Hrvati u BiH gotovo sve vreme rata, sa izuzetkom jednog kraćeg perioda 1993./94. kada su bili u sukobu, bili su ratni saveznici u ratu protiv VRS, odnosno protiv RS, pogotovo u završnim operacijama pri sprovođenju zločina i etničkog čišćenja Republike Srpske Krajine i zapadnog dela RS.

24. Rukovodeći se nacionalnim ciljevima u ratu, sukobljene strane su stvorile politički okvir za izvođenje operacija u funkciji odbrane ili zaposedanja teritorija. Muslimani ni Hrvati nisu imali vojnu moć da ostvare samostalno utvrđene političke ciljeve pa su prizivali i zahtevali podršku NATO, scenirajući različite događaje i zločine koji bi poslužili kao povod za intervenciju. Na kraju su Hrvati i Muslimani, uz pomoć pojedinih zemalja Zapada, uspeli da izdejsvuju odluku o upotrebi snaga NATO. To je bilo presudno u nametanju vojničkog poraz Srba u Republici Srpskoj Krajini i zapadnom delu RS. Bombardovanjem RS i napadom snaga Hrvatske vojske razultiralo je progonom Srba iz opština u kojima je srpsko stanovništvo istorijski bilo većinsko 74-96 odsto ukupnog stanovništva. Očigledno je da je Hrvatska u okviru državnog projekta proširenja dalmatinskog zaleđa uspela u svojim namerama na štetu Srba i Muslimana u BiH.

25. Srpska strana u BiH kao svoj strateški cilj nije postavila opšti vojnički poraz Muslimana i Hrvata. Da je to imala kao cilj, ona bi ga i ostvarila u vreme sukoba između Muslimana i Hrvata tokom 1993. i 1994. godine, pošto joj je nuđeno savezništvo i Muslimana i Hrvata. Naprotiv, VRS je tada spašavala i muslimanske i hrvatske civile tokom njihovih međusobnih sukoba, a odbijala je bilo kakvo vojno savezništvo radi nanošenja poraza drugom. Vojska Republike Srpske je prešla u strategijsku defanzivu i od toga vremena je isključivo izvodila odbrambene operacije, na operativnom nivou komandovanja što u vojnom pogledu nije bilo dobro rešenje, jer su na taj način izazvane posledice kroz pasivnost snaga i povećane gubitke u završnim operacijama. Povremeni protivudari tipa onog kod Bihaća (oktobar 1994.) i Nišićke visoravni kod Sarajeva, samo su bili odgovori na muslimanske ofanzivne operacije koje su oni izvodili iz tzv. zaštićenih zona UN (Bihać i Sarajevo).

26. Istina je da su u BiH sva tri naroda bili izloženi etničkom čišćenju i zločinima. To se dešavalo sa različitim intenzitetom u pojedinim periodima rata. Te zločine i etničko čišćenje teško je porediti jer su po prirodi bolni za svaki narod i svaki od tih naroda u BiH ima svoju verziju istine i misli da je najveći gubitnik. To postaje deo nasleđa koje se prenosi na generacije i deo nacionalne istorije. Srbi su u Hrvatskoj, a potom u znatnom delu zapadne i centralne BiH etnički su očišćeni sa vekovnih prostora koje su naseljavali. Većina tih prognanika i izbeglica je

¹⁷ Primer: El Mudžahid je bila jedinica u sastavu 3. korpusa Armije BiH, osnovana po naređenju Rasima Delića 13. augusta 1993. godine. Bila je sastavljena od islamskih dobrovoljaca afro-azijskog porijekla, koji su na teritoriju BiH pod kontrolom vladinih snaga došli preko Hrvatske. (izvor: http://bs.wikipedia.org/wiki/El_Mudžahid)

¹⁸ Slikovit primer je Safer Halilović, načelnik štaba GŠ Armije Republike BiH, koji je rođen u Srbiji na teritoriji Raške oblasti.

i danas u daleko od svojih kuća i zavičaja u Srbiji, Republici Srpskoj ili u inostranstvu. Hrvatska je izvršila agresiju na Republiku Srpsku 1992.godine a pojačala intenzitet u završnim operacijama 1995. godine. Tada je okupiran prostor koji je sve do tada naseljavalo preko 88% srpsko stanovništvo u opštinama Drvar, Bosansko Grahovo i Bosanski Petrovac¹⁹. Masovni progon Srba desio se, pre toga 1992.godine, u dolini Neretve odakle je proterano oko 35.000 Srba, iz Tuzle i tuzlanske regije (Kladanj, Živinice, Banovići, Gradačac, Kalesija, Gračanica itd.) oko 40.000 Srba. Sa područja dela grada Sarajeva koji je bio pod muslimanskom kontrolom proterano je više od 150.000 Srba. Sarajevo je „najveća srpska grobnica“ u građanskom ratu u BiH. Podaci o ubijenim Srbima u u gradu Sarajevu još se precizno i poimenično utvđuju, ali za sada se zna da je stradalo preko 5.500 ljudi. . Zločini su se desili u dužem vremenskom periodu, daleko od međunarodne javnosti i pod stalnim optužbama srpske strane za „opsadu“, okruženje, blokadu i granatiranje grada Sarajeva. Sve je to u znatnoj meri medijski iskonstruisana slika rata u BiH, posebno u Sarajevu i Srebrenici, radi afirmacije političkih ciljeva borbe muslimanske strane i pridobijanja što većeg dela međunarodne zajednice u funkciji podrške u ratu. U ovoj ekspertizi daju se neki argumenti o toj propagandi koja se sistematski i smišljeno sprovodila u funkciji satanizacije VRS, RS i uopšte srpskog naroda.

27. Nakon uvodnih napomena, koje su neophodne za opšte razumevanje situacije i konteksta krize i sukoba u BiH, prezentovani su rezultati ekspertize kroz pet delova. U *prvom delu* opisani su uslovi i uloga spoljnih i unutrašnjih činilaca u građanskom ratu, ciljevi zaraćenih strana, tok rata sa posebnim osvrtom na ključne događaje i oružane sukobe, koji su obeležili karakter tog rata i njegovu sliku u međunarodnoj javnosti. U *drugom delu* prezentovane su informacije o oružanim snagama zaraćenih strana, njihovom nastanku, organizaciji, lancu komandovanja i odnosu nadležnosti potčinjenih i pretpostavljenih u pripremi i izvođenju borbenih dejstava. U *trećem delu* dat je celovit opis najznačajnijih oružanih sukoba, kao i osnovna obeležja operacija koje su izvodile zaraćene strane. U *četvrtom delu* izvršena je analiza ključnih događaja na Sarajevskom ratištu, koji su u punoj meri uticali na kreiranje javnog mnjenja i međunarodne javnosti, kao i odnos subjekata međunarodnih odnosa prema stranama u ratu. U tom smislu sa vojnog aspekta analizirano je mesto i uloga generala Ratka Mladića u tim događajima. Činjenice utiču na promenu slike koja je bila unapred zadata oko Sarajeva i govore u prilog tezi da se suštinski radilo o podeljenom gradu u kome su ginuli i Muslimani i Srbi, uz manje stradanje Hrvata. Linije fronta su uspostavljene na početku rata, u znatnoj meri saglasno demografskoj strukturi naselja i opština i nisu se značajno menjale do kraja rata. Sve promene linija fronta bile su taktičkog karaktera i značaja. Ni VRS niti Armija BiH nisu imali dovoljno snaga da promene situaciju u operativno-strategijskom pogledu. U *petom delu* analizirani su ključni akteri i događaji u procesu planiranja i izvođenja operacije za Srebrenicu “Krivaja 95“, kao i posledice te operacije koje su se desile kroz ubijanje zarobljenih muslimanskih vojnika i delu civila, u zoni odgovornosti Drinskog korpusa. Pri tome je posebno razmatrana uloga i komandna odgovornost generala Mladića u formalnom i suštinskom smislu. Sa vojne tačke gledišta u vreme masovnih zločina general Mladić skoro veći deo vremena nakon operacije, čak ni fizički nije bio u zoni operacije, niti u zoni proboja muslimanskih snaga. To baca posebno svetlo na više teških pitanja o kojima se do sada dosta malo pisalo, a za to verovatno postoje razlozi: Zašto nije izvršeno razoružavanje muslimanskih snaga 28. divizije Armije BiH i zašto su sistematski izvođene operacije iz zaštićenih zona Srebrenica i Žepa i ubijano srpsko civilno stanovništvo i vojnici VRS? Zašto je Naser Orić, kao ratni komandant 28. divizije izašao iz Srebrenice još u martu 1995. godine i u nju se više nije vraćao? Kome je trebao masovni zločin na kraju rata, kada je ishod i politički kompromis rešenja, u strateškom smislu bio na vidiku?

¹⁹ Po popisu stanovništva u SR BiH 1991. godine: Bosanski Petrovac 74,86%, Drvar 96,98% i Bosansko Grahovo 94,91% Srba.

Zašto nije dozvoljeno razoružavanje muslimanskih snaga nakon vojničkog poraza u Srebrenici i Žepi, nego je verovatno u Sarajevu doneta odluka o proboju i njihovom stradanju? ... Puno je još pitanja zašto? Na njih se dobijaju odgovori koji nisu saglasni u dobroj meri sa naručenim ili predpostavljenim istinama o odgovornosti političkog i vojnog vrha RS, koju je stalno medijski a i na međunarodnom planu plasiralo muslimansko rukovodstvo u BiH. U tom haosu koji je nastao nakon pokušaja proboja muslimanskih snaga 28.divizije A BiH, nije postojala efektivna kontrola stanja na terenu od strane Glavnog štaba VRS. Nakon učinjenih zločina u suštini GŠ VRS je imao deo nepouzdatih i neproverenih informacija o zločinima koji su se desili i na koje više nije mogao ni uticati. U *rezimeu i zaključcima* učinjen je pokušaj da se pojedinačna saznanja do kojih se došlo uopšte, generalizuju i da na taj način prezentuju što objektivnije stratešku dimenziju rata u BiH sa međunarodnog, političkog i vojnog aspekta. Prilozi, kao sastavni deo ekspertize čine karte, šeme, slike, tabele, grafikoni i sl.

28. Za izradu ove ekspertize korišteni su brojni primarni i sekundarni izvori građe:

Primarni izvori: Operativna dokumentacija VRS (direktive i zapovesti Vrhovne komande, GŠ VRS, komandi korpusa i njima potčinjenih jedinica, kartografski prilozi o planiranju i izvođenju borbenih dejstava); delimično operativna dokumentacija muslimanske vojske A BiH (planovi, izveštaji, operativne analize); izveštaji Holandskog bataljona UNPROFOR-a; izveštaji Generalnog sekretara UN; ekspertske ocene Ričarda Batlera, dr Radovana Radinovića i Ričarda Danata, kao i prateća dokumentacija Tribunala data uz Optužnicu (presretnuti razgovori, tabele i grafikoni, radne karte i dr.);

Sekundarni izvori: U ovu grupu izvora za izradu Izveštaja spadaju: tematske studije koje se odnose na operacije na prostoru BiH, težišno na Sarajevskom ratištu i u širem rejonu Srebrenice, odnosno Podrinja. Radi se o studijama, monografijama, knjigama, zbornicima radova i člancima čiji su autori Muslimani, Srbi, Hrvati i strani vojni i civilni eksperti i poznavaoi prilika u ratu u BiH. Ti izvori se navode u fusnotama ove ekspertize i u popisu literature. U obradi pojedinih delova i aspekata ekspertize uvažavana su i neposredna saznanja koja su sticana tokom godina koje su protekle od završetka rata do polovine 2013.godine, kao i lično iskustvo i znanje autora iz oblasti vojnih nauka i vojne doktrine, kao i drugih oblasti saznanja koja su relevantna za razumevanje rata u BiH, sa posebnim osvrtom na oružane sukobe na Sarajevskom ratištu i Podrinja, težišno oko zaštićenih zona Srebrenice i Žepe.

I Deo

USLOVI U KOJIMA SU SE ODVIJALI ORUŽANI SUKOBI I RAT U BOSNI I HERCEGOVINI

1.1. Sagledavanje uzroka, uslova, činilaca, učesnika, karakteristika i posledica rata u BiH uslovljeno je razmatranjem ključnih procesa, aktera i događaja vezanih za razbijanje SFRJ. Naročito je bitno da se uoči da su postojali interesi relevantnih centara moći u svetu kojima je odgovaralo rasparčavanje Jugoslavije i posebno ratni rasplet Jugoslovenske krize. Bez takvog pristupa bilo bi nepotpuno sagledavanje istine i o građanskom ratu u BiH u celini, pa i o

zločinima koji su se događali tokom tog rata. Opservacijom celine ponašanja spoljnih i unutrašnjih činilaca, kao i događanja na međunarodnom i unutrašnjem planu u toku, pa i posle tog rata, moguće je objektivnije sagledati uzročno-posledične veze i utvrditi pouzdane stavove i zaključke vinovnicima te ratne drame u kojoj su stradali najviše civili na svim sukobljenim stranama i gde su uništena ogromna materijalna dobra sticana decenijama mukotrpnog rada nekoliko posleratnih generacija. Svi ti događaji i procesi imali su direktni i indirektni uticaj na vojničku karijeru generala Ratka Mladića.

1.2. U sagledavanju i argumentovanom prezentovanju osnovnih činjenica u ovom pitanju se ističu neke bitne odrednice kojima se usmerava razmatranje osnovnih drugih pitanja značajnih za izvođenje zaključaka o uzrocima, toku i o osnovnim obeležjima građanskog rata u BiH. U tom smislu veoma je bitno sagledati ustavni, zakonodavni i doktrinarni okvir odbrambene funkcije, sistema odbrane i oružanih snaga SFRJ, jer se na taj način uočava zakonska osnovanost delovanja pojedinih subjekata Jugoslovenske krize, na saveznom i republičkom nivou, kao i na nivou političkih stranaka i paravojnih organizacija.

1. Istorijski kontekst nacionalnog i državotvornog sukoba i rata na prostoru BiH

1.3. Istorijski kontekst nacionalnog, verskog i državotvornog pitanja jeste suština protivrečnosti koje su se pod delovanjem spoljnih i unutrašnjih činilaca multiplikovale do te mere da su izazvale krizu, građanski rat i ogromne posledice po civilno stanovništvo. Iz grupacije unutrašnjih uslova u izveštaju, prema kriterijumima cilja i značaja analize za razumevanje suštine krize i rata na prostorima BiH, dato je težište na informacijama i činjenicama koje se odnose na istorijske aspekte države, naroda i konfesija, na prostoru BiH, stanovništvo, teritoriju i opšta pravno-politička pitanja.

1.1. Istorijsko aspekti države i naroda na prostoru BiH

1.4. Nastanak pojma Bosne kao geografskog prostora koji je bio u sastavu srpske države ili kao posebna srpska država, zahvatao je područje oko gornjeg i srednjeg toka reke Bosne, datira negde od X veka. Ovakvo poimanje Bosne prisutno je naročito u literaturi XII veka.²⁰ Postoje pisana svedočanstva iz ovog vremena koja govore o upotrebi ćiriličnog pisma na ovim prostorima, a koje se nazivalo Stara Srbija.²¹ Bosnu su, kao i sve srpske zemlje ugrožavali prodori Turaka. Nakon pada Srbije 1459. godine, Bosna dobija izuzetan strateški značaj za dalje napredovanje Turaka prema Furlaniji i Dalmaciji. Pod tursku vlast Bosna je pala 1463. godine, ali su neki delovi Hercegovine ostali slobodni do 1481. godine kada i čitava Hercegovina pada pod Tursku vlast.²²

1.5. Od pada pod tursku vlast pa do okupacije BiH od strane Austro-Ugarske (1878. godine) trajala je duga i dramatična epoha osmanlijske vlasti u kojoj su izvršene najkrupnije izmene u verskoj, kulturnoj i duhovnoj strukturi stanovništva, a što će bitno uticati na sve događaje u novijoj istoriji, posebno u XX veku. Za sve vreme turske vlasti BiH nisu postojale u sadašnjim granicama kao zasebna državna ili politička celina. Od velikog dela teritorije 1463. godine osnovan je bosanski sandžak. Sedište mu je do XVII veka bilo u Sarajevu i Banja Luci, a zatim u

²⁰ F. Šišić, Ljetopis popa Dukljanina, Beograd, 1920, 307; T. Smičiklas, Codex diplomaticus regni Croatae, Dalmatiae et Slavoniae, vol. 11, Zagreb, 1904, 207.

²¹ Dr Karlo Pač, Iz Pljevaljskog Sandžaka, Glasnik Zemaljskog muzeja u Bosni i Hercegovini, knj. HH1, 119.

²² S. Ćirković, Herceg Stefan Vukčić-Kosača i njegovo doba, Beograd 1964, 1-309.

Travniku. Nešto kasnije, 1470. godine osnovan je hercegovački sandžak. Pojedini delovi teritorije Bosne pripadali su drugim sandžacima, a granice bosanskog sandžaka često su korigovane mnogim reformama vojnog, sudskog i administrativnog sistema.²³ Značaj bosanskog sandžaka proisticao je iz njegovog graničnog položaja (krajiste) gotovo tokom dva veka kroz koje su četovanjem - upadima u dubinu habzburških zemalja stvarani uslovi za eventualno osvajanje novih teritorija. Upravo kao pogranično područje teritorija BiH najviše je trpela zbog čestih sukoba Turaka sa evropskim hrišćanskim državama.

1.6. Vanregionalni uticaji i postojanje više religija su i uzrokovali zakašnjenje u formiranju nacionalnih država u odnosu na druge regione Evrope. To kašnjenje posebno je primetno kod dela srpskog naroda u BiH koji je primio islam, a zatim ga pretpostavio kao osnovu za nastanak nove nacije. Takav pristup je potpomogla i kratkovidost komunističke oligarhije koja je od verske zajednice u BiH i SFRJ formirala naciju, koja se u bratoubilačkom građanskom ratu promovisala u novu naciju, pa čak i narod mimo opšteprihvaćenih kriterijuma za njihov nastanak. Zato se naknadno prišlo smišljanju novog imena te nove nacije kao što je Bošnjaci, iako je ishodište tog imena u nazivu geografskog pojma regiona na kojem žive i Muslimani, Srbi i Hrvati. I tu nije ispoštovan ni geografski kriterijum prostora jer postoji i regija Hercegovina u kojoj žive Hrvati u Zapadnoj Hercegovini, Srbi u Istočnoj Hercegovini i Muslimani uglavnom u Centralnoj Hercegovini, dolinom Neretve od Konjica do Stoca. Pre rata u BiH konstitutivni narodi su bili Muslimani, Srbi i Hrvati. Pojmovi bosanac ili hercegovac za vreme komunističke bivše SFRJ, koristili su se kao geografske odrednice za mesto porekla ili življenja, a ne nikako za označavanje nacionalne pripadnosti. Ti regionalni ili geografski pojmovi pokušavaju se prevesti u novu „bosansku naciju“. Nije samo jasno šta je sa hercegovcima...?

1.7. Osim tih nenaučnih improvizacija oko imena naroda, čiji su koreni evidentni i pouzdani po jeziku, BiH ima i niz drugih objektivnih neprilika koje su nastale kao posledica komunističkog načina prekrajanja teritorija i nakaradnog odnosa prema unutrašnjem uređenju države i njenoj organizaciji, pri čemu su se Srbi i Hrvati nastojali prevesti u neki novi nadnacionalni identitet unitarne države koju ne žele. Na tom prostoru se dodiruju i seku tri civilizacijska i konfesionalna kruga: islamski, pravoslavni i katolički. Na prostoru današnje BiH istorijski su uglavnom živeli Srbi kao narod koji je u dužem vremenu manjim delom pokatoličen i unijačen, a većim delom islamizovan sve do aneksije BiH od strane Austrougarske monarhije 1908. godine, a nakon Berlinskog kongresa i dogovora velikih sila 1878. godine i vojne okupacije dela Osmanskog carstva, koje je formalno ostalo u sastavu Otomanske imperije do 1908. godine, sa većinskom strukturom srpskog naroda pravoslavne i islamske veroispovesti. Hrvati na prostoru BiH i prostoru Dalmacije, koja nije bila u sastavu Hrvatske su pretežno pokatoličeni Srbi. Oni su automatski nakon primanja katoličke vere prihvatili hrvatsku nacionalnu pripadnost.

1.8. Zbog islamizacije i verske netrpeljivosti deo srpskog naroda koji je bio prešao na islam, Srbi pravoslavci su zvali pogrdnim nazivima „poturice“ i „Turci“, što oni nikada nisu bili niti su to postali. Možda je i najveća istorijska greška Srba pravoslavaca što su se olako odricali svoje biološke braće koji su prešli na islam i što nisu mogli da stave verske razlike ispod nacionalne bliskosti. To su uspevali da reše i narodi koji su zaostajali u opšte društvenom razvoju, kao što su Albanci, jedan narod sa tri vere. Koreni netrpeljivosti, mržnje, sukobljenosti između Srba pravoslavaca i islamizovanih Srba pojačavali su se u kriznim periodima Otomanske imperije. Poseban razlog sukobljenosti bio je u tome što su su islamizovani Srbi imali značajne povlastice i vršili vlast u ime i po zakonima Turske carevine nad običnom „rajom“, odnosno Srbima pravoslavne vere. Ogromni nameti i porezi, kojima su bili izloženi Srbi pravoslavci i Hrvati,

²³ Šabanović, H., Upravna podela jugoslovenskih zemalja pod turskom vladavinom do Karlovačkog mira 1690. godine, Godišnjak Istorijskog društva BiH IV Sarajevo 1952, 171-204.

stvorio je odbojnost prema Srbima koji su prešli na islam. Ta mržnja se vremenom nažalost samo uvećavala i generacijski se prenosila sa kolena na koleno. Srbi pravoslavne vere u BiH su postali raja, a islamizovani Srbi su postali imućniji sloj društva koji je štitio Otomansku carevinu.

1.9. U pojedinim periodima islamske okupacije i terora, Srbi pravoslavne vere su osećali veću mržnju prema poturicama nego prema Turcima. Veliki srpski pesnik Petar Petrović Njegoš je najbolje odslikao to vreme u mnogim epovima i pesmama, a ponajbolje u Gorskom vijencu.

„Poklaše se braća među sobom...

....

Luna i krst dva strašna simbola,
Njihovo je na grobnice carstvo..²⁴

1.10. Kao savremenik tog vremena i vladar Crne Gore, niko kao on sa tako malo reči, a proročki nije opisao tragediju srpskog naroda, njegovo biološko, versko raslojavanje i stradanje. Koreni zla, mržnje i osvete duboko su usađeni u tom vremenu, a nakon toga samo produbljivani i proširivani u novim istorijskim okolnostima. Bez ove istorijske dimenzije verskog, a potom nacionalnog raskola nije moguće razumeti ključne dimenzije rata u BiH. Tome su dosta doprinele imperije i velike sile koje su vladale ili su im se sukobljavali interesi na prostoru Balkana. I danas se ta sukobljenost interesa reflektuje na „zvaničnu istinu o ratu u BiH od 1992. do 1995. godine“, koja je preovladavajuća i danas u međunarodnim odnosima. Posle 18 godina od rata neke „zabranjene ili zatvorene istine“ uspevaju da dopru u javnost sticajem okolnosti a često i ljudskom odgovornošću savremenika tog doba ili učesnika u tim događajima. Najčešće nosioci dokumenata ili informacija nisu smeli ili nisu mogli da ih iznesu u javnost jer nisu odgovarale proklamovanom scenariju karaktera i odgovornosti učesnika u ratu u BiH. Ipak radi pravde i pravičnosti nikada nije kasno za objektivnu istinu. U suprotnom istorija rata i oružanih sukoba o građanskom ratu u BiH, delimično bi počivala na pogrešnim podacima, koji ne odgovaraju istoriskoj istini i činjenicama.

1.11. Stradanja Srba pravoslavaca i islamiziranih Srba nastavljeno je u Prvom i Drugom svetskom ratu, a eskaliralo u toku raspada SFRJ i rata, u BiH u formi građanskog rata između Srba, Muslimana i Hrvata. Tu je ključ protivrečnosti, stradanja i tragedije srpskog naroda u BiH, Srba pravoslavne i islamske veroispovesti, odnosno Srba i Bošnjaka (Muslimana). To su istorijski fakti, a nažalost politika i posledice sukoba donele su novu realnost koja i dalje razvija protivrečnosti, a ne nacionalno pomirenje i praštanje, kroz promovisanje i prihvatanje novih naroda po verskom ili geografskom kriterijumu. Kroz istoriju puno je primera koji ukazuju na to da je postojala volja i želja dela Muslimana da se vraćaju svome korenu u nacionalnom pa i verskom smislu. To se masovnije dešavalo nakon oslobođanja Srbije i Crne Gore od Otomanske okupacije, a potom je taj proces povratka svojoj naciji i veri bio redak i simboličan i ako su postojala saznanja koja se generacijski prenose o poreklu, o tome od kojih pravoslavnih porodica potiču i koja im je krsna slava. Slavni režiser Emir Kusturica je primer u novijoj istoriji da se vratio u nacionalnom i verskom smislu precima, izjašnjava se kao Srbin pravoslavac, stalno ističući da ne postoje suštinski razlozi za sukobe između Srba i Muslimana (Bošnjaka), te da su islamski fundamentalizam i drugi verski i nacionalni ekstremizmi, izvor netrpeljivosti i netolerancije među ljudima.

1.12. Uloga Hrvatske u ratu u BiH je kontinuirana i specifična. Hrvatska je nastala više radom spoljašnjih sila nego samim hrvatskim namerama. Želela je da pored Banske Hrvatske, u nju uđu regioni Slavonije, Dalmacije, Istre i Srpska Krajina. Pomoću (hrvatskog) imenovanja

²⁴ Petar Petrović Njegoš, Gorski vijenac, VIZ, Beograd, 1998. godine

geopolitičkog prostora Hrvatska je širila svoje teritorijalne pretenzije. Te teritorijalne pretenzije su bile usmerene uvek, prema susedima. Posebno su bili opterećeni odnosima sa Srbima jer su oni uvek bili trajna prepreka njihovom širenju. Budući da se nisu mogli širiti na sever ili zapad, Hrvatska je težila istoku. „Drina je neobuzdana geopolitička fantazije hrvatskih ekspanzionacista.“²⁵ Hrvatski geopolitičari su uvek polazili od aksioma da je Hrvatska, prema istorijskom etničkom i geopolitičkom „pravu“ veća nego što jeste. Srbi su se, dakle, neprestano suočavali s jednom vrstom hrvatskog političkog gigantizma, koja se sporadično pretvara u teritorijalnu megalomaniju... „Hrvatska se u poslednja tri veka stalno uvećavala. Banska Hrvatska je kao *reliuiarum* (ostatak ostatka), 1630. godine imala svega 10.600 km² ... Kao jugoslovenska republika Hrvatska se od 1945. do 1990. godine proširila na 56.538 km².“²⁶ Njene težnje su na daljem prisvajanju srpskog prostora Bačke, delova Srema (do Beograda), u Raškoj oblasti, u Boki i ostatku Crnogorskog primorja. .

1.13. Srpska politika je uvek bila kratkovidna i nije bila u stanju da se suprotstavi agresivnim planovima Hrvata. Za vreme Austrougarske, obrazovani Srbi su dobro poznavali odnose između Srba i Hrvata. Posle 1918. godine, malo je bilo istinskih stručnjaka koji su poznavali Hrvate, njihove težnje i ciljeve. Taj trend se nastavio i posle 1945. godine. U tom periodu, Srbi koji su mogli da kažu nešto o Hrvatima nailazili su na žestok i frontalni otpor i u Zagrebu i u Beogradu. Nije se smelo govoriti i pisati, bila je to tabu tema pod kontrolom komunista. Danas to Zagreb, koji je stalno radio na razbijanju Jugoslavije pohvalno piše kao o uspešnoj politici Zagreba, jer Srbi nikad nisu dovoljno i valjano upoznali i savladali Hrvatsku istoriju tako da nisu ni mogli da procene geostrateške ciljeve Hrvata.²⁷

1.14. Među brojnim pitanjima koja su opterećivala, koja opterećuju i koja će opterećivati i remetiti odnose između Hrvata i Srba jeste geopolitički položaj Hrvatske. Prema opštoj oceni svih hrvatskih političara i geopolitičara, kako ranijih tako i sadašnjih, geopolitički položaj Hrvatske je takav da liči, kako je napisao poznati hrvatski istoričar Vjekoslav Klaić, na „dobro raskrečenu kobasicu“. Izgled Hrvatske neki porede sa bananom ili mladim mesecom. Takva Hrvatska, po opštem uverenju svih politički mislećih Hrvata, uopšte nema uslova za opstanak i napredak. Na primer, Frano Supilo je o tome napisao: „Hrvatska bez Bosne bila bi uvijek igračka u rukama onoga koji bi vladao u današnjim okupiranim pokrajinama“, tj. u Bosni i Hercegovini.²⁸

1.15. Dr Ivan Pilar, pisac knjige Južnoslavensko pitanje, koja je u razmaku od nekoliko decenija imala četiri izdanja, dva na hrvatskom i dva na nemačkom, u brošuri Svjetski rat i Hrvati. Pokus orijentacije hrvatskoga naroda još pre svršetka rata, objavljenoj 1915. i 1917. godine otvoreno i jasno stavio je čitavoj javnosti na znanje šta je i šta mora da bude strateški cilj Hrvata. U toj brošuri dr Pilar, tj. dr Juričić napisao je: „Kraljevina Hrvatska, Slavonija i Dalmacija sa svojim dugačkim uskim teritorijem vrlo male dubine, koji se proteže u dva smjera (Dalmacija mestimice samo nekoliko kilometara) same za sebe u opće nisu sposobne, da budu poprište ikakve državne i političke tvorbe, te u tom obliku kao narodno-političko tijelo u opće ne imaju nikakve budućnosti. Ovo spoznanje bilo je o našem uvjerenju uzrokom onom grčevitom traženju jednog šireg okvira za naš narodni razvoj prije godine 1878., bilo je zadnjim uzrokom oblikovanja Ilirstva i Jugoslavenstva. Trojedna kraljevina dobiva svoje elementarne uvjete života tek onda,

²⁵ Knežević Miloš, Geopolitičko okruženje SFRJ, Geopolitička stvarnost Srba, okrugli stol, Institut za geopolitičke studije, Beograd 1997. godine, str. 323.

²⁶ Isto, str. 232 i 233.

²⁷ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza za Stanislava Galića), 2002.godine, str. 3-18.

²⁸ Frano Supilo, Politički spisi, Zagreb, 1970, str. 179. (Citat V. Krestić, str. 396).

kad joj se priključe BiH. Hrvatski narod na samom teritoriju Trojedne Kraljevine ima vrlo malo nade da se održi, i BiH prikazuju se kao jedan bitni uvjet za narodno održanje i politički razvoj hrvatskoga naroda. Ograničen na samu Trojednicu, hrvatski narod može samo životariti, živjeti može samo onda, ako ima i Bosnu i Hercegovinu.“²⁹ Po oceni dr Pilara, Hrvatska, Slavonija i Dalmacija čine ljusku, a BiH jezgro Hrvatske.³⁰

1.16. Velikohrvatskim težnjama da istočna granica Hrvatske bude postavljena na Drini odgovara i etnografska karta Nikole Zvonimira Bjelovučića. U knjižici Etnografske granice Hrvata i Slovenaca, koja je objavljena u Dubrovniku 1934. godine, priložena je karta „Etnografske granice Hrvata u Kraljevini Jugoslaviji i okolnim zemljama“, koju je sastavio Bjelovučić 1933. godine. Sa teritorijalnim proširenjem koje nije malo, ta karta neodoljivo podseća na Pavelićevu Nezavisnu Državu Hrvatsku.³¹

1.17. Samo na osnovu navedenog, u sažetom vidu, i manje upućeni čitalac, koji nije imao prilike da se obavesti o velikohrvatskim težnjama prethodnih generacija, lako će zaključiti gde su izvori i nadahnuća sadašnjih hrvatskih političara, koji Hrvatsku žele da brane na Drini (poput akademika Dalibora Brozovića) i koji se pozivaju na hrvatsko državno i povijesno pravo, kako je to činio Franjo Tuđman, pa svojataju Boku Kotorsku, posežu za Bačkom i, istovremeno, žele da sačuvaju i avnojevske administrativne međurepubličke granice.

1.18. Petar Bučić i dominikanac Lasić nisu usamljenici i zanesenjaci, oni govore ono što se i kako se u Hrvatskoj razmišljalo i kako se razmišlja o budućnosti države. Njima se pridružio i izvesni Radomir Milišić. U knjizi Stvaranje Hrvatske, Analiza nacionalne strategije (Zagreb, 1995), taj autor je napisao: „Kako je sudbina Bosne i Hercegovine, odnosno sudbina Hrvata u toj državi neodvojiva od Hrvatske, tj. Hrvatska i Hrvati moraju napraviti sve da se ona od Hrvatske što manje odvoji, jer Hrvati su tamo suveren narod, a to svoje pravo mogu odbraniti samo uz pomoć Republike Hrvatske, to će Hrvatska morati stalno imati i oko i uho na tom za nju tako vitalnom prostoru. Prostori koji su Hrvati u BiH organizovali i odbranili i fizički su osnova hrvatskog suvereniteta u toj državi, kao i dokaz da se bez Hrvata Bosna ne može stvarati.“

1.19. Upornim zahtevima da BiH bude sastavni deo Hrvatske, „kako ona ne bi životarila već živjela“, Hrvati su, prema oceni Stjepana Radića, „naučili tako misliti da slobodne i ujedinjene Hrvatske nema bez Bosne i Hercegovine.“ Ako su Hrvati tako mislili dok su se nalazili u okvirima Austro-Ugarske i Jugoslavije, a tom Radićevom iskazu treba verovati, sigurno je da je sada takva misao još raširenija. Stvaranjem etnički čiste Hrvatske, Hrvati su se primakli bliže ostvarenju svojih geostrateških ciljeva koji se tiču BiH. Bez Srba u Hrvatskoj, Slavoniji i Dalmaciji, bez tog unutrašnjeg remetilačkog činioca, kako su ih nazivali, oni će sa više snage, a manje smetnji i prepreka, i sa znatno povoljnijim geopolitičkim položajem, kidisati na Bosnu i Hercegovinu i na Srbe i Muslimane.

1.20. Na rubovima tih krugova je i najtrusnije tlo na kojem izbijaju najekstremniji verski konflikti. U prošlosti BiH je služila za namirivanje interesa između svjetskih i regionalnih sila. U toj kombinatorici vezanoj za Balkan i BiH posebno, ništa se nije bitno promenilo od dolaska Srba na Balkan, Otomanske imperije, Austrougarskog carstva, Kraljevine Jugoslavije, SFRJ, pa do danas. Samo su se menjali neposredni akteri. U toku rata u BiH sve narode je zadesila veća nesreća samo utoliko što se agresivni islam pod rukovodstvom Alije Izetbegovića drznuo da zagospodari voljom i slobodom Srba i Hrvata u BiH, kojima je vekovni turski uticaj i okupacija

²⁹ Videti str. 65 navedene knjižice. (Citirao V.Krestić, str. 396).

³⁰ Dr I. Pilar, Politički zemljopis, str. 26. (Citirao V.Krestić, str. 396).

³¹ V. Krestić, Iz istorije Srba, str. 286. (Citirao V.Krestić, str. 398).

na tim prostorima nepodnošljiv i izaziva osećaj teskobe i ugroženosti. Naravno, da se nakon takve sumanute ideje nije moglo ni očekivati ništa gore od surovog verskog građanskog rata.

1.21. Na prostoru BiH susreću se i povremeno burno sukobljavaju tri velike civilizacije: zapadna (koja se, po Hantingtonu, podudara sa granicama zapadnog hrišćanstva), pravoslavna i islamska. Sve su one u BiH bile jako isprepletene na velikom prostoru, tako da je bilo teško prihvatiti muslimansku dominaciju i centralnu vlast. Istorijske protivrečnosti i suprotstavljenost političkih i vojnih interesa i ciljeva dovela je do verskog građanskog rat u BiH, koji je bio veoma bolan i nepodnošljiv prvenstveno za civilno stanovništvo sve tri zaraćene strane od kojih je svaka ratovala sa svakom u pojedinim periodima rata. Sa vojskom se pomerao i narod, a materijalna dobra su se masovno i nezakonito uzurpirala, krala i uništavala. To su radile sve tri vojske, Armija BiH koja je bila muslimanska, HVO i VRS.

1.2. Stanovništvo, teritorija i jezik

1.22. Bliža i objektivnija saznanja o verskoj i etničkoj strukturi stanovništva BiH, dobijaju se tek otvaranjem inostranih konzulata i arhiva u Austriji, Rusiji, Francuskoj, Engleskoj, Italiji i Nemačkoj. Jedno od takvih svedočanstava i bitnih historiografskih radova predstavlja i rad pod naslovom „Prilozi zemljopisu BiH“, čiji je autor dr Eduard Richter.³² Srpsko stanovništvo u BiH činilo je stabilnu većinu i tokom srednjeg veka, a i u prvoj polovini ovog veka. Sredinom XV veka u Bosni bilo je 37.125 hrišćanskih domova i samo 332 muslimanska. Postepeno Turci su jačali politiku islamizacije lokalnog stanovništva i prevođenja u islamsku veru. Uzroci za prihvatanje islama od strane hrišćana bile su različite olakšice, političke i ekonomske privilegije koje su s novom verom sticali. Ovde se kriju uzroci toga što je, u povoljnijim reonima za život i privrednu delatnost BiH tokom vremena jačala etnička grupa islamizovanih Srba, odnosno muslimana. Prema popisu stanovništva 1879. godine 42,8% žitelja bili su pravoslavne vere, 38,7% muslimanske, a 18,08% katoličke.³³ Tako je 1865. godine u bosanskom vilajetu bilo 1.211.712 stanovnika i to pravoslavnih 571.756 ili 47%, muslimana 442.170 ili 36%, Rimokatolika 185.504 ili 15%, i Cigana i Jevreja 12.282 ili 1%.³⁴

1.23. Današnji bosanski i hercegovački muslimani vode poreklo od islamizovanih Srba, tokom vekovne turske okupacije. Objavljeni turski popisi iz toga doba uveliko potvrđuju ovu tezu.³⁵ Austro-Ugarska okupacija nastavila je uticaj na versko-etničke migracije stanovništva. Tako prema zvaničnim popisima austrougarskih vlasti iz 1879, 1885, 1895. i 1910. godine uočljivo je da se u tom periodu procenat pravoslavnog stanovništva neznatno povećao sa 42,88% na 43,49%; muslimana smanjio sa 38,73% na 32,25%, a rimokatolika povećao sa 18,08% na 22,87%.³⁶ To govori u prilog tvrdnji da se nakon odlaska Turaka sa prostora BiH jedan deo muslimana odselio na prostore koji su ostali pod turskom vlašću, a jedan deo se vratio svojoj bivšoj veri i narodu, Srbima i manjim delom Hrvatima. Pretežno su to činile porodice koje su u bliskoj prošlosti prešle na islam.

1.24. Za vreme austrougarske okupacije u BiH u periodu 1878-1918. godine koncipirana je neka

³² Edyard Richter, Prilozi zemljopisu BiH, Glasnik zemaljskog muzeja u BiH, knj.17, 1905

³³ Gustav fon Temel, Beschreibung des Vilajet Vobšep..., Wien 1867, 76-78.

³⁴ Đ.Pejanović, Stanovništvo BiH, Odelenje društvenih nauka SANU, knj. SSHH1H, Beograd 1995,31.

³⁵ Poimenični popis Sandžaka vilajeta Hercegovina, priredio Ahmet S Aličić, Sarajevo 1985. Prema navodima ovog prvog popisa objavljenog 1475-1477. pojava muslimanskih porodica je skromna gotovo pojedinačna za čitavu oblast dela drinskog toka, a ti muslimani su bili Srbi što je vidljivo iz hrišćanskog imena oca, prezimena ili decidnog navoda - promenio veru.

³⁶ Rezultati popisa žiteljstva u BiH od 10.oktobra 1910,Zemaljska vlada za BiH, Sarajevo 1912.

vrsta parapolitičkog programa čije su okosnice utkane u etnosvest pripadnika sva tri naroda i kao takav se zadržao sve do raspada Jugoslavije 1991. godine. U njemu leže koreni ideje etničkog čišćenja na našim prostorima, a naročito čišćenja pravoslavnih Srba zapadno od Drine. Od tada datira lanac zločina koji se ne retko generacijski prenosio kroz porodice i čiji smo svedoci krajem minulog veka. Navedeni fenomen postaje i bitna odrednica strateških opredeljenja pripadnika sva tri naroda te se stoga ne može prenebregnuti kod iole ozbiljnije analize sukoba na prostorima BiH. Bosna i Hercegovina, kao zajednica tri posebna entiteta, nastala je u vreme turske vladavine na Balkanu. Popis celog stanovništva tada nije zvanično vršen, pa se turski podaci ne mogu uzimati kao verodostojni. Kako navodi Jovan Cvijić, Turci su vršili popis samo muškog stanovništva. Zato se kao zvanični smatraju samo popisi koje je vršila austrougarska vlast nakon okupacije BiH. Prvi takav popis datira iz 1879. godine kada je u BiH živelo ukupno 1.158.164 stanovnika. Srbi (pravoslavci) su činili 42,88% (496.485); muslimani (muhamedanci) 38,73% (448.613); i Hrvati (rimokatolici) 18,08% (209.391). Među ostalima najbrojniji su bili Jevreji (3.426). Po ovim podacima se vidi da Srbi na prostoru BiH nisu nikada bili manjina, da su bili državotvorni narod čija pozicija i politička odluka nije trebala da se majorizuje i da se odluke o državnim pitanjima nameću voljom Muslimana i Hrvata preglasavanjem.³⁷

1.25. U narednim popisima (1885. i 1895. godine), uz kvantitativno povećanje ukupnog broja stanovnika, međukonfesionalni odnosi u procentima su ostali skoro identični. U pogledu geografskog rasporeda muslimansko stanovništvo, kao privilegovano za vreme Otomanske imperije, više se naseljavalo u gradovima i dolinama reka centralne i istočne Bosne, kao izraz povlastica koje je davala turska vlast svim Srbima koji su prihvatili islam, kao novu religiju. Radilo se uglavnom o vrednijoj i plodnijoj teritoriji, što je iznosilo približno 27% teritorije današnje BiH. Katoličko stanovništvo bilo je većinski naseljeno u jugozapadnom delu BiH i pojedinim krajevima centralne i severne Bosne, na oko 20% teritorije BiH. Katoličko stanovništvo od islamizacije i emigracije čuvao je ustanovljeni Franjevački red (1463.)³⁸ Može se reci da je u velikoj meri na taj način smanjena mogućnost islamizacije Hrvata i Srba koji su primili katoličanstvo, dok su pravoslavni Srbi faktički ostali nezaštićeni od verske i nacionalne asimilacije.³⁹

1.26. Početkom Prvog svetskog rata 1914. godine počeo je i austrougarski državni teror nad Srbima u BiH. Sva politička, verska, kulturna i sportska udruženja Srba bila su zabranjena kao i ćirilično pismo.⁴⁰ Istovremeno sa pripremama za napad na Srbiju organizovana je posebna vojska za obračun sa Srbima tzv. zaštitne čete koju su sačinjavali lokalni muslimani i katolici.⁴¹ Prvi koncentracioni logori u modernoj Evropi stvoreni su u BiH 1914. godine. Najveći među njima bio je logor u Doboju kroz koji je u periodu 1915-1917. godine prošlo 16.673 muškarca i

³⁷ Vidi šire, Radovan Radinović, Isto.str.7-10

³⁸ Stanko Nišić, Strategija Srba, IKP „Nikola Pašić“, Beograd, 1995. str. 71.

³⁹ Franjevci su igrali istaknutu ulogu u povijesnom i kulturnom životu BiH i Hrvatske. Hrvatski sveci franjevci su sv. Nikola Tavelić i sv. Leopold Mandić. U Bosnu dolaze kao misionari koji rade na iskorjenjivanju učenja bosanskih krstjana, već 1291. godine i tu trajno ostaju, a franjevačka provincija Bosna Srebrena je jedina ustanova koja neprekidno djeluje od srednjeg vijeka pa do danas. Prvi franjevački samostan u Bosni je podignut u Milama kod Visokog oko 1340. godine, a kasnije su izgrađeni i samostani u Sutjesci, Olovu, Srebrenici, Fojnici, Kreševu... U prvoj polovini 15. stoljeća se neke manje oblasti osamostaljuju i odvajaju, a nakon Turskog osvajanja Bosne dolazi do podjele vikarije 1514. na Bosnu Srebrnu (na prostoru pod Turskom okupacijom) i Bosnu-Hrvatsku (na preostalom području) i obje ove vikarije su 1517. godine izdignute u rang provincija. Sultan Mehmed El-Fatih je 1463. godine izdao dokument na osnovu kojeg se *franjevcima* dozvoljava dalje djelovanje u Bosni.

⁴⁰ ZAB Zeman: The Break-up of the Habsburg Empire 1914/1918. Vienna, 1975,6.

⁴¹ I.Hadžibegović, Bosanskohercegovački gradovi na razmeđu 19. i 20. stoleća, Sarajevo, 132-133.

16.996 žena i dece iz BiH, 9.172 vojnika i civila iz Srbije i 2.950 Srba iz Crne Gore.⁴² Pored ovoga po svireposti bio je poznat i logor u Aradu o čemu svedoči i službeni izveštaj nakon sprovedene istrage o zločinima u logoru.⁴³ Između dva rata nikada nisu bile rasvetljene razmere genocida nad Srbima. Nikada se nije ni objasnila idejna zamisao na kojoj je počivao zločin što se može tumačiti žrtvom ideji jugoslovenstva. Preovladalo je političko nastojanje da se zlo što pre zaboravi kako bi se izbrisalo negativno državno nasleđe. Međutim isto zlo, u još strašnijem i svirepijem izdanju i daleko većem obimu ponovilo se u Drugom svetskom ratu.

1.27. Tokom 1921. godine pravoslavno stanovništvo je dominiralo apsolutno ili relativno u 27 srezova, muslimansko u 16, a katoličko u 12. Prema popisu iz 1931. godine pravoslavci su bili u većini u 28 srezova, muslimani u 13 i katolici u 12 srezova BiH. U Sarajevskom srezu 1931. većinsku naseljenost imali su Srbi pravoslavne veroispovesti od 38,%, zatim Srbi muhamedanske vere (Muslimani) sa 34,9% i Hrvati katolici sa 20,%. Od 8 opština toga sreza - 5 (Ilidža, Koševo, Pale, Rajlovac i Trnovo), naseljavalo je u većini pravoslavno stanovništvo, a dve opštine su u većini naseljavali muslimani (Ozren i Bjelašnica). Istovremeno u samom gradu Sarajevu živelo je 37,9% muslimana, 27,3% katolika, 23,8% pravoslavnih i 11% pripadnika drugih religija.

1.28. U toku Drugog svetskog rata najviše žrtava je bilo na strani srpskog stanovništva. Najviše Srba je stradalo od genocida NDH kao i u borbi protiv fašista. Zbog etničkog čišćenja u Srbiju je prebeglo oko 200.000 Srba iz BiH. Pored toga u posleratnom periodu planski je iseljeno u Vojvodinu najviše srpske populacije (98% svih iseljenih). Muslimansko stanovništvo se tokom rata slivalo sa sela u gradove, kao i doseljeno iz Srbije, Crne Gore, Kosmeta i Makedonije.

1.29. Za vreme Drugog svetskog rata BiH je okupirana i ušla u sastav Nezavisne Države Hrvatske (NDH), koja je stvorena od strane okupacionih fašističkih, kao Hitlerova tvorevina na teritoriji Kraljevine Jugoslavije. Odmah po uspostavljanju NDH prema Srbima i Jevrejima preduzeta je široka kampanja pokatoličavanja i etničkog čišćenja radi čega je osnovan sistem koncentracionih logora: Danica u Koprivnici (osnovan 29.04.1941. godine), Kerestinec kod Zagreba, Lepoglava, Slana kod Paga, Gospić, Krušćia kod Travnika, Capar, Logorgrad, Sisak, Tenj kod Osjeka, Jastrebarsko, Đakovo i najveći i najzloglasniji Stara Gradiška i Jasenovac koji se poredio po zlu sa Dahauom, Mathauzenom i Aušvicom.

1.30. Svi konclogori imali su zajedničku komandu - Ustašku nadzornu službu i kasnije Glavno ravnateljstvo za javni red i sigurnost. Istorija još nije utvrdila precizan broj Srba stradalih u NDH koji se kreće između 700.000-1.000.000. Za vreme ratnih dejstava poginulo je 179 hiljada ljudi, od kojih su 72% bili Srbi, 16,5% muslimani i 4,4% Hrvati. Osim toga rukama hrvatskih ustaša bile su uništene stotine hiljada stanovnika srpske, jevrejske i ciganske nacionalnosti. Spasavajući svoje živote, BiH je napustilo oko 200.000 Srba. Kao posledica izvršenog genocida javlja se i osveta kod Srba u periodu 1942-1943. godine kada su izvršeni zločini nad nevinim muslimanskim stanovništvom u Foči i okolini, čime je zapravo produžena spirala zla koja se na istim prostorima ponovila devedesetih godina Dvadesetog veka, u građanskom ratu u BiH.

1.31. Zbog ustaškog genocida i zbog nasilnog iseljavanja, u godinama Drugog svetskog rata, kao i zbog organizovanog preseljavanja dela žitelja iz BiH u druge delove Jugoslavije, pre svega u Vojvodinu, srpsko stanovništvo u BiH se veoma smanjilo.

⁴² V.Ćorović, Crna knjiga, Patnje Srba BiH za vreme Svetskog rata 1914-1918, Beograd-Sarajevo 1920,56-60.

⁴³ Isto 95-96, 98-99, 166, 168

Tabela 1: Struktura stanovništva prema zvaničnim popisima (%)

	1948.	1953.	1961.	1971.	1981.
Srba	42,29	44,40	42,89	37,19	32,02
Muslimana	30,73	31,32	35,69	39,57	39,52
Hrvata	23,94	22,98	21,71	20,62	18,38

1.32. Po poslednjem predratnom popisu 1991. godine, koji nije verifikovan, muslimana je u BiH bilo 1.905.829 ljudi (43,%), Srba 1.369.258 (31,4%), a Hrvata 755.892 (17,3%). Od 106 opština BiH muslimani su činili većinu od preko 50% stanovništva u 35 opština, a Srbi u 32. Oko 240.000 stanovnika Republike (5,5%) opredelilo se u određeno vreme kao „Jugosloveni“, čiju su većinu činili Srbi ili deca iz mešoviti brakova. U 1991. godini 27% brakova u BiH bili su mešoviti. Srbi su bili većina u zapadnoj Bosni i istočnoj Hercegovini, Muslimani u centralnoj i istočnoj Bosni, a Hrvati u zapadnoj Hercegovini. U etničko-teritorijalnom sastavu BiH, Srbi su imali vodeće mesto. Oni su predstavljali apsolutnu većinu stanovništva na 53,3% teritorije Republike.

1.33. Termin muslimani, u smislu odrednice stanovništva BiH, prema popisima, evoluirao je od verskog opredeljenja (1948. godine: muslimani-neopredeljeni) preko određenja etničke pripadnosti, (1953.godine Jugosloveni, 1961. godine - Muslimani) do sinonima za narodnost popisom iz 1971. godine.⁴⁴ Višenacionalna BiH smatrala se kao najtolerantnija među republikama socijalističke Jugoslavije. Malo ko je verovao u mogućnost međunacionalnih sukoba na njenoj teritoriji. Čak i za vreme pregovora republičkih lidera bivše SFRJ o sudbini federacije, BiH dugo nije decidno odredila vlastitu poziciju. Pa ipak, događaji nakon toga su se razvijali na najtragičniji način.

1.34. Kako se iz navedenih činjenica može zaključiti istorijska podloga etničkim sukobima u BiH sadržana je u konstituisanju srednjevekovne države cepanjem širih etničkih celina i potonjim spajanjem triju religijskih, uglavnom netolerantnih grupacija. Time su osnovani temelji svim kasnijim nesporazumima. Upravo ta netolerancija i nestalan religijski mir imali su za posledicu da su samo strane okupacije (gde su strance jedni dočekivali kao oslobodioce, a drugi kao okupatore) i diktature bile u stanju da obezbede trajniji mir. Nesporno je da se u BiH vodio rat koji je u dobroj meri bio strogo kontrolisan iz više centara moći.

1.35. Etničku dimenziju osnovnim faktorima strategijskih ciljeva sukobljenih strana jasno definiše kolektivna svest svake etnogrube zasebno u koju je, na temeljima kolektivnog pamćenja ranijih zločina, utkan strah, a time i netolerancija i neretko želja za osvetom prema drugim stranama. Moguće je postaviti i tezu da je uticaj ovog faktora bio najizraženiji kod onog naroda koji je imao najveća stradanja. Bez prejudiciranja ikakvih daljih kvalifikacija nesumljivo se može reći da je to bio srpski narod. Neuvažavanje ili potcenjivanje ovog faktora neminovno vodi nužnosti kompromisnih rešenja kakvo je i postojeći dejtonski, strogo kontrolisani mir jer je odredio granice nacionalnih teritorija koje su kroz istoriju bile uzrok sukoba i stradanja. To saznanje šta kome pripada može pozitivno uticati na razvoj međunacionalnih odnosa i na toleranciju.

1.36. Podaci o otseljenom i doseljenom stanovništvu u BiH u periodu 1961-1991, pokazuju da je među otseljenima bilo oko 55% pravoslavnih i 35% katolika. To upućuje na zaključak o

⁴⁴ Jugoslavija 1918-1988, Statistički godišnjak, Beograd 1989.

privilegovanom položaju muslimanskog stanovništva u tom komunističkom periodu u BiH, kada se pod plaštom bratstva i jedinstva vršila majorizacija prava Srba i Hrvata. Tako se došlo na poziciju koju pokazuje popis stanovnika iz 1991. godine: 43,7% Muslimana; 31,33% Srba i 17,7% Hrvata. Nakon 80 godina procenat učešća muslimanskog stanovništva u BiH se povećao za oko 11,45%, dok je procenat zastupljenosti Srba umanjen za 12,16%. Tako je u suštini BiH, kao većinska hrišćanska za kratko vreme u dvadesetom veku, od strane komunista promovisana u pretežno islamsku federalnu jedinicu SFRJ. Takav trend je frustrirao Hrvate i Srbe.

1.37. Prema popisu stanovništva BiH iz 1981. godine srpska naselja su zahvatala oko 53,3% teritorije u BiH, jer su se prostirala uglavnom u ruralnim područjima. Istovremeno Srbi su te godine imali 51,4% zemlje BiH u privatnom vlasništvu. U taj procenat nije ušla zemlja u vlasništvu „Jugoslovena“ i onog u društvenom vlasništvu, tako da je srazmeran procenat zemljišta dodatno pripao Srbima nakon vraćanja oduzete zemlje.

1.38. Danas se ne uvažavaju iskustveni i naučno utvrđeni kriterijumi za nastanak novih nacija i jezika, posebno ne na prostoru bivše SFRJ. Zbog političkih i državotvornih razloga, taj problem je prisutan u promovisanju nacija koje u osnovi uzimaju geografski princip ili pojam državnosti za nacionalno opredeljenje. Takav slučaj je približno sličan sa Crnogorcima i Bošnjacima. Bošnjaci su dosadašnji naziv Muslimani zamenili sa Bošnjaci, da bi kao takvi bili i nosioci državotvornosti i potpuno se razlikovali od svoje braće Srba od kojih ih osim vere ništa ne razlikuje.

1.3. Pravno-politički uslovi

1.39. Sva složenost građanskog rata u BiH uočljiva je već iz formulacije Dejtonskog mirovnog sporazuma, kojim je taj rat označen od strane međunarodne zajednice kao tragični sukob. Zato su svi učesnici u krizi i ratu u BiH, počev od nacionalnih elita sukobljenih strana pa do međunarodne zajednice, nalazili sopstveno opravdanje. Rat u BiH je zaista bio tragičan, ali je problem u tome što se ključni problemi i uzroci posledica u tom ratu ne traže na objektivnan način. Svaka od strana učesnica u građanskom ratu, krivicu pripisuje isključivo drugim dvema stranama, stim da je muslimanska strana je celo vreme rata Srbe i Hrvate prikazivala agresorima. Ocena karaktera rata, kao jedan od elemenata za ukupnu ocenu rata, različito se poimala od svake zaraćene strane. Narodi se pojedinačno smatraju žrtvama i gubitnicima jer nisu u punoj meri ostvarili proklamovane ciljeve. Muslimani, Srbi i Hrvati pred svetom nastoje da se prikažu da im je rat bio nametnut, pa je zato on od političkih elita svih konstitutivnih naroda označavan kao isključivo odbrambeni, domovinski ili otadžbinski. Svako je vodio rat protiv svih, a bilo je sukoba i u okviru jednog naroda. U ratu je učestvovao i NATO sa predstavnicima 16 država, na muslimanskoj i hrvatskoj strani protiv Srba, što mu daje dodatnu dimenziju i presudno utiče na postupke i odluke generala Ratka Mladića.⁴⁵

1.40. Osnovni politički uslovi u kojima se začinjao sukob u BiH bili su ukupna destabilizacija društva, kao posledice političke, ekonomske i ideološke krize, paralize vlasti, zaoštavanja i nekontrolisanog razvoja međunarodnih protivrečnosti i zahvaljujući podršci secesionističkim pokretima od strane međunarodnih organizacija i pojedinih zemalja. Rezultati prvih višepartijskih izbora u BiH, 18. novembra 1990. godine, pokazali su da je na tim prostorima, godinu i po dana pre početka rata, započelo deljenje države po nacionalnoj osnovi pri čemu su se međunarodne granice obeležavale tačkastom linijom.⁴⁶

⁴⁵ Vidi šire Radovan Radinović, Isto., str. 5-9

⁴⁶ Dnevnik RTS 1.program, 19.12.1990

1.41. Pokretačka snaga rušenja društvenog poretka i kaaraktera SR BiH bio je separatizam dela političkih elita ali i islamski fundamentalizam muslimanskog rukovodstva čiji je cilj bio izlazak iz sastava federacije i stvaranje samostalne države sa muslimanskom dominacijom, a u daljem i drugih državnih ili naddržavnih integracija.⁴⁷ Ako govorimo o uzrocima oružanih sukoba, vema bitnu ulogu odigrale su nacionalno-političke elite, pod uticajem spoljnih činilaca koji su u znatnoj meri kontrolisali početak i tok celog rata na prostoru BiH. Ekstremisti iz redova političkih i nacionalnih elita su iskoristili postojeće stanje istorijskih protivrečnosti za raspirivanje nacionalističkih osećanja, kao i interesi svetskih centara moći i njima potčinjenih međunarodnih organizacija. Utoliko se uzroci rata u BiH moraju vezati i za svetska događanja, prvenstveno za raspad tzv. Istočnog bloka, koncept novog svetskog poretka i ulogu NATO.

1.42. Nacionalizam u Savezu komunista Jugoslavije, kao jedinoj partiji na vlasti, razbijajući jedinstvenu partijsku organizaciju razbijao je i jugoslovensku državu. Na prvim višestranačkim izborima pobedile su novoformirane nacionalne stranke. U BiH bile su to: Hrvatska demokratska zajednica, Stranka demokratske akcije i Srpska demokratska stranka, pri čemu su im nacionalni, a time i državni projekti bili direktno suprostavljani. Koalicije prilikom formiranja vlasti nisu zaustavile urušavanje države. Deklarišući se kao protivnici opstanka Jugoslavije nacionalni pokreti Muslimana i Hrvata oštro su se suprostavljali nacionalnom pokretu Srba orjentisanom ka očuvanju jugoslovenske države i BiH u okviru nje. U Skupštini i u Vladi BiH nije ostvarena saradnja vodećih partija. Podela poslanika po nacionalnoj osnovi ispoljila se već na prvom zasedanju novog parlamenta. Tada je počela i da se formira muslimansko-hrvatska koalicija u Skupštini. Politika Muslimana i Hrvata u BiH sledila je Hrvatsku politiku separatizma i rat se mogao naslutiti. Božićnim Ustavom iz 1990. godine HDZ je u Hrvatskoj Srbe proglasio nacionalnom manjinom što je snažno uticalo na stanje u BiH. Ovakav politički sled događaja Srbi u BiH su tumačili kao moguću restauraciju fašističke NDH.

1.43. Pokazalo se inače da se u kriznim situacijama religijski identiteti pojačavaju, tako da su oružani sukobi izrazito verski obojeni. Naročito je već od osamdesetih godina bilo upadljivo pomeranje svesti bosansko-hercegovačkih Muslimana prema islamskom identitetu koji je u „Islamskoj deklaraciji“ markirao Alija Izetbegović, pretvarajući je u program za delovanje Stranke demokratske akcije (SDA). Suprostavljenost i nepomirljivost interesa nacionalnih političkih struktura u BiH uz povremene neprincipijelne koalicije i sve češći međunacionalni incidenti bez pravnih konsekvenci neminovno su vodili u ratni sukob. U februaru 1991. godine SDA i HDZ predložili su parlamentu na razmatranje Deklaraciju o suverenitetu BiH. Predsednik predsedništva republike BiH Izetbegović je tada rekao: „Radi suvereniteta BiH bih žrtvovao mir, a radi mira u BiH ne bih žrtvovao njen suverenitet“.⁴⁸ Srpski parlamentarci oštro su istupili protiv Deklaracije i to je pitanje skinuto sa dnevnog reda. Izetbegović se kolebao, ali uskoro je počeo da se opredeljuje za samostalnost BiH.

1.44. Srbi u BiH su se od samog početka orjentisali na to da očuvaju jedinstvo BiH u sastavu Jugoslavije. U slučaju neuspeha te varijante razmatrala se mogućnost kantonizacije jedinstvene BiH po nacionalnoj osnovi sa budućim priključenjem srpskih oblasti Jugoslaviji. Slične stavove zastupali su i umereni muslimani koji nisu bili verski ekstremisti i koji su poštovali Jugoslaviju,

⁴⁷ O ulozi islamskog fundamentalizma u građanskom ratu na prostorima bivše SFRJ i ulozi A. Izetbegovića vidi : R Samardžić, Islamski činilac u jugoslovenskim sukobima, Vojno delo 6/92 str.188.

A.Izetbegović, Islamska deklaracija.Sarajevo 1990.

⁴⁸ A. Izetbegović je svoju Islamsku deklaraciju napisao još 1970. god. i ista, po oceni više analitičara, sadržinom predstavlja svojevrsan manifest islamskog radikalizma. Međutim postoje i uverenja da je on zapravo i nije napisao već samo preveo sa arapskog:Muftija beogradski Hamdija Jusufspahić, Intervju za NIN, Beograd 18.02.1994.

kao višenacionalnu zajednicu. Bili su svesni da rušenjem Jugoslavije i BiH kao multietnička i multinacionalna zajednica nema budućnost. Tako u julu 1991. godine na inicijativu Adila Zulfikarpašića i Muhameda Filipovića, lidera Liberalno-bošnjačke organizacije, započeli su pregovori između srpske i muslimanske strane. Zulfikarpašić, poimajući značaj političkog momenta, predložio je Radovanu Karadžiću i Nikoli Koljeviću istorijski sporazum, koji bi omogućio da se izbegne rat. Muslimani su se saglasili na konfederativni odnos BiH u sastavu Jugoslavije, pri čemu bi BiH ostala jedinstvena i nedeljiva republika, ravnopravna sa Srbijom i Hrvatskom. Pri tome bi rukovodstvo BiH priznalo ravnopravnost tri državotvorna naroda BiH: Srba, Hrvata i Muslimana. Zulfikarpašićevu inicijativu podržali su Izetbegović, Karadžić i Koljević. Srbi su se čak saglasili da odustanu od politike regionalizacije BiH. Međutim, ovom dogovoru nije bilo suđeno da se oživotvori. Izetbegović je nakon posete Americi sakupio savet svoje partije na kome su, kako se sećao Zulfikarpašić, pobedili partijski jastrebovi. Izetbegović je odustao od potpisivanja već utanačenog dogovora.

1.45. Neuspehom dogovora i daljim razvojem događaja u SFRJ, tokom jeseni 1991. godine situacija u BiH se naglo zaoštravala. Premijer BiH Jure Pelivan primetio je u septembru 1991. godine da vojni sukobi u Hrvatskoj prete da se prebace u Bosnu, što je počelo da se oseća i u podelama prema nacionalnoj osnovi u vladi, skupštini i u ministarstvima. Muslimani su počeli da deluju u novoosnovanim odredima Patriotske lige.⁴⁹ Formiranje ove, u suštini paravojne organizacije, po mnogim analitičarima ali i učesnicima, bio je jedan od najznačajnijih događaja za rat u BiH.⁵⁰

1.46. Na Skupštini BiH, 12. oktobra 1991. godine, se razmatralo pitanje statusa republike u Jugoslaviji. U Skupštini bio je pročitana projekat Memoranduma, koji je pripremila SDA, a o kome nisu znale druge političke partije. Memorandumom se savezne institucije, prvenstveno JNA okrivljava zbog raspada federacije i proglašavala nezavisnost BiH. Srpski i Hrvatski narodi određivali su ovim Memorandumom kao nacionalne manjine. Na nastavku zasedanja 14. oktobra, u pauzi od jednog sata, kada su srpski poslanici izašli iz sale, preostali parlamentarci glasali su za predloženi Memorandum o suverenoj Bosni. Vredno je napomenuti i da je lider srpske strane, dr Radovan Karadžić, na ovoj sednici ponudio plan za rešenje krize kantonizacijom teritorije BiH i podelom vlasti po etničkom kriterijumu.⁵¹ Ovaj svoj predlog Karadžić će izneti još jednom kasnije (januar 1992. godine) ali bez uspeha.⁵² Na istom zasedanju odlučeno je i da se odmah formira islamska informativna agencija i muslimanska televizija. U ruke muslimansko-hrvatske koalicije postepeno je prelazilo i Ministarstvo unutrašnjih poslova čiji se sastav nadalje popunjavao Muslimanima i Hrvatima. Uporedo se odvijala priprema za stvaranje koalicione armije.

1.47. Posle usvajanja Memoranduma Srbi su se suočili sa nemogućnošću ostanka jedinstvene

⁴⁹ Alija Izetbegović za stoti broj „Ljiljana“ od 14. decembra 1994. godine, pod naslovom „Hiljade ljudi nose našu zastavu i nastaviti će da je nose“, rekao je: „SDA je 10. juna 1991. dakle, uoči početka rata u Sloveniji i Hrvatskoj, a deset mjeseci prije početka rata u Bosni, održala veliki skup odgovornih ljudi iz čitave Bosne, na kojem je formiran Savjet za nacionalnu odbranu. To je bio onaj čuveni sastanak u Domu milicije u Sarajevu. Formirani Savjet je rukovodio radom Patriotske lige i pripreme naroda za odbranu, uključujući, svakako njegovo naoružanje. Da nije toga bilo Bosna bi šutke pala a ovako se grmljavina našeg otpora čuje do neba“.

⁵⁰ S.Halilović, Lukava strategija, Sarajevo, 1997, 12D21.

Š.Hodžić, Bosanski ratnici, Sarajevo, 1998, 13.

⁵¹ Vilić.Todorović, Zašto su optuženi 2, Grafomark, Beograd, 2002, 227.

⁵² Zanimljivo je primetiti da je suština ovog predloga bila sadržana i u planu EZ za rešenje krize u BiH poznatom kao Kutiljerov plan ali i da je na kraju poslužio i kao model za prihvaćeni Dejtonski sporazum nakon velikog stradanja sva tri naroda tokom trogodišnjeg građanskog rata.

BiH u SFRJ čime je proces autonomizacije srpskih oblasti dobio dopunski stimulans. Srpske oblasti: Bosanska Krajina, Romanija, severoistočna Bosna i Istočna i Stara Hercegovina izjasnile su se da ostaju u sastavu Jugoslavije, te da prekidaju izvršenje obaveza u odnosu na Bosnu i Hercegovinu. 25. oktobra 1991. godine sazvana Skupština srpskog naroda u BiH na kojoj se rešavalo pitanje o sopstvenoj nacionalnoj sudbini i o svom položaju u zajedničkoj državi, a jedno od centralnih pitanja bilo je pitanje o sprovođenju referenduma srpskog naroda.

1.48. Referendum je sproveden 9. novembra 1991. godine u srpskim opštinama. 92% od svih koji su izašli na glasanje izjasnili su se za stvaranje obnovljene zajedničke jugoslovenske države.⁵³ 9. januara 1992. godine bila je proglašena Republika Srpska BiH, ali kao federalna jedinica SFRJ. U toku naredna tri meseca bile su formirane Skupština, Predsedništvo i Vlada, a 27. marta 1992. godine je usvojen i Ustav RS. Do marta 1992. godine Srbi su odlučno istupali za očuvanje Jugoslavije, ali uvidevši neostvarljivost tog cilja razradili su minimalni zahtev da se BiH transformiše u konfederativnu republiku tri ravnopravna naroda. Nemogućnost da sprovede jedinstvenu politiku u okvirima koalicione vlasti i da postignu kompromis u pitanju o državnom statusu BiH dovela je do nastanka protivustavne koalicije Muslimana i Hrvata, u čijoj je osnovi bila antijugoslovenska pozicija, a što je bitno uticalo na dalje zaoštravanje prilika i međunacionalna razgraničavanja u Bosni na svim nivoima.

1.49. U to vreme u Republici počela je da radi Međunarodna konferencija za BiH u okvirima Evropske zajednice (EZ) pod rukovodstvom portugalskog diplomate Ž. Kutiljera, koji je razradio plan budućeg ustrojstva BiH u vidu konfederacije na nacionalnoj osnovi. Međunarodna konferencija morala je da radi u teškim uslovima nemogućnosti da se dogovori o budućem ustroju BiH. Srbi su predlagali da se razmotri konfederativna varijanta postojanja triju naroda. Ideja teritorijalnog razgraničenja BiH bila je podržana i od strane predsednika Hrvatske F. Tuđmana. Međutim, muslimanska strana bila je odlučna u zastupanju koncepcije unitarne muslimanske države sa svim potrebnim garancijama za nacionalne manjine. Iako su prema Srbima nastupali kao nestabilana alijansa Muslimani i Hrvati su se o mnogim pitanjima i sami oštro razilazili.

1.50. Skupštini BiH, 25. januara 1992. godine, donela je odluku da se sprovede referendum o suverenitetu i nezavisnosti Republike.⁵⁴ Srpska parlamentarna poslanička grupa odbila je da uzme učešće na glasanju i napustila je salu zasedanja. Referendum je sproveden krajem februara 1992. godine uz učešće 63,4% birača (2.073.932 birača), od kojih je 62,68% glasalo za suverenu Bosnu.⁵⁵ Iako zapravo nije bilo zvaničnih rezultata, može se zaključiti, iz tvrdnje muslimanske strane da je na referendum izašlo preko 63% građana, i da dvotrećinske većine koju je Ustav propisivao i koja je iznosila 66%, nije bilo. Srbi nisu izašli na referendum smatrajući da su oni već izrekli svoje gledište kroz referendum na nivou RS. Prvog dana marta BiH faktički je proglasila svoju nezavisnost. U čast tog događaja vlast je organizovala svečani koktel. Rukovodstvo BiH obratilo se Evropskoj zajednici sa molbom da prizna njenu državnu nezavisnost.⁵⁶ Od tada zapravo i započinje eskalacija sukoba, a naročito od saopštavanja nezvaničnih rezultata, kada je na sarajevskoj Baščaršiji ispred pravoslavne crkve u svadbenoj povorci ubijen otac mladoženje, Srbin Nikola Gardović i ranjen sveštenik. Srbi su taj događaj

⁵³ Dnevnik, RTS 1. program, 10.10.1991. godine

⁵⁴ Badenterova arbitražna komisija pri konferenciji Evropske zajednice je preporučila održavanje referenduma svih građana pre razmatranja priznanja samostalnosti BiH.

⁵⁵ Dnevnik, RTS 1. program, 01.03.1992. godine

⁵⁶ Na jednoj od mnogobrojnih konferencija za štampu zamenik predsednika Vlade BiH Rusmir Mahmutćehaić izjavio je: „Nadam se da će rezultati referenduma zadovoljiti potrebe Evropske zajednice za priznanje suvereniteta naše države“.

doživeli kao početak oružanih napada i uvod u rat . Već te noći u Sarajevu i njegovoj okolini bilo je podignuto oko 20 barikada. Na barikadama su bili dobro naoružani srpski i muslimanski mladići.

1.51. Ceneći samo unutrašnje političko-bezbednosne uslove u BiH do izbijanja sukoba, može se postaviti teza da inicijaciju konflikta u Bosni su učinile religijske i nacionalna mržnja, kao i različiti pogledi na budućnost bivše SFRJ i BiH.⁵⁷ Prevagnula je namera i politički interes Muslimana koji su suštinski od početka imali značajnu međunarodnu podršku, te je utoliko uticaj unutrašnjih uslova bio nužan, a međunarodni dovoljan pa time i odlučujući. Bez podrške značajnog dela međunarodne zajednice Muslimani se ne bi opredelili da po cenu građanskog rata rizikuju ostvarenje političkih interesa.

2. Osnovna ustavna, zakonska i doktrinarna opredeljenja o konceptu odbrane, oružanim snagama i lancu komandovanja u SFR Jugoslaviji

1.52. U vreme bipolarne podele sveta i postojanja dva vojno-politička saveza SFRJ je uspevala da opstane relativno samostalna i nesvrstana, kao tampon zona i kao takva odgovarala je NATO-u i VU. U takvim uslovima masovnost učešća ljudi i materijalnih resursa bilo je strateško opredeljenje, koje se zasnivalo na teoriji o naoružanom narodu. Promašaj tog koncepta odbrane nije bio vidljiv u vreme komunističke diktature i vlasti Josipa Broza Tita. Njegovom smrću sve više su do izražaja dolazile istorijske nacionalne protivrečnosti između ekstremnih nacionalista i šovinista u društvu, a potom i redovima Saveza komunista Jugoslavije, kao najjače političke snage. Suštinski taj koncept nije više bio sprovediv u višenacionalnoj zajednici, nego je postao svoja sušta suprotnost i izvor ljudskih i materijalnih resursa za krvavi i bezobzirni bratoubilački rat.

1.53. Opštenarodna odbrana Socijalističke Federativne Republike Jugoslavije (SFRJ) je bio odbrambeni koncept zasnovan na Ustavu, a normiran i uređen kao sistem zakonskim rešenjima i strategijsko-doktrinarnim dokumentima. Tokom većeg dela postojanja Jugoslavije, osnovne zakonske odredbe kojima su se regulisala vojna pitanja bile su sadržane u zakonima, od kojih su u poslednjem periodu bili najznačajniji Zakon o opštenarodnoj odbrani SFRJ, donet 1982. i Zakon o službi u oružanim snagama iz 1985. godine.

1.54. Oružane snage SFRJ sastojale su se od JNA i TO republika. TO je uključivala sve oružane formacije koje nisu pripadale ni JNA ni policiji. Zadatak Oružanih snaga SFRJ, bi je da štite nezavisnost, suverenitet, celokupnosti teritorije i Ustavom utvrđeno društveno uređenje SFRJ.

1.55. Vojna doktrina „opštenarodne odbrane SFRJ“ formulisana je posle sovjetske okupacije Čehoslovačke 1968. godine i proglašena službenom vojnom doktrinom 1969. godine. Opštenarodna odbrana je podrazumevala odbranu zemlje ili vođenje rata korišćenjem svih ljudskih i materijalnih sredstava i snaga društva u borbi protiv agresora. Opštenarodna odbrana uključivala je razne oblike borbe i otpora; osim oružanih snaga (koje su glavni nosioci i oslonci

⁵⁷ Istupajući u zajedničkoj emisiji na Sarajevskoj televiziji 2. novembra 1991. R. Karadžić, A. Izetbegović i S. Ključić su u oštroj polemičkoj formi iskazali viđenje budućnosti BiH. Izetbegović je tražio od Karadžića "lojalnost u odnosu prema Bosni". Karadžić je u odgovoru tražio lojalnost Izetbegovića prema Jugoslaviji, podvlačivši da niko ne može da prinudi Srbe da izađu iz sastava SFRJ. Karadžić je pozivao nacionalne lidere jedinstvu i demokratskom dijalogu, uz uvažavanje interesa svih naroda BiH. On je upozoravao na opasnost rata, ako se lideri muslimana i Hrvata odluče na jednostrano odvajanje BiH od Jugoslavije. „U Sloveniji je bilo strašno, u Hrvatskoj još strašnije, a u Bosni bi bilo užasno“.

Vidi šire, Radovan Radinović, Rukovodna nadležnost Dr Radovana Karadžića u sistemu strategijskog komandovanja u VRS(vojna ekspertiza), 2012.

borbe), u njoj je učestvovalo celokupno stavništvo uključujući i one koji su sposobni za borbu i pružanje otpora, kao i angažovanje svih ekonomskih i ostalih društvenih potencijala u totalnom ratu.

1.56. Doktrina opštenarodne odbrane kasnije je sistematski navedena u članu 240. izmenjenog Ustava SFRJ iz 1974. „Oružane snage Socijalističke Federativne Republike Juoslavije štite nezavisnost, suverenitet, teritorijalnu celokupnost i ovim Ustavom utvrđeno društveno uređenje Socijalističke Federativne Republike Jugoslavije. Oružane snage Socijalističke Federativne Republike Jugoslavije čine jedinstvenu celinu i sastoje se od Jugoslovenske narodne armije, kao zajedničke oružane sile svih naroda i narodnosti i svih radnih ljudi i građana, i od TO kao najšireg oblika organizovanog oružanog opštenarodnog otpora. Svaki građanin koji sa oružjem ili na drugi način učestvuje u otporu protiv napadača pripadnik je oružanih snaga Socijalističke Federativne Republike Jugoslavije.“

1.57. Na osnovu člana 91. Zakona o ONO iz 1982. osnovana su dva elementa oružanih snaga SFRJ: Jugoslovenska narodna armija i Teritorijalna odbrana. Članom 91. Zakona o opštenarodnoj odbrani, 1982. godine utvrđeno je da „Pripadnik oružanih snaga je i svaki građanin koji sa oružjem ili na drugi način učestvuje u otporu protiv neprijatelja. Oružane snage SFRJ sastoje se od Jugoslovenske narodne armije i TO. Jugoslovenska narodna armija je zajednička oružana sila svih naroda i narodnosti i svih radnih ljudi i građana Jugoslavije. Teritorijalna odbrana je najširi oblik organizovanja radnih ljudi i građana za oružanu borbu i određene zadatke društvene samozaštite i najširi oblik organizovanog oružanog opštenarodnog otpora.

1.58. Kao deo koncepta opštenarodne odbrane, JNA je predstavljala srž jugoslovenskih oružanih snaga. U članu 99. Zakona o ONO iz 1982. godine, JNA definisana je na sledeći način: „Jugoslovenska narodna armija je zajednička oružana sila svih naroda i narodnosti Jugoslavije i svih radnih ljudi i građana. Jugoslovenska narodna armija organizuje se u mirnodopske i ratne jedinice i ustanove.“⁵⁸

1.59. Osim JNA, u sklopu koncepta „opštenarodne odbrane“ Tito, kao predsednik SFRJ, je 1968. godine naredio osnivanje snaga TO. U tom smislu veliki broj muškog stanovništva prošao je vojnu obuku i bio osposobljen za učešće u odbrane SFRJ na osnovu lokalno orgnizovanih jedinica. Te jedinice TO su organizovane, finansirane i opremane od strane republika.

1.60. Zakon o opštenarodnoj odbrani iz 1982. godine sadržavao je niz odredaba o snagama TO, njihovoj strukturi i načinu komandovanja. Osnovna struktura TO-a izložena je u pasusima 3 i 4 člana 102, pomenutog Zakona. Između ostalog, ovim članom je utvrđeno da se TO sastoji od svih oružanih struktura koje nisu deo JNA ili policije. „Teritorijalna odbrana je najširi oblik organizovanog oružanog opštenarodnog otpora. Teritorijalna odbrana se organizuje u osnovnoj i drugoj organizaciji udruženog rada, mesnoj zajednici, opštini, autonomnoj pokrajini, republici i drugoj društveno-političkoj zajednici. Teritorijalna odbrana obuhvata sve naoružane sastave koji nisu deo Jugoslovenske narodne armije i milicije.

1.61. Teritorijalna odbrana se sastoji od jedinica, ustanova i štabova i drugih oblika organizovanja radnih ljudi i građana za opštenarodni oružani otpor. Jedinice i ustanove TO i drugi oblici organizovanja radnih ljudi i građana za opštenarodni oružani otpor organizuju se i pripremaju u miru, a aktiviraju u ratu, u slučaju neopsredne ratne opasnosti ili u drugim vanrednim prilikama, kao i za vreme izvođenja vežbi i izvršavanje drugih zadataka u miru predviđenih ovim zakonom. Za potrebe obučavanja pripadnika TO i za vršenje drugih zadataka i

⁵⁸ Zakona o opštenarodnoj odbrani, Beograd, 1982.

poslova u vezi sa pripremama TO, mogu se za vreme mira obrazovati ustanove TO.

1.62. Član 103. Zakona o ONO iz 1982. godine u glavnim crtama je utvrdio pravni okvir u sklopu koga su se snage TO pripremale u upotrebljavale. „Teritorijalna odbrane se organizuje i priprema u okviru jedinstvenog sistema opštenarodne odbrane, u skladu sa Ustavom, zakonom, osnovama organizacije i osnovama planova razvoja oružanih snaga i planom njihove upotrebe, sistemom rukovođenja i komandovanja oružanim snagama, jedinstvenim osnovama naoružanja, opremanja i obuhvatanja oružanih snaga i odlukama i planovima društveno-političkih zajednica.“⁵⁹ Jasno se može uočiti da su se snage TO od strane dela republičkog rukovodstva i izvršne vlasti u BiH, kao i lokalne vlasti nezakonito upotrebljavale u sadejstvu sa paravojnim oružanim formacijama i da je to i dovelo do početka oružanih sukoba i građanskog rata.

1.63. U članu 110. Zakona o ONO iz 1982. godine predviđena je mogućnost da se organizuju „dobrovoljci“. U tom članu se definišu okolnosti pod kojima se angažuju dobrovoljci kao i njihove dužnosti i mesto u vojnoj organizaciji. Od ključne važnosti je pasus 5 koji kaže: „u pogledu prava i dužnosti dobrovoljci se izjednačuju sa vojnim licima, odnosno vojnim obveznicima.“ Ovo se odnosi na dobrovoljce koji se stave pod komandu vojnog komandanta i poštuju jedinicu i njene propise u kojoj su usključeni. Samovoljno organizovani tzv. dobrovoljci van vojnih i policijskih jedinica su paravojne i parapolicijske snage i ne podležu ovim zakonskim obavezama države i društva. U ratu, u slučaju neposredni ratne opasnosti ili u drugim vanrednim prilikama kao i za potrebe vojnih vežbi i proveravanja mobilizacijske spremnosti i obuke, jedinice, ustanove i štabovi oružanih snaga popunjavaju se ljudstvom stalnog i rezervnog sastava oružanih snaga, materijalnim sredstvima iz ratne rezerve i materijalnim sredstvima iz popisa.

1.64. „Oružane snage štite nezavisnost, suverenitet, teritorijalnu celokupnost i Ustavom SFRJ utvrđeno društveno uređenje. Oružane snage mogu, pod uslovima predviđenim saveznim zakonom, izvršavati i određene zadatke društvene samozaštite.“ U priručniku SSNO-a iz 1983. godine „Strategija oružane borbe“ tačno su navedeni zadaci i naglašena je uloga oružanih snaga SFRJ u očuvanju interesa svih naroda i narodnosti u SFRJ. Taj stav iskazuje suštinu koncepta i vizije opšte narodnog odbrambenog rata. „Oružane snage SFRJ, zajedno sa drugim snagama opštenarodne odbrane i društvene samozaštite, štite interese svih naroda i narodnosti i svih radnih ljudi i građana socijalističke samoupravne i nesvrstane Jugoslavije i izraz su njihove spremnosti i odlučnosti da se uspešno odbrane od svake agresije. Oružane snage SFRJ imaju narodni, socijalistički, revolucionaran i odbrambeni karakter i isključivo su namenjene za odbranu zemlje i obezbeđuju mirnu izgradnju socijalističkog samoupravnog društva i nesvrstane spoljne politike.“⁶⁰ Suština ovog stava strateškog opredeljenja doživela je neuspeh jer su oružane snage bile pripremane za odbranu od spoljne agresije odnosno za rat koji se nije desio. One nisu pripremane niti su bile osposobljene za sprečavanje unutrašnjih oružanih pretnji i građanskog rata.

1.65. Predsedništvo SFRJ je bilo najviši organ rukovođenja i komandovanja oružanim snagama. Posle proglašenja jednog od tri stanja (ratnog stanja, stanja neposredne ratne opasnosti i vanrednog stanja), bilo je predviđeno da Predsedništvo SFRJ postaje Vrhovna komanda, čiji rad podržava Štab vrhovne komande koji se sastojao od saveznog sekretara za narodnu odbranu i njegovog sekretarijata načelnika Generalštaba i Generalštaba JNA). Predsednici republika nisu bili članovi vrhovne komande i nisu imali nikakvu pravnu nadležnost nad JNA. Međutim, imali su uticaja na donošenje odluka preko predstavnika republika u predsedništvu SFRJ, koji su bili eksponenti politike republičkih rukovodstava ili dela rukovodstva, ako se radilo o

⁵⁹ Član 103. Zakon o opštenarodnoj odbrani, Beograd, 1982.

⁶⁰ Strategija oružane borbe, SSNO, Beograd, 1983.

višenacionalnim i multikonfesionalnim republikama kao što je bila BiH.

1.66. Nadležni organi u republikama i autonomnim pokrajinama, u skladu sa osnovama planova razvoja i planom upotrebe oružanih snaga, organizuju i pripremaju teritorijalnu odbranu, rukovode njome i obezbeđuju jedinstvo njene organizacije, priprema i dejstva. U Uputstvu za rad komandi i štabova (predlog) iz 1983. godine definisana su tri nivoa rukovođenja i komandovanja oružanim snagama:

- strategijski nivo rukovođenja i komandovanja čini predsedništvo SFRJ sa delom SSNO-a i Generalštabom – Vrhovna komanda;
- operativni nivo rukovođenja i komandovanja sačinjavaju komande armija, odnosno republički i pokrajinski štabovi TO, komande korpusa i druge operativno-strategijske komande kada se formiraju;
- taktički nivo rukovođenja i komandovanja sačinjavaju komande taktičkih jedinica, zaključno sa komandom divizije, i štabovi TO, zaključno sa zonskim štabom TO.

1.67. Član 80. Zakona o opštenarodnoj odbrani iz 1982. godine usresređuje se na ulogu SSNO-a u organizovanju i pripremi JNA za njenu ulogu i zadatke. U prvom pasusu je dato da je SSNO ovlašćen da nadzire „koordinaciju planova i mera JNA sa odgovarajućim planovima i merama TO“. U članu 110. Zakona o opštenarodnoj odbrani navodi se da rukovođenje i komandovanje JNA ostvaruju starešine jedinica i ustanova JNA u skladu sa saveznim zakonom. Osim toga, navodi se da saveznog sekretara za narodnu odbranu zamenjuje načelnik Generalštaba JNA, u slučaju njegove odsutnosti. Rukovođenje i komandovanje oružanim snagama ostvaruje savezni sekretar za narodnu odbranu u skladu sa ovlašćenjima koje na njega, na osnovu Ustava SFRJ prenese predsedništvo SFRJ i u skladu sa savezni zakonom. Rukovođenje i komandovanje u Jugoslovenskoj narodnoj armiji ostvaruju starešine jedinica i ustanova Jugoslovenske narodne armije, u skladu sa saveznim zakonom.

1.68. U članu 113. Zakona o opštenarodnoj odbrani iz 1982. godine, dodano je da starešine jedinica i ustanova JNA i TO, u okviru svojih ovlašćenja odgovaraju predpostavljenim vojnim starešinama za svoj rad, borbenu gotovost, upotrebu jedinica i ustanova i rukovođenje i komandovanje u skladu sa sistemom rukovođenja i komandovanja koje je ustanovilo Predsedništvo SFRJ. Komandanti TO i starešine jedinica i ustanova Jugoslovenske narodne armije i TO odgovaraju predpostavljenim vojnim starešinama za svoj rad, borbenu gotovost, upotrebu jedinica i ustanova i rukovođenje i komandovanje, u skladu sa sistemom rukovođenja i komandovanja u oružanim snagama (član 10. stav 1.3 i član 112.) i u okviru svojih ovlašćenja. O rukovođenju i komandovanju Teritorijalnom odbranom govori se i u članu 95. i 115. Zakona o opštenarodnoj odbrani iz 1982. godine. U članu 115. navodi se da komandanti republičkih i pokrajinskih TO-a su odgovorni predsedništvu SFRJ, a ne republičkim rukovodstvima.

1.69. Organizovanje, pripremanje i rukovođenje teritorijalnom odbranom u republikama i autonomnim pokrajinama bilo je predviđeno da vrše nadležni organi, u skladu sa pravima i dužnostima utvrđenim Ustavom i zakonom. U članu 116. Zakona o opštenarodnoj odbrani utvrđena je koordinacija i sadejstvo JNA i TO-a. „Jedinice i ustanove Jugoslovenske narodne armije i jedinice i ustanove TO, koje učestvuju u izvršavanju zajedničkog borbenog zadatka, potčinjavaju se starešini koji rukovodi izvršavanjem tog zadatka. Na privremeno zaposednutoj teritoriji, kad to borbeno situacija zahteva, komandanti TO rukovode i komanduju i jedinicama i ustanovama Jugoslovenske narodne armije, ako planom ili posebnom naredbom nije drugačije određeno. Štabovi teritorijalne odbane usklađuju planove i borbeno dejstva teritorijalne odbrane na svom području sa planovima i borbenim dejstvima Jugoslovenske narodne armije, kao i sa

planovima i dejstvima TO susedne društveno-političke jedinice.“⁶¹

1.70. U priručniku SSNO-a Strategija oružane borbe iz 1983. godine navedene su dodatne informacije o načinu na koji JNA i TO regulišu rukovođenje i komandovanje za vreme dejstva. U tom priručniku ističe se važnost neprekinute i tesne saradnje između JNA i TO. „Jedinice TO, biće najčešće, predpočinjavane komandama jedinica Jugoslovenske narodne armije u odbrani gradova, u protivdesantnoj borbi većih razmera, u dejstvima na frontu i u drugim situacijama kada je to neophodno. Jedinice Jugoslovenske narodne armije biće predpočinjene štabovima TO, najčešće, na privremeno zaposednutoj teritoriji, na pomoćnim pravcima i u drugim situacijama, kada je teritorijalna odbrane nosilac borbenih dejstava.“⁶²

1.71. Što se organizacije komande tiče, na početku su štabovi TO bili dvojno potčinjeni: prvo, vlade republika i pokrajina imale su kontrolu nad opremom i obukom i, drugo, vrhovna komanda je bila odgovorna za borbenu upotrebu jedinica teritorijalne odbrane. Tokom godina, a naročito posle Titove smrti (4. maja 1980. godine), jugoslovenski opredeljene starešine u JNA sve više su postajale nepoverljive prema teritorijalnoj odbrani, jer su pojedina republička rukovodstva koja su imala u planu da izvrše secesiju u njima videli buduće oružane snage, što se pokazalo istinitim u vreme raspada SFRJ. Plašili su se da republike od svojih jedinica TO-a stvaraju nezavisne vojske, koja će se suprotstaviti JNA. Prema rečima saveznog sekretara za narodnu odbranu Veljka Kadrijevića, Ustav iz 1974. godine je dao republikama i pokrajinama pravo nadzora nad TO i postavio Štab TO u podređeni položaj po dva osnova, odnosno dvostruko ih je potčinio i to komandama oružanih snaga i rukovodstvima republika i pokrajina. Kadrijević je smatrao da je to „izvanredna podloga za paralisanje komandovanja, pa i više od toga“, što se i potvrdilo u procesu raspada i rata u SFRJ.

1.72. Planom o reorganizaciji „Jedinstvo“, usvojenim 1986. godine sprovedena je nova vojno-operativna i vojno-geografska podela SFRJ, a štabovi i jedinice TO u republikama i pokrajinama stavljene su pod komandu strateških komandi oružanih snaga (vojnih oblasti). Planom „Jedinstvo“, „načelnik Generalštaba JNA“ postao je „načelnik Generalštaba oružanih snaga“ koje su uključivale ne samo JNA, već i republičke jedinice TO. Cilj sprovođenja plana „Jedinstvo“ bio je da predupredi „kontinuirano dezintegrisanje odbrambenog sistema i oružanih snaga“. S istom namerom su preduzete mere za povećanje kontrole JNA nad oružjem i municijom snaga TO u svim republikama. Dana 14. maja 1990. godine, general-pukovnik Blagoje Adžić, načelnik Generalštaba oružanih snaga JNA, je komandantima 1., 3. i 5. vojne oblasti, vojnopomorske oblasti, ratnog vazduhoplovstva i protivvazdušne odbrane izdao strogo poverljivu narednu br. 19-01, „Čuvanje naoružanja i municija TO“. Ovom naredbom JNA je preuzela čuvanje naoružanja i municije TO u svojim skladištima.

1.73. Ovo je ključni normativno pravi okvir koji je bio razrađen kroz zakone, strateška i normativna akta, kao i kroz akta komandovanja i rukovođenja u skladu sa zakonom. Nažalost sve manje su bila obavezujuća ta dokumenta za republičke i nacionalne secesionističke političke elite, koje su sve manje videle Jugoslaviju, kao zajedničku državu. Otvoreno nepoštovanje Ustava SFRJ, postepeno se pretvorilo u pripreme paravojski, a potom republičkih vojski ili nacionalnih vojski, kao što se desilo u ratu u Hrvatskoj i BiH. Te vojske su trebale da im u vojnom smislu obezbede samostalnost i ostvarenje političkih ciljeva, koji su bili dostižni samo ratom. U Hrvatskoj i BiH u suštini nisu osnovane republičke nego nacionalne vojske. To je bio uvod u veliko stradanje koje će se desiti u građanskom ratu. sa puno zločina, etničkih čišćenja, ekstremizma, mržnje i osvete. Sve je to dovelo do velikih stradanja civilnog stanovništva i

⁶¹ Zakona o opštenarodnoj odbrani, Beograd, 1982.

⁶² Strategija oružane borbe, SSNO, Beograd, 1983.

vojnika u redovima zaraćenih naroda u BiH, iskazano kroz broj ubijenih, nestalih, raseljenih, prognanih, kao i kroz materijalna razaranja privatne, društvene i državne imovine.

3. Nastanak, razvoj i osnovni elementi krize i rata u BiH

1.76. Ideja ujedinjenja slovenskih država na prostoru Balkana datira više vekova, a realizuje se krajem Prvog svetskog rata. Nestankom SFRJ u građanskom ratu nakon 70 godina postojanja nameće se pitanje koliko je sama ideja ujedinjenja bila realna obzirom da su u zajedničku državu jugoslovenski narodi ušli na različitim stepenima svoje nacionalne, političke, ekonomske, i sve druge razvijenosti sa izraženim međusobnim antagonizmima? Koliko su i na koji način te činjenice delovale kao unutrašnji činilac? Velike svetske sile kao i Jugoslaviji susedne države su nesumnjivo imale aktivno učešće u stvaranju jugoslovenske države nakon oba svetska rata što implicira i adekvatan odgovor na pitanje koliko i kakvu su ulogu imale u njenom nestajanju?

1.77. Druga Jugoslavija je unutrašnje uređenje kao i bitan deo spoljne politike razvijala na ideji socijalizma (boljševizma). Koliki i kakav su uticaj imali krah socijalizma kao svetskog procesa i posebno raspad SSSR-a na događanja u SFRJ? Zadnje dekade prošlog veka Jugoslavija je dočekala u uslovima snažne ekonomske krize bez jasnijeg koncepta njenog prevazilaženja i značajnije pomoći sa strane. Koliko su te okolnosti uticale na raspad države?

1.78. Nastankom krize devedesetih godina u SFRJ ispoljena je namera da se granice republika proglase državnim, a da se istovremeno ukinu ustavno pravo srpskom narodu, kao konstitutivnom u Hrvatskoj i BiH. Takav pristup je bio poguban i jedan od ključnih uzroka građanskog rata u BiH sa verskim i etničkim obeležjima. Uzurpiranjem prava konstitutivnog naroda i majorizacijom, srpskom narodu je nametnut rat. Očito je da je u Jugoslaviji suprotno postupano od prava koja proističu iz ženevskog Protokola i kad je u pitanju izostajanje potrebne unutrašnje intervencije države i primena nedozvoljene spoljne intervencije. Tome je najviše doprinela EZ, koja je najviše pod uticajem Nemačke, već u oktobru 1991. godine izvršila pritisak na vojni vrh u Beogradu da se u sukobu sa pobunjenicima primene pravila koja važe za međunarodne sukobe. Otuda i onako tragičan položaj jedinica JNA koje su pobunjeničke snage u Sloveniji, Hrvatskoj i BiH opkoljavale u kasarnama, iznuravale ljudstvo uskraćujući mu struju, vodu, hranu i vršeći mučka ubistva oficira i kidnapovanje njihovih članova porodica.⁶³

1.79. Sa druge strane secesionističke snage ne samo da se nisu pridržavali pravnih pravila, nego ni minimalnih moralnih načela. Za zapadne „posmatračke“ sve je to bilo totalno irrelevantno. JNA je za njih bila „agresor“. Odgovornost koja se može pripisati JNA nije u agresiji koja joj se pripisuje, nego upravo u neispunjenju ustavne obaveze vezane za zaštitu teritorijalnog integriteta zemlje i svih jugoslovenskih naroda. Poznato je da je JNA slovila kao četvrta vojna sila u Evropi. Nažalost, ta je sila, izgleda, bila nesposobna jer nije uspela da ispunji svoju ustavnu ulogu obaveze i uguši oružanu pobunu u secesionističkim republikama, čime bi se izbegla tragedija svih jugoslovenskih naroda. Po svemu sudeći osnovni razlog za takvu slabost JNA, kao vojske svih naroda Jugoslavije, ležala je u ideološkim zabudama njenih čelnika tako da je ta komunistička ideologija srpskog i vojnog rukovodstva najviše štetila srpskom narodu i išla u prilog stranim i unutrašnjim snagama koje su radile na razbijanju Jugoslavije. Neprijateljstva strana u građanskom ratu u Jugoslaviji i posebno u BiH pojačana su mržnjom koja je proisticala iz verske netolerancije. Te okolnosti su uslovile da je građanski rat u BiH bio izrazito verski

⁶³ Za to vreme jedinice JNA su iz vojnog vrha dobile naređenje: 1) Jedinice JNA će obezbediti potpuno i dosledno poštovanje pravila međunarodnog humanitarnog prava na svakom području u njihovoj nadležnosti. 2) Svim sredstvima sprečiti svaki pokušaj pljačke imovine, napada i maltretiranja civilnog stanovništva i svih lica koja ne učestvuju u oružanim sukobima.

obojen.

1.80. Svetskoj javnosti građanski rat u BiH je predstavljen u paketu zločina koje su počinili Srbi: etničko čišćenje, silovanje, bombardovanje Sarajeva, logori, opsade gradova, „Markale“ i druge medijske „istine“. Nigde se u svetskim medijima u pravom svetlu nisu mogli videti zločini nad vojnicima JNA u Dobrovoljačkoj ulici u Sarajevu, masakr vojnika u Tuzli, progoni iz reona centralne Bosne, zapadne i južne Hercegovine, zatočenja i mučenja u desetinama privatnih zatvora i logora za Srbe u Sarajevu, niti o zločinima muslimanskih snaga u Podrinju i na Ozrenu.

1.81. Zaslepljeno dogmatskom komunističkom ideologijom deo jugoslovenskog rukovodstva, nije shvatio posledice rušenja Berlinskog zida i raspada SSSR-a, kao i domete tektonskih potresa koji su tim povodom nastali u svim istočnoevropskim zemljama. Deo tog rukovodstva pokušao je da sačuva državu i ideologiju i filozofiju socijalističkog društvenog uređenja i poretka. Za takav cilj nisu postojali preduslovi niti realne mogućnosti da se ostvari, pogotovo u situaciji kada nisu imali niti jednog pouzdanog saveznika. U tom ideološkom slepilu gajena je iluzija o bratstvu i jedinstvu jugoslovenskih naroda i njihovoj podjednakoj naklonjenosti ideji zajedništva. Prekasno je shvatila pogubnost Konceptije opštenarodne odbrane u istinski heterogenoj višenacionalnoj i vešekonfesionalnoj zajednici, zbog čega su neblagovremeno, a time i neuspešno, razoružavane republičke paravojske i smanjivana moć njihovih snaga TO.

1.82. Bosna i Hercegovina je u mnogim svojstvima, posebno po nacionalnim odnosima i multikonfesionalnosti bila reprezentativna za odnose, krizu i oružane sukobe na prostoru cele SFRJ. Mišljenje Arbitražne komisije 37 od 8. decembra 1991. godine je bilo presudno u procesu razbijanja SFRJ. U tom mišljenju stoji: „da je SFRJ u procesu rastakanja.“ Uzimajući u obzir tako unapred obezbeđeno mišljenje Arbitražne komisije, Ministarski savet Evropske zajednice, 17. decembra 1991. godine u Briselu, je utvrdio Kriterijume za priznavanje novih država u Istočnoj Evropi i Sovjetskom Savezu. Pri tome je posebno razmatrana situacija u Jugoslaviji i utvrđeno da će se do 15. januara 1992. godine priznati nezavisnost onih jugoslovenskih republika koje ispunjavaju uslove, i to: da žele biti priznate kao nezavisne države; da primaju sve obaveze sadržane u dokumentima o kriterijumima za priznavanje novih država; da prihvataju uslove navedene u Nacrtu haške konferencije, koje razmatra Konferencija o Jugoslaviji; i da i dalje podržavaju nastavak Konferencije o Jugoslaviji.

1.83. Jugoslovenskim republikama je određen rok da do 23. decembra 1991. godine izjave da li prihvataju navedene uslove. Pri tome je zaključeno da će prijave svih republika, koje pozitivno odgovore biti poslate na mišljenje Arbitražnoj komisiji do datuma određenog za priznavanje nezavisnosti.⁶⁴ Prijave je podnelo četiri od šest bivših jugoslovenskih republika (Slovenija, Hrvatska, Bosna i Hercegovina i Makedonija). Tom prilikom na scenu ponovo je stupila Badenterova arbitražna komisija. Za Sloveniju je komisija konstatovala da je ona etnički čista i da može biti nezavisna, a o načinu priznavanja secesije ostalih bivših jugoslovenskih republika, Komisija je izjavila da će se o tome naknadno odlučivati.

1.84. I pored toga što su se članice Evropske zajednice dogovorile da ne priznaju odvojeno nove republike, već da će to učiniti zajedno, Nemačka je nakon izveštaja Komisije, krajem decembra 1991. godine saopštila da će u svakom slučaju priznati nove republike i da će čekati 15. januar 1992. godine samo za imenovanje ambasadora. Na taj način Nemačka je ostale članice Evropske zajednice dovela pred svršen čin. Tako su Slovenija i Hrvatska ostvarile svoje secesionističke ciljeve, a zeleno svetlo je dato da to učine Makedonija i nacionalističke vođe muslimana i Hrvata u Bosni i Hercegovini.

⁶⁴ Računalo se sa 15. januarom 1992. godine.

1.85. Politika Vatikana prema jugoslovenskoj krizi vidljiva je u memoarima Tomas Patrika Melodi, ambasadora SAD pri Svetoj stolici, koji ističe da je Vatikan „sredinom 1991. godine preduzeo akciju bez presedana i stavio se na čelo procesa za priznavanje ... To je bilo po prvi put u savremenoj istoriji da Sveta stolica razvija kampanju za priznavanje novih država... Vatikan je izvršio pritisak na mnoge zemlje da priznaju nezavisnost Hrvatske i Slovenije ...“. „Papa je uputio nadbiskupa Taurana u Jugoslaviju avgusta 1991. godine i na osnovu izveštaja i konstrukcija u tom izveštaju Svete stolice zauzet je stav da je „Srbija neosporni agresor.“ Kardinal Sodano pozvao je 26. novembra ambasadore SAD, Velike Britanije, Francuske, Belgije, Italije, Nemačke i Austrije i upoznao ih sa Memorandumom Svete stolice, pozivajući se da „priznaju Sloveniju i Hrvatsku u roku od mesec dana“. Očito da je postojala usklađenost između Vatikana, Nemačke, Italije i Austrije, navodi ambasador Moldini, jer su ambasadori tih zemalja odmah bezrezervno podržavali kardinala Sodana.⁶⁵

1.86. Vatikan je uvek davao toj borbi protiv šizmatika - pravoslavnih hrišćana ali i svih katoličkih ustrojenih država u srpskom okruženju efikasnim pokatoličavanjem pravoslavnih Srba, praćen je upravo u vremenu ratnih sukoba, uspostavljanjem represivnih snaga. Srbi su uglavnom gubili svoj duhovni identitet direktnim pokatoličavanjem ili postupnim unijaćenjem. Najintenzivnije pokatoličenje bilo je na Jadranskoj obali, Lici, Gorskom Kotaru i Slavoniji. Taj proces bio je spontan sve do Drugog svetskog rata, ali u njemu je bila sprovedena gruba asimilacija, katoličenje i kroatizacija, odnosno prihvatanje hrvatske nacije od strane Srba koji su bili primoravani različitim pritiscima i uslovljavanjima. Samo u tom ratu oko 24.000 Srba je pokatoličeno, a u periodu 1990-1992. godine „dobrovoljno“ je pokatoličeno nekoliko hiljada srpske dece, zbog terora kome su bili izloženi. Pored katoličenja, vršena je hrvatizacija. Korištena je u borbi za hrvatske državne ciljeve, a izgrađivan je na antipravlavnoj i antisrpskoj osnovi. Katolicizam je služio entičkom homogenizovanju i jačanju hrvatske nacionalne svesti, Iako je osnov državne ideje Hrvatske u katolicizmu, muslimani su u vreme ratnih sukoba u Drugom svetskom ratu proglašavani „hrvatskim cvećem“. Srpska pravoslavna crkva nastojala je da se razbije stvaranjem tzv. Hrvatske pravoslavne crkve. Na taj način se srpski narod nastojao kolektivno odvojiti od svoje izvorne vere i narodnog bića, a u funkciji kolektivnog unijaćenja i utapanja u hrvatski nacionalni korpus.

1.87. U složenim istorijskim protivrečnostima, JNA bila je garant slobode i nezavisnosti SFRJ. Ona nije bila, niti je mogla biti agresorska vojska unutar svoje države niti u jednoj republici, jer je pokušavala da ostvari ustavnu ulogu i da deluje u skladu sa zakonom. „Oružane snage SFRJ štite nezavisnost, suverenitet, teritorijalnu celokupnost i ovim Ustavom utvrđeno društveno uređenje SFRJ“... „Teritorija SFRJ je jedinstvena i sačinjavaju je teritorije socijalističkih republika... „Granica SFRJ ne može se menjati bez saglasnosti republika i Autonomnih pokrajina“, pisalo je u Ustavu SFRJ.

1.88. Pripadnici JNA su uspevali da odolevaju nacionalnom ekstremizmu, ali su ipak doživeli podelu, po nacionalnoj i verskoj pripadnosti kada su osetili da njihova savezna država nestaje i da ekstremne političke elite sve više uspevaju u projektima formiranja samostalnih država uz podršku dela međunarodne zajednice, pre svega Nemačke. Pripadnici JNA su i u otepljenim republikama primani u njihove oružane snage. Od pripadnika JNA formirane su vojske: Savezne Republike Jugoslavije, Slovenije, Hrvatske, Republike Srpske Krajine, Makedonije, Muslimansko-hrvatske Federacije (Armija BiH i Hrvatsko veće odbrane) i RS. Tako brojne i velike vojske mogao je da stvori tako masivan sistem zasnovan na koncepciji o naoružanom narodu i Oružane snage SFRJ.

⁶⁵ Avramov Smilja, Položaj Srba u geopolitičkim zamislima velikih sila, Geopolitička stvarnost Srba, okrugli stol, Institut za geopolitičke studije, Beograd, 1977, strana 43.

1.89. Nacionalni, politički i verski ekstremizam i fanatizam uzrokovao je dalji ratni razvoj događaja u BiH, pa su optužbe JNA i Srba za agresiju bile samo izgovor i „lukava strategija“ za pridobijanje međunarodne podrške za ostvarivanje suštinskih ciljeva rata, kako je u svojoj knjizi napisao prvi načelnik GŠ Armije BiH, general Sefer Halilović. On to jasno ističe i u javnim intervjuima i u knjizi da je već od septembra 1991.godine ilegalno radio protiv JNA, kao svoje vojske iz koje je dezertirao i kojoj se zakleo da će verno služiti. Kroz naoružavanje paravojnih muslimanskih jedinica i planiranje njihove upotrebe zagovarao je stalno, a i sada kao politički lider i predsjednik stranke, unitarnu BiH po svaku cenu, pa ako treba i sa novim ratom. Ta retorika bila je i ostala u funkciji raspirivanja etničke i verske mržnje i ekstremizma. Primer militantnog stava SDA prema JNA pokazan je već u novembru 1991. godine u Srebrenici kada je tamošnji predsjednik Skupštine opštine poručio komandantu 5. korpusa JNA u Tuzli Milenku Gavriću da jedinice JNA ne mogu ući na teritoriju te opštine jer, navodno, bošnjačko stanovništvo smatra tu vojsku neprijateljskom, poručujući mu: „Ovde je poželjna samo vojska sa zelenom zvijezdom i polumjesecom na kapi“. Takav odnos bio je uvod u građanski rat. Da je takve lokalne akcije koordinirala centrala SDA iz Sarajeva govori i činjenica da je isti akter, kad je o tome izvestio Izetbegovića i pitao ga „da li smijemo napasti jedinice JNA ako zaista krenu na teritoriju srebreničke općine“, ovaj mu je odgovorio: „Ako imate dovoljno naoružanja i ako mislite da se možete odbraniti, napadnite ih!“⁶⁶

1.90. O nameri stvaranja muslimanske BiH svedoči i programski dokument Adnana Jahića predsjednika SDA u Tuzli, u kojem, između ostalog, piše: „Muslimanska država bit će nacionalna država Bošnjaka, odnosno Muslimana, dok će ostale etničke grupacije imati sva građanska prava koja im kao nacionalnim manjinama pripadaju...“⁶⁷ On tu precizira i da će ta država imati muslimansku ideologiju zasnovanu na islamu, koja će biti ugrađena u sve političke i obrazovne institucije.

1.91. U knjizi Sefera Halilovića „Lukava strategija“, opisana je taktika akcije Patriotske lige gde on navodi: „Naše snage su organizovane u Patriotsku ligu (PL) BiH u formaciji od odreda do brigade ukupne jačine 120.000 ljudi.“⁶⁸ Sa otpočinjanjem borbenih dejstava očekivati je veći priliv dobrovoljaca, pripadnika MUP-a BiH, što bi povećalo jačinu naših snaga na oko 150.000. Osnovni zadatak PL je zaštita muslimanskog naroda. „Unutar Republike određenim snagama, brzim i energičnim dejstvima blokirati i zauzeti vojne objekte (skladišta naoružanja, municije, eksploziva i kasarne), a potom što prije naoružati formirane jedinice, dalje nastaviti planirana dejstva. Sa otpočinjanjem dejstava pozvati narod Sandžaka, Kosova i Metohije da se solidarišu sa našom pravednom borbom i odmah otpočnu borbena dejstva u cilju vezivanja snaga neprijatelja“. Nije teško uočiti da je rukovodstvo SDA cenilo da će rat u BiH biti kratak i da će se brzo preneti u Srbiju i Crnu Goru. Strateška procena je bila loša jer se ceo teret građanskog rata sručio na običan muslimanski, srpski i hrvatski narod u BiH.⁶⁹ Međutim i taj aspekt sukoba se može podvesti pod delovanje spoljnih činilaca, jer bez strane finansijske potpore i političke podrške ne bi bila realizovana islamistička ideja Alije Izetbegovića o unitarnoj BiH pod vlašću

⁶⁶ Borovčanin, isto, str.45.

⁶⁷ Dokument je objavljen u listu „Zmaj od Bosne“, br.51. od 17.9.1993. godine.

⁶⁸ Pored PL još u junu 1991. formirana je i ilegalna organizacija Zelene beretke, u početku kao obezbeđenje Alije Izetbegovića (tj. njegova garda), čiju su okosnicu činili okoreli kriminalci koje je iz više zatvora u BiH oslobodio Izetbegović. (Borovčanin, isto, str.51.)

⁶⁹ Ukupni gubici u MHF u kojoj su ratovali: Srbi i muslimani; Srbi i Hrvati; Hrvati i muslimani i muslimani međusobno (Alijini i Abdićevi), iznose 4,3 odsto populacije Federacije BiH, dok gubici na srpskoj strani iznose oko 1,7 odsto srpskog stanovništva. Podatke je na skupu u Budimpešti 1998. godine izneo ratni potpredsednik vlade BiH Rusmir Mahmutćehajić, a objavljeni su u knjizi Grupe autora: "Rat u Hrvatskoj i BiH 1991-1995." str.264.

muslimanske većine. Upliv stranog faktora dobro je ocenio i vrsni analitičar J. Bodanski koji konstatuje: „Ma da Srbi i Hrvati zajedno čine većinu stanovništva u BiH, razvojem rata su dominirali bosanski muslimani i sile izvan regiona koje su osetno intervenisale u svoju korist.“⁷⁰

1.92. Oružane snage Republike Hrvatske čak su izvršile oružanu agresiju na BiH upadom u Bosansku Posavinu 27. marta 1992. godine. Napad je izvršen na jedinice i garnizone JNA južno od Slavonskog Broda i reke Save. Istog dana jedinice „Zbora narodne garde“ i muslimanske „Zelene beretke“ izvršile su masovni pokolj srpskog stanovništva u selu Sijekovac na Savi (u Bosanskoj Posavini). Takođe, u isto vreme su oružane snage Hrvatske napale srpsku Hercegovinu na više pravaca: od Dubrovnika ka Trebinju, od Slanog i od Stoca ka Popovom polju. Tokom 6. aprila je izvršen masovni napad muslimanskih paravojnih formacija Zelenih beretki i jedinica TO u kasarni „Jajce“ u Sarajevu i radiorelejno čvorište na Zlatištu u Sarajevu. U vremenu od 3-10. aprila Vojska Republike Hrvatske je izvršila agresiju na Kupres i učinila masakr srpskog stanovništva. Vrlo je indikativno istaći činjenicu da Alija Izetbegović ni jednim gestom nije izrazio protest ni Tuđmanu ni pred međunarodnim faktorima, za to što su Hrvatske oružane snage u više navrata i na više mesta izvršile oružanu agresiju na BiH i što je nisu napuštale sve do kraja rata, s tim da su jedno vreme bili u sukobu, a nakon toga saveznici u završnim operacijama etničkog čišćenja Republike Srpske Krajine i delova RS u BiH. Na Sarajevskom ratištu bilo je nasilno mobilisano dosta Srba sa kojima se medijski manipuliralo i koji su izvodili najteže zadatke utvrđivanja ili izrade prolaza kroz minska polja.

1.93. Osnovna karakteristika građanskog rata u BiH jeste da se on vodio unutar jedne administrativne jedinice bivše SFRJ. „Kada izostane zaštita koju je država dužna da pruži pojedincu, grupi i celoj zajednici, tada mehanizam samozaštite kod ljudi ne poznaje granice.“⁷¹ Specifičnost se sastoji u tome što to nije bio samo unutrašnji rat, nego je u njemu bio upleten veliki broj činilaca međunarodnih odnosa, koji je uticao na sve ključne faze rata, njegov tok, ciljeve i karakter operacija na strategijsko-operativnom nivou, kao i na završetak rata. Savremeni globalni centri moći, koristeći tehnološku premoć i u oblasti mas-medija, vršili su kolektivnu traumatizaciju stanovništva i upravljali svetskim mnjenjem u pogledu karaktera rata i slike o zaraćenim stranama. Danas je puno argumenata u prilog ovoj tezi, gde se otvorenije iznose podaci o planskoj satanizaciji Srba u BiH, kao krivaca za svako zlo koje je doneo taj rat.

1.94. Naročito se manipuliralo sa masovnim zločinima poput Markala, o kojima je današnja istini znatno drugačija od one koju je video svet u vreme rata. Takođe je konstantno muslimanska strana isticana kao ugrožena strana u ratu i zbog iskonstruisane slike o Sarajevu, kao okruženom gradu koji sistematski razaraju jedinice VRS, ubijaju civile i primenjuju snajperska dejstva. Kada se izvrši svestrana vojna ekspertiza demografske strukture grada, linije fronta, veličine sukobljenih snaga i njihove opremljenosti dolazi se do drugačijih rezultata koji daju drugačiji ugao posmatranja i u suprotnosti su sa stavovima koji su opšte poznati u javnosti i produkt su političkih i medijskih manipulacija. Suštinski radilo se o podeljenom gradu, gde su linije fronta bliske sa demografskom strukturom naselja zaraćenih strana, gde je zbog fizionomije rata u gradovima dolazilo do povećanog stradanja civilnog stanovništva, nego što je to bio slučaj u ruralnim sredinama.

1.95. U BiH hrvatsko-muslimanska koalicija je u završnim godinama rata posebno, težila da iskoristi stranu političku, vojnu i medijsku pomoć u funkciji ostvarenja svojih ciljeva. Ti ciljevi Hrvata i Muslimana su bili podudarni u prvoj fazi rata u pogledu odnosa prema Srbima. Nakon toga došlo je do sukobljenosti interesa koji su se pretočili u otvorene oružane sukobe oko kontrole

⁷⁰ Josif Bodanski, Ofanziva na Balkanu, Dol-Jugoistok, Podgorica-Beograd, 1998. str.51.

⁷¹ Smilja Avramov, Postherojski rat zapada protiv Jugoslavije, Ldi, Veternik, 1997. str. 205

nad pojedinim teritorijama. Karakter tih sukoba ogledao se u svireposti, etničkom čišćenju i mržnji. U tom sukobu Muslimani, kao samoproklamovana nova nacija Bošnjaka, računala je na snažnu podršku islamskih država. Istovremeno, nastojali su da stvaranje utemelje na „revoluciji“, i novom identitetu nacije koji proističe iz unitarnog koncepta BiH, kako bi za tu novu naciju saznao svet i stao u njenu zaštitu.

1.96. Povlačenje JNA na prostor Srbije i Crne Gore povuklo je za sobom veliki broj izbeglica. Da je usledila adekvatna pomoć srpskom narodu on nikada ne bi napuštao svoja ognjišta. Specifična agresija na BiH jeste izvršena ali u vidu brzog prenosa građanskog rata iz Hrvatske na prostor BiH, gde mu je bilo i najplodnije tlo, a to je bio i jedan od političkih ciljeva radi ostavljanja Republike Srpske Krajine u zaleđu novog rata u BiH. Prenet rat u BiH, Hrvatskoj je omogućio odlaganje vojnog rešenja za Republiku Srpsku Krajinu i sprovođenje svestranih priprema za operaciju etničkog čišćenja i progona Srba sa vekovnih ognjišta. Narodi BiH su tokom duge istorije Balkana najviše i služili za potkusurivanje i vanbalkanskim silama i hegemonističkim pretenzijama suseda.⁷²

1.97. Svestan podrške pojedinih centara moći u svetu Alija Izetbegović se verolomno ponašao prema sporazumima i dogovorima za mirno razrešavanje problema i krize u BiH, kao i prema prekidima vatre tokom rata. Tako je 12. aprila 1992. godine potpisao sporazum između lidera triju nacionalnih stranaka u BiH kojim se reguliše momentalni prekid vatre na celoj teritoriji BiH, kao i svih aktivnosti koje mogu izazvati strah i uznemirenost među stanovništvom, zatim obustavu mobilizacije i raspuštanje neregularnih oružanih formacija. Istog dana Alija Izetbegović je izdao naredbu o blokadi kasarni i napadu na JNA i članove njihovih porodica. (Na osnovu toga, između ostalog, iz Republičkog štaba TO BiH upućeno je telefaksom cirkularno naređenje svim predsednicima opština i opštinskih izvršnih veća u BiH, gde su se na dužnosti nalazili muslimanski predstavnici, sa potpisom pukovnika Hasana Efendića. U dokumentu RŠTO BiH izdatom 27. aprila 1992. godine pod br. 02-145-1, naznačeno je pod tačkom 4 : „Ubrzano planirati i otpočeti borbena dejstva na celokupnoj teritoriji republike BiH i iste koordinirati sa štabom TO regije, okruga i Republike BiH“⁷³). Takav odnos izazvalo je reagovanje Predsedništva RS koje je naredilo mobilizaciju na celom prostoru Republike, kako bi se zaštitio srpski narod u građanskom ratu koji je postao već neizbežan.

1.98. Od strane muslimanskog rukovodstva, a posebno Alije Izetbegovića nije bilo sluha o potrebi međunarodnog dogovora i iznalaženja rešenja mirnim putem nego je rat bio jedini put dolaska do unitarne BiH, jer je kao takvu suštinski ne žele ni Srbi ni Hrvati. Muslimani su računali na jaku podršku Nemačke, SAD i dela islamskih zemalja.⁷⁴ Puna podrška Aliji Izetbegoviću pružena je i pre priznanja BiH na šestom samitu kraljeva, šefova država i vlada Organizacije islamske konferencije Međudržavne organizacije, održanom u Dakaru (Senegal) od 2. do 12. decembra 1991. godine. Naslovljena je kao pomoć „braći po veri“ i teritorijalnom

⁷² Žak Merlino u svojoj knjizi: „Nisu sve jugoslovenske istine za kazivanje“, prenosi intervju sa Džejmsom Harfom, direktorom agencije za odnose sa javnošću, da su jednim udarcem uspeli da ponude jednostavnu priču o dobrim i lošim momcima i da su tako dobili bitku za javnost „tako što smo ciljali na jevrejsko javno mnjenje. Pojavili su se izrazi: etničko čišćenje i koncentracioni logori i emotivni naboj je bio tako snažan da mu se niko nije mogao suprotstaviti“.

Milovan Milutinović, kako sam vodio medijski rat, Narodna knjiga, Beograd, 1998. str. 157.

⁷³ M. Milutinović, isto, str. 22.

⁷⁴ Mesec april 1992. je već ranije proglašen za „mjesec BiH i Arkanzas“. Naime, vlada BiH je prihvatila inicijativu tadašnjeg guvernera države Arkanzas Bila Klintonu „o uspostavljanju bliske saradnje“ u oblasti kulture, obrazovanja, privrede, nauke i drugih oblika saradnje, između države Arkanzas (SAD) i Republike BiH. Odluku o tome potpisao je predsednik vlade BiH Jure Pelivan, 15. februara 1992. godine; odluka je objavljena u Službenom listu BiH br. 4 od 17. februara 1992. (Smilja Avramov, isto str. 250).

integritetu „njihove države“. Na svim dosta zatvorenim sastancima ove organizacije, situacija u Bosni bila je jedna od glavnih tema. Kolektivna akcija koncentrisana je na tri osnovna pitanja: osporavanje državno-pravnog kontinuiteta Jugoslavije; svestrana vojna i ekonomska pomoć „državi“ BiH i preduzimanje kolektivne akcije i zajedničkog nastupa u osudi Srbije i Crne Gore. Na specijalnom sastanku Biroa Organizacije islamske konferencije (OIK) održanom 12-13. jula 1993. godine u Islam-Abadu (Pakistan), usvojen je Akcioni plan za BiH. Na predlog Irana formirane su i prve jedinice mudžahedina za BiH.

1.99. Najveći snabdevači oružjem BiH bile su islamske zemlje: Iran, Pakistan, Saudijska Arabija, Libija, Turska. Toj isporuci oružja prethodile su posete Alije Izetbegovića tokom 1991. i 1992. godine, Turskoj, Saudijskoj Arabiji i Teheranu. Iranski agenti su kupovali oružje za Bosnu američke proizvodnje preko Turske i Švedske.⁷⁵ Oružje je transportovano preko Splita, brodovima registrovanim u raznim zemljama, ili preko aerodroma Pleso u Zagrebu. Tri iranska boinga 747 spustila su se 23. i 24. avgusta 1992. godine u Zagrebu prenoseći oružje za BiH. UNPROFOR je to registrovao kao i istovare na sarajevskom aerodromu, ali je pred tom činjenicom zatvarao oči. Na pitanje o ilegalnom naoružavanju zvanično je odgovarano da „UNPROFOR-u nije omogućen uvid u toware“. Kada je došlo do otvorenih neprijateljstava između Hrvata i muslimana, Iran i druge islamske zemlje upućivale su oružje u BiH preko Albanije i Kosova.⁷⁶ Prvi „sveti ratnici“- mudžahedini, stigli su u BiH iz Avganistana, Libana, Maroka i Pakistana naoružani oružjem američkog porekla. Radilo se o oružju koje je CIA uputila pobunjenicima u Avganistanu, a odatle je dospelo u Bosnu. Pristigla je grupa od 400 članova „Hezbollah“ u Sarajevo, kao vojni instruktori. Iranska ambasada u Zagrebu bila je koordinator tajnih operacija za BiH, koje su obuhvatale kako naoružavanje tako i upućivanje dobrovoljaca i plaćenika za BiH.⁷⁷

1.100. Zapovednik diverzantske grupe „Kobra“ Pavao Blažević, koja je delovala u Bosni, uputio je 2. maja 1992. godine dopis Ministarstvu odbrane Hrvatske sa zahtevom da se naoružavaju upravo prispeli najamnici iz inostranstva i da se njihov status po mogućnosti legalizuje. UNPROFOR je 5. februara 1993. godine potvrdio prisustvo britanskih plaćenika i smrt dvojice koji su identifikovani. Dva britanska oficira, navodno dezertera iz britanske armije, bili su instruktori muslimanske vojske, ali su imali i kontakte sa britanskim jedinicama u sastavu UNPROFOR-a, lociranim u Vitezu. Jedne noći nađeni su mrtvi sa metkom ispaljenim u potiljak.⁷⁸ U Bosnu su upućeni i „penzionisani“ američki oficiri na čelu sa generalom Frenkom (Frederick M. Franks), kao instruktori hrvatsko-muslimanske vojske. General Frenk bio je komandant 7. korpusa koji je zadao odlučujući udarac Iraku u „Pustinskoj oluji“. Pod njegovom neposrednom komandom ratovao je u Iraku i britanski general Rupert Smit koji je bio postavljen na dužnost komandanta trupa UN u Bosni.

1.101. Umešanost pojedinih država Zapada u građanski rat u Jugoslaviji bila je vidljiva od samog početka. Jedan kineski diplomata u UN ukazao je da se problem Iraka i Jugoslavije ne

⁷⁵ Askold Kruschelnycky: The Arms Trail, „The Europien“, 28-31, jan.1993,p.6.

⁷⁶ Daniel, N. Nelson: Des Armes a profusion: La dissemination des materiels dans des region instables. Revue, etudes comparatives, Est – Ouest, 2 jun, p. 153.

⁷⁷ Tribune e Geneve, 12. januar 1995, p. 4.

Prema Protokolu iz Ženeve plaćenici ne uživaju zaštitu međunarodnog prava, a Konvencija o zabrani regrutovanja, finansiranja i obučavanja plaćenika, usvojena 1989. u čl. 2 predviđa da svako lice koje regrutuje, koristi, finansira ili trenira plaćenik, čini međunarodni delikt. Komisija za međunarodno pravo UN uvrstila je angažovanje plaćenika kao krivično delo u nacrt Kodeksa zločina protiv mira i bezbednosti. (Smilja Avramov, isto, str. 226.)

⁷⁸ Jan Trayner nad maggie O,kane: british mercenaries killed in Bosnia. Gvardian Weekly, February 14, 1993.

može porediti. U prvom slučaju radilo se o napadu na jednu suverenu državu - Kuvajt, a u drugom, reč je o građanskom ratu, o protivpravnoj secesiji iz koje je proizašao rat. Stefan Stidmen je dobro primetio da u početku rata „nije bilo Slovenije, nego je postojala država Jugoslavija“, pa se otuda mora poći.⁷⁹ U Ankari u konzulatu BiH oformljen je regrutni centar za unajmljivanje plaćenika. Isti takvi centri bili su otvoreni i u Londonu, Rimu i Trstu. Prema pisanju londonskog dnevnika „Sandy Times“, od 30. avgusta 1992. godine vođa mudžahedina u BiH Abu Abel-Azis, čiji je stan bio u Zenici, izjavio je da u BiH imaju dva zadatka: Prvi je „džihad“ ili sveti rat, a drugi je podučavanje pravom islamu. Očito je da se rat u BiH ne uklapa u postojeće ratno pravo, kako je to postavljeno u Hagu 1899. i 1907. godine i u Ženevi 1949. i 1977. godine. Na osnovu člana 5 stava 1 Konvencije o plaćenicima, države ugovornice obavezale su se da će zabraniti svaku aktivnost vezanu za korišćenje plaćenika, s obzirom na teške posledice njihovog angažovanja, na užasne okrutnosti koje su počinili na tlu Latinske Amerike i Afrike poslednjih godina gde su obilato korišćeni.

4. Strateški ciljevi zaraćenih strana

1.102. Predstavnici Savezne države nastojali su da postignu stabilizaciju političko-bezbednosne situacije te da u tom smislu naprave prostor dijalogu kroz koji bi se razrešili problemi u BiH. U tom cilju krajem 1991. godine održan je sastanak na kojem su SFRJ predstavljali pripadnici JNA odnosno general Kadijević sa saradnicima, a nacionalne opcije predvodili su politički lideri iz BiH: Izetbegović i Ganić, Plavšić, Karadžić i Krajišnik i Ključić i Pelivan. Na sastanku su dogovoreni oblici kontinuirane saradnje i operativnog praćenja njihove realizacije.⁸⁰ Operacionalizacija saradnje sastojala se prvenstveno u prevenciji novih sukoba i rasformiranju paravojnih snaga, a zatim i pokretanje odgovornosti protiv počinitelja krivičnih dela i povratak izbeglih i proteranih lica.

1.103. Za predstavnike Muslimana stavovi usaglašeni sa saveznim organima i predstavnicima drugih naroda iz BiH bili su samo deklarativni, jer su istovremeno radili na realizaciji svojih nacionalnih ciljeva koji su već uveliko koncipirani i projektovani shodno razvoju događaja. Glavni ili opšti cilj koji je muslimansko rukovodstvo utvrdilo bio je stvaranje unitarne države, a minimalni cilj, u slučaju podele BiH maksimalno proširenje teritorije, koja bi obavezno uključivala u sebe Sarajevo sa okolinom i sve prostore na kojima su Muslimani većinsko stanovništvo.

1.104. Prilikom formiranja Patriotske lige naroda, kao vojnog krila SDA na kongresu održanom 29.11.-01.12.1991. godine koncipirani su i ciljevi organizovanja iz kojih se utvrđuju i neposredni strateški ciljevi, a odnosili su se na izgradnju institucija i kapaciteta nove države kroz jačanje njenog međunarodnog položaja, stvaranje međunarodno priznate muslimanske države na teritoriji BiH, formiranje oružanih snaga nove države i obezbeđenje suvereniteta i teritorijalne celovitosti.

1.105. Osnovni politički strateški cilj Srba u BiH u početku je bio ostanak u Jugoslaviji. Nakon proglašenja nezavisnosti BiH ciljevi Srba su nešto redefinisani u skladu sa novim međunarodnim okolnostima i stanjem međunarodnih odnosa u BiH, a ti ciljevi i strateški prioriteti su definisani na sledeći način: (1) Razdvajanje od druge dve nacionalne zajednice i to državno razdvajanje; (2) Teritorijalni koridor između Srpske Krajine i Srpske Semberije; (3) Uspostavljanje koridora u dolini reke Drine, odnosno eliminisanje Drine kao granice između dva

⁷⁹ Stephan John Stedman: The New Interventionists. Foreign Affairs, v. 72, No 1&1993, p. 13.

⁸⁰ Saopštenje Predsedništva BiH od 24.12.1991. god. Dnevnik, RTS 1.

sveta; (4) Uspostavljanje granice na reci Uni i reci Neretvi; (4) Podela grada Sarajeva na srpski i muslimanski deo i uspostavljanje na svakom od ova dva dela Sarajeva efektivne državne vlasti te dve novoformirane države; (6) Izlaz Srpske Republike na more.⁸¹

1.106. Hrvati su imali opšti istorijski cilj, koji datira još od ustaške države iz Drugog svetskog rata a to je potpuna okupacija BiH i izlazak na Drinu. Uvažavajući realnost postojanja Republike Srpske Krajine i nerešenost tog pitanja cilj je redefinisao u skladu sa mogućnostima u datom vremenu, a to je da uz pomoć Hrvatske vojske i svojih oružanih formacija HVO i HOS zaštiti hrvatsko stanovništvo i stavi pod vojnu kontrolu što više teritorije na kojoj žive Hrvati i da zauzmu teritorije na kojima su Hrvati manjina ali su im strateški važne, kao što je zaleđe Dubrovnika, dolina reke Neretve, Mostar i što veći deo Posavine. Suština stateških ciljeva Hrvata u BiH može se posmatrati kao deo opštih interesa Hrvata, kao naroda i R. Hrvatske, a to je nastojanje da se odvoji što veći deo teritorije BiH, prvenstveno onaj koji je nastanjen Hrvatima, koji bi se pripojio Hrvatskoj, u povoljnim međunarodnim okolnostima. Alternativu tome predstavljalo je formiranje određene teritorije koja bi sa Hrvatskom imala konfederalan odnos dok je najnepovoljnije predstavljalo formiranje teritorije u sastavu BiH u kome bi Hrvati imali određenu vrstu autonomije uz makar i dugoročnije vezivanje za Hrvatsku državu. Koaliciju sa Muslimanima, nakon sukoba u dolini Neretve i prostoru centralne Bosne, Hrvati su posmatrali kao pragmatično rešenje kojim se Srbima iz BiH sprečava realizacija njihovih nacionalnih interesa.

5. Ključni događaji u ratu u BiH i odnos međunarodnih činilaca prema stranama u sukobu

1.107. Unutrašnji činioci raspada SFRJ proizašli su iz konstantnih antagonizama koji su svoju deskriptivnu snagu crpeli iz samih istorijskih, ideološko-političkih, geostrategijskih, međunacionalnih i međukonfesionalnih protivrečnosti, na kojima se stvarala, egzistirala i funkcionisala kriza i raspad SFRJ, kao zajedničke država svih naroda i narodnosti, koji su u njoj živeli.

1.108. Unutrašnje političke teritorijalne tenzije nastale su iz razloga veštački stvorenih komunističkih republičkih i etničkih granica, koje su skrojene na štetu srpskog naroda i koje su obesmislile ogromne žrtve i stradanje Srba u Prvom svetskom ratu. Srpski narod je te ogromne žrtve i istorijsku državnost i status državotvornog naroda uložio u Kraljevinu Srba Hrvata i Slovenaca, a potom u Kraljevinu Jugoslaviju. Zato je srpski narod u Hrvatskoj i BiH smatrao da ima pravo da ostane da živi u svojoj državi i da ga komunističke republičke granice ne mogu odvojiti od svog naroda mimo demokratski iskazane volje u više navrata. Veštački stvorene komunističke granice republika najviše su branili nacionalni ekstremisti kroz delovanje secesionističkih snaga.

1.109. Već izvesni raspad Jugoslavije, u kojoj su Srbi u Hrvatskoj i BiH osećali svoju sigurnost, probudio je kod njih latentni strah da se i po treći put ne ponovi genocid nad narodom u kojem su još živi sužnji „zaklanog naroda“ u toku Drugog svetskog rata na stratištima Jasenovca, Gradiške i mnogih jama i stratišta, na prostoru NDH, kao fašističke tvorevine i gubilišta Srba. Taj strah ih je opominjao i ukazivao na potrebu samoorganizovanja za odbranu. Započinjanje građanskog

⁸¹ Sednica Skupštine u Banja Luci i obrazloženje strategije i ratnih ciljeva Republike Srpske u ekspozeu Radovana Karadžića, 12.05.1992.godine, dokument Tužilaštva 00847722-00847723. Što se tiče izlaska RS na more radilo se o nameri zamene teritorija prvenstveno sa R. Hrvatskom, jer je vojska R. Hrvatske celo vreme građanskog rata u BiH izvodila operacije na širem području Hercegovine i Bosanske Krajine prema jedinicama VRS i okupirala značajna područja koja su većinski bila naseljena Srbima (deo doline Neretve, Drvar, Bosanski Perovac i Bosansko Grahovo).

rata na prostoru jedne multietničke i multikonfesionalne države nije ni moglo da rezultira progresom, niti rešenjem problema, nego kriminalom i zločinima. Poznato je, naime, još od Cicerona (pre 2000 godina) da je „u građanskom ratu sve grozno, a najgroznija je pobjeda“.

1.110. Lord Owen je svojevremeno ocenio priznanje akta secesije rečima: „Zapad snosi deo krivice zbog glupog priznanja rivalskih država začetih u raskolu“.⁸² Kritički odnos prema tom činu iznosili su i francuski predsednik Mitteran, Generalni sekretar EZ Delors, sekretar UNPROFOR-a Serđik Tornberi, kao i generali Morion, Mekenzi i dr. Britanski ministar inostranih poslova izjavio je 30. juna 1991. godine da bi „svaka podjela uzrokovala strašne sukobe“.⁸³ Mitteran je takođe, 16. aprila 1991. godine izjavio da bi raspad Jugoslavije značio pucanje Evrope po šavovima, što Evropa neće dozvoliti. Savet ministara KEBS-a na sastanku u Berlinu 19. juna 1991. godine, podržao je jedinstvenu Jugoslaviju, da bi već 16. decembra iste godine Savet ministara EZ usvojio Deklaraciju u kojoj izražava spremnost da prizna nezavisnost svih jugoslovenskih republika koje to budu tražile 23. decembra 1991. godine.

1.111. Odluke i stavovi pojedinih tela međunarodnih organizacija samo su usložavale krizu u BiH i dovele je na ivicu rata. Tako je Badinterova komisija, neočekivano, dala svoje tumačenje da je referendum Muslimana i Hrvata u BiH, i pored apstinencije srpskog stanovništva Republike, ispravan „sa pravne i legalne tačke gledišta“. Dakle, nije poštovana ustavna odredba da se položaj BiH može menjati samo dvotrećinskom većinom glasova na opštenarodnom referendumu. Zato nisu ni objavljeni rezultati referenduma, nego je data neobavezujuća izjava Alije Izetbegovića da je „skoro 63% birača glasalo za nezavisnu i suverenu Bosnu i Hercegovinu“. Međutim, dvotrećinska većina je iznosila 66,6% glasova, tako da o legalnosti i legitimnosti referenduma nema ni govora.

1.112. Spoljno dirigovanje ratom u BiH postupno se svelo na povremeno suzbijanje, jače strane u sukobu da svoje političke ciljeve ostvari vojnim sredstvima. Time se na startu odstupalo od nepristrasnog tretmana strana u građanskom ratu. Verovatno je zato Vašington insistirao na koaliciji između Hrvata i Muslimana u BiH uz svesrdnu podršku Republike Hrvatske. Tim povodom su i okončani sukobi Hrvatske vojske i Hrvatskog veća odbrane protiv muslimanskih oružanih formacija, jedinica Armija BiH. Nakon osnivanja državnog entiteta i proglašena Federacija BiH 18. marta 1994. godine, stvoreni su uslovi za izgradnju savezništva u oružanoj borbi protiv Srba i RS. Federacija BiH je dobila i pravo uspostavljanja konfederalnih odnosa sa Hrvatskom, „a članom 5, tog Sporazuma predviđeno je usaglašavanje mera u oblasti odbrambene politike i zajedničko komandovanje oružanim snagama. To je u punoj meri došlo do izražaja u završnim operacijama rata u BiH“.⁸⁴ Hrvati su i u Drugom svetskom ratu zloupotrebljavali Muslimane u okviru NDH, tako da se ovo „savezništvo na silu“ desilo iz nužde u novim istorijskim okolnostima.

1.113. Savet bezbednosti UN je rezolucijom 757 (od 30. maja 1992. godine), ukazao da se u BiH vodi građanski rat, verski i etnički obojen i „da sve strane snose izvesnu odgovornost za situaciju“. Ministar spoljnih poslova Velike Britanije Douglas Herd podnio je u Donjem domu Parlamenta izveštaj o rezultatima Londonske konferencije (od oktobra 1992. godine), u kome, pored ostalog, konstatuje za rat u BiH: „Ni jedna strana u sukobu nema čiste ruke. Za razliku od rata u Zalivu u Bosni se ne radi o invaziji jedne države na drugu. U Bosni je rat između tri etničke grupe. Postoje slične tragedije u drugim delovima sveta ali tamo nema televizijskih

⁸² „Politika“, 12.07.1994., str. 6.

⁸³ Ljubomir Borovčanin, Bosanske ratne simulacije, Knjiga-komerc, Beograd, 2001. str. 170.

⁸⁴ Borovčanin, isto, str. 27

kamera“.⁸⁵

1.114. SAD su još 1989. godine predviđale „katastrofu ukoliko bi nezavisnost bila data pojedinim republikama. „Verovali smo da će fragmentacija doneti užasno nasilje i žrtve.“ Kasnije su SAD nastojale da umanje ulogu Nemačke na Balkanu i da one preuzmu kontrolu nad celom situacijom. Već 1994. godine je, preko ministra odbrane Hrvatske Gojka Šuška, uspostavljena vojna saradnja SAD i Hrvatske, a 1995. godine avijacija NATO pomaže Hrvatskoj u okupaciji RSK.

1.115. Velike sile su i u prošlosti nametale politička rešenja na Balkanu, ali uvek tek posle žestokih ratnih sukoba njegovih naroda i nikad ih nisu predupređivali. Logično je postavljati pitanje: Zašto? To je pitanje na koje one same treba da daju odgovor. Jer, ako su mogle naći verzije uspostavljanja mira posle katastrofalnih pogibija, rušenja, egzodusa, pa i genocida, kako to da nisu imale moći da spreče te tragedije?⁸⁶

1.116. Kraj XX i početak XXI veka obeležili su porast lokalnog i globalnog verskog terorizma koji je u prvom redu vezan za islamski fundamentalizam. Tako je i građanski rat u BiH bio izrazito verski. U njemu je islamski fundamentalizam doživeo punu podršku bogatih islamskih zemalja. Na drugoj strani to je izazvalo hrišćanski revanšizam što je doprinelo surovosti tog rata i uvećanju broja civilnih žrtava u njemu. To je u značajnoj meri bio nastavak rata sukobljenih civilizacija i religija, koji se desio u novim okolnostima i sa različitim uticajem međunarodne strane na sukobljene strane i ako se radilo o građanskom ratu. Otuda su, pomažući, naizgled, slabiju muslimansku stranu u sukobu, u stvari pothranjivali i ohrabrivali islamske fundamentaliste koji su samo želeli unitarnu BiH, uređenu na osnovnim postavkama političkog islama, mimo volje Srba i Hrvata kao konstitutivnih naroda.

1.117. Pored domaćih kriminalizovanih i islamskih fundamentalističkih grupa, svesrdno su muslimanskoj borbi pomagali dobrovoljci mudžahedini „ratnici džihada“. Novac za oružje muslimana u BiH dospevao je iz pojedinih najbogatijih islamskih država. Mnogi „alahovi ratnici“ bili su članovi militantnih terorističkih grupa kao što su „Hezbollah“, „Hamas“, „Al Kaida“ i druge. Odred „El mudžahid“ bio je okosnica Sedme muslimanske brigade, najelitnije jedinice Armije BiH.

1.118. Pritisak na Republiku Srpsku stalno je pojačavan i kroz neposredne aktivnosti NATO. Čekao se samo jak razlog, odnosno povod za to. On je pronađen 5. februara 1994. godine sa isceniranim eksplozijom na pijaci Markale u Sarajevu. U tom monstruoznom scenariju stradalo je puno ljudi, što je veštačenjem utvrđeno da je nemoguće da se desi dejstvom artiljerijskog ili minobacačkog projektila sa položaja koje su držale jedinice VRS. Jasuši Akaši je mnogo kasnije obelodanio da je o Markalama SB UN podnet lažan izveštaj, na osnovu koga je NATO dejstvovao na položaje VRS, bombardujući ih 10. i 11. aprila 1994. godine kod Goražda, što je bila prva borbena akcija NATO od njegovog osnivanja.

1.119. U vršenje pritiska na Republiku Srpsku uvučena je i SRJ, uz obećanje da će joj biti ublažene ekonomske sankcije koje su najviše pogađale narod u Republici Srpskoj. Tako je uvedena potpuna blokada RS i na Drini 4. avgusta 1994. godine. To je bila zaista monstruozna ucena pretnjom ratom izmučenog srpskog naroda s obe strane Drine. Na taj način vršene su pripreme i stvarane su ekonomske pretpostavke za „vojni poraz“ RS, koji bi prisilio rukovodstvo

⁸⁵ Mark Almond: Europe's Backyard War. The War in Balkan, London, 1994, p.258, 260.

⁸⁶ Poznat je slučaj osnivanja Međunarodne komisije (1913. godine), koju su sačinjavali predstavnici SAD, V. Britanije, Francuske, Nemačke, Rusije i Austrougarske pod finansijskim pokroviteljstvom Karnegi fondacije, sa zadatkom da se ispituju uzroci Balkanskih ratova. Komisija je zaključila da za sva stradanja u tim ratovima nisu krivi narodi koji su u njima učestvovali, nego su za to odgovorne velike sile koje su mogle da spreče izbijanje tih ratova.

da prihvati rešenja koja su bila predviđena sporazumom. Već u oktobru je počela žestoka ofanziva muslimansko-hrvatskih formacija na teritoriju RS, uz otvorenu podršku NATO avijacije, prvo u regionu „Bihaćkog džepa“, a potom u novembru ta dejstva su proširena na ceo prostor zapadne Bosne koja je, kao što se kasnije videlo, bila određena da se oduzme od RS i da bude deo preko koga će se smanjiti procenat teritorije koji pripada Republici Srpskoj.⁸⁷ U maju 1995. godine NATO je proširio vazdušne udare na položaje VRS na celom prostoru RS. Istovremeno je planirana i operacija „Bljesak“ i „Oluja“ u Hrvatskoj za progon Srba iz Krajine, što je i učinjeno u maju i avgustu 1995. godine, uz obaveštajnu podršku i sadejstvo sa snagama NATO.

1.120. Povodom podrške NATO, hrvatsko-muslimanskoj ofanzivi u zapadnoj Bosni Ričard Holbruk je, pored ostalog, izjavio: „Ovo je najveći test za američku vodeću ulogu od kraja hladnog rata, rekao sam, ne samo u Bosni, nego i u Evropi“, i dodao: „A kada smo se uverili da Krajini, Beograd neće podržati bosanske Srbe“⁸⁸. Ta procena je bila realna jer je vlast u Beogradu bila spremna da se postepeno odrekne svega, po cenu opstanka na političkoj sceni. Srpski narod koji je živio zapadno od Drine bio je prepušten sam sebi. Na rezultatima ofanzive na Srebrenicu i na osnovu počinjenih zločina u međunarodnoj javnosti su izgrađeni preduslovi za zločin koji se pripremao nad Srbima u Republici Srpskoj Krajini. Danas se sa ove distance može osnovano tvrditi da taj sled događaja nije slučajna, nego dobro promišljen jer je trebao da se desi zločin Srba nad Muslimanima, koji će opravdati genocid NDH u Drugom svetskom ratu i novi progon Srba iz Republike Srpske Krajine.

1.121. Strateška greška državnog i vojnog rukovodstva RS jeste u tome što nije uspelo da proceni ovu nameru i da predoseti da će rezultati vojne operacije za zauzimanje Srebrenice i Žepe biti iskompromitovani i pretvoreni u masovni zločin, koji su počinili razni plaćenici i neformalne naoružane grupe iz Podrinja sa motivima osвете za zlodela muslimanskih jedinica iz zaštićenih zona. Zato se na bazi istorijskih činjenica i stradanja Srba i Muslimana u ratu u BiH može reći da je to zajedničko stradanje Srba pravoslavne i islamske veroispovesti, odnosno da je Srebrenica simbol srpskog stradanja u novijoj istoriji. Ona je verovatno još dublje podelila Srbe i Muslimane, do tog nivoa da su Muslimani nakon perioda komunizma pronašli novi nacionalni identitet pod imenom Bošnjaci. Kao i u Drugom svetskom ratu, tako i u ovom poslednjem ratu u BiH, Muslimani i Srbi su bili i ostali stradalnici u svakom pogledu.

1.122. Francuski publicista Žak Merlino objavio je knjigu: „Sve istine o Jugoslaviji nije dobro reći“, u kojoj, pored ostalog, tvrdi da su „u BiH čak formirane posebne grupe obučene da izvrše seriju provokacija sa ciljem da izazovu reakciju zapadnih sila protiv srpske strane“.⁸⁹ Događaji koji su sledili upravo su postizali željene reakcije: Eksplozija u ulici Vase Miskina, 4. februara 1994. godine, ubila je 10 i ranila 18 civila. Na sarajevskoj pijaci Markale 5. februara 1994. godine eksplozija je prouzrokovala smrt 68 i ranila 144 ljudi. Drugi put eksplozija se desila 28. avgusta 1995. godine, što je bio, bez dokaza, dovoljan povod za vazdušne udare po jedinicama VRS. U propagandi muslimanskih vlasti i medija, koja je bezrezervno prihvaćena od uglednih i uticajnih medija, Srbi kao narod, RS i VRS su satanizovani i unapred optuživani za monstruozne zločine protiv civila, koji se ponavljaju. Balističkim veštačenjem i ekspertizom efekata dejstva minobacačke mine, utvrđeno je da ta mina nije ispaljena sa srpskih položaja.

1.123. Prema sudskim presudama Haškog tribunala za oba slučaja je odgovorna VRS, dok

⁸⁷ U novembra 1994. Vojska RS je kontrolisala oko 71 odsto teritorije BiH, a još 13. maja 1994. Kontakt grupa je odlučila u Ženevi da muslimansko-hrvatski entitet zauzima 51 odsto, a srpski - 49 odsto teritorije BiH

⁸⁸ Ričard Holbruk, Put u Dejton, str. 96. i 97.

⁸⁹ Dragan Đamić, Bosansko bojište sumraka, IKP Nikola Pašić, Beograd, 1998. str.94.

prema izveštaju nezavisne komisije iz 1995. godine, ne postoje jasni dokazi za to ko je odgovoran kod prvog napada na pijacu Markale, što je potvrdio lično i Jasuši Akaši, izaslanik generalnog sekretara UN za Balkan. Zbog toga mnogi smatraju da su bošnjačke snage iscenirale, odnosno same izvršile oba napada na sopstvene civile kako bi izazvale NATO bombardovanje RS i pridobile sažaljenje i poziciju žrtve u građanskom ratu. Nekadašnji specijalni izaslanik UN Jasuši Akaši izjavio je 2011. godine da je još uvek nejasno ko je počinio napad na pijaci Markale 1994. godine. Jasuši Akaši je u vezi sa događajima na Markalama 1995. godine osnovao Odbor Ujedinjenih naroda od pet stručnjaka iz pet različitih zemalja, koji je na osnovu podataka utvrdio da je granata mogla biti ispaljena sa lokacije pod kontrolom Armije RBiH ili VRS. Tako da je prema istraživanjima UN slučaj ostao nerazjašnjen.

1.124. Profesor Ola Tunander, jedan od učesnika ovogodišnjih Nordijskih razgovora o miru, norveški profesor, sa bliskim vezama u NATO paktu, ispričao je u vezi Markala i bombardovanja, za koje su okrivljeni Srbi, da mu je više izvora – predstavnik kriznog štaba NATO-a, predsedavajući u vojnom komitetu NATO-a Vigleik Eide, te kasniji norveški ministri odbrane i spoljnih poslova – saopstilo da je zaključak istrage NATO pakta bio da je za bombardovanje bila odgovorna „bosanska strana“, kako je nazvao snage pod kontrolom Alije Izetbegovića. Svi su rekli da je NATO-ov zaključak bio da se radilo o bosanskom napadu na vlastito stanovništvo. Ali ovo nikad nije saopšteno javno. A izgleda da je uobičajeno da se, na primjer, uoči odluka u Ujedinjenim Nacijama, izvode takozvane „*false flag operacije*“, dakle prevare napadom na vlastito stanovništvo, da bi se na taj način legitimirala vojna intervencija“, rekao je norveški stručnjak. Za granatiranje sarajevske pijace Markale Haški tribunal osudio je srpskog generala Stanislava Galića, dok se taj ratni zločin nalazi i na optužnicama u tekućim procesima protiv bivšeg predsednika RS Radovana Karadžića i komandanta VRS generala Ratka Mladića.⁹⁰

1.125. Kao artiljerijski oficir znam da je nemoguće da jedna minobacačka mina tog kalibra ne može da nanese tolike gubitke u ljudstvu, bez obzira koliko se ljudi nalazi na istom mestu kao što je to pijaca. Nažalost, u građanskom ratu islamski fanatici spremni su da urade svakakve zločine i prema svom narodu da bi ostvarili političke ciljeve rata. Takav pristup oružanim sukobima i ratu viđamo duže vreme u celom svetu, prvenstveno tamo gde su dominantni islamski ekstremisti od Libije, Egipta, Iraka pa do Avganistana. Radi budućnosti civilizacije veoma je bitno da se istina o ključnim događajima utvrdi, da se sa njom upozna međunarodna javnost, a ne da podmetanja i neistine postaju izgovor za nečovečno postupanje i da donose političke benefite zločincima, bez obzira kojim vojskama i narodima da pripadaju.

1.126. Ubrzo je usledila reakcija međunarodne zajednice protiv RS i bez utvrđenih saznanja i istine o počinocima zlodela na pijaci Markale. Međutim, mnoge kasnije analize, uključujući i izraelske stručnjake, takođe izražavaju argumentovanu sumnju da je eksplozija došla od „bočne naprave“ kakvu su obično primenjivali teroristi „Hezbollah“ i avganistanski mudžahedini. Ipak takav monstruozi zločin odigrao je svoju ulogu jer su u funkciji kažnjavanja srpske strane u građanskom ratu u BiH preduzete mere medijskog satanizovanja celog naroda i bombardovanja,

⁹⁰ U Stokholmu je od 9. do 11. avgusta 2013. godine, u gradu Dizeldorfu održana konferencija pod nazivom „Nordijski razgovori o miru“. Na skupu je učestvovalo više organizacija i mirovnih aktivista iz Švedske, Norveške i Danske, među njima i organizacija Justicija Paks Veritas sa sjedištem u Stokholmu, koja se bavi pitanjima vezanim za konflikte u bivšoj Jugoslaviji. Jedan od govornika na skupu nordijskih mirovnih aktivista bio je i profesor Ola Tunander sa Instituta za mirovne studije u Oslu (Peace Research Institute Oslo). Tokom predavanja „Poslije Libije – Sirija i stalne članice Savjeta bezbjednosti UN“ Tunander je upoređivao propagandu iz Libije i Sirije sa onom iz rata u bivšoj jugoslovenskoj republici Bosni i Hercegovini.

Justicija Paks Veritas, Publicerat den: 18 augusti, 2013 - 10:04

odnosno pružanja borbene i logističke podrške oružanim snagama muslimansko-hrvatske koalicije u završnim operacijama.

1.127. Očigledno je da je interes Hrvatske na prostoru BiH podržan i od strane pojedinih uticajnih članica međunarodne zajednice. To se vidi i iz aktivnosti nekih predstavnika tih država. Ričard Holbruk se, na sastanku sa Tuđmanom i Izetbegovićem u Zagrebu (19. septembra 1995. godine), obratio hrvatskom ministru odbrane Gojku Šušku rečima: „Gojko, želim da budem apsolutno jasan. Ništa što smo danas rekli ne sme se protumačiti da želimo da zaustavimo ostalu ofanzivu, već isključivo na Banjaluku. Brzina je važna. To ne možemo da kažemo javno, ali molimo vas da zauzmete Sanski Most, Prijedor, Bosanski Novi. I uradite to brzo, pre nego što se Srbi pregrupišu“.⁹¹ To jeste dokaz potsticanja agresije jedne na drugu suverenu državu, jer su već R Hrvatska i R BiH bile međunarodno priznate? Tuđman je čak živio u iluziji da će zadržati teritorije BiH koje osvoji u ofanzivi podržanoj od zvaničnika SAD. Međutim, Vašington je imao jasan plan - da iskoristi ratobornost Hrvatske vojske i pomoću nje obezbedi Izetbegoviću deo teritorije, koji će za njega biti prihvatljiv. Imao je u vidu već određenu proporciju 51:49, pa je trebalo i vojnički primaknuti se tom odnosu na terenu. U tome je hrvatsko-muslimanskoj koaliciji izdašno pomagao NATO, obaveštajnu i logističku podršku i kroz postepeno slabljenje vojne moći VRS.

1.128. Američka administracija je grozničavo nastojala da udruži koalicione partnere Federacije BiH i u operacijama na Republiku Srpsku, a nakon agresije na Republiku Srpsku Krajinu i njenog potpunog sloma i egzodusa naroda od oko 250.000 ljudi. To potvrđuje govor i reagovanje Ričarda Holbruka. On je na sastanku Tuđmana i Izetbegovića 17. septembra 1995. godine istakao da je „ofanziva od velike pomoći za pregovore“, a u toku ofanzive koalicioni snaga na prostor RS u zapadnoj Bosni, Holbruk je zaključio: „Dok je bombardovanje trajalo (mislio je na bombardovanje NATO snaga), hrvatske i muslimanske vojne snage zabeležile su najbolju nedelju od početka rata, iako među njima nije postojala vojna koordinacija. Bilo nam je potrebno da se ofanziva Federacije nastavi. Ako NATO ostane bez meta pre nego što nastavimo pregovore, nećemo imati šansu da dobijemo bilo šta zauzvrat. Nemojte da prekidamo i da ništa ne dobijemo“.⁹²

1.129. Tako su skoro direktno od pojedinih država Zapada pomognuti islamski fundamentalisti da ostvare delimično ciljeve rata. Snage IFOR-a su u februaru 1996. godine otkrile bazu za obuku terorista na planini Pogorelici kod Fojnice. Od 11 terorista uhapšena su trojica iranskih instruktora. Na zidovima njihovih prostorija bile su izložene slike Homenija i Alije Izetbegovića.⁹³ Tek nakon akcije terorista u Njujorku i Vašingtonu 11. septembra 2001. godine, SAD su shvatile dokle su stigle namere islamskog fundamentalizma i terorizma i da imaju globalne ambicije. Nakon toga ništa više nije bilo isto u međunarodnim odnosima. Borba protiv islamskog terorizma postala je zajednička briga celog progresivnog čovečanstva.

1.130. Što se tiče sukobljenih strana u BiH imale su drugačiji tretman kod najuticajnijih država Zapada i međunarodne zajednice. Srbi su pretežno po scenariju ratova i oružanih sukoba u Sloveniji i Hrvatskoj medijski satanizovani i najčešće prikazivani vinovnikom rata i oružanih sukoba u BiH. U krajnjem, Srbi kao narod su sve više poistovećivani sa zaštitnicima komunizma i borbama protiv demokratije, ljudskih prava i sloboda i kao narod čije oružane snage i paraformacije sprovode etničko čišćenje i masovne zločine. Stvarnost je potpuno drugačija,

⁹¹ Holbruk, isto, str.174. Što se tiče apela u vezi Banjaluke, verovatno se radilo o strahu od ogromnog broja izbeglica iz regiona Banjaluke u koji su se slile izbeglice iz RSK.

⁹² Ričard Holbruk, Put u Dejton, str. 153.

⁹³ Borovčanin, isto, str. 201.

posebno u novijoj istoriji dvadesetog veka srpski narod je bio i ostao stradalnik svetskih ratova u kojima je izgubio dobar deo i biološke supstance, a time i reproduktivne sposobnosti. Bez obzira na istorijsku istinu i činjenice srpski narod je tako demonizovan u Zapadnim medijima i javnosti, da se i danas bori za skidanje takve anateme sa sebe. U vezi sa tim prof. Smilja Avramov piše: „Etnički prostor srpskog naroda prikazan je kao neki duboki bezdan, iz koga se pomaljaju neka varvarska plemena, opterećena čas hegemonizmom, čas komunističkim ambicijama“. ⁹⁴ Srpski narod je u osnovi uvek bio antikomunistički ali je sticajem okolnosti silom oružja nametnuta mu ta vlast u toku Drugog svetskog rata i našao se u raspadu bivše SFRJ ponovo kao narod koji strada i gubi deo svog nacionalnog bića i teritorije.

1.131. Muslimani su uglavnom prihvatani kao ugrožena strana u sukobu i nosilac državnog subjektiviteta u BiH. Za lobiranje takve pozicije u međunarodnim odnosima utrošena su ogromna finansijska sredstva iz donacija država islamskog sveta. Hrvati su neprekidno bili miljenik većine država Zapada i u vojnom smislu neposredno potpomognuti učešćem Hrvatske vojske u ratu u BiH. Niko to nije video kao problem, naprotiv to je nakon ostvarenja vojnih ciljeva Hrvata u BiH, prevedeno u formu savezništva tri vojske u završnim operacijama protiv VRS.

⁹⁴ Smilja Avramov, Postherojski rat zapada protiv Jugoslavije, Idi, Veternik, 1997, str.114.

II Deo

ORGANIZACIJA ORUŽANIH SNAGA SUKOBLJENIH STRANA U GRADANSKOM RATU U BIH

2.0. Zaraćene strane u BiH imale su jasne ciljeve koje su postavljala nacionalna politička rukovodstva i vodeće političke stranke, a vremenom u toku rata su ih usklađivali sa stanjem na ratištu i odnosom međunarodne zajednice prema stranama u sukobu. Međutim, može se reći da nisu imale vojnu moć da ih realizuju u toku rata izvođenjem vojnih operacija. Oružana dejstva su pretežno izvođena na taktičkom nivou uz nekoliko većih operacija koje su imale operativno-strategijski značaj i cilj da očuvaju ili zaposednu nove teritorije. Rezultati oružanih sukoba su uticali na razvoj vojne organizacije zaraćenih strana.

2.1. Da nije bilo nikakve političke pripreme srpskog stanovništva pre izbijanja oružanih sukoba u Sarajevu, pokazuje i stanje oko mobilizacije, kada je u kasarnama ostalo više ljudi iz neposredne okoline nego onih koji su živeli u Sarajevu. Zadnjoj mobilizaciji u Sarajevu, u aprilu 1992, odazvalo se svega dva odsto obveznika. Nisu se odazvale čak ni starešine na komandnim dužnostima, pa ni one koje su imale raspored u tim jedinicama. To je bio potpun raspad mobilizacijskog sistema u JNA. Nakon odlaska pripadnika JNA iz BiH 17. maja 1992. godine, sa srpskih prostora je izvučena skoro sva moderna tehnika i borbeni sistemi artiljerije, oklopnih jedinica i jedinica za protivvazduhoplovnu odbranu na prostor Srbije i Crne Gore odnosno SRJ. Paravojne oružane formacije su oduzimale naoružanje i vojnu opremu jedinicama JNA jer ona nije ispunila očekivanja sva tri naroda, a jedinice TO u zavisnosti od lokalne sredine i većinske nacionalne pripadnosti postajale su sastavni deo nacionalnih vojski koje su formirane pre i u toku oružanih sukoba.

2.2. Činjenica da nije bilo proglašeno ratno stanje otežavala je i onako složenu i tešku situaciju u oblastima komandovanja, mobilizacije i logistike. Na samom početku rata, stvaran je ambijent da je pripadnost nacionalnim vojskama slobodan izbor i da je boravak u vojsci stvar sopstvene volje. Postepeno su nacionalna rukovodstva Muslimana, Srba i Hrvata preduzimala mere da se što pre izgrade oružane snage koje će postati pouzdani instrument politike u funkciji dostizanja proklamovanih ciljeva. To je bio mukotrpan posao sa različitom uspešnošću u različitim periodima rata, Veliki prostor i duge linije dodira, pretvorene u front, sa skromnom logistikom uticale su na odstupanje od doktrinarnih postavki dubine borbenog rasporeda i veličine zona napada i odbrane. Smensko ratovanje i nestalnost sastava jedinica pogodovali su formiranju formalnih i neformalnih grupa koje su se suprotstavljale izgradnji čvrstih vojnih kolektiva. To je pogodovalo paravojnom delovanju i činjenju zločina u redovima svih zaraćenih strana. Tako su pojedini kriminalci postali nedodirljivi i ispoljavali su veliku suštinsku moć i uticaj na taktički nivo komandovanja. Unižavana je i vojna struka pa su lokalne vođe i komandiri odeljenja, vodova i četa često bile vojnički neobrazovani, bahati, samovoljni i skloni da zlostavljaju svoje vojnike, lokalno stanovništvo, a posebno neprijatelja i zarobljene. Takvo stanje bila je opšta karakteristika koja se manifestovala u redovima svih zaraćenih strana u BiH. U početnom periodu rata, to se posebno manifestovalo kod muslimanskih paravojnih formacija u Sarajevu pri napadima na jedinice JNA i lokalno srpsko stanovništvo. U tom periodu stradao je veliki broj Srba čija se grobna mesta i masovne grobnice u Sarajevu i danas traže bezuspešno.

2.3. Nesporno je da je srpska strana u početku oružanih sukoba imala veću operativnu sposobnost oružanih snaga za izvođenje složenih operacija, što je i iskoristila da obezbedi veći

deo stanovništva u selima i gradovima gde je živeo kao većinski narod. To je u početku bio i osnovni strategijski cilj srpske strane u građanskom ratu u BiH, kako bi se sprečilo masovno stradanje, etničko čišćenje i genocid koji je doživeo za vreme NDH u Drugom svetskom ratu. Postupno, po meri saznanja da se SFR Jugoslavija neće održati kao višenacionalna zajednica, te da su se Muslimani i Hrvati u BiH opredelili za odcepljenje BiH, utvrđen je politički cilj Srba u BiH, a to je stvaranja sopstvene države, uz potpunu ravnopravnost drugih etničkih grupa koje žive na prostoru Republike Srpske.

2.4. Rat u Sloveniji i Hrvatskoj direktno je uticao na početak, tok i ishod rata i na formiranje nacionalnih vojski u BiH. Na prostor BiH predислоcirani su delovi komandi i jedinica sa prostora Slovenije i Hrvatske i raspoređene u sledeće regije u BiH:

- delovi Mariborskog korpusa na prostor Banja Luka, Tuzla i Zenica;
- Riječki korpus na prostor Istočne Hercegovine;
- Ostaci ljubljanskog korpusa na prostoru Mrkonjić Grada, Travnika i Kupresa;
- Zagrebački korpus na prostoru Drvara, Bihaća, Glamoča; i
- Vazduhoplovni korpus na prostoru Bihaća i Banja Luke.

2.5. Nakon predислоkacije navedenih jedinica, nastavljen je proces umanjenja njihovih operativnih sposobnosti kroz napuštanje starešina i vojnika, pre svega Muslimana i Hrvata iz BiH. Predислоkacija navedenih jedinica završena je do kraja septembra 1991. godine. Sa kolonama vojnika išle su i porodice pripadnika JNA sa osnovnom pokretnom imovinom i stvarima. U januaru 1992. godine u Sarajevo je predислоcirana i komanda 5. vojne oblasti iz Zagreba, sa delom opreme i nepopunjena kadrom. U takvom stanju ona je bila osnova za formiranje 2. vojne oblasti sa sedištem na Bistriku, gde je do tada bila komanda 4. Korpusa JNA, koja je premeštena na Zlatište i u Lukavicu.

2.6. Da bi se ublažili sve veći problemi na koje je nailazila JNA od vremena priznanja BiH kao samostalne države, polovinom aprila 1992. godine u Skoplju (Makedonija) došlo je do sastanka između Alije Izetbegovića, predsednika Predsedništva BiH i ratnog lidera muslimanskog dela te bivše članice jugoslovenske federacije, i zamenika ministra odbrane Jugoslavije Blagoja Adžića. Na njemu je dogovoreno da se jedinice JNA povuku na teritoriju Srbije i Crne Gore, a da oficiri, podoficiri i civilna lica na službi u JNA koja su rođena u BiH i koja imaju bosansko-hercegovačko državljanostvo po sopstvenom izboru mogu da ostanu u jedinicama i ustanovama u svojim mestima rođenja.

2.7. Na osnovu pomenutog dogovora, Predsedništvo BiH donelo je Odluku⁹⁵ o povlačenju jedinica JNA iz BiH. U tački 3. te Odluke je navedeno da će dinamika i pravac izvlačenja jedinica JNA odrediti nadležni organi JNA u dogovoru sa državnim organima BiH. Tu odluku nisu ispoštovali ni državni organi BiH koji su po definiciji podređeni predsedniku niti paravojne jedinice, kao ni Štab TO BiH i Ministarstvo unutrašnjih poslova. Naprotiv, komandant Štaba TO BiH, pukovnik Hasan Efendić i ministar unutrašnjih poslova BiH Alija Delimustafić, suprotno pomenutoj Odluci, doneli su sopstvene akte komandovanja 14.04.1992. godine⁹⁶ kojima su naložili svojim vojnim i policijskim snagama da na svim putnim pravcima izvrše masovno i potpuno zaprečavanje, da izvrše blokadu vojnih objekata radi zaplene vojne imovine i naoružanja i vojne opreme i da ubrzano otpočnu sa borbenim dejstvima protiv jedinica JNA koje se pripremaju za izvlačenje ili se već izvlače. Cilj je da se što više vojne imovine zapleni i da se

⁹⁵ Odluka Predsedništva BiH br. 02-11-327/92.

⁹⁶ Dokument Štaba TO broj 02/145-1 od 14.04.1992. godine i dokument MUP-a BiH br. 10-70 od 14.04.1992. godine.

ne dozvoli izvlačenje jedinica u Srbiju i Crnu Goru. Ta dva dokumenta dala su vojnim i policijskim snagama muslimanskog i hrvatskog dela BiH određene ruke da krenu u opšti napad na jedinice JNA. Kao neposredna posledica toga usledila su dva masakra pripadnika JNA. Prvi se desio 03.05.1992. godine u Sarajevu kada je masakrirana kolona Komadne 2. VO koja se iz Bistrika u Sarajevu, izvlačila ka Lukavici. Izgleda da je naređenje za ovaj masakr direktno izdao Ejup Granić, član Predsedništva BiH, iako je prethodno bio postignut dogovor da se kolona Komadne 2. VO propusti, što su svojim prisustvom garantovali i general UNPROFOR-a Luis Mekenzi i predsednik Alija Izetbegović koji se nalazio u vozilu na čelu kolone zajedno sa komandantom 2. VO generalom Milutinom Kukanjcem i generalom Mekenzijem. Radi se o ratnom zločinu bez presedana koji je naredio član Vrhovne komande Armije BiH, a jedan od izvršilaca je bio i general Jovan Divjak, jedan od zamenika komandanta Armije BiH. U okruženju muslimanskih paravojnih formacija ostali su veoma bitni vojni kompleksi i kasarne: kasarna „Viktor Bubanj“, vojni sud, kasarna „Maršal Tito“, pitomački poligon u Pazariću i mnogi drugi izdvojeni objekti. Deblokada ljudstva iz tih objekata izvedena je kroz mukotrpan proces pritisaka, ucena i maltretiranja, od strane muslimanskih paravojnih formacija koje su bile pod komandom Alije Izetbegovića. Oslobođanje vojnika i starešina iz tih objekata realizovano je sve do kraja maja 1992.godine.

2.8. Drugi, još stravičniji masakr izvršen je u Tuzli 15.05.1992. godine. Tog dana je između lokalnih vojnih, policijskih i političkih vlasti u Tuzli i komandanta 17. korpusa JNA (Tuzla) postignut sporazum da se dozvoli izvlačenje resursa i jedinica JNA koji su se nalazili u Tuzli. Umesto poštovanja toga sporazuma, kolona je sačekana u klasičnoj zasedi. Tom prilikom poginulo je preko 200 pripadnika JNA, a više stotina je zarobljeno. Mnogi zarobljenici, su na licu mesta streljani na očigled svojih drugova i pripadnika muslimanskih paravojnih organizacija i civilnog stanovništva.⁹⁷ Kako za organizovanje i pripremu, te raspored snaga i vatrenih sredstava u zasedi treba nešto duže vreme, realno je pretpostaviti da je uporedo sa pregovorima radi izvlačenja kolone JNA, tekao proces postavljanja zasede, odnosno da je muslimanska strana ušla u pregovore sa čvrstom namerom da nikakve dogovore ne ispoštuje. Ni za taj ratni zločin niko nije odgovarao niti ima ikakvog pomena o eventualnom pokretanju istrage radi utvrđivanja odgovornosti. Nerazumljive su činjenice da posle zločina koji se desio u tom gradu, tadašnji gradonačelnik Tuzle, Selim Bešliagić, bez čijeg se znanja i saglasnosti taj zločin nije mogao

⁹⁷ Tadašnji načelnik štaba Tuzlanskog korpusa JNA, pukovnik Milan Stublinčević, o tom tragičnom događaju koji je zadesio njegovu kolonu prilikom izvlačenja iz Tuzle, u svojoj knjizi „Tako su oni hteli“, izd. izdavačko preduzeće „Nova Evropa“, Beograd, 1998. godine, str. 94. kaže sledeće: „15. maja 1992. godine, i pored postignutog dogovora sa gradonačelnikom grada Tuzle i njegovim saradnikom mr Bešliagićem, o izlasku i napuštanju grada Tuzle od strane pripadnika JNA, rukovodstvom regije i opštine Tuzla, uz naredbu iz Sarajeva, krši dogovor i na kolonu JNA otvara vatru sa svih strana još u kasarni „Husinska Buna“, a potom u ulici Skojevske na kolonu je izvršen napad“.

O posledicama toga mučkog napada i količini mržnje koju su pretvorili u zločinački poduhvat prema nedužnim pripadnicima JNA koji su inače uvek priskakali u pomoć prilikom brojnih tragedija koje su pratile ovaj rudarski kraj, pukovnik Stublinčević malo dalje u toj svojoj knjizi kaže: „... Muslimani su se pobrinuli da zatvore sve izlaze iz grada, sem prema Požarnici, odnosno put Tuzla-Ugljevik je bio slobodan, upravo tim putem kolona je krenula. Zaposeli su položaje sa pripadnicima MUP-a i „Zelenih beretki“, oko 3.000 ljudi. Propustili su prednji deo kolone, a zatim su iz svih raspoloživih sredstava napali kolonu. U napadu je poginulo oko 200 ljudi, preko 100 je ranjeno i oko 140 zarobljeno. Spaljeno je oko 39 motornih vozila ... Još nisu sačekali da se mrtvi ohlade, a ranjene su odmah ubijali na licu mesta. Tako su njih 17 ubili čekićem. Deo poginulih i neljudski ubijenih vojnika sahrnili su na gradskom groblju, dok su jedan deo izgorelih tela vojnika ili ubijenih posle pronalaženja u toku noći odvozili i zapalili na gradskoj deponiji smeća“. Vidi šire, Dragan Đamić, Bosansko bojište sumraka, IKP Nikola Pašić, Beograd, 1998., str. 98. i 99.

Teško je razumeti toliku količinu mržnje i zločinačkog potencijala tuzlanskih muslimana, još pre početka rata, a ubijani su golobradi mladi vojnici koji nisu napunili devetnaest godina.

izvesti, dobio je visoko međunarodno „priznanje za mir i toleranciju.“⁹⁸

2.9. JNA je Vojsci RS, kao uostalom i Armiji BiH i HVO, omogućila materijalnu, infrastrukturnu, kadrovsku, pravno-normativnu i doktrinarnu osnovu za njihovo formiranje. Starešine muslimanskog i hrvatskog porekla su napuštale redove JNA i stupile u redove, najpre paravojski koje su kao secesionistički potencijal formirale političke garniture te dve etničke zajednice, a potom i u redove njihovih nacionalnih vojski. Starešine srpske nacionalnosti na rasporedu u jedinicama JNA u BiH nisu pristali da se zajedno sa ostalima povuku iz BiH u SR Jugoslaviju, a veliki broj starešina Vojske Jugoslavije srpske nacionalnosti rođenih u BiH se odazvao na poziv srpskih političkih i vojnih vlasti RS i stupio u redove VRS.⁹⁹ Vrhovna komanda Vojske Jugoslavije nije u tom smislu činila nikakve smetnje, jer je smatrala da je svakom časnom oficiru mesto u borbenom stroju svog naroda kada je već došlo do građanskog rata u BiH, odnosno kada je voljom spoljnih centara moći i političkih garnitura muslimana i Hrvata u BiH primorano da donese odluku da se JNA povuče iz BiH na prostor SR Jugoslavije i da se transformiše u vojsku nove države, u Vojsku Jugoslavije.

2.10. Što se tiče materijalno-tehničkih sredstava, naoružanja, vojne opreme, goriva i ubojnih sredstava VRS je, kao što su to učinile i vojske druge dve nacionalne zajednice, preuzela onaj deo koji je bazirao na teritoriji Republike Srpske ili je bio u posedu jedinica JNA koje su se našle na delu teritorije BiH koji je organizovan kao srpski državno-politički entitet. Ovde valja dodati i to da je najveći deo efektivna JNA koji su bili u posedu jedinica JNA prilikom povlačenja odvežen u SR Jugoslaviju. Bilo je, razume se i nasilne zaplene te opreme, po metodu koji su primenjivale druge dve etničke zajednice, s tom bitnom razlikom što pripadnici VRS nisu napadali vojne kolone niti su JNA u povlačenju nanosili gubitke, što su inače masovno činile vojske druge dve etničke zajednice u BiH, odnosno njihove prethodnice u liku raznih paravojnih i parapolicijskih snaga.

2.11. Nakon 19.05.1992. godine, tj. od dana kada je zvanično i faktički završen proces izvlačenja JNA iz BiH, izuzev pitomaca podoficirske škole iz Sarajeva i dela Hercegovačkog korpusa, na teritoriji ove bivše jugoslovenske republike nije ostala ni jedna vojna jedinica ili ustanova koja je pripadala Vojsci Jugoslavije. Od tog dana na teritoriji BiH ni jedna jedinica JNA, odnosno Vojska Jugoslavije nije učestvovala u borbenim dejstvima. Međutim, stalno su rukovodioci SDA medijskim manipulacijama isticali da je BiH izložena agresiji JNA.

2.12. Armija BiH je vešto do kraja rata proizvodila medijske scene od kojih se zgrožava javnost i izdejstvovavala rešenje u okviru Dejtonskog sporazuma.¹⁰⁰ Odlazak jedinica JNA izazvao je velike operative probleme u odbrani nekih prostora srpskog naroda, naročito u Hercegovini jer su ih jedinice JNA brzo i neplanski napuštale, pre nego što su posednuti snagama VRS, a na drugoj strani linije fronta bile su elitne jedinice Hrvatske vojske i Hrvatskog veća odbrane. Tako npr. u zoni granice prema Crnoj Gori ostao je prazan prostor od 35 km koji je do tada zatvarala JNA. Takvo stanje je povoljno delovalo za nastanak i razvoj vojne organizacije muslimanskih i

⁹⁸ Kao gradonačelnik Tuzle i predsednik Unije bosanskih socijaldemokrata, dobitnik je Harimanove nagrade i niza drugih nagrada za mir i toleranciju. U suštini radi se o ličnosti koja nije sprečila zločin nad pripadnicima kolone JNA i koja retorički i reklamno je govorila sasvim drugačije o ravnopravnosti, demokratiji, multietničkoj i multikonfesionalnoj toleranciji.

⁹⁹ "... Komande korpusa, brigada, pukova i jedinica podrške formirati od pripadnika JNA koji odbiju Odluku Predsedništva SRJ da se izvuku na teritoriju SR Jugoslavije. Opremanje i naoružavanje jedinica izvršiti sa opremom i naoružanjem koje pripadnici srpskog naroda, koji se sada nalaze u JNA, stave Vojsci SR Bosne i Herecegovine na raspolaganje" - Odluka o formiranju VRS, tač. 5, pod b), stav 3, st.Z.

¹⁰⁰ O strategiji A BiH i njene Vrhovne komande za uvlačenje snaga UN i NATO-a u ratu protiv RS i VRS meritorno govori general Majkl Rouz u svojoj knjizi „Misija u Bosni“, str. 127.

hrvatskih oružanih snaga u BiH. Na razvoj VRS i njene operativne sposobnosti negativno je delovala blokada na Drini, koju je SRJ uvela prema R. Srpskoj 1993. godine. Muslimani i Hrvati su tada shvatili da vreme radi za njih i da u završnim operacijama uz pomoć NATO mogu ostvariti veći deo političkih ciljeva.

1. Oružane snage Hrvata u BiH

2.13. Hrvatsko veće odbrane bilo je službena oružana snaga Hrvatske Republike Herceg-Bosne i glavna oružana snaga hrvatskog naroda u Bosni i Hercegovini. U redovima hrvatskih vojnih jedinica početkom rata sa Hrvatima su se borili i Muslimani. Hrvatsko veće odbrane formirano je 8. aprila 1992. godine, kao vojska hrvatskog naroda u Bosni i Hercegovini. Hrvatsko veće odbrane je kontrolisao zapadnu i centralnu Hercegovinu te velik deo srednje Bosne, sve osim Jajca. Jedini veći gubitak, za Hrvate, bio je pad većeg dela Bosanske Posavine. Jedino nije palo Orašje sa okolinom jer je mikroregija bila jedno od najbogatijih područja sa obradivom zemljom, a Hrvati su bili većinsko stanovništvo prema popisu iz 1991. godine.

2.14. Krajem oktobra 1992. godine izbio je sukob između Muslimana i Hrvata. Armija BiH u četiri ofanzive zauzela je veliki prostor koji je bio pod kontrolom Hrvatskog veća odbrane, gotovo celu severnu i srednju Bosnu, osim Novog Travnika, Viteza, Busovače, Kiseljaka, Kreševa, Žepča i šireg područja oko tih gradova, Travnika, Usore, dela travničke opštine, dela zavidovičke opštine i dela vareške opštine i deo Hercegovine: Konjic, Jablanicu te istočne i severne delove mostarske opštine. Muslimansko-hrvatski oružani sukobi eskalirali su u leto 1993. godine, a relativno brzo su se smirili početkom 1994. godine, kada su političko-diplomatski pregovori između dve zaraćene strane postali sve značajniji. U martu 1994. godine, u Vašingtonu je potpisano primirje između Hrvata i Muslimana, a teritorije su ujedinjene u Federaciju BiH.

2.15. Nakon potpisivanja Vašingtonskog sporazuma, HVO je zajedno sa Hrvatskom vojskom, a u nekim operacijama i sa Armijom BiH, počelo nizati ratne pobeđe protiv Vojske Republike Srpske. U sedam uspešnih operacija, u suštini Hrvatska vojska sa HVO i sa jedinicama Armije BiH okupirale su veliki deo zapadne Bosne, gde je većinski živeo srpski narod. To je bio uvod i priprema strategijske operacije za progon i etničko čišćenje Srba iz Republike Srpske Krajine. Kruna uspešnih operacija bila je operacija *Južni potez* u kojoj su združene hrvatske snage izbile na 23 kilometra od Banja Luke, što je bilo u dometu hrvatske artiljerije. Operacija Južni potez, prekinuta je na zahtev međunarodne zajednice 15. oktobra 1995. godine. Srpski narod i VRS bili su prepušteni na milost i nemilost zlodelima tri združene vojske, HV, HVO i A BiH. Do tada je zvanični Beograd ćutao, a sigurno je da to ne bi mogao da čini da je pala Banja Luka, te da je još veći talas izbeglica krenuo ka Srbiji, bio bi to tek početak jednog većeg i novog rata. Savezna Republika Jugoslavija bi morala da uđe u rat i mimo volje političkog rukovodstva. To su znali centri moći koji su upravljali građanskim ratom u BiH. Verovatno je ovakav scenario i dogovoren od ključnih međunarodnih i regionalnih aktera krize u funkciji pripreme lidera sva tri naroda za postizanje Dejtonskog sporazuma.

2.16. Hrvatske oružane formacije u BiH početkom 1995. godine bile su organizovane po zbornim područjima u kojima su integrisane jedinice Hrvatske vojske i HVO (Prilog broj 1). Deo snaga HVO bio je i pod operativnom komandom A BiH.

Zborno područje Mostar - štab u Čitluku :

- 1. gardijska brigada HVO-a „Bruno Bušić“ - Čapljina
- 1. domobranski puk - Posušje

- 40. domobranski puk „Ranko Boban“ – Grude
- 41. domobranski puk „Knez Branimir“ - Čitluk
- 50. domobranski puk „Knez Domagoj“ - Čapljina
- 56. domobranski puk - Konjic
- 81. domobranski puk - Mostar
- 82. domobranski puk - Mostar
- 83. domobranski puk „Mario Hrkač Čikota“ - Široki Brijeg

Zborno područje Tomislavgrad - štab u Tomislavgradu:

- 2. gardijska brigada HVO-a - Tomislavgrad
- 55. domobranski puk - Kupres
- 80. domobranski puk „Kralj Tomislav“ - Tomislavgrad
- 42. domobranski puk „Rama“ - Prozor-Rama
- 43. domobranski puk „Ante Starčević“ - Gornji Vakuf-Uskoplje
- 97. domobranski puk „Hrvoje Vukčić Hrvatinić“ - Prozor-Rama
- domobranski puk „Eugen Kvaternik“ - Prozor-Rama
- Artiljerijska grupa (130 i 203mm)
- VBR grupa (40 VBR 122mm)

Zborno područje Srednja Bosna - štab u Vitezu:

- 3. gardijska brigada HVO-a „Jastrebovi“ - Vitez
- 91. domobranski puk „Fran Krsto Frankopan“ - Travnik
- 93. domobranski puk „Nikola Zrinski“ - Bušovača
- 94. domobranski puk „Stjepan Tomašević“ - Novi Travnik
- 96. domobranski puk „Bobovac“ - Višnjići
- 110. domobranski puk - Usora
- 111. domobranski puk - Žepče

Zborno područje Bosanska Posavina - štab u Orašju:

- 4. gardijska brigada HVO-a „Sinovi Posavine“
- 106. domobranski puk
- 201. domobranski puk
- 202. domobranski puk

Jedinice pod komandom Armije BiH:

- 1. korpus A R BiH: Hrvatska brigada „Kralj Tvrtko“ - Sarajevo
- 2. korpus A R BiH: 107. brigada - Gradačac, 108. brigada - područje Brčkog
- 5. korpus A R BiH: 101. domobranski puk - područje Bihaća¹⁰¹

2.17. Dejtonski mirovni sporazum doneo je u suštini mir i kompromis između zaraćenih strana. Jedan od najosnovnijih principa na kojima je Dejtonski sporazum bio zasnovan je bila podjela Bosne i Hercegovine po ključu 51% teritorije Federaciji BiH i 49% Republici Srpskoj. Takvo

¹⁰¹ Vidi šire, sr.wikipedia.org/sr/

rešenje usaglasila je Kontakt grupa. Pri završetku Rata u Bosni i Hercegovini, HVO je imalo oko 50.000 vojnika. HVO je nakon Dejtonskog mirovnog sporazuma definisano kao hrvatska komponenta Vojske Federacije Bosne i Hercegovine.

2.18. Politički i strateški vojni cilj Hrvatske i Hrvata u BiH, može se sagledati danas sa znatno više informacija a samim tim i objektivnije, pored ostalog i zbog savremenih monografija, knjiga i publikacija političkih i vojnih rukovodilaca. Tako npr. prvi ministar odbrane u Tuđmanovoj HDZ-ovoj vladi, Petar Kriste, u svojoj knjizi: „Sjena nad slobodom“ optužuje vrhovnika da je Hrvatskoj „naneo toliko štete da će generacije ispaštati.“¹⁰² Kao neposredni svedok zbivanja proteklih godina u Hrvatskoj Petar Kriste iznosi da je Tuđman još 1989. godine planirao „Hrvatsku do Drine“, opravdavajući to njenim „povijesnim i prirodnim granicama“, što je istaknuto u HDZ-ovom „proglasu hrvatskom narodu“ iz tog vremena. Kriste je, kako kaže, na Tuđmanovo insistiranje na hrvatskoj granici na Drini, upozorio ga „da je to nemoguće, jer u BiH živi samo 17-18 odsto Hrvata“. On je odgovorio da su svi muslimani Hrvati, što je dovoljan razlog da se cela susedna država pripoji Hrvatskoj“. Iz toga se videlo da je Tuđman bio privržen „ideji NDH“.

2.19. Kriste se u razgovoru sa Gojkom Šuškom uverio da je i on bio odlučan da se BiH podeli i njen zapadni deo priključi Hrvatskoj. Između ostalog Šušak je u martu 1991. godine rekao: „dolazim od Starog i upravo smo se dogovorili da u najmanju ruku Hercegovinu pripojimo Hrvatskoj“. Iz toga se zaključilo da je Tuđman odustao od NDH granice na Drini i vratio se konceptu Banovine. Petar Kriste navodi i razgovor sa Šuškom u oktobru 1992. godine kada su se zaoštravali odnosi između Hrvata i Bošnjaka interesujući se da li se ti odnosi mogu popraviti, na šta je Šušak hladno odgovorio: „Kako da ne. Večeras iz Prozora kreće jedna naša jaka postrojba i neće biti zarobljenih“. Kriste komentariše i argumentuje preterivanje u hvalisanju Janka Bobetka koji veliča svoju ulogu u oslobađanju juga Hrvatske i kaže: „... on je samo pratio povlačenje JNA dogovoreno Vens-Ovenovim planom, uz manje ili veće vojne aktivnosti“. Iz ove ispovesti jednog od članova Tuđmanove vlade nesporno sledi zaključak o agresivnoj politici Hrvatske prema BiH.

2.20. Hrvati u BiH nisu pretpostavljali da treba da ratuju. Njihov cilj je bio da putem pregovora ostvare konfederativne odnose sa Hrvatskom. Ali, i oni su takođe stvarali oružane formacije na teritorijama gde su kompaktно živeli. Hrvatska ih je u svemu podržavala, pa i instruktorima, dobrovoljcima, najsavremenijim oružjem kojim su opremali i Hrvatsku vojsku. U novembru 1992. godine Hrvati su i javno saopštili svoju odluku da je neophodno stvaranje Hrvatske zajednice *Herceg-Bosna*. To je produbilo proces teritorijalnog razgraničenja, i izazvalo negativnu muslimansku reakciju, pošto su oni težili očuvanju unitarne Bosne i Hercegovine.

2.21. U vreme razmatranja Vens-Ovenovog mirovnog plana Hrvati su se aktivirali i odlučili da učvrste odbranu hrvatskih teritorija. Težeći da ostvari zamišljene planove, Tuđman je tokom svih ratnih godina pomagao Hrvate u BiH da ostvare svoje interese.

2. Oružane snage Muslimana u BiH (Armija BiH)

2.22. Armija Republike Bosne i Hercegovine (A R BiH) je oružana snaga¹⁰³ tadašnje krnje vlade Republike Bosne i Hercegovine, sastavljene ogromnom većinom od Muslimana za vreme rata u BiH. Kao dan formiranja Armije BiH (A BiH) uzima se 15.04.1992. godine iz više razloga, a

¹⁰² „Politika“ 4.12.2002. godine, str. a2.

¹⁰³ Pod oružanim snagama smatraju se vojne i paravojne jedinice koje su ušle u sastav muslimanske vojske (Armija BiH)

posebno zato što je na taj dan isticao rok do kojeg su sve naoružane jedinice i snage na teritoriji BiH bile dužne da se stave pod komandu novoformiranog Štaba Teritorijalne odbrane Republike BiH. Odluka o tome je doneta 09.04.1992. godine.¹⁰⁴ Predsedništvo R BiH je 08.04.1992. godine, bez učešća srpskih predstavnika donelo Odluku da se raspusti dotadašnji Štab Teritorijalne odbrane Socijalističke Republike BiH i formira novi, od pouzdanih kadrova SDA. Na dužnost komandanta tog novoformiranog štaba Teritorijalne odbrane BiH postavljen je Hasan Efendić, pukovnik JNA koji je do tada bio komandant Teritorijalne odbrane grada Sarajeva. Efendić je napustio JNA i priključio se muslimanskoj armiji u nastajanju. Pukovnik Efendić je na čelu TO R BiH zamenuo generala Draga Vukosavljevića koji je bio na tu dužnost imenovan Ukazom Predsedništva SFRJ kao Vrhovne komande Oružanih snaga SFRJ. U strogo pravnom pogledu akt o smenjivanju generala Vukosavljevića je nelegalan jer je još postojala savezna država i Oružane snage SFRJ, sa jasno utvrđenim nadležnostima i linijom komandovanja. Muslimansko rukovodstvo je međunarodno uporište našlo u veoma brzom priznanju samostalnosti BiH od EU 06.04.1992.godine, a SAD su se tome priključile 07.04.1992. godine. Takav pristup u suštini je najavio građanski rat između tri naroda. Akt o smeni ranijeg komandanta TO BiH, bio je u sklopu Odluke o proglašenju neposredne ratne opasnosti, odnosno objava rata ostacima JNA na teritoriji BiH i Srbima i Hrvatima.

2.23. Šta je i ko činio osnovu za formiranje A R BiH, najrečitije je kazao general Stjepan Šiber, jedan od čelnika te vojske tokom rata i to od njegovog početka do kraja. U svojoj knjizi „Prevare, zablude, istina“, Šiber ističe sledeće: „Osnovna vojska koja je bila sa nama u vezi bila je vojska u Sarajevu, odnosno „Zelene beretke“, „Patriotska liga“ i grupe naoružanih građana po općinama.“¹⁰⁵ Ovakvom početnom sastavu A R BiH treba još dodati i profesionalni komandni kadar muslimanskog nacionalnog porekla koji je redove JNA počeo da napušta od proleća 1991. godine, sve do aprila 1992. godine, kada je taj proces skoro završen. Sve ovo argumentuje tvrdnju da je A BiH bila muslimanska vojska, a ne vojska države i sva tri naroda, što su Muslimani hteli stalno da prikazuju pred međunarodnom javnošću.

2.24. Za utvrđivanje datuma kada je faktički otpočela da dejstvuje Armija BiH kao oružana sila muslimanske etničke zajednice, bitna činjenica je Direktiva Štaba TO RBiH za odbranu suvereniteta i nezavisnosti BiH, od 12.04.1992. godine.¹⁰⁶ U Direktivi, u njenoj prvoj tački, kao neprijateljske snage imenovana je JNA i delovi Teritorijalne odbrane Srpskih autonomnih oblasti. Jasno je da je tom Direktivom naloženo muslimanskoj i hrvatskoj Teritorijalnoj odbrani u pojedinim delovima BiH, da se sa tim neprijateljem vojno obračuna, zarobi što više oružja i opreme i ostvari kontrolu na što većoj teritoriji.¹⁰⁷

2.25. Na osnovu navedene Direktive izdato je Naređenje Štabovima Teritorijalne odbrane o rušenju, masovnom zaprečavanju, blokadi kasarni i vojnih objekata radi sprečavanja izvlačenja JNA sa teritorije BiH i preuzimanje njene imovine i naoružanja. Takođe, na osnovu Direktive od 12.04.1992. godine izdato je Naređenje za odbranu grada Sarajeva. Izvršavajući jedno i drugo naređenje, jedinice Teritorijalne odbrane grada Sarajeva, pod muslimanskom kontrolom: „Zelene beretke“, „Patriotska liga“, razne druge paravojne jedinice Lučarevića, Prazine, Bajramovića i

¹⁰⁴ Vidi sadržaj Odluke Predsedništva Republike BiH od 09.04.1993.godine, broj 01-011-306/92, u knjizi Hasana Efendića, komandanta TO R BiH, „Ko je branio Bosnu“, itd. Udruženja građana plemićkog porekla BiH, Sarajevo, 1998, str.13 i 14.

¹⁰⁵ Šiber, S.: „Prevare, zablude, istina“, izd. RABIC, Sarajevo, 2000. godine, str.40.

¹⁰⁶ Vidi: Direktiva Štaba Teritorijalne odbrane R BiH, Str.pov.br.02/2-1, od 12.04.1992. godine, objavljen izvodno u Efendićevoj knjizi „Ko je branio Bosnu“, str. 127 i 128.

¹⁰⁷ Radovan Radinović, Ekspertiza o Sarajevskom ratištu i komandnoj odgovornosti generala Stanislava Galića, Beograd, 2000, str.27-30.

drugih vojnih i policijskih samozvanaca otpočele su zločine nad pripadnicima JNA. To je brzo rezultiralo mnogim manjim nezabeleženim zločinima i većim masakrima poput napada na kolonu 2.VO u Sarajevu i na Tuzlansku kolonu.¹⁰⁸ Tim početnim zločinima otvorena je spirala zločina i haosa građanskog rata u BiH. Na osnovu datih činjenica može se reći da je A BiH faktički i formalno zaživela 16.04.1992. godine.

2.26. Zvaničnom formiranju Armije RBiH prethodi ceo proces paravojnog organizovanja muslimanske etničke i verske zajednice, što na svoj način svedoči o njenim pripremama za rat u BiH. Paravojno organizovanje otpočinje aprila 1991. godine, punu godinu dana pre početka ratnih dejstava u BiH. Kupovinom i prodajom oružja bavili su se političari i kriminalci i uzimali novac od preplašenog naroda, pripremajući se za rat. Kao dan organizovanog partijsko-političkog procesa priprema muslimanske etničke i verske zajednice za rat u BiH može se uzeti 10. juni 1991. godine. Toga dana je u Domu milicije u Sarajevu održan skup predstavnika Muslimana sa prostora čitave bivše Jugoslavije. Skupu je prisustvovalo 380 muslimanskih prvaka iz Jugoslavije i BiH, a u organizaciji Stranke Demokratske Akcije (SDA). Doneta je „Rezolucija muslimanskih intelektualaca“, poznata pod nazivom „Rezolucija 84“. Na tom skupu je formiran Savet za nacionalnu odbranu muslimanskog naroda. Sa skupa je izdat Proglas. U tom Proglasu, kako se može pročitati u knjizi Hasana Efendića i brigadnog generala Nedžada Ajnadžića, izloženi su pogledi SDA - muslimanskog naroda u BiH i na prostoru cele Jugoslavije i data opredeljenja za delovanje. U tački 7. toga Proglasa najavljen je početak oružane odbrane BiH, i to tako što se pristupa formiranju vojnog krila tog muslimanskog veća, a to je Patriotska liga.¹⁰⁹ Iz Proglasa je vidljivo opredeljenje da se pristupa pripremi i organizovanju oružane odbrane odnosno izvođenju priprema za rat. Takođe u Proglasu je jasno naznačeno opredeljenje Veća nacionalne odbrane muslimanskog naroda da se SDA opredelila za razbijanje SFRJ. Sve se to dešavalo u vreme pre rata u Sloveniji, kada dobar deo međunarodne javnosti i domaće političke scene nije verovao u tako tragičan raskol.

2.27. Prve paravojne naoružane grupe u BiH bile su muslimanske Zelene beretke, koje su činili dobrovoljci. Oni su predstavljali militantne pojedince rukovođene politikom čelnika SDA koji su zagovarali otepljenje BiH od SFRJ. Njihova uloga svodila se na provociranje JNA, postavljanje barikada i eventualne diverzantsko-terorističke (tada prvenstveno psihološko-propagandne) aktivnosti. U Sarajevu je 10. juna 1991. godine, u organizaciji SDA, održan skup najistaknutijih pripadnika muslimanskog naroda BiH, gde je formiran Nacionalni savet za zaštitu muslimansko-bošnjačkog naroda u okviru kojeg je i rođena ideja o formiranju Patriotske lige kao vojnog krila SDA. Ona je bila organizovana u jedan Glavni, deset regionalnih i 103 opštinska štaba, i brojala je 98 hiljada boraca. Osnov za organizovanje regionalnih štabova bila je vojno-teritorijalna podela BiH na osnovu koje je utvrđeno devet subregija dok je deseti štab formiran sa sedištem u Novom Pazaru čime su zapravo izražene i otvorene teritorijalne pretenzije SDA i njihovog lidera¹¹⁰. Formiranje Patriotske lige na celoj teritoriji BiH teklo je po modelima respektovanja etničkog sastava satanovništva na teritoriji pri čemu je okosnicu predstavljala teritorijalna odbrana. U čisto muslimanskim sredinama Patriotska liga je preuzimala organizaciju teritorijalne odbrane u punom smislu zadržavajući čak i naziv radi maskiranja. U nacionalno mešovitim sredinama organizacija Patriotske lige formirana je strogo ilegalno paralelno organizaciji TO¹¹¹.

¹⁰⁸ O tim Naređenjima i njihovim osnovnim sadržajima i intencijama videti isto delo, str. 125 i 129.

¹⁰⁹ O skupu u Sarajevu i proglasu sa toga skupa, kao i o njegovim Odlukama i preporukama videti „Ko je branio Bosnu“, str.77, te Nedžad Ajnadžić, „Odbrana Sarajeva“, izd. ITD, Sarajevo, 2002. godine, str.60-64.

¹¹⁰ Vilić, Todorović, Isto,292.

¹¹¹ Vilić, Todorović, Isto, 294

2.28. Munib Bisić, tadašnji pomoćnik ministra odbrane u muslimanskoj vladi Bosne, u listu *Oslobođenje* izlaže genezu nastajanja Patriotske lige: „Negde u aprilu 1991. razgovarao sam sa ljudima koji su bili svjesni, da je rat u BiH neizbježan. Svi smo dijelili mišljenje da je nužno organizovati se za odbranu Republike. Kada sam stupio u kontakt sa Suletom (ilegalno ime Sulejmana Vranja), napravili smo jedno uputstvo o organizaciji i delovanju na terenu. Oslanjali smo se uglavnom na ljude iz Stranke demokratske akcije, obilazili smo teren i tražili istomišljenike. U maju 1991. Sule i ljudi iz Sarajeva nazvali su organizaciju Patriotska liga. Od septembra 1991. bilježimo masovniji pristup bivših oficira Jugoslovenske narodne armije. Sve se to radi konspirativno i na osnovu preporuke poverljivih ljudi. Dolaskom oficira JNA omasovljen je Glavni štab Patriotske lige. Gotovo sve opštine u BiH imale su štabove Patriotske lige. U decembru 1991. odvijao se rad na formiranju borbenih jedinica, sastavljali su se spiskovi boraca, razdavalo se oružje, emisari su upućivani u sela, sprovodila se analiza i evidencija teritorija.“

2.29. Lideri u Patriotskoj ligi su predlagali da se rat u BiH započne paralelno sa onim u Hrvatskoj. Oni su planirali rušenje mostova na Drini radi odsecanja eventualne pomoći srpskoj strani iz Srbije. Politički lideri se nisu saglasili sa takvim planom ceneći da Bosna još nije bila spremna za rat ni u vojnom, ni u političkom, ni u psihološkom pogledu. Jedinice Patriotske lige naroda u početku su sačinjavali vodovi za diverzantsko-teroristička dejstva neposredno planirana i vođena iz Glavnog štaba. Tek posle toga počelo je formiranje krupnijih, čisto vojnih formacija - Handžar divizija u Bjeljini, Husine divizija u Cazinu, Smajil aga Čengić u Sarajevu, Kemal paša Ašaković u Brezovom Polju, Crveni fes u Bosanskom Novom, Garda u Zvorniku, i Drina u Bratuncu.

2.30. Muslimanske snage brojale su na početku rata oko 175.000 ljudi. Za naoružanje i organizaciju paravojnih formacija u svim navedenim slučajevima bilo je karakteristično:

- ilegalno snabdevanje lakim naoružanjem;
- ukрупnjavanje jedinica, uz istovremeno snabdevanje teškim naoružanjem podrškom stranog faktora;
- strana pomoć u finansiranju nabavki naoružanja i vojne opreme (kredit, odloženo plaćanje, emigracija, pokloni i dr.), posebno nekih zapadnih i većine muslimanskih zemalja;
- Sve masovniji dolazak stranih dobrovoljaca i plaćenika sa izrazito fundamentalističkom ideološko-religijskom orijentacijom (uglavnom iz islamskih zemalja);
- korišćenje stranaca u obuci starešina i pripremi jedinica za aktivna dejstva. Osnovni izvori snabdevanja NVO za muslimanske paravojne formacije u BiH bili su iz magacina bivše JNA, TO i iz ilegalnog uvoza prvenstveno iz islamskih država. Čak su muslimanske snage zloupotrabljavale koridore za dopremanje humanitarne pomoći radi snabdevanja oružjem i vojnom opremom. Tako je tokom avgusta 1992. godine registrovano više slučajeva da su i avioni sa humanitarnom pomoći skrenuli sa odobrenog pravca leta prema Sarajevu i nad rejonima koje su kontrolisale muslimanske snage bacali padobranima naoružanje i municiju.

2.31. Takođe krajem avgusta 1992. godine kopnenim koridorom Rijeka-Split-Konjic-Sarajevo, muslimanskim snagama dopremljeno je više konvoja svih vrsta oružja, vojne opreme i municije, uključujući i PAR „Stinger“. Polovinom avgusta iste godine sa humanitarnim konvojem koji je dopremio pomoć u Goražde, od 8 kamiona jedan je bio pun naoružanja za muslimanske snage u tom gradu, uključujući i PAR i PTR kojima one do tada nisu raspolagale. Najveći deo isporuke NVO muslimanskim snagama u BiH finansirale su muslimanske zemlje. Utvrđeno je da su arapske zemlje samo do kraja 1992. godine vojsci Alije Izetbegovića, Armiji BiH, dale pomoć u

vrednosti od 20 miliona USD. Pored toga najveći broj objekata vojne industrije bivše JNA, izgrađen je na teritoriji BiH, kao i znatan broj magacina NVO pao je u ruke muslimanskih i hrvatskih snaga, što je, u početnom periodu oružanih sukoba, poslužilo kao osnov za naoružavanje i opremanje njihovih oružanih formacija.

2.32. Patriotska liga imala je poseban značaj u pripremama Muslimana za rat. Nastala je iz vojno-političkog krila Stranke demokratske akcije kao „...stranačka, vojno-politička odbrambena organizacija...“¹¹² Iako je Patriotska liga kasnije profilisana kao nestranačka, ona „... je suštinski i dalje ostala pod nadzorom Glavnog odbora SDA. Nastala iz vojno-političke organizacije formirane 31.03.1991. godine, dok njeni koreni sežu još iz Kluba SDA „Herceg Bosna“ formiranog krajem 1990. godine.“¹¹³ U prostorijama Kluba SDA vršena je analiza političko-bezbednosne situacije, predlagane mere i način upoznavanja i mobilizacije naroda u slučaju eventualne ratne opasnosti. U prostorijama Kluba pripremana je i organizovana proizvodnja oružja, a proizvedeno oružje distribuirano aktivistima na terenu. U magacinima Kluba je skladišteno nabavljeno oružje, municija i eksploziv. U Klubu su održavani tajni sastanci sa dobrovoljcima, vojnicima, podoficirima i oficirima odbeglim iz JNA.

2.33. Prvi sastanak novoformirane paravojne organizacije u okviru Patriotske lige održan je 31.03.1991. godine u džamiji u Sarajevu, radi bezbednosne dimenzije skupa kao i zbog potpune zloupotrebe islamske vere u političke i ratne svrhe. Već početkom maja 1991. godine formiraju se opštinski štabovi Patriotske lige, prihvataju dokumenti i evidentiraju kandidati za vojne jedinice. Već u septembru iste godine dolazi do formiranja jedinice ranga bataljona. Na preporuku i po nalogu Glavnog odbora SDA, aktivisti „Patriotske lige“ uspostavljali su kontrolu nad štabovima Teritorijalne odbrane i poverljive informacije dostavljali predsedniku SDA i izvodili su tajnu mobilizaciju i obezbeđivali narastanje „Patriotske lige“.¹¹⁴

2.34. Glavni organizator i koordinator ilegalnog naoružavanja muslimanskih paravojnih formacija bio je Hasan Čengić, član Glavnog odbora SDA.¹¹⁵ Tako je Alija Delimustafić, kao ministar unutrašnjih poslova BiH, preko svoje firme, sa svojim saradnicima Senadom Šahinpašićem, tokom 1991/92. godine naoružao celu Istočnu Bosnu. U organizaciji kriznog štaba SDA, samo je u Višegradu u ratne rezerve izdvojeno 270.000 kilograma brašna, 20.000 litara ulja i 25.000 kg soli. Sav taj paralelni sistem ratnih rezervi bio je namenjen isključivo muslimanskim ratnim pripremama. Prvi pripadnici paravojnih formacija, te 1991. godine, obučavani su na ilegalnim poligonima u BiH i Hrvatskoj.¹¹⁶ Rekrutovani su bili iz redova verskih fanatika i ekstremnih nacionalista i kriminalaca. Mnogi od njih dogurali su do visokih položaja u vojsci i politici BiH.¹¹⁷ Tko je 02.12.1991. godine odbegli major JNA, Sefer Halilović - kasnije načelnik Štaba Vrhovne komande A BiH, na sastanku u Hrasnici, izložio Aliji Izetbegoviću svoj

¹¹² Ajnadžić N, isto delo, str.111

¹¹³ Isto, strana 111.

¹¹⁴ Isto, str. 112 i 113.

¹¹⁵ Dželetović D.: „Zločin u Hrasnici“, „Fopis“, Sarajevo, 2000. godine, str.10.

¹¹⁶ Dokument SDA i Uputstvo za slanje kandidata u Obrazovni centar MUP-a Republike Hrvatske, dokument br. 1258-3/91 od 11.07.1991. godine. U drugom pasusu toga akta stoji obaveza kandidata koji dolaze na školovanje da sa sobom ponesu „UPUT STRANKE“, a zna se koje. Akt je potpisao Hasan Čengić i to kao vršilac dužnosti sekretara SDA. Ulica u kojoj se nalazio taj Obrazovni centar u Hrvatskoj bila je Svetošimunska br.80, Zagreb.

¹¹⁷ Predratnog uterivača dugova, bez osnovnog obrazovanja, Jusufa Prazinu Alija Izetbegović je imenovano za člana GŠ A BiH i komandanta za specijalne jedinice OS R BiH; Kahvedžić Samir-Kruška predratni kriminalac, u ratu zamenik komandanta specijalnih jedinica na Igmanu; Delalić Ramiz-Ćelo, ubica svata na Barčašiji komandir jedne brigade 1.K, Bajramović Ismet, Ćelo, kriminalac, takođe je imenovan za komandanta jedne od brigada 1.K A BiH.

koncept organizacije muslimanske armije.¹¹⁸ Izetbegović je taj koncept verovatno prihvatio, kako bi imenovao Halilovića za glavnokomandujućeg muslimanske vojske. Halilović je dobio poverenje da operacionalizuje i širi svoju viziju na savetovanju u Mehorićima 07. i 08.02.1992. godine. Tada je istovremeno razmatrana vojna organizacija SDA, pre svega u okviru „Patriotske lige“ i „Zelenih beretki“. Na savetovanju je bilo reči i o objedinjavanju svih naoružanih formacija u BiH, uključujući Teritorijalnu odbranu, u jedinstvenu vojnu organizaciju pod kontrolom SDA i muslimanskog političkog i vojnog rukovodstva.¹¹⁹

2.35. Već 25.02.1992. godine, kao rezultat navedenog Savetovanja u Mehorićima, Glavni štab „Patriotske lige“ doneo je „Direktivu za odbranu suvereniteta BiH“. U toj Direktivi se ističe da Patriotska lica raspolaže oružanim formacijama od voda, odreda do brigade od oko 120.000 ljudi, uz očekivanje da će se početkom borbenih dejstava taj broj povećati na 150.000 ljudi. Takođe je navedeno da treba blokirati i zauzeti vojne objekte.¹²⁰ Ova Direktiva poslužila je kao osnova onoj mnogo poznatijoj koju je izdala Vrhovna komanda 12.04.1992. godine, odnosno Štab Teritorijalne odbrane BiH u ulozi najvišeg rukovodećeg tela u toj novoj vojsci BiH pod muslimanskom dominacijom, a na osnovu nje i dva naređenja: jedno Štaba TO Republike BiH, na osnovu njega i naređenje Ministarstva za unutrašnje poslove BiH.¹²¹

2.36. U rečenom smislu posebno je indikativno naređenje MUP-a R BiH svim svojim potčinjenim organima u Sarajevu. U tom dokumentu ministar Delimustafić naređuje da se, shodno naređenju komandanta Štaba TO Republike BiH, izvrši potpuno i masovno zaprečavanje svih pravaca izvlačenja JNA, da se izvrši blokada svih vojnih objekata i da se pristupi ubrzanom planiranju borbenih dejstava na celoj teritoriji BiH i da se ta dejstva koordiniraju sa štabovima TO regiona, okruga do Republike.¹²² Zato se može reći da zločinačko ponašanje snaga u Dobrovoljačkoj ulici 03.05.1992. godine kada su masakrirali kolonu Komande 2. Vojne oblasti prilikom njenog dogovorenog izvlačenja iz Sarajeva nije slučajnost nego isplaniran i organizovan zločin, nastao kao rezultat ekstremnog političkog delovanja SDA. Svi oblici paravojnog organizovanja i delovanja koje je kontrolisala ili formirala muslimanska vlast i SDA legalizovani su od strane Predsedništva Republike BiH Uredbom sa zakonskom snagom o zaštiti jedinica Teritorijalne odbrane i drugih branilaca Republike BiH od 10.05.1992. godine.¹²³ U to vreme jedine legalne oružane formacije u BiH bile su jedinice JNA, jer je Teritorijalna odbrana BiH već bila nacionalno podeljena i suštinski delovala kao razbijena paravojna organizacija. Takođe, muslimansko-hrvatska koalicija u BiH već je od aprila 1991. godine imala svoje ilegalne vojne jedinice „Patriotska liga“, „Zelene beretke“, HOS, HVO i druge koje su se na sve načine pripremale za građanski rat, te da su te paravojne organizacije ozvaničene tako što je svim njihovim pripadnicima priznato stalna pripadnost OS BiH od 30.04.1992. godine. Rat za koji se muslimansko-hrvatsko Predsedništvo u BiH pripremalo je građanski rat pod političkim okriljem SDA i HDZ kao izrazito ekstremnih nacionalističkih stranaka.

¹¹⁸ Hadžić, Š. „Bosanski ratnici“, izd. Sarajevo, 1998. godine, str. 13.

¹¹⁹ Radinović, R., Ekspertiza o Sarajevskom ratištu, Beograd, 2000, str.24-27.

¹²⁰ Hadžić, Š., str.19

¹²¹ Pukovnik Hasan Efendić smatra da je Direktiva iz februara 1992. godine na koju upućuje Halilović u svojoj knjizi „Lukava strategija“ nepostojeći dokument i da je poslužio samo za pisanje memoara nekim vojnim rukovodiocima (misli na Halilovića). Dok su za Efendića svi naoružani Muslimani toga vremena pripadnici Teritorijalne odbrane R BiH, dokle su oni za Halilovića pripadnici Patriotske lige. I jedan i drugi su složni da je ta brojka iznosila oko 120.000. Vidi knjigu Efendića, str.132. Tu on tvrdi da je TO BiH 24.04.1992. godine brojila preko 100.000 ljudi.

¹²² Naređenje MUP-a R BiH br. 10-70, od 29.04.1992. godine.

¹²³ Službeni list Republike Bosne i Hercegovine, br.4 od 20.05.1992.godine, str.141-142.

2.37. U prvoj etapi rata u BiH, A BiH je imala 5 korpusa (1, 2, 3, 4. i 5. korpus). Ovi korpusi su nastali iz regionalnih štabova Teritorijalne odbrane BiH, koji su formirani 27.05.1992. godine, u sklopu sprovođenja Odluke Predsedništva R BiH o ukupnjavanju jedinica i sastava TO BiH (Prilog broj 2). Od tih regionalnih štabova, Odlukom Predsedništva od 04.07.1992. godine formirane su komande korpusa, u istim sedištim u kojima su ti štabovi postojali. U nekim od sedam sedišta tih štabova (Goražde i Doboj) nisu formirane komande korpusa, već su ostali neki drugi oblici vojnoteritorijalnog i operativnog organizovanja.¹²⁴ U Konjicu je nešto kasnije formira 6.K A BiH, a 7.K u Travniku, još nešto kasnije.

2.38. Krajem 1993. godine Armija BiH je formirala još jedan - 7. korpus čije je komandno mesto bilo u Travniku. Njegova zona odgovornosti se protezala na Centralnu Bosnu sa težištem ka dolini Vrbasa, te Jajcu i Kupresu. Pada u oči da su se glavni delovi zona odgovornosti korpusa odnosili na: za 1.K u zoni Sarajeva i prostori koji su gravitirali ka Sarajevu; 2.K u široj zoni Tuzlanske regije; za 3.K – centralna Bosna, i to onaj njen deo koji se nalazi između Travnika, Sarajeva i doline Neretve; 4.K – srednji tok Neretve i deo Zapadne Hercegovine sa težištem u Mostaru; 5.K – region Cazinske krajine sa Bihaćem; 6.K – gornji tok Neretve i prostor ka Igmanu i Bjelašnici, sa sedištem u Konjicu, i 7.K - centralna Bosanska krajina. Postojali su operativni razlozi i potrebe za formiranje još jednog korpusa u Podrinju i nije jasno zbog čega se to nije desilo, a da li su pri tom prevagnuli politički ili vojni razlozi, to je teško pouzdano reći.¹²⁵

2.39. Armija RBiH imala je sistem rukovođenja i komandovanja zasnovan na teorijskim i doktrinarnim postavkama u JNA, koji je prilagođen njenim potrebama i ciljevima borbe. Na vrhu organizacije A BiH, sa izvesnim komandnim ovlašćenjima, bio je Štab vrhovne komande BiH. Pre toga, bio je Republički štab Teritorijalne odbrane, ali je njegov vek bio kratkotrajan. Na čelu Štaba je bio načelnik. Do 08.06.1993. godine na čelu tog Štaba bio je general Sefer Halilović, potpukovnik JNA, kada ga je na dužnosti zamenio general Rasim Delić, takođe bivši oficir JNA, bio je inače na službi u operativnom odeljenju 4.K JNA do aprila 1992. godine. Vrhovni komandant A BiH bio je Alija Izetbegović, kao predsednik Predsedništva BiH.

2.40. Kako se iz samog naziva štaba može zaključiti (Štab vrhovne komande A BiH), u nadležnostima ove komandno-rukovođeće institucije naglašenija je bila njegova štabna nego komandna funkcija i nadležnosti. To znači da je komandna nadležnost bila u rukama političkih lidera. Slično tvrdi i Sefer Halilović u svojoj knjizi. Po tome se sistem komandovanja u A BiH razlikovao od sistema komandovanja u VRS. Od avgusta 1993. godine Vrhovna komanda A BiH je utvrdila slično rešenje, tako da je pored načelnika, uvedena i funkcija komandanta Štaba Vrhovne komande, čime i ona praktično uvodi dvovlašće i paralelizam u vrhovno komandovanje. Sukob između političkog i vojnog rukovodstva bio je izražen između Alije Izetbegovića i generala Sefera Halilovića oko ciljeva rata, karaktera države i koncepcije odbrane, pa do svrhe i smisla pojedinih operacija. To je tinjalo sve do smene generala Sefera Halilovića i pogibije njegove supruge i njenog brata pod nerazjašnjenim okolnostima. Sefer Halilović iznosi ozbiljne optužbe da je sve to naredio verovatno predsednik Izetbegović, a da su sproveli pripadnici obaveštajnih i bezbednosnih struktura i specijalna jedinica Ševe, koja je izvršavala i tajne likvidacije.

2.41. I civilni deo Vrhovne komande i njen štabski organ bili su razmešteni na istoj lokaciji, u Sarajevu. Neposredni kontakti i komunikacije bili su mogući i blagotvorni kada je za tim postojala potreba oko donošenja krupnih strateških odluka u ratu.

¹²⁴ „Ko je branio Bosnu“, str. 141 i 281.

¹²⁵ General Sefer Halilović u svojoj knjizi „Lukava strategija“ smatra da je to bila ozbiljna strategijska greška Vrhovne komande A BiH i daje svoju analizu uzroka

2.42. Opšta vojna doktrina prema čijim je načelima dejstvovala A BiH nije se bitno razlikovala od doktrine VRS zato što su i jedna i druga vojska u početku rata preuzele organizacijsku šemu i doktrinarni sistem bivše JNA i TO, kroz znanje i veštinu starešinskog i vojničkog kadra i kroz obuku komandi i jedinica bivše SFRJ. Armija BiH je od JNA preuzela i osnovna borbena pravila za upotrebu jedinica, za organizaciju i mobilizaciju, za obuku i osposobljavanje komandi i jedinica, za štabsku organizaciju i štabski rad, logistiku i sl. Uočava se istovetnost borbenih dokumenata, kao i njihovih sadržaja i formulacije zadataka. Sličnost borbenih dokumenata, planova i zapovesti je veoma velika kako po formi, tako i po sadržaju instruktivnih i naredbodavnih iskaza. Bitna razlika je bila u pogledu izbora i definicije stratezijskih ciljeva i utvrđivanja sredstava za realizaciju tih ciljeva. Različitosti vojnih strategija i njima primerenih stratezijskih sredstava poticala je iz različitih politika nacionalnih rukovodstava. Sasvim je sada jasno da je u BiH vođen građanski rat etničkog i verskog karaktera. „...To je bukvalno građanski rat oko teritorije...“¹²⁶ Kod A BiH se radilo o ofanzivnoj stratezijskoj koncepciji, a kod VRS o defanzivi. VRS je raspolagala sredstvima da realizuje političke ciljeve na početku rata ali etički razlozi odnosa prema sukobljenim stranama nisu tražili rešenje u klasičnoj vojničkoj pobjedi protivnika nego u očuvanju narod i teritoriju na kojoj živi.

2.43. Zato je sve vreme rata nastojala da to za nju urade drugi, pre svega NATO. Zapad na čelu sa SAD i dobar deo islamskog sveta je podržavao strateško opredeljenje A BiH. „...SAD neće ništa zaustaviti da do kraja sprovede ideju ostvarenja unitarne Bosne.“¹²⁷ I danas se teži potpunoj unitarizaciji BiH i radikalnoj reviziji Dejtonskog ugovora od strane muslimanskih partija u BiH i pojedinih regionalnih i svetskih sila.

2.44. Armija RBiH je često zloupotrebljavala i vešto koristila prisustvo međunarodnih snaga (UNPROFOR), pre svega u urbanim delovima BiH i zaštićenim zonama, da bi razmestila jedinice pod njihovim okriljem i dejstvovala prema narodu na prostoru RS i jedinicama VRS. Iz tih lokaliteta ona je preduzimala ofanzivne akcije taktičkog zamaha i nakon postizanja planiranih taktičkih ciljeva brzo se vraćala u prvobitne rejone baziranja. Na identičan način A R BiH je poduzela i nekoliko ambicioznijih operacija, kao što su napad iz zaštićene zone Bihaća u jesen 1994. godine i nekoliko operacija za deblokadu Sarajeva i Goražda, koje nisu bile uspešne. Te snage koje su izvodile operacije nisu razbijene i uništene zato što su se vraćale pod okrilje snaga UN. U rečenom smislu vrlo je poznat masakr koji su muslimanske snage izvele iz demilitarizovane zone između Igmana i Bjelašnice septembra 1994. godine.¹²⁸

2.45. Taktika A BiH u naseljima i na njihovim rubovima odlikovala se u mnoštvu ofanzivnih akcija manjih snaga i borbenih grupa. Te snage su, osloncem na objekte za zaštitu i dejstva u naseljenim mestima i na uređene položaje na ivicama gradova, upadale u borbeni raspored VRS, nanosile osetne gubitke u živoj sili i borbenoj tehnici, vršile masakre civilnog stanovništva i bez ikakvih sankcija od strane međunarodnih snaga povlačile se na svoje ranije položaje. Konstantnim ubacivanjem DT i izviđačkih grupa, vešt看 manevrom snagama i vatrenim sredstvima, jedinica A BiH su umanjivale borbenu moć VRS, a istovremeno pripremali svoje snage za izvođenje složenijih napadnih operacija na većem prostoru.

2.46. Armija BiH je veoma umešno vodila psihološko-propagandni i medijski rat protiv VRS.

¹²⁶ Rouz M. „Borba za mir“, „Jović Press“, Beograd, 2001, str.7. U oproštajnom pismu ppukovnika R.Mola, šefa vojnih posmatrača UN u Sarajevu, izričito se tvrdi da je rat u BiH građanski. To se vidi iz ovog dela pisma: „Veoma je tužno sada otići. Toliko toga treba uraditi i toliko je ljudi kojima treba pomoći u ovom bolnom ratu. Građanski ratovi su zaista najgori...“ Vidi Pismo od 24.decembra 1992. godine.

¹²⁷ Rouz, isto, str.75

¹²⁸ O tome vidi dokument 1.K: Dopuna Zapovesti za napad komandanta OG-1, Str.pov.br.3/727-2-1, od 07.09.1994.godine.

Valja priznati da joj to nije bilo ni osobito teško iz nekoliko razloga: *prvo*, medijsko nastupanje VRS je bilo veoma neuspješno i svodilo se na puko reaktivno dejstvo na optužbe suprotne strane za navodne zločine i nelegitimno dejstvo; *drugo*, A BiH je u medijskom ratu imala konstantno povoljniji položaj jer je međunarodna zajednica muslimane u BiH a priori proglasila za žrtve, a Srbe i Hrvate za agresore, da bi se taj kvalifikativ trajno nametnuo isključivo Srbima; *treće*, svo vreme trajanja građanskog rata međunarodna zajednica je u medijskom smislu satanizovala sve što dolazi sa srpske strane i sa strane VRS, a promovisala i podržavala ono što dolazi sa muslimanske strane.¹²⁹

2.47. Linija rukovođenja i komandovanja oružanim snagama Armije BiH, u prvoj fazi, organizovanja pokazuje da je vertikalna uvezanost sve tri komponente bila samo sa vrhom SDA, koja je, dakle, održavala direktnu komandnu vezu sa snagama MUP-a, Patriške lige i Teritorijalne odbrane. Činjen je pokušaj da se kroz pojedince u Štabu A R BiH iz redova Srba i Hrvata pred međunarodnom zajednicom prikaže njen multietnički i multikonfesionalni karakter. To jednostavno nije odgovaralo istini. Armija RBiH je po svom karakteru, ciljevima borbe, oslovljavanju, borbenim pozdravima, ikonografiji, relikvijama, pesmama i svim drugim obelježjima sve više postajala ekstremno verska vojska. Na takav duh islamizacije dosta su verovatno uticali i plaćenici iz ekstremnih muslimanskih država i organizacija. Slično je bilo i u Predsedništvu RBiH. Izetbegović je tu imao apsolutnu kontrolu, što znači da je rukovodstvo SDA držalo sudbinu rata, odnosno naroda u svojim rukama.

3. Vojska Republike Srpske

2.48. Vojska Srpske Republike Bosne i Hercegovine, koja će kasnije biti preimenovana u Vojsku Republike Srpske (VRS), osnovana je 12. maja 1992. godine. Formirana je od delova jedinica TO R BiH, delova komandi i jedinica JNA, koje su nakon njenog povlačenja ostali u Bosni i delova paravojnim jedinicama koje su se tada borile u Bosni i Hercegovini.¹³⁰ Komandovanje i rukovođenje potčinjenim komandama i jedinicama realizovao je Glavni štab. Sve vreme dok je trajao rat u BiH, tim Glavnim štabom komandovao je general Ratko Mladić. Oko jezgra postojećih elemenata Komande 2. vojne oblasti formirani su početni elementi GŠ.¹³¹

2.49. Bez obzira što je odluka o formiranju VRS doneta 12.05.1992. godine na 16. sednici Skupštine srpskog naroda BiH, ta vojska nije postojala sve do dana kada je normativno uređeno njeno organizacijsko-formacijsko ustrojstvo. Tek od 15.06.1992. godine moguće je i opravdano govoriti da su bili stvoreni neophodni uslovi za komandovanje vojnom organizacijom na svim nivoima u skladu sa nadležnostima.¹³² Ta konstatacija da je u potpunosti bilo moguće komandovati snagama na svim nivoima komandovanja je relativno istinita jer je u toku celog rata i u svim vojskama bilo paravojnih jedinica koje su izbegavale povremeno strogo definisanu liniju komandovanja i odgovornost.¹³³

2.50. Vojska Srpske Republike BiH formirana i ustanovljena je Odlukom Skupština Srpske

¹²⁹ Radinović, R., *Ekspertiza o Sarajevskom ratištu*, Beograd, 2000, str.33-35.

¹³⁰ ERN 0110-3019-0110-3182, *Analiza borbene gotovosti i aktivnosti Vojske Republike Srpske u 1992. godini* koju je objavio Glavni štab VRS-a, Han-Pijesak, april 1993., str. 14, prevod na engleski koji je napravila Prevodilačka služba Međunarodnog suda.

¹³¹ ERN 0110-9699-0110-9799, *Izveštaj o stanju borbene gotovosti za 1991. godinu* koji je objavila Komanda 2. vojne oblasti, Sarajevo, 23. januar 1992., str. 4, prevod na engleski koji je napravila Prevodilačka služba Međunarodnog suda.

¹³² Odluka o formaciji i organizaciji Vojske Srpske Republike BiH. (P09429, P03035)

¹³³ Naredba D. Ilića o prepočinjavanju TO, od 06.06.1992. (D01457)

Republike BiH. To je bio njen naziv nakon izlaska srpskih predstavnika iz Parlamenta SR BiH, u jesen 1991. godine i formiranje Parlamenta od strane srpskih poslanika. Na svojoj 16. Sedinici u Banja Luci Parlament je doneo odluku o formiranju Vojske. Tekst te odluke glasi: „Na osnovu Amandmana na Ustav Srpske Republike BiH, a u vezi sa članom 70. tačka 2. Ustava SR BiH, Narodna Skupština donosi Odluku o formiranju Vojske Srpske Republike BiH.

Prvo: Formira se Vojska Srpske Republike BiH.

Drugo: Dosadašnje jedinice i štabovi Teritorijalne odbrane preimenuju se u komande i jedinice vojske čiju će organizaciju i formaciju utvrditi predsjednik Republike.

Treće: Za komandanta Glavnog štaba Vojske Srpske Republike BiH postavlja se general Ratko Mladić.

Četvrto: Vojska Srpske Republike BiH nosi uniforme i činove koje su nosili pripadnici JNA i Teritorijalne odbrane. Osnov oznaka na kapama čini srpska zastava, a na lijevoj nadlaktici srpska zastava na kružnoj podlozi sa natpisom Vojska Srpske Republike BiH.

Peto: Ova odluka stupa na snagu danom donošenja i važiće do proglašenja Zakona o Vojski Srpske Republike BiH¹³⁴.

2.51. Akt o ustanovljenju Vojske RS je potpuno legitiman dokument i sadrži sve neophodne odredbe o pokretanju procesa izgradnje te vojske kao posebne oružane sile srpskog naroda u BiH, i to posebne u odnosu na vojske drugih etničkih zajednica u BiH - Muslimana i Hrvata. Njena legitimnost se ogleda u tome što je donešena od strane parlamenta kao najvišeg organa zakonodavne vlasti srpskog naroda u BiH, odnosno na samom kraju procesa, konstituisanja Parlamenta, kada je on već vrlo vidno raspolagao dovoljnim kapacitetima političke i zakonodavne moći neophodne za jednu tako važnu odluku kakva je Odluka o formiranju Vojske. Odluka kao osnivački akt Vojske sadržavala je sve neophodne konstitutivne stavke - odredbe na osnovu kojih je bilo moguće ući u proces stvaranja vojne organizacije. Te odredbe su: (1) preimenovanje štabova i jedinica Teritorijalne odbrane u komande i jedinice Vojske, čime je obezbeđen kontinuitet vojnog organizovanja kao samoorganizacija naroda za odbranu na temelju koncepta opštenarodne odbrane države koja je bila u raspadanju; (2) ovlaštenje i istovremeno obavezivanje predsjednika države kao nominalnog šefa države i budućeg Vrhovnog komandanta da utvrdi - ustanovi - propiše organizaciju i formaciju te vojske; (3) odredba o imenovanju generala Ratka Mladića za komandanta Glavnog štaba kao stručnog i štapskog organa zaduženog za pripremu i planiranje upotrebe Vojske.

2.52. Činom imenovanja komandanta Glavnog štaba i samo to telo je dobilo bitno drugačiju ulogu u sistemu strategijskog komandovanja sa velikom odgovornošću i nadležnostima. To imenovanje je Glavni štab unapred predodredilo da bude najviši organ operativnog komandovanja jedinicama VRS u borbenim operacijama, što je inače osnovna i primarna funkcija, a ne samo da bude najviši štapski i stručni organ Vrhovne komande za pripremu i upotrebu vojske u ratu i miru. Na taj način je Glavni štab objedinio i štapsku funkciju, ali i funkciju najvišeg komandnog tela stručno kompetentnog za komandovanje u borbenim operacijama.

2.53. Nakon odlaska jedinica JNA iz Sarajeva (14. maja 1992. godine), izvršena je smena i starešina, a potom je 20. maja formiran Sarajevsko romanjski korpus (SRK), u koji su ušle jedinice sa tog prostora. U većini jedinica izmenjen je vojnički i starešinski sastav jer su iste

¹³⁴ Zapisnik sa 16. Sedinice Skupštine Srpske Republike BiH od 12.05.1992. godine o formiranju Vojske Srpske Republike BiH, objavljen u „Službenom Glasniku SR BiH“ 1992. i Odluka 12-17. maja 1992. str. 219.

nastajale u vihoru rata, koji se širio kao požar. Ima autora koji datum 12.05.1992. godine ne smataju relevantnim za utvrđivanje dana formiranja VRS. Pri tom polaze od nesporne činjenice da toga dana nije postojao niti je funkcionisao ni jedan elemenat organizacijsko-formacijskog ustrojstva VRS. I zaista, formiranje Glavnog štaba VRS počinje 13.05.1992. godine, a njegovo puno funkcionisanje kao štabnog organa Vrhovne komadne bilo je moguće tek od početka oktobra 1992. godine, kada su uspostavljene sve organizacione strukture. Do tada je komandant GŠ sa grupom svojih pomoćnika faktički personifikovao ceo štab. Takođe, organizacijsko naređenje za formiranje Vojske Republike Srpske, Predsedništvo Srpske Republike BiH je donelo 21.06.1992. godine i to na osnovu navedene Odluke Skupštine od 12.05.1992. godine.¹³⁵ Dakle, od tog dana, odnosno dana nakon donošenja Odluke, kako je to navedeno u njenoj tač.8, mogao je otpočeti proces formiranja jedinica i komandi VRS, po propisanoj organizacijsko-formacijskoj šemi, pa bi se s pravom mogao smatrati da pre toga datuma VRS nije ni postojala.¹³⁶ U toj Odluci su propisani i svi elementi operativnog ustrojstva VRS. Ipak, neki bitni elementi tog operativnog ustrojstva Vojske postoje znatno ranije. Tako naprimer, 1. Krajiški, Istočnobosanski korpus postoji od 18.05.1992. godine, a Sarajevsko-romanijski korpus od 22.05.1992. godine. Ostalo je još da se formiraju 2. krajiški i Drinski korpusi, kao i Vazduhoplovstvo i PVO, kao poseban vid vojske. Taj 18.05.1992. godine je bitan i kao poslednji dan kada su jedinice JNA bile na prostoru BiH, pre povlačenja na prostor novoproglašene SR Jugoslavije. Već 19.05.1992. godine ni jedna jedinica JNA, sem blokiranih delova Školskog centa iz Sarajeva, i nekih delova Bilećkog korpusa u Hercegovini, nije se nalazila na teritoriji ove bivše članice jugoslovenske federacije.

3.1. Organizacija VRS

2.54. Kada se uzmu u obzir sve navedene činjenice, datum 12.05.1992. godine može se smatrati kao dan kada je nastala Vojska Republike Srpske iz ovih nekoliko razloga: (1) tog dana je najviši organ zakonodavne vlasti RS doneo akt o formiranju te vojske; (2) toga dana je odlukom Skupštine imenovan komandant GŠ VRS i dobio mandant da pristupi formiranju VRS; (3) do toga datuma je proteklo 35 dana od kada je BiH priznata kao samostalna država koju nisu priznali ni Hrvati ni Srbi kao njeni konstitutivni narodi, pa je proces zaokruženja njihove posebne državnosti bio sasvim legitiman i na Ustavu BiH zasnovan, kao jedan od stubova državnosti. Za zaključak o danu njenog formiranja nije presudno važno da li je toga dana VRS bila u punoj operativnoj sposobnosti ili ne. Ovo iz prostog razloga što je sticanje pune operativne sposobnosti Vojske proces, koji je trajao tokom celog rata.¹³⁷

2.55. Budući više ugroženi Srbi su se u početku masovno odazvali i mobilizaciji tako da je RS tokom rata mobilisala i do 210.000 ljudi, od kojih je bilo oko 150.000 boraca, a ostali su bili kod kuća i odazivali se na front u smenama. Taj deo popune se pretežno odnosio na starija godišta. Iako se pozivu odazvao veliki broj starešine bivše JNA, koji su radili ili rođeni na prostorima BiH, to nije bilo dovoljno, tako da su većinu sastava sačinjavale rezervne starešine. U svetskim razmerama u ratu gine u proseku 8 odsto starešina od ukupnog broja vojnih gubitaka, dok je u VRS 38 odsto gubitaka otpadalo na starešine. To govori u prilog tezi da se radilo o građanskom ratu verskog karaktera, te da su starešine u VRS nastojale da deluju ličnim primerom jer su od strane ekstremista dovođeni u situaciju da se pravdaju da nisu komunijare, jer su bili pripadnici

¹³⁵ Radovan Radinović, *Ekspertiza za Sarajevo*, 2002. tač.13.

¹³⁶ Odluka o formiranju, organizaciji, formaciji i rukovođenju i komandovanju Vojskom Srpske Republike Bosne i Hercegovine, br. 01-58/92, od 15.06.1992. godine.

¹³⁷ Radovan Radinović, *Ekspertiza o Sarajevskom ratištu i komandnoj odgovornosti generala Stanislava Galića*, Beograd, 2000, str.5-8.

propale JNA i ostali bez države kojoj su dali svečanu zakletvu da će je braniti.

2.56. Vojska Republike Srpske (VRS) imala je dva vida Vojske: Kopnenu vojsku i Vazduhoplovstvo i protivvazdušnu odbranu. Organizovana je bila po operativnim sastavima - korpusima koji su bili na direktnoj komandnoj vezi sa Vrhovnom komandom, odnosno sa GŠ VRS, kao njenim štabom, Vazduhoplovstvo i PVO je u celini bilo potčinjeno operativnom korpusu - Komandi ViPVO, a Kopnena vojska nije imala svog komadanta vida. Ukupno je VRS imala šest (6) korpusa kopnene vojske. Najpre pet, a od novembra 1992. godine i šesti, odnosno Drinski korpus. Pored ovih pet operativnih sastava, VRS je imala i svoje prištapske jedinice koje su bile neposredno potčinjene Glavnom štabu, odnosno njegovim pojedinim organizacijskim delovima. Načelna organizacijsko-formacijska struktura prikazana je na šemi Prilog broj 3.

2.57. Korpusi su imali svoje zone odgovornosti i to: *Hercegovački* sa sedištem u Bileći; zoni odgovornosti Istočne Hercegovine do linije Foča - Trnovo - gornji tok Neretve; *Sarajevsko-romanijski korpus* sa sedištem u Sarajevu (Lukavica i Pale) šire područje grada Sarajeva sa svojih 10 opština uključujući Goražde, Jahorinu, najveći deo Romanijskog platoa, gornji tok Bosne do Visokog, Nišića i Olova; *Drinski korpus* sa sedištem u Vlasenici (od novembra 1992. godine) kontrolisao je Srednje Podrinje od Goražda na jugu do Zvornika na severu i na zapadu do linije Podromanija - Rogatica; *Istočno-bosanski korpus* (IBK) imao je zonu odgovornosti u donjem Podrinju, a sedište u Bijeljini; *1. krajiški korpus* sa sedištem u Banja Luci imao je zonu odgovornosti u zapadnoj Bosni i Posavini, približno istočno od linije Brčko - Doboj - Kupres, a na zapadu do Bihaća; *2. krajiški korpus* je u svojoj zoni odgovornosti obuhvatao prostor Bosanske krajine i to od granice sa Hrvatskom do linije Bihać - Jajce. Sedište tog korpusa bilo je u Drvaru, a istureno komandno mesto na Oštrelju. *Vazduhoplovstvo i PVO* je svoje KM imalo u Banja Luci, a zona odgovornosti mu je bila cela BiH do vremena uvođenja operacije UN pod šifrom „Zabranjen let“, a od tog vremena taj vid vojske praktično je bio imobilisan osim dela helikopterskih snaga za sanitetska prevoženja i za potrebe komandantskog izviđanja. I te delatnosti su bile veoma rizične.

2.58. Operativni raspored korpusa VRS po zonama odgovornosti bio je iznuđeno rešenje i to zbog nekoliko činilaca: (1) operativno-geografska analiza prostora RS; (2) oblik prostora RS i njegova mala operativna dubina; (3) strategijski koncept odbrane VRS; (4) nemogućnost direktnog dnevnog uticaja na komandovanje na operativnom i taktičkom nivou; (5) potreba velike autonomnosti i samoinicijative u komandovanju na nivou korpusa i brigada.¹³⁸ Operativni razvoj i grupisanje snaga VRS po zonama odgovornosti prikazana je na šemama, Prilog 4. i 5.

2.59. Analizirajući opštu situaciju u srpskoj republici BiH, glavni štab Vojske SR BiH, je, između ostalog, zaključio i sledeće „(1) u dosadašnjim aktivnostima, Komande korpusa i većina jedinica Vojske SR BiH kontrolišu situaciju u zonama, drže frontove i razbijaju razne grupe neprijatelja u sopstvenoj pozadini; (2) izvršenom mobilizacijom svi korpusi, izuzev hercegovačkog su postigli zadovoljavajući procenat popunjenosti jedinica; (3) rukovođenja i komandovanja u 1. i 2. krajiškom i hercegovačkom i istočno-bosanskom korpusu je stabilizovano, dok se to ne može reći i za sarajevsko-romanijski korpus, zbog nepopunjenosti kadrom, kao i zbog subjektivnih slabosti; (4) uključivanje u Vojsku SR BiH snaga ranije srpske teritorijalne odbrane, raznih snaga „kriznih“ štabova i političkih partija u istočno-bosanskom i sarajevsko-romanijskom korpusu se sporo ili nikako odvija; (5) na pojedinim prostorima se vode lokalni, opštinski i posebno „seoski“ ratovi između različitih etničkih sredina, pri čemu se uglavnom oružjem rešavaju međusobni problemi nastali pre rata, a onda se u to nastoje uvući

¹³⁸ Radovan Radinović, Ekspertiza o Sarajevskom ratištu i komandnoj odgovornosti generala Stanislava Galića, Beograd, 2000, str. 27-30.

jedinice vojske, što nas odvlači sa fronta; (6) lokalno liderstvo, vlastoljublje i samodokazivanje ozbiljno šteti borbi koju vodimo, a posebno kada zbog toga padnu žrtve, masakri i pljačke i (7) međunarodni faktor, zbog prihvaćenih neistina o ratu u BiH, ozbiljno otežava našu borbu, što od nas iziskuje još čvršće zbijanje redova i dokazivanje stvarne istine kroz pravednu i uspešnu borbu u cilju efikasnog korišćenja naših mogućnosti, otklanjanja postojećih slabosti i uspešnog izvršenja predstojećih zadataka.“¹³⁹

2.60. Zbog velikih razlika između zona odgovornosti korpusa: veličina, oblik, zemljišni objekti i operativni ambijent, korpusi VRS su se razlikovali po veličini i broju jedinica, vrsti, strukturi i karakteristikama njihovih sastava. Najbrojniji i sa najvećim operativnim sposobnostima bio je 1. krajiški korpus koji je brojač oko 100.000 ljudi, a najslabiji je bio 2. krajiški korpus sa svega 10.000 ljudi. Ilustracije radi da se napomene da je, npr. 1. krajiški korpus u svom sastavu imao 34 brigade, jednu samostalnu diviziju, tri samostalna puka i pet samostalnih bataljona. Od toga su bile dve oklopne brigade, tri motorizovane i jedna artiljerijska, dok su ostale bile ili lake ili pešadijske brigade (22 jedinice). Poređenja radi, Drinski korpus, kao jedan od slabijih korpusa VRS imao je samo osam brigada i to većina njih bile su lake.

2.61. U organizovanju VRS razlikuju se dva perioda u razvoju organizacije i to: period pre 19.05.1992. godine i period posle tog datuma do kraja rat. U *periodu do 19.05.1992. godine* na području BiH operativno su delovale i bile locirane regularne jedinice JNA i TO, a BiH je bila jedna od federalnih jedinica te države. Najveći deo tih jedinica bio je formiran po planovima mobilizacijskog i operativnog razvoja OS SFRJ sačinjenim za ta područja davno pre izbivanja lokalnog sukoba u BiH, a deo tih jedinica bio je izvučen sa prostora Slovenije i Hrvatske. Uporedo sa ovim, na području Republike Srpske delovale su jedinice srpske TO BiH, na prostorima gde su Srbi bili većina. Period organizovanja i izgradnje Vojske Republike Srpske *posle 19.05.1992. godine* bitno je uslovljen odlukom državnog i vojnog rukovodstva novoproglašene SR Jugoslavije da se sa teritorije BiH povuku pripadnici JNA koji nisu bili državljani BiH. Takva odluka je usledila nakon priznavanja BiH kao samostalne države od strane EU i SAD i njenog prijema u UN.¹⁴⁰

2.62. Po svojoj osnovnoj tipologiji Vojska Republike Srpske je bila *narodna vojska*, odnosno pripadala je tzv. *milicijskom tipu vojnog organizovanja, na teorijskim postavkama koncepcije opštenarodne odbrane, koja je razvijana na nivou bivše SFRJ*. To znači da je starešinski kadar VRS delimično bio sastavljen od aktivnih vojnih lica - profesionalnih vojnika koji su vodili poreklo iz BiH, a veći broj komandnog kadra poticao je iz rezerve. Borački sastav je u celini bio sastavljen od lokalnog stanovništva sa teritorije i od dela stanovništva koje je izbeglo sa teritorija pod kontrolom muslimanskih i hrvatskih oružanih formacija. Osnovni princip popune jedinica boračkim sastavom je teritorijalni princip, a samo u visokom komandnom kadru bio je primenjen i principi eksteritorijalne popune.

2.63. Sve vreme rata, do jula 1995. godine, na teritoriji RS nije bilo proglašeno ratno stanje. Zato nije bilo pravnih mogućnosti da se ljudstvo drži stalno u borbenom stroju, odnosno u jedinicama i ustanovama, izuzuev na osnovu dobrovoljne odluke pojedinaca. Dakle, taj princip dobrovoljnosti stupanja u redove VRS je bitno odredio narodni i milicijski karakter te vojske. Ogromna slabost tog principa sastojala se u tome što su borci smatrali da ih dobrovoljnost oslobađa da mogu napustiti jedinicu, pa i borbenu liniju, uvek kada to nađu za shodno i da ne moraju da idu na druga ratišta na prostoru BiH. To je bio veliki problem tokom celog rata. To je

¹³⁹ Zone odgovornosti i naredni zadaci Vojske Srpske Republike Bosne i Hercegovine, GŠ VS RBiH, 4. jun 1992. godine (E 234-D071-001-Z39)

¹⁴⁰ Radinović.R., Isto, str.20.-22.

bitno ugrožavalo operativnu sposobnost na operativnom i stratezijskom nivou komandovanja.

2.64. Doktrina upotrebe i borbog delovanja VRS bila je po mnogo čemu specifična, ali je u osnovi počivala na teorijskim i doktrinarnim znanjima iz bivše JNA. Takođe, ona je proistekla iz karaktera rata vođenog na teritoriji BiH i karaktera i oblika vojnog organizovanja koji je bio primenjen kod formiranja VRS. *Oružana dejstva VRS planirana su, organizovana i vođena pretežno na načelima stratezijske defanzive.* To je direktno korespondiralo odbrambenom i oslobodilačkom karakteru rata i osnovnoj tipologiji vojne organizacije kojoj je VRS pripadala, a to je narodna vojska organizovana i taktički i operativno razmeštena i razvijena na teritorijalnom principu. Vrhovna komanda VRS nikada nije postavila konačnu vojnu pobjedu u ratu za svoj primarni ratni cilj. Naprotiv, maksimalni strateški cilj VRS bio je odbrana RS u teritorijalnim granicama koje su smatrane srpskim etničkim prostorom na koje Srbi u BiH imaju legitimno pravo da formiraju sopstveni i državni entitet.

2.65. Defanzivna stratezijska opredeljenja o upotrebi VRS su zabeležena u više navrata u zvaničnim i nezvaničnim istupanjima predsednika Republike Srpske i vrhovnog komandanta.¹⁴¹ Radovan Karadžić je često isticao da ratni cilj RS nije bio vojnički poraz A BiH i HVO, kao nacionalnih vojski druga dva naroda u BiH, već odbrana i zaštita srpskog naroda na srpskim etničkim prostorima i formiranje Republike Srpske, kao posebnog državnog i političkog entiteta BiH. Formiranje posebnog državnog entiteta, je bila nužda nakon majorizacije¹⁴² Srba od strane Muslimana i Hrvata. Na samom početku rata, u procesu povezivanja prostornih enklava u jednu teritorijalnu celinu RS, VRS je izvodila i ofanzivna dejstva taktičkih razmera, pa čak i jednu ofanzivnu operaciju. Radi se o operaciji poznatoj pod šifrovanim nazivom „*Koridor-92*“ koja je izvedena u Posavini od 24.06.1992. godine do kraja oktobra iste godine, a radi prostornog povezivanja istočnog i zapadnog dela Republike Srpske. Nakon te operacije sledi ofanzivna operacija VRS jula 1993. godine pod nazivom „*Lukavac-93*“. Ta operacija je izvedena radi oslobađanja šireg prostora Trnova i Treskavice, koji su zaposle jedinice A BiH u leto 1992. godine. Oslobađanjem tog prostora povezani su Hercegovaci, Sarajevsko-romanijski i Drinski korpus i uspostavljena puna operativna kontrola prostora između planine Igmana, Bjelašnice, Treskavice i Jahorine. Prostor Igmana je inače bio operativna osnovica muslimanskih snaga za dejstvo ka Sarajevu, Foči i Goraždu i dalje ka istočnoj Hercegovini. Sledeća ofanzivna operacija je bila ona koja je u jesen 1994. godine izvedena u Bihačkoj krajini. Radi se o izazvanoj i praktično iznuđenoj operaciji, kada je 5. korpus A BiH izveo prodor iz Bihaća kao zaštićene zone UN u dubinu teritorije RS, pa je VRS bila prinuđena da ga protivudarom vrati u tu zonu. Sva druga dejstva, sem u taktičkim razmerama, pripadaju grupi defanzivnih dejstava.

2.66. Teritorijalni princip ratovanja je takođe jedan od gotovo iznuđenih principa doktrine VRS, koji je kompatibilan, kako karakteru rata u BiH, tako i narodnom, odnosno milicijskom¹⁴³ karakteru ove vojne organizacije. Faktički su jedinice i borci branili rodni zavičaj, sopstvena naselja i čim bi koje naselje palo, borci su gubili interes da i dalje ostaju u jedinicama i da se bore. U tim slučajevima dolazilo je do masovnog napuštanja fronta, do pražnjenja, odnosno osipanja jedinica, što je ozbiljno slabilo čvrstinu odbrane VRS.

2.67. Ofanzivnih akcija iz dubine angažovanjem sopstvenih rezervi i pridodatih ojačanja bila su adekvatno rešenje tog problema. Slična situacija je bila i u A BiH i HVO, ali su imale više

¹⁴¹ „... Trudili smo se da ne zauzimamo ono što nije naše, da se ne borimo više nego što treba, da se odbranimo...“, govor Radovana Karadžića na 16. sednici Skupštine SR BiH u Banja Luci 12.05.1992. godine.

¹⁴² majorizirati (lat. maior veći) nadglasati, nadglasavati, nadvladati većinom glasova, npr. protivničku stranku. Milan Vujaklija, *Rečnik stranih reči i izraza*, Prosveta, Beograd 1980. str.526.

¹⁴³ milicija (lat. militia) narodna vojska, naoružani narod (za razliku od redovne ili stajaće vojske). Milan Vujaklija, *Rečnik stranih reči i izraza*. str.567.

manevarskih jedinica koje su angažovane po potrebi na različitim delovima ratišta. U pripremi i izvođenju borbenih dejstava komandni kadar, kao i ceo borački sastav težišno se oslanjao na tehničku nadmoć nad neprijateljem, posebno u prvoj fazi rata. Ta nadmoć se ogledala u posedovanju više teškog naoružanja pre svega artiljerije i oklopno-mehanizovanih jedinica. To stanje se promenilo u završnom periodu rata.

3.2. Sistem rukovođenja i komandovanja u VRS

2.68. Sistem rukovođenja i komandovanja u VRS, kao što je to slučaj i u svim drugim armijama sveta, imao je trostepenu strukturu: (1) stratezijski nivo ili vrhovno komandovanje; (2) operativni nivo komandovanja, i (3) taktički nivo komandovanja. Za drugi i treći nivo komandovanja nema potrebe da se nešto posebno ističe što se inače ne zna i što nije poznato u vojnoj doktrini o komandovanju. To su vojne komande u najtipičnijem smislu, uglavnom organizovane, opremljene i osposobljene za planiranje, organizovanje, pripremanje i vođenje operacija, bojeva i borbi. Tu spadaju komadne korpusa kao operativni nivo i komande brigada, bataljona i diviziona kao taktičke komande, odnosno taktički nivo komandovanja.

2.69. Organizacija sistema RiK-a u osnovi prati organizacijsko ustrojstvo Vojske Republike Srpske. A ta organizacija je utvrđena Odlukom predsednika Srpske Republike BiH.¹⁴⁴ Na osnovu te Odluke komandant Glavnog štaba VRS je izdao svoju Naredbu o formiranju komandi i jedinica VRS.¹⁴⁵ Pre toga, komandant GŠ VRS je svojim naređenjem utvrdio zone odgovornosti operativnih sastava VRS i načelno odredio njihove naredne zadatke.¹⁴⁶

2.70. Na osnovu ovih konstitutivnih dokumenata, Vojska Srpske Republike BiH, kasnije poznata pod nazivom VRS, bila je sastavljena iz dva vida: Kopnene vojske i Vazduhoplovstva i protivvazdušne odbrane. Na čelu Vojske je bio Glavni štab VRS koji je u neposrednoj potčinjenosti imao i nekoliko svojih jedinica kao što su: Gardijska brigada, Zaštitni puk, puk veze i 10. diverzantski odred. Takođe, VRS je imala i svoj logistički podsistem kojeg su činile pozadinske jedinice i ustanove (pozadinske baze, remontne zavode, radionice i proizvodne pogone, vojne ekonomije, biblioteka, vojni orkestar, bolnica, vojnomedicinski centar, centar za automatsku obradu podataka, knjigovodstveni centar, kontraobaveštajne grupa, 410. obaveštajni centar.).

2.71. U kontekstu organizovanja sistema RiK-a, VRS je bila organizovana na operativnom i taktičkom nivou. Operativni nivo su činili: Vazduhoplovstvo i protivvazdušna odbrana i Kopnena vojska, a taktički nivo su činile jedinice i ustanove po dubini korpusne organizacije i organizacije Vazduhoplovstva i PVO. Može se zaključiti da VRS nije imala jedinice ili sastave stratezijskog vojnog organizovanja, već je to, kada je i ako trebalo, postizala funkcionalnim organizovanjem ih organizovanjem sadejstva dva ili više korpusa u izvođenju stratezijskih operacija ili operacija stratezijskog nivoa.

2.72. Stratezijski nivo komandovanja su činili Vrhovna komanda i Glavni štab VRS. Kao što mu to i samo ime kaže, ovaj nivo komandovanja bio je rukovodno nadležan za obavljanje stratezijskih radnji¹⁴⁷ kojima se oružane snage kao celina i njihovi glavni delovi dovode u

¹⁴⁴ Dokument br. 01-58/92, od 15.06.92. (P03035)

¹⁴⁵ Naredba br. 30/18-17, od 16.06.1992. (P19018)

¹⁴⁶ Naređenje Glavnog štaba VRS br. 02/5-31, od 04.06.1992. godine. (P02546)

¹⁴⁷ U osnovne stratezijske radnje vojna doktrina ubraja mobilizaciju, koncentraciju, odnosno početno grupisanje, te vojsku na ratištu i njen stratezijski razvoj (odnosno raspored) u prostoru - vidi "Vojni leksikon", Vojnoizdavački zavod, Beograd, 1981., str. 590. (1D06010)

položaj za upotrebu, odnosno za izvođenje strategijskih operacija kojima se ostvaruju strategijski ciljevi rata. VRS nije izvela ni jednu strategijsku operaciju po angažovanim snagama, ali je izvela nekoliko operacija koje su imale strategijski značaj („Koridor 92“, „Lukavac 93“ i protivudar ka Bihaću u jesen 1994. godine)¹⁴⁸.

2.73. Strategijski nivo komandovanja odnosno vrhovno komandovanje u VRS je po mnogo čemu bilo specifično. Nominalno, predsjednik Republike Srpske, bio je Vrhovni komandant VRS. Takvo rešenje je prisutno u gotovo svim armijama sveta. Glavni štab VRS je bio najviši štabni organ vrhovnog komandanta. Ne samo da je u ulozi štabnog organa Vrhovne komadne kreirao akta komandovanja, nego je na osnovu njih i izdavao konkretna, obavezujuća naređenja i direktive operativnom nivou komandovanja. Odnosi između vrhovnog komandanta i komandanta GŠ VRS bili su ponekada opterećeni nekakvim nerazumevanjem suštine civilno vojnih odnosa. Ta dvojnost i paralelizam u vrhovnom komandovanju, u pojedinim periodima rata, izazivalo je više posledica. Sukobi su povremeno eskalirali do nivoa koji je onemogućavao jedinstvo vojne i političke strategije, a to je imalo i vrlo negativno delovanje na ukupni status i položaj VRS u pojedinim periodima rata, kada logika politike nije razumevala logiku i tok borbenih operacija. Od tog sporadičnog i povremenog nerazumevanja štetu je imala i VRS i RS.

2.74. Vrhovna komanda kao kolektivno telo formirana je 30.11.1992. godine. Ona nije bila zadejstvovana punim kapacitetom. Na sednicama toga tela kada je i bilo reči o Vojsci, to se nije odnosilo na njenu operativnu upotrebu na operativnom i taktičkom nivou, jer odluke o tome nije donosila Vrhovna komanda, nego pretežno GŠ i komande operativnog i taktičkog nivoa.¹⁴⁹ U slučajevima kada su oba nivoa strategijskog komandovanja donosili direktive (primer D-7 i D-7/I).

2.75. Pored toga što je Glavni štab obavljao ulogu operativne vrhovne komande VRS, on je obavljao i funkciju štapskog organa Vrhovne komande za pripremu i upotrebu vojske. Ta štapska uloga se podjednako odnosi na stručnu i štapsku podršku odluka komandanta Glavnog štaba, što je po sebi razumljivo, ali i odluka, odnosno direktiva koje je potpisivao vrhovni komandant i predsjednik Republike. To se jasno vidi u Direktivi 7 koju je autorizovao predsjednik Republike. No, njenu pripremu i finalnu obradu izvršio je Glavni štab.

2.76. Formiranje Glavnog štaba VRS je otpočelo 13.05.1992. godine, tj. onog dana kada je general Manojlo Milovanović sa grupom oficira došao u Republiku Srpsku i primio dužnost. Oni su činili kadrovsko jezgro Glavnog štaba. Njegova lokacija sve vreme rata je bila u Crnoj Rijeci kod Han Pijeska. Geostrateški položaj RS i vojnogeografske karakteristike ratišta zahtevale su formiranje istaknutog komandnog mesta u zapadnom delu RS, odakle bi se ostvarivalo vrhovno komandovanje snagama u 1. i 2. krajiškom korpusu i prema Vazduhoplovstvu i PVO. Sa osnovnog Komandnog mesta VRS, ostvarivalo se komandovanje sa korpusima u istočnom delu RS (IBK, DK, NK i SRK). Takav pristup u komandovanju uveden je u poslednjoj godini rata, ali već kasno jer su izgubljene druge pretpostavke za efikasnu odbranu dela Bosanske krajine i zone 2. Korpusa. Nedostatak takvog organizacionog rešenja rada, GŠ VRS je kompenzovao čestim

¹⁴⁸ Isto, str. 589. (1D06010)

¹⁴⁹ Odluka o formiranju Vrhovne komande ima pet (5) članova. U članu 1. je zapisano da „formira Vrhovnu komandu Vojske Republike Srpske radi usklađenosti, koordinacije, efikasnog sistema komandovanja Vojskom Republike Srpske“. U članu 2. je dat personalni sastav Vrhovne komande i čini je: „Vrhovni komandant, predsednik Republike Srpske, (Predsjedništvo), predsednik Narodne skupštine Republike Srpske, predsednik Vlade Republike Srpske, ministar narodne odbrane i ministar unutrašnjih poslova Republike Srpske“. U članu 3. je definisan status Glavnog štaba VRS u odnosu na Vrhovnu komandu, pa je istaknuto da „radu Vrhovne komande prisustvuje komandant GŠ VRS, njegovi pomoćnici, članovi Glavnog štaba, a komandanti korpusa VRS samo po pozivu“.

slanjem ekipa koje su vodili njegov Načelnik štaba, ali i sam komandant GŠ VRS, general Mladić. Tim obilascima najviših rukovodilaca VRS potčinjenih komandi širom ratišta, vršena je kontrola komandovanja, pružana pomoć potčinjenim i vršeno korigovanje odluka GŠ prema komandama korpusa. Krajem 1995. godine, u vreme hrvatsko-muslimanske ofanzive, to je bilo sve teže izvoditi u skladu sa dotadašnjom praksom. Sistem veza je bio narušen vazduhoplovnim dejstvima NATO snaga.

2.77. Glavni štab VRS-a sastojao se od nekoliko različitih struktura (koje se na ovom nivou u načelu nazivaju sektorima), od kojih je svaka organizovana tako da komandantu pruži neophodnu podršku za odlučivanje. Prva i najvažnija instanca posle komandanta GŠ bio je načelnik štaba, koji je po potrebi obavljao i dužnost zamjenika komandanta. Načelnik štaba upravljao je radom operativnog sektora štaba, te vodio računa o tome da taj rad bude u potpunoj koordinaciji s radom drugih sektora. Tu su bili i uobičajeni pomoćnici komandanta, i to pomoćnik komandanta za moral, pravna i vjerska pitanja, pomoćnik komandanta za obavještajno-bezbjednosne poslove i pomoćnik komandanta za pozadinu. Kasnije tokom rata, kao odraz proširenja potreba utvrđene su i nove uloge pomoćnika komandanta GŠ. Nekoliko odjeljenja koja su se dotadašnjim okolnostima nalazila u operativnom sektoru ili u sektoru pozadinskih službi proširena su i na kraju određeni kao zasebni sektori, na čelu sa pomoćnicima. To su bili pomoćnik komandanta za ratno vazduhoplovstvo i protivvazdušnu odbranu, pomoćnik komandanta za popunu i personalne poslove i pomoćnik komandanta za razvoj i finansijske poslove. U kontekstu ovog Izveštaja, uloge načelnika za operativno-nastavne poslove, pomoćnika komandanta za moral, pravna i vjerska pitanja, te pomoćnika komandanta za obavještajno-bezbjednosne poslove dominantni su sa aspekta operativne upotrebe pa su date osnovne informacije o njima.¹⁵⁰

2.78. Sektor za operativno-nastavne poslove Glavnog štaba bio je najneposrednije odgovoran za planiranje i upravljanje većinom poslova Štaba vezanih za borbena dejstva. Tim aktivnostima upravljao je načelnik za operativno-nastavne poslove. Načelnik za operativno-nastavne poslove takođe je imao funkciju zamjenika načelnika štaba.¹⁵¹ Načelniku za operativno-nastavne poslove bila su potčinjena organi koja su se bavila osnovnim rodovima i službama, uključujući pješadijske jedinice, oklopnomehanizovane jedinice, raketne i artiljerijske jedinice, inženjerske jedinice, te jedinice veze i jedinice za elektronsko dejstva.

2.79. Sektor za moral, verske i pravne poslove tokom rata je predstavljao važnu komponentu Glavnog štaba. Taj element Štaba bio je prevashodno odgovoran za upravljanje informativno-propagandnom kampanjom u funkciji podrške ratnih ciljeva. To se smatralo posebno važnim s obzirom na izveštavanje zapadnih sredstava informisanja o ratu i na predstavu da je to bilo vrlo pristrasno na štetu VRS i RS. Ovaj deo Štaba takođe je bio odgovoran za upravljanje vojnim pravosudnim sistemom. U skladu sa svojom organizacijom, ovaj organ je upravljao i vojnim tužilaštvima koja su delovala u zonama korpusa, kao i novoosnovanim vojnim sudovima. Međutim, sredinom 1993. godine, odgovornost za to prenesena je s VRS na Ministarstvo odbrane. Sto se tiče verskih pitanja, toj relativno novoj oblasti pridavano je malo neposredne pažnje u početnim fazama rata. Kako je rat odmicao, ta konkretna služba preuzela je više dužnosti vezanih za podršku porodicama poginulih ili ranjenih vojnika, kao i za druga pitanja koja su se odnosila na ratne veterane.¹⁵²

2.80. Sektor za obaveštajno-bezbednosne poslove je bio organizaciona celina za pripremu i izvođenje borbenih dejstava VRS. Pored prikupljanja podataka o protivnicima u ratu u BiH

¹⁵⁰ Richard J. Butler, Izveštaj o komandnoj odgovornosti u Glavnom štabu VRS, 2006., Str. 11.

¹⁵¹ *Pravilo, korpus kopnene vojske, privremeno (1990.)* par.67.

¹⁵² R. Butler, Izveštaj o komandnoj odgovornosti u Glavnom štabu VRS, Str. 12.

veoma je bilo bitno efikasno zaštititi podataka o sopstvenim snagama od protivničkih snaga (kontraobavještajni rad). Ovaj sektor je vršio i više čisto bezbednosnih funkcija, uključujući fizičku zaštitu ključnih ličnosti i objekata, kao i održavanje opšte atmosfere sigurnosti putem vojnih aktivnosti na sprečavanju zločina. Vršeci te funkcije, Sektor za obavještajno-bezbednosne poslove pružao je tehničku podršku izvidnicama i izviđačkim jedinicama, jedinicama za elektronsko-izviđanje, diverzantskim jedinicama, specijalizovanim jedinicama za bezbednost, te jedinicama vojne policije.¹⁵³

2.81. Lokacija Glavnog štaba bila je često sporna i zbog potrebe neposredne i dnevne saradnje Vrhovne komande i GŠ VRS. Nedovoljno razumevanje komunikacije na strategijskom nivou često se dovodilo u kontekst i problema fizičke udaljenosti, što svakako nije tako. Nije se dovoljno i na pravi način shvatala logika veze u domenu civilno vojnih odnosa prema vojnim operacijam i vojnoj profesiji od strane političkog rukovodstva i obratno. Vojnici nisu imali uvek dovoljno razumevanja za političke odluke i njihov odnos prema ciljevima rata. Posledica takvog odnosa bila je da se GŠ VRS bavio ponekada i ratovodstvom, a ne samo oružanom borbom što je inače bila njegova primarna uloga. Ratovodstvom se trebalo baviti najviše državno i političko rukovodstvo. Glavni štab je bio popunjen elitnim profesionalnim oficirima i generalima koji su vojne škole i akademije, kao i sve oblike vojnostručnog usavršavanja, završili u visokim školama bivše JNA. Oni su bili osposobljeni za efikasno ostvarivanje svih elemenata štabne funkcije u GŠ VRS. Pored štabne i komande funkcije, GŠ VRS bio je neposredno uključen u sve oblike službene komunikacije i saradnje VRS i UNPROFOR-a, odnosno snaga UN. Organizacija i struktura GŠ VRS data je i na šematskom pregledu Prilog broj 6.

2.82. Nakon operacija za Žepu i Srebrenicu u kojima general Mladić nije odigrao glavnu ulogu, jer je predsednik RS dr Radovan Karadžić je tu ulogu dodelio komandantu DK general-majoru Radoslavu Krsiću. Iz njegovog intervjua datog 4. avgusta 1995. godine televiziji RS to je veoma očigledno. Intervju sa predsednikom RS Radovanom Karadžićem emitovan je istog dana u 22:30 časa. Glavna tema intervjua bila je vezana za proglas da je general-pukovnik Ratko Mladić smijenjen sa položaja komandanta Glavnog štaba VRS, te da je postavljen za „specijalnog savjetnika vrhovnog komandanta za koordinaciju zajedničke odbrane RS i Republike Srpske Krajine (RSK)“. U delu tog intervjua nalazi se kratak isečak koji se odnosi na Srebrenicu i ulogu general-majora Krstića. Prema rečima predsednika Karadžića: „Htjeli smo da od Mladića stvorimo legendu i to smo i uradili, jer smo znali da naš narod želi legende. Nismo, međutim, uspjeli da skrenemo pažnju na uspjeh pojedinih komandanata korpusa. Recimo Krstića, na primjer, koji je preda mnom planirao, a ja sam odobrio taj zadatak za Srebrenicu, koji je to izuzetno dobro uradio. Naravno, Glavni štab, Mladić i svi ostali su pomogli, ali treba da se zna da je Krstić jedan veliki vojni komandant¹⁵⁴. Ovde se jasno vidi želja i namera dr Radovana Karadžića da GŠ i VRS potpuno stavi pod svoju kontrolu.¹⁵⁵ Najizrazitije su svi ti nesporazumi kulminirali onda kada je predsednik Republike i Vrhovni komandant pokušao da iz osnova promeni ulogu Glavnog štaba i da ga od organa za komandovanje svede na organ za štapske i stručne poslove, kakav je slučaj u drugim armijama koje imaju generalštabove. Shvativši da je problem više u koncepciji, i da bi se možda i novi komandant GŠ ponašao slično, Vrhovni komandant je najpre Ukazom preimenovao Glavni štab VRS u Generalštab VRS, a generala Mladića imenovao za svog specijalnog savetnika.¹⁵⁶ Generali VRS su svojim potpisima izrazili

¹⁵³ R. Butler, Izveštaj o komandnoj odgovornosti u Glavnom štabu VRS, Str. 15.

¹⁵⁴ (Dokazni predmet optužbe broj 99/a).

¹⁵⁵ Richard J. Butler, , Izveštaj o komandnoj odgovornosti u Glavnom štabu VRS-a, 2006., str.101

¹⁵⁶ Ukaz predsednika RS, br. 01-1566/95, od 04.08.1995. godine. (D02157)

lojalnost komandantu GŠ VRS.¹⁵⁷ Oni su jasno stavili do znanja da svoju odluku zasnivaju na sopstvenom tumačenju Ustava i Zakona i na osnovu toga utvrđenom sistemu RiK-a, a to je da operativno komandovanje ostvaruje komandant Glavnog štaba. Nakon takvog postupanja generala, a verovatno i zbog same situacije na ratištu, dr Radovan Karadžić je odlučio da suspenduje svoju Odluku i sva naređenja koja se odnose na promenu statusa Glavnog štaba i položaja generala Ratka Mladića.¹⁵⁸ Suštinske promene GŠ VRS desile su se tek nakon rata, 8.11.1996. godine, ukazom tadašnje predsednice Republike Srpske Biljane Plavšić, general Ratko Mladić je smenjen sa mesta komandanta Glavnog štaba VRS i nije imenovan za Načelnika Generalštaba.

¹⁵⁷ Glavni štab VRS, br. 04-12/937, od 05.08.1995. (D02159) i K-da IBK, DT 01/1369-2/679 od 06.08.1995. (P15423)

¹⁵⁸ Akt o povlačenju naređenja o promeni statusa GŠ VRS i gen. Mladića, pov.br. 01-1707-1/95, od 27.08.1995. (1D05439)

III Deo

ORUŽANI SUKOBI U BiH

1. Početak oružanih sukoba

3.0. Već u martu 1992. godine započeli su sukobi na nacionalnoj osnovi u raznim mestima Bosne i Hercegovine. U tim sukobima težišno su učestvovali ekstremisti iz redova svih naroda, kao i predstavnici političkih stranaka nacionalnog karaktera, a takve stranke su bile vodeće i imale su najveće poverenje kod Srba, Muslimana i Hrvata. U tom periodu Muslimani i Hrvati su imale organizovane paravojne formacije, dok su se Srbi nadali da će Jugoslavija opstati i oslanjali su se na JNA i postojeće institucije zajedničke države i lokalne samouprave. Na prostorima gde su živeli Muslimani i Srbi ti sukobi još nisu imali sistematski karakter, nastajali su tu i tamo, sporadično ali su nabijeni bili mržnjom i netrpeljivošću koja je stalno produbljivana. Tamo gde su živeli Hrvati, već od početka sukoba u Hrvatskoj, situacija je bila nepodnošljiva. Srpski narod je stalno progonjen, a napadi na jedinice i vojne objekte bili su ponekad i intenzivniji nego na prostoru Hrvatske. To se posebno odnosilo na Zapadnu Hercegovinu, dolinu Neretve, Dubrovačko zaleđe i Posavinu.

3.1. Tako su 3. marta izbili oružani sukobi većih razmera u Bosanskom Brodu, što je dovelo do podele grada. Srbi su zahtevali formiranje srpske opštine Bosanski Brod, a Hrvati su odgovorili ratnim otvaranjem mosta preko Save, po kome su u grad ušle jedinice Hrvatske vojske. To je bila klasična oružana agresija na BiH i JNA. Pri tome JNA je ipak ispunila uslov koji joj je postavljen od Hrvatske i povukla se iz grada na 25 kilometara, zbog čega je nastala panika u srpskom narodu, koji je ostao nezaštićen. To je izazvalo talas izbeglih Srba ka Banja Luci. Napad na Sijekovac, te pokolj u tom selu označava događaje koji su se zbili 26. i 27. marta 1992. kraj Bosanskog Broda, a koji su rezultirali smrću više desetina civila srpske nacionalnosti. U ta dva dana selo Sijekovac su zauzele jedinice Hrvatske vojske, Hrvatsko veće obrane i muslimanske jedinice Teritorijalne odbrane BiH. Te snage su bez ikakvog povoda tada zapalile oko pedeset kuća u selu i poubijale nedužne porodice srpske nacionalnosti. Godine 2004. Federalna komisija za pronalaženje nestalih osoba, telo Federacije BiH, otpočela je iskopavanje u blizini Bosanskog Broda. Enisa Adrović, istražni sudija iz Zenice koja je vodila ekshumacije, navela je da su ona trajala 14 dana i otkrila 59 leševa, te da su oni većinom pripadali civilima srpske nacionalnosti. Samo 8 leševa je kraj sebe imalo predmete pomoću kojih su se mogli identifikovati, a 49 nije imalo ništa što bi pomoglo identifikaciji. Među leševima je bilo 18 dece. Sijekovac je početna rana rata u BiH, gde se jasno vidi da je muslimansko-hrvatska koalicija počela nasilje i usmerila ga prema srpskom narodu.¹⁵⁹ To je i dokaz da su rat prvi započeli Hrvati i Muslimani napadom na Srbe.

3.2. Početkom aprila jedinice HV, HVO-a i jedinice HOS-a iz Zapadne Hercegovine započele su ofanzivu prema Kupresu. Prvi hrvatski tenk ušao je u grad 5. aprila. Stanovnici srpskih sela već tada su bili izloženi terorom Hrvatske vojske, koja je prenosila rat na prostor BiH po svaku cenu, po odluci političkog i državnog rukovodstva Republike Hrvatske.

¹⁵⁹ Case Number IT-97-24-T, the Prosecutor versus Milomir Stakic. UN ICTY. 2002-11-18. p. 9086. pristupljeno na 6. II 2010. „[Defence attorney] Mr. Lukić: [Interpretation] Therefore, the incursion of the regular Croatian forces into the territory of Bosnia and Herzegovina occurred on the 3rd of May, 1992. After that, on the 26th of March, there was the massacre of Serb civilians in the village of Sijekovac in Bosanski Brod Municipality which was also covered in all the media, and members of the presidency of Bosnia and Herzegovina went to the scene. [...]“

Krnje Predsedništvo BiH, koje u suštini nije imalo legitimitet koji proističe iz volje sva tri konstitutivna naroda, objavilo je 4. aprila mobilizaciju Teritorijalne odbrane (TO), rezervista milicije i civilne zaštite u svim opštinama i gradovima BiH. Protiv te odluke glasali su članovi Predsedništva, iz redova srpskog naroda, Biljana Plavšić i Nikola Koljević. Mobilizaciji su se odazvali samo Muslimani i Hrvati. Alija Izetbegović je tražio od JNA da preda oružje muslimanskoj TO BiH. Protiv kretanja Republike BiH u pravcu rata protestovali su ne samo Srbi, nego i veliki deo Muslimana, koji nisu bili pod uticajem hrvatskih nacionalista i Republike Hrvatske. Sarajlije su izabrale veoma uočljiv način da kažu svoje „ne“ ratu: Na dan objavljivanja opšte mobilizacije u znak protesta oni su pogasili svetla u svojim stanovima. *Grad je utonuo u tamu, kao simboličan gest ukazivanja na mrak i kaos koji su dolazili sa građanskim ratom.* Nažalost to ugašeno svetlo jeste i simbolika početka rata u „tamnom vilajetu“ u kome su progovorile aveti iz prošlosti, mržnja i želja za osvetom. Postepeno se i običan narod koji je do juče želeo mir našao na različitim stranama jer su ih tadašnji političari, nacionalni i verski ekstremisti, paravojne organizacije podelili kontrolnim punktovima, barikadama, ubistvima i progonom pripadnika drugih nacija iz većinske sredine. Obični ljudi postali su taoci rata. Već 4. aprila paralelno su sa mobilizacijom započele i vojne akcije muslimanskih paravojnih organizacija, u kojima su zauzele zgrade milicije, pošte i sve važnije objekte u gradu.

2. Izvođenje borbenih dejstava na prostoru Bosne i Hercegovine

3.3. U početku su se u Sarajevu dejstva odvijala kao da je reč o narodnom ustanku, bez određenog koncepta odbrane ili blokade Sarajeva. Urbani deo Sarajeva je odmah pripao muslimanima koji su od ranije u njemu organizovali „Patriotsku ligu“, „Zelene beretke“ i MUP. Kasnije su se problemi gomilali i postajalo je sve teže za opstanak Srba u Sarajevu. Topio se i patriotizam jer su ga nagrizale nemoralne pojave koje su demotivisale patriote. Najveći vojnički problem je bio što u početku nije bilo generalnog stava, odnosno strategijskog cilja, šta se želi postići na vojnom planu kod svih zaraćenih strana i kako to učiniti, tako da su paravojne formacije izvodile teror nad nedužnim civilima, etnički čistile prostore koje su kontrolisali i vodile u suštini svoje privatne ratove. U tome su najpoznatije bile odmetničke bande u gradu Sarajevu, koje su pod plaštom odbrane grada bili „gospodari života i smrti“. Ne samo da su terorisali pripadnike srpskog naroda nego i muslimane koji su im se „zamerili“ na bilo koji način. U toj trgovini sa oružjem i ljudskim životima učestvovali su i pojedini pripadnici JNA.¹⁶⁰

3.4. U manjim mestima centralne Bosne bilo je još većih grešaka i neorganizovanosti, budući da je tamo bilo većinsko muslimansko - hrvatsko stanovništvo. Zato je tamo bilo teže i izvlačiti stanovništvo na druge lokacije. To je doprinelo i manjem odzivu Srba na mobilizaciju, pa je stoga veći deo oružja dospelo u ruke Muslimana i Hrvata. U nekim mestima, kao što su Gornji i Donji Vakuf, Busovača, Kakanj i drugim mestima nije bilo nikakve organizacije Srba, nego su delovali kao naoružani narod kroz seoske straže. Tokom 1992. godine u muslimanske jedinice su stizali „sveti ratnici“ (mudžahedini) koji su vodili sveti rat protiv hrišćanskih Srba. Turski list „Milijet“ je 20. avgusta 1992. godine doneo tekst u kome iznosi da se na strani Muslimana u Bosni bori 1.300 mudžahedina iz islamskih zemalja koje je pozvala vlada u Sarajevu. U septembru 1992. godine u s. Jablanica kod Tešnja mudžahedini iz Saudijske Arabije su organizovali centar za obuku muslimana po načelima i osnovnim postavkama džihada. Trojicu zarobljenih srpskih boraca (Blagoju Blagojevića, Branu Đurića i Nenada Petkovića),

¹⁶⁰ General Jovan Divjak, bio je pravosnažno osuđen 1991.godine zbog nelegalnog naoružavanja pripadnika TO u Kiseljaku. Izbegavanje pravde je i verovatni motiv njegovog dezerterstva iz JNA i ostanka u muslimanskoj A BiH.

mudžahedini iz Tešnja su mučili, a potom se slikali sa njihovim otsečenim glavama.¹⁶¹ Stradanje 18 ljudi, žena i dece u selu Serdari kod Kotor Varoši 17. septembra 1992. godine videli su i predstavnici mnogih svetskih medija, ali to nisu objavili jer se nije uklapalo u opštu sliku rata.

3.5. Da su za zločine počinjene u građanskom ratu postojala dva aršina pokazuje i naknadno reagovanje mnogih svetskih analitičara i neposrednih svedoka događanja u tom ratu koji su bili predstavnici međunarodnih organizacija i snaga kao što su Morion, Karington, Mekenzi i dr.¹⁶² Nepotpunom i neblagovremenom informisanju javnosti o zločinima nad Srbima doprinosilo je i nepostojanje centralne informativne agencije i u RS i u VRS, tako da je do izražaja dolazila i nedisciplina nekih lokalnih informativnih grupa i pojedinaca, koji često nisu ni shvatali značaj pravovremenog obelodanjivanja istina o zločinima nad Srbima. Tako je npr. Teslićka brigada dokazne foto i video snimke o zločinu mudžahedina nad srpskim vojnicima zadržavala za sebe, jer nije znala da na vreme plasira informaciju u svet.

3.6. Rat na prostoru BiH može se, saglasno faktičkoj situaciji i važećim pravnim i drugim normativnim aktima kako države SFRJ tako i međunarodnog prava, sagledati kroz dve etape. Prvu predstavlja period april - 22. maj 1992. godine. Iako kratak, ovaj period je veoma značajan stoga što se rat vodio u Republici BiH, dakle delu suverene SFRJ, pri čemu su sukobljene strane narodi BiH i institucije odnosno armija savezne države. Od priznanja suvereniteta, dakle od 22.05.1992. godine, rat se nastavio u međunarodno priznatoj državi BiH sa, u pravnom smislu, bitno izmenjenim učesnicima. Strane u sukobu su od tada tri konstitutivna naroda u BiH. U tom sukobu jedino je još neposredno učestvovala Republika Hrvatska sa svojom vojskom, a postojali su i drugi spoljni akteri u tom ratu pre svega regionalne države, islamske zemlje i pojedine uticajne evropske i svetske sile.

3.7. Značajniji oružani sukobi otpočeli su agresijom R Hrvatske na R Bosnu i Hercegovinu krajem marta 1992. godine,¹⁶³ kontingentom od 15.000 do 20.000 vojnika. U prepodnevnom časovima iz Slavanskog u Bosanski Brod prebačeno je 15 tenkova i 15 oklopnih transportera uz snažnu artiljerijsku podršku sa prostora R. Hrvatske. Ovakav početak agresije R Hrvatske nastavljen je ofanzivnim dejstvima na prostoru Dervente i Brčkog, angažovanjem 108. i 109. br HV. Na prostoru zapadne Hercegovine angažovane su 1, 4, 110, 114, 115, 116, 155. i 156. brigada HV jačine oko 10.000 ljudi i većim brojem tenkova, oklopnih transportera, artiljerijskih i protivavionskih oruđa. Oružanoj agresiji R Hrvatske prethodila je planska i organizovana aktivnost na formiranju paravojnih oružanih formacija u hrvatskom i muslimanskom narodu na prostoru BiH i kontinuirano obaveštajno-izviđačko delovanje prema jedinicama JNA i srpskim teritorijama.¹⁶⁴

¹⁶¹ M. Milutinović, isto, str. 36-37.

Retke informacije o silovanim Srpkinjama u Posavini probijale su se u svet zahvaljujući Galini Marjanović iz B. Luke, koja je prihvatila takve žrtve i pružala im pomoć, a u nemačkoj štampi je o tome povremeno izveštavala nemačka novinarka Hajdi Heht u listu „Di študentiše cajtung“, koja je u više navrata boravila u RS.

Kanadski general Luiz Mekenzi je 1992. jasno okarakterisao strategiju Alije Izetbegovića, ali na to niko nije reagovao. Mekenzi je tada istakao: „Izetbegović želi natrag celu zemlju. Sasvim otvoreno-jedini način na koji on može da dobije jeste da uveri Međunarodnu zajednicu da interveniše vojnim snagama i tako ga spasi od srpskih neprijatelja...“ (M. Milutinović, isto, str. 84).

¹⁶² Isto, str. 73.

¹⁶³ Od 27.03.1992. godine u Bosanskom Brodu su vođene neprekidne borbe jedinica HV protiv srpskog stanovništva na tom prostoru. Izvršen je masakr nad stanovništvom u s. Liješće. Ubijen je 21, teže ranjeno 24, a lakše četiri pripadnika JNA.

¹⁶⁴ SDA je paravojno organizovala i naoružala oko 50.000 muslimana svrstanih u četiri divizije, tri puka, 55 jedinica ranga bataljona, 62 jedinice ranga čete (voda) i nekoliko desetina specijalnih jedinica, a HDZ i HSP paravojno

3.8. Za početak agresije na BiH, glavni stožer RH i Patriotska liga BiH brižljivo su birali momenat priznanja R BiH od strane Evropske zajednice. Njihova osnovna zamisao je bila da će, navedenim kontingentom HV i paravojnim oružanim formacijama na prostoru BiH, ofanzivnim dejstvima na pravcima: Bosanski Brod - Derventa - dolina r.Bosna - Sarajevo i Tomislavgrad - Kupres - Bugojno preseći teritoriju BiH na dva dela uz istovremeno zauzimanje i kontrolu teritorije, prema R Srbiji, u dolini r.Drine, te da se učvrsti veza sa fundamentalistima u Sandžaku i obezbedi dalje prenošenje vihora rata na prostor Srbije. Potom bi se srpski narod prinudio na poslušnost hrvatsko-muslimanskoj vlasti, a jedinice srpske TO razoružale. Takva nerealna vojnička procena i zamisao brzo je ispoljila sve svoje manjkavosti i ostala kao san u glavama njenih nalogodavaca. Dovodenje jedinica HV u zapadnu Hercegovinu i dolinu Neretve počelo je posle pada Vukovara, sa jasno postavljenim ciljem okupacije srpskih teritorija istočne Hercegovine, deblokada Sarajeva i zauzimanja centralne Bosne te nametanja hrvatske vlasti u cilju nadoknađivanja izgubljenih teritorija u ratu sa Republikom Srpskom Krajinom.

3.9. Globalno postavljena početna zamisao nije mogla da se materijalizuje realnom moći oružanih formacija hrvatsko-muslimanske koalicije, kao ni detaljnom razradom ciljeva izvođenja borbenih dejstava na nižim organizacijskim nivoima komandovanja. Paravojno organizovane oružane formacije, u početnom periodu, nisu preko noći mogle da postanu regularna vojska spremna da odgovori tako velikom izazovu globalno postavljenog političkog cilja. Početak rata je označio totalno bezakonje, teror nad nedužnim civilnim stanovništvom. Tako je došlo do građanskog rata sa nesagledivim tokom i posledicama. Izvođenje borbenih dejstava nije se moglo analizirati u vremenskom kontinuitetu zbog toga što se u izvorima podataka određen prostor javlja periodično sa većim ili manjim vremenskim razmacima. Islamski faktor sa snagom kapitala pojavljuje se kao respektovana ekonomska i vojna sila koja je ispoljila značajan uticaj na dalji tok rata u BiH i pronalaženje rešenja mirnim putem.

2.1. Izvođenje borbenih dejstava na prostoru istočne Bosne

3.10. Prostor istočne Bosne uslovno je određen na zapadu r.Bosna, istok r.Drina, sever r.Sava i na jugu linijom Lenica - Vareš - Rogatica - Rudo. Vremenski period od početka 1992. godine pa do 01.05.1992. godine karakteriše intenzivno naoružavanje muslimanskog stanovništva pod okriljem SDA i legalnih organa vlasti u sredinama koje su naseljene većinskim muslimanskim stanovništvom. Formirane su paravojne oružane jedinice sa spiskovima ljudstva, naoružanja i opreme. Vršen je intenzivan obaveštajno-izviđački rad prema jedinicama JNA i prostorima naseljenim srpskim stanovništvom. U paravojne oružane formacije ušle su i stanice milicije sa pretežno muslimanskim kadrovima i pojedine bivše starešine JNA. Sistem rukovođenja paravojnim oružanim formacijama bio je zasnovan na postojećoj strukturi civilne vlasti sa izraženom ulogom specijalizovanih izvršnih organa u opštinama i regijama. Iskusniji iz rata u R Hrvatskoj su u potpunosti preuzeta kao recept za napade na jedinice JNA i srpsko stanovništvo. U početnom periodu težišno su izvođena diverzantsko-teroristička dejstva, napadi na vojne objekte, izvođenje zaseda, prepada i pretresa manjih vojnih kolona i pojedinačnih vozila. Pojedinci i manje grupe pripadnika JNA zarobljavani su, maltretirani, a u kasnijem periodu i ubijani od strane pripadnika muslimanskih paravojnih oružanih formacija i naoružanih civila. Takve aktivnosti su posebno bile intenzivne u mesecu martu i aprilu. Tako su otpočele oružane borbe u cilju suprotstavljanja diverzantsko-terorističkim akcijama „Zelenih beretki“.¹⁶⁵ Na

organizovale i naoružale su oko 35.000 Hrvata svrstanih u 40-45 jedinica ranga bataljona i 20 jedinica ranga voda.

¹⁶⁵ Od 03. do 05.04.1992. godine u Bijeljini i od 09. do 13.04. u Zvorniku vodile su se ulične borbe protiv naoružanih paravojnih formacija („Zelene beretke“),

prostoru regije Tuzla u periodu od 05.03. do 03.05.1992. godine izvršeno je 16 napada na vojne objekte i jedinice. Ubijena su 24 pripadnika JNA, 25 teže, a šest lakše ranjeno uz velike štete na vojnim objektima i MTS.

3.11. Odluka krnjeg Predsedništva R BiH DT 01-1/92. od 04.04.1992. godine o proglašenju neposredne ratne opasnosti i Naredba MO R BiH br. 01/01-1 od 21.04.1992. godine, regulišu legalizovanje tzv. TO R BiH. Svaki regionalni štab SDA u svojoj nadležnosti je imao najmanje jednu manevarsku jedinicu (brigadu) i više jedinica prostorne strukture za odbranu i kontrolu teritorije. Početkom meseca maja 1992. godine jedinice tzv. TO R BiH otpočele su sa ofanzivnim dejstvima prema jedinicama JNA i srpskom narodu. Upadima u manja srpska sela vršeni su zločini nad civilnim stanovništvom.¹⁶⁶ U rejonu Brčkog (s. Donji Rakići) formirana je jedinica „Zelenih beretki“ jačine 1.200 naoružanih pripadnika, a na širem prostoru Živinica formirane su tri brigade, ukupne jačine 2,5-3 hiljade naoružanih ljudi. Neposredno posle formiranja ovih većih jedinica 23.05.1992. godine u Tuzli i Živinicama vršene su neposredne pripreme za napad na Bratunac.

3.12. U sklopu tih priprema i širenja vihora rata u rejon Srebrenice dovedeno je 26.05.1992. godine oko 300 muslimana koji su bili dobrovoljci iz Sandžaka iz Republike Srbije. Jedna četa je ušla u sastav „Zelenih beretki“, a od ostalog ljudstva formirano je osam grupa od 15-20 ljudi za izvođenje diverzantskih akcija i masovnih zločina nad civilnim srpskim stanovništvom na teritoriji koja nije zaštićena borbenim rasporedom jedinica Vojska RS BiH. Muslimanske jedinice u večernjim časovima 29.05.1992. godine preduzele su veća ofanzivna dejstva iz pravca Tuzle ka širem rejonu Majevica. Karakteristika izvođenja ovih borbenih dejstava (b/d) bilo je ubacivanje diverzantsko-terorističkih grupa (DTG) na manje kontrolisani prostor. Cilj napada muslimanskih jedinica bio je zauzimanje šireg prostora Majevica (repetitora Lisače i Stolica) i spajanje sa snagama u dolini r.Drine, koje su pokušavale da borbeno dejstvo prenesu što bliže SRJ, pa čak i da dejstvuju po naseljenim mestima druge države.¹⁶⁷ Neuspšeno izvedena prva veća ofanzivna dejstva nisu odvrtila muslimansku komandu u Tuzli da i u narednim danima angažuje glavne snage na pravcu: s. Rastošnica - s.Priboj - Lopare - s.D.Čelić, uporedo izvođeci demonstrativna dejstva u širem rejonu s.Teočak i Mezgraja. Dalji tok b/d na ovom širem području uslovio je izvršenje nove mobilizacije jedinica na obe zaraćene strane. U tuzlanskoj regiji formiran je korpus tzv. Armije R BiH.

3.13. Početkom meseca septembra otpočinje se sa zajedničkim planiranjem b/d i njihovim sadejstvom sa jedinicama HV u Posavini. Hrvatska vojska je planirala okupaciju prostora južno od r.Save 30 km i spajanje sa muslimanskim snagama u širem rejonu Brčko, Gradačac i Doboj, a sa ciljem presecanja koridora i srpske teritorije Republike Srpske.¹⁶⁸ Napad nije uspešno izveden zbog neorganizovanosti u prikupljanju i dovođenju jedinica kao i zbog ispoljenih dejstava Vojske Republike Srpske. Uz istovremeno slabljenje odbrane Gradačca jedinice HV i HVO kod Brčkog su uspele 13.09.1992. godine da privremeno preseku koridor. Takvo razvlačenje hrvatskih snaga imalo je za posledicu potpuno okruženje Gradačca od strane jedinica VRS. Odbrana Gradačca raspolagala je sa oko 2.000 ljudi očekujući pomoć u deblokadi od 107. br

¹⁶⁶ Pripadnici SDA iz Kalesije su 10.05.1992. godine izvršili etničko čišćenje srpskog sela Dubica i nastavili sa pripremama za čišćenje s.Zolce. U širem rejonu Tuzle 19.05.1992. godine napadnuta je vojna kolona, iz zasede, iz sastava 92. mtbr koja se kretala iz skladišta Kozlovac. Tom prilikom je poginulo devet v/o, 26 ranjeno, pet v/v uništeno i pet oštećeno.

¹⁶⁷ 10.04.1992. godine „Zelene beretke“ su sa streljačkom, snajperskom i minobacačkom vatrom dejstvovali iz rejona Kula Grad po HE Zvornik i Malom Zvorniku u vremenu od 09.20 do 11.00 časova.

¹⁶⁸ Za taj zadatak HV je planirala upotrebu 106, 107. i 108. br HV uz angažovanje jedinica koje se nalaze u neposrednom borbenom dodiru.

HVO (Gradačaka) koja se nalazila na obuci u Zagrebu. Već 18.09.1992. godine u Gradačac je stiglo pojačanje čime se popravio poljuljani moral hrvatsko-muslimanskih snaga, planirajući da izvode ofanzivna dejstva sa ciljem spajanja sa jedinicama 106. br HVO iz Orašja i presecanja koridora. Glavni pravac napada je planiran preko s. Gorica (s/z od Brčkog). Za dotur borbenih potreba i prebacivanje snaga iz R Hrvatske obrazovano je skelsko mesto prelaza. Sve ove aktivnosti u pripremi i izvođenju b/d podražavana su jakom artiljerijskom vatrom sa teritorije R Hrvatska iz šireg rejonu Županja.

3.14. Deo snaga tuzlanskog korpusa Armije BiH (2.K) angažovan je prema centralnoj Bosni u cilju deblokade šireg prostora Sarajeva iz pravca Kaknja i Olova. Uočavajući takvu nameru jedinice Istočno-bosanskog korpusa VRS uspele su da preseku komunikaciju Olovo - Tuzla. Usled nemogućnosti da naprave bilo kakve veće ofanzivne prodore ka srpskim teritorijama muslimanske jedinice formirale su veće DTG i ubacivale ih na slabije kontrolisanu teritoriju R.Srpske radi vrešenja zločina nad nenaoružanim civilnim stanovništvom i postavljanja zaseda jedinicama VRS. Veliki gubici u ljudstvu i uverenost da ne mogu postići vojnu pobedu slabili su moral kod muslimanskih jedinica. Moral pripadnika HV koje su ratovala u Posavini na potezu Brčko - Bosanski Šamac slabio je, zbog toga što su sve više bili uvereni da ratuju na tuđoj zemlji. Iz tog razloga dolazilo je i do masovnog dezerterstva u pojedinim jedinicama HV.¹⁶⁹ I pored teškog položaja muslimanske snage u narednim borbenim dejstvima planiraju zauzimanje Rogatice, Višegrada i Foče radi spajanja sa snagama u centralnoj Bosni i Podrinju (sliv reke Drine i Lima). Potom bi se b/d prenela ka Rudom i Čajniču, a sa ciljem uspostavljanja neposredne fizičke veze sa snagama u Sandžaku.¹⁷⁰ U istočnu Bosnu se u vremenu od 21. do 28.09.1992. godine otpočelo sa prebacivanjem 15.000 ljudi obučavanih u R. Hrvatskoj i inostranstvu, među kojima su plaćenici iz islamskih zemalja. Verovatni cilj dejstva ovih snaga je bio presecanje pravca: Zvornik-Šekovići-Han Pijesak i razvijanje daljih dejstva ka gornjem slivu reke Drine. Muslimanske snage koje su izvodile b/d u širem rejonu Goražda i gornjeg toka r.Drine nastojale su da stalno proširuju teritoriju.

3.15. Karakteristika uspostavljene linije fronta između VRS i A BiH bila je da je postojalo dosta međuprostora i prekida između snaga u dodiru, te da su se glavna b/d vodila u zonama većih naseljenih mesta, putnih prvaca, rečnih tokova i planinskih prevoja i tesnaca.

2.2. Izvođenje borbenih dejstava na prostoru Bosanske i Cazinske Krajine

3.16. Ovaj prostor ograničen je: na severu i zapadu granicama BiH sa R Hrvatskom i R Srpska Krajina; na istoku rekom Bosnom i na jugu linijom Zenica (isključno)-Travnik (isključno)-D.Vakuf-Glamoč-Troglav (tt.1913). Na ovom prostoru b/d izvodile su jedinice 1. i 2. K VRS naspram jedinica hrvatsko-muslimanske koalicije (5. K, delovi Tuzlanskog i Zeničkog korpusa, Armije R BiH kao i dve operativne grupe (OG) HV i HVO). Težište paravojnog organizovanja hrvatskih i muslimanskih snaga na ovom prostoru dato je u rejonima: Bosanski Brod, Derventa, Tešanj, Bihać, Cazin i Velika Kladuša.

3.17. Agresija HV je upravo počela prelaskom jedinica iz RH na širi prostor Bosanskog Broda.¹⁷¹ Pre agresije R Hrvatske na R BiH izvršeno je naoružavanje i paravojno organizovanje

¹⁶⁹ 107. br HV, 05.09.1992. godine se rasula, izvučena sa fronta uz posedanje zone odbrane sa muslimanskim jedinicama.

¹⁷⁰ Više podataka ukazuje na zaključak da glavni put „mudžahedina“ koji idu u BiH da ratuju, ne ide preko Splita i R.Hrvatske, nego da je glavni put pravcem: Turska-Grčka-zapadna Makedonija-Kosovo-Sandžak-Bosna i Hercegovina.

¹⁷¹ Znatno pre je HV dejstvovala po naseljenim mestima u R BiH još za vreme rata u Hrvatskoj.

hrvatskih i muslimanskih snaga uz razvijen obaveštajno-izviđački sistem prema jedinicama i objektima JNA i prema srpskim teritorijama. Smanjivanjem intenziteta borbi u Hrvatskoj i uspostavljanjem primirja izvlačen je deo jedinica i pripreman za izvođenje b/d na prostoru BiH. Rukovodstvo R Hrvatske je pouzdano znalo da se međunarodna javnost neće suprotstaviti takvom postupku agresije kao i da se u takvim okolnostima, nacionalnih trvenja i sukoba u BiH, ne može izvršiti valjana mobilizacija većeg dela jedinica JNA bez odobrenja i saglasnosti krnjeg Predsedništva BiH.¹⁷² To je deo strateškog plana Hrvatske za prenos rata na prostor BiH.

3.18. Sa početkom agresije R Hrvatske na R BiH, izvođene su masovne diverzantsko-terorističke akcije na manje jedinice JNA, vojne objekte uz izvršenje zločina i nad civilnim srpskim stanovništvom.¹⁷³ Polovinom aprila jedinice HV su preduzele snažna ofanzivna dejstva južno od Bosanskog Broda na jedinice 1. okb/243. okbr.¹⁷⁴ 26.04.1992. godine jedinice HV i HVO su iz rejonu s. Plehom, s. Piskavica i s. Babino Brdo otvarale jaču artiljerijsku i streljačku vatru po kasarni u Derventi (Z 27. mtbr). Dejstva su nastavljena prema širim rejonima Derventa i Dugo Polje (b/r OG-1/17 K JNA). Dalja ofanzivna dejstva su zaustavljena uspešnim izvođenjem odbrane OG-1. Paralelno sa ovim dejstvima izvođena su b/d na širem prostoru Bosanske Krupe. Početkom maja jedinice MUP-a BiH (48 ljudi) izvela je napad na RTV toranj na Vlašiću sa ciljem da ga zauzmu i održe pod svojom kontrolom. Bili su obučeni u uniforme HOS-a. Akcija je propala energičnim dejstvom jedinice JNA.¹⁷⁵ Uspešnim oslobađanjem Bosanske Krupe formirana je brigada TO sa znatnim kadrovskim i logističkim problemima.

3.19. Dana 17.05.1992. godine otpočeto je sa grupisanjem jedinica HOS-a u Jajcu (1.br HOS (-1), a u Kotor Varoši formirana je jedinica „Zelenih beretki“ jačine 400-500 ljudi. 24.05.1992. godine muslimanske jedinice su ispoljile dejstvo po rejonu Komar (položaj 19. pbr VRS) i Hombarište (položaj Z43.mtbr VRS). Istog dana su vođene žestoke borbe protiv jedinica „Zelenih beretki“ na pravcu Banja Luka - Prijedor u širem rejonu s.Kozarac i s.Kozaruša (jačina 1200-1500 ljudi). Napad jedinica VRS je u potpunosti uspeo uz razbijanje i zarobljavanje muslimanskih oružanih formacija.

3.20. U širem rejonu Dervente i Modriče 26.05.1992. godine uvedena je u borbu 143.br HV. Paralelno sa izvođenjem b/d u Posavini jedinice VRS vršile su razoružavanje muslimanskih paravojnih oružanih formacija na širem prostoru: Sanski Most, Ključ, Prijedor.

3.21. U toku meseca juna nema detaljnih i pouzdanih informacija o formiranju linije fronta i njenim pomeranjima na ovom prostoru. Probojem koridora ka srpskim krajinama snage hrvatsko-muslimanske koalicije počele su da gube na inicijativi i da se bave problemima unutrašnje organizacije svojih snaga i međusobnim problemima HVO i „Zelenih beretki“. Te nesuglasice su u pojedinim sredinama eskalirale u međusobne oružane sukobe i obračune.¹⁷⁶ Od 18.07.1992. godine u rejonu Bosanskog Broda b/d izvodile su 101, 103. i 153. br HV, a u rejonu Slavenskog Broda dovodene su sveže snage iz R Hrvatske. Jedinice unsko-sanske OG Armije

¹⁷² Još za vreme rata u R Hrvatskoj Alija Izetbegović, hrvatski i muslimanski članovi Predsedništva su se zalagali da se regruti neodazivaju na služenje vojnog roka, pozivali vojnike i v/o na dezerterstvo iz JNA.

¹⁷³ Od 05.03. do 03.05.1992. godine izvršeno je 40 napada na vojne objekte i jedinice. gubici: 31 poginuo, 26 teže ranjenih i 9 lakše ranjenih pripadnika JNA.

07/08.04.1992. godine u Derventi je napadnuta vojna patrola iz zasede, pri čemu su dva vojnika iz čete vojne policije ubijena, a tri lakše ranjena (Z27.mt br/17.K).

¹⁷⁴ Gubici 1.okb su: 9 poginulih (5 iz JNA i 4 iz TO), 16 ranjenih (6 iz JNA i 10 iz TO). Oštećeno je i ostavljeno u zoni b/d 8 tenkova i 2 OT (sredstva su zaplenjena kao i veći deo pešadijskog naoružanja).

¹⁷⁵ Zarobljeno je 35 pripadnika jedinice MUP-a BiH.

¹⁷⁶ 16.07.1992. godine u Kaknju je došlo do sukoba između Muslimana i Hrvata zbog toga što su muslimanski borci upućivani u prve redove.

BiH izvodile su b/d na rubnim područjima Cazinske Krajine uz progon srpskog stanovništva i manjih oružanih sastava. Uočavajući nemogućnost spajanja sa glavninom muslimanskih snaga u centralnoj Bosni uz naoružanje i formiranja novih jedinica razvija se ideja o probodu preko prostora Republike Srpske Krajine opštim pravcem: Velika Kladuša - Vojnić - Karlovac sa ciljem uspostavljanja koridora prema R Hrvatskoj radi dobijanja naoružanja, opreme i dovođenja dobrovoljaca i plaćenika iz islamskih zemalja.¹⁷⁷

3.22. Od Unsko-sanske OG 08.09.1992. godine, formiran je Cazinski korpus tzv. Armije R BiH sastava: 1. Bihaćka brigada; 2. Hrvatsko-muslimanska bihaćka brigada; 105. Bužimska udarna krajiška brigada i 111. Bosansko-krupska brigada. 12.09.1992. godine jedinice HV i Armije R BiH otpočele su napad na Donji Vakuf koji se završio narednog dana bez ikakvog uspeha sa znatnim gubicima u ljudstvu i tehnici. Ovladavanje širim rejonom Donjeg Vakufa hrvatsko-muslimanske snage su postavile kao veoma bitan zadatak u okviru širih dejstava na tom prostoru.

3.23. Linija fronta u mesecu septembru prema Bosanskom Brodu dugo je ostala nepromenjena uz postepeno zauzimanje povoljnih položaja jedinica VRS, što je u daljim intenzivnijim borbama rezultiralo oslobađanjem Broda i njegove okoline od jedinica hrvatsko-muslimanske koalicije.

3.24. Grad Jajce sa bližom okolinom procenjivan je kao vrlo bitan u rešavanju mnogih vojni problema te se često ojačavao ljudstvom i logističkim potrebama iz Zenice i Tavnika uz potpunu dominaciju hrvatske strane u sistemu vlasti i vojne organizacije.¹⁷⁸ Snage hrvatsko-muslimanske koalicije glavne snage na ovom prostoru koncentrisane su dolinom reke Bosne, u izvršenju priprema za ofanzivna dejstva i zauzimanje Doboja, Modriče, Dervente i spajanja sa jedinicama HV i HVO u rejonu Bosanskog Šamca.

3.25. Na svim delovima fronta na ovom prostoru preduzimane su intenzivne diverzantsko-terorističke aktivnosti uz težnju da se na širem prostoru Banja Luke muslimansko stanovništvo uključi u oružane akcije prema jedinicama VRS, vojnim objektima i srpskom stanovništvu. Takvi pokušaji izazivanja nereda i oružanog otpora u Banja Luci, propali su zbog toga što su početne aktivnosti doživele neuspeh. U podizanju Muslimana na ovom prostoru koristile su se i najprljavije metode. Tako je na primer krajem meseca avgusta formiran „četnički bataljon“ od stane specijalaca HV u rejonu Nova Gradiške čiji je komadnant bio pod imenom Radmilović Bora. Ta bi se jedinica verovatno ubacila na prostor Bosanske Krajine radi izvođenja zločina nad muslimanskim stanovništvom i izazivanja njegovog bunta i poodizanja na oružanu pobunu.

2.3. Izvođenje borbenih dejstava na prostoru centralne Bosne

3.26. Ovaj prostor može se uslovno ograničiti linijom: Zenica (uključno)-Vareš-Rogatica-Goražde-Trnovo-Ivan Sedlo-Gornji Vakuf-Bugojno-Donji Vakuf. Značaj ove prostorne celine je bio u toliko veći što je u njenom središtu smešteno Sarajevo kao privredni i administrativni centar BiH. Na prostoru centralne Bosne muslimansko rukovodstvo je preduzelo organizovanje paravojnih oružanih formacija još sa početkom izbijanja oružanih sukoba u R Hrvatskoj, sa težnjom da se na istim receptima sukoba i političkih pritisaka dođe do „demokratije i građanske države“ po načelima političkog islama. Veći deo napada na jedinice JNA i vojne objekte dogodio

¹⁷⁷ Dolazak dobrovoljaca i plaćenika je organizovan ilegalno, uz znanje UNPROFOR-a, preko šumskih staza slunjskog poligona, a NVO iz RH je dopremano avionima na sporski aerodrom Čaralići kod Cazina.

Zamisao otvaranja kopnenog koridora je u režiji Fikreta Abdića i pregovarača u Zagrebu. On se istovremeno nameće i kao vrhovni vojni vođa na prostoru Cazinske Krajine.

¹⁷⁸ Odbrana Jajca nalazi se u veoma teškom položaju pa su hrvatske vlasti preduzele organizovano izvlačenje privrednih potencijala (pojedinih fabrika, mašina i dr. MTS) u veću dubinu Herceg Bosne i gradove u R.Hrvatskoj.

se na širem prostoru grada Sarajeva. To potvrđuje političku orijentaciju krnjeg Predsedništva BiH na opciju rata, u funkciji ostvarenja političkih ciljeva.

3.27. U vremenu od 05.03. do 03.05.1992. godine hrvatsko-muslimanske paravojne oružane formacije, u gradu Sarajevu su izvele 39 napada na jedinice i objekte JNA.¹⁷⁹ Ubijena su dva, teže ranjeno tri, a lakše dva pripadnika JNA. U naznačenom periodu pretresane su manje kolone jedinica JNA, napadani izdvojeni vojni objekti i oduzimano je naoružanje, MES i vojna oprema. Nije se prezalo ni od napada na humanitarne ustanove.¹⁸⁰ U isto vreme pripadnici MUP-a BiH i veći deo pripadnika JNA muslimanske i hrvatske nacionalnosti, otvoreno se stavljaju u službu akcija paravojnog organizovanja i izvođenja diverzantsko-terorističkih akcija i prepada.¹⁸¹ Napadi na K-du 2. VO postojali su sve češći iz svih vrsta pešadijskog naoružanja da bi 28.04.1992. godine u 17.45 prekinuli kabal prema centru veze. Početkom meseca maja napadi na vojne objekte i jedinice se intenziviraju, naročito na objekte koji se nalaze u samom gradu Sarajevu. Nikakvi dogovori sa predstavnicima UNPROFOR-a i EZ nisu poštovani od muslimanske strane u smislu izmeštanja jedinica iz objekata u gradu.¹⁸² Početna organizacija „Zelenih beretki“ za napad na vojne objekte bila je bataljonska.¹⁸³

3.28. Komanda 2.VO je 07.05.1992. godine premeštena iz Lukavice u Han Pijesak, da bi već 09.05.1992. godine došao general-potpukovnik Ratko Mladić radi preduzimanja mera stabilizacije i uspostavljanja sistema rukovođenja i komandovanja sa potčinjenim jedinicama. Deo starešina iz SRJ je insistirao da što pre napusti prostor BiH što je izazivalo nespokojsvo kod srpskog naroda. Takav odnos je uticao na pad borbenog morala zbog toga što su neke jedinice kadrovski opustošene. Kroz manje bojeve i borbe oko važnijih objekata i između nenaseljenih mesta, pa i dela naselja u istom gradu, postepeno se formirala linija fronta. Jedinice HVO i „Zelenih beretki“ pokušale su da zauzimu preduzeća namenske proizvodnje, razvijenijih privrednih objekata i aerodroma (Famos, Remontni zavod Hadžići, „Pretis“ u Vogošći, Zrak, Energoinvest, „Bratstvo“ u Travniku, aerodrome Butmir i Rajlovac). To im je pošlo za rukom u Travniku, Bugojnu, Visokom, Kaoniku i Zenici, tamo gde je živelo kao većinsko muslimansko stanovništvo. Na bazi materijalne osnove i kadrovske strukture starešinskog sastava iz BiH formiran je Sarajevsko-romanijski korpus koji je uspešno preuzeo zadatak zaštite srpskog stanovništva i njegovih tritorija. U cilju deblokade muslimanskog dela Sarajeva hrvatsko-muslimanske jedinice su preduzimale više ofanzivnih dejstava na različitim pravcima.¹⁸⁴ Svi pokušaji i ofanzive, iz grada pod različitim nazivima, planirane od najvišeg vojno-političkog rukovodstva (krnjeg Predsedništva R BiH) doživele su neuspeh, a za posledicu su imale ogromne gubitke u ljudstvu i pomeranja linije fronta na štetu muslimanske strane. Na teritorijama koje kontrolišu muslimani caruje bezakonje lokalnih vođa i oružnika koji „ne poznaju“ i ne poštuju nikakve zakone Ratnog

¹⁷⁹ 07.04.1992. godine pripadnici „Zelenih beretki“ izvršili su oružani napad na GIŠTO i OkŠTO Sarajevo, razoružali 10 starešina, koji su se nalazili u prostorijama. Nije pružen otpor od strane zaposlenih lica u objektu.

¹⁸⁰ 20.04.1992. godine u 06.55 časova pogodena je VB u Sarajevu minobacačkom minom.

¹⁸¹ 24.04. u naselju Kovači zaustavljena je kolona od 6 m/v. Oduzeto je: 22 AP 7,62 mm, 2 PM M-84, 15 pištolja, 13 „Zolja“, 28 ROB i sva m/v.

¹⁸² Prilikom premeštanja k-de 2.VO iz Sarajeva u kasarnu u Lukavici, 04.05.1992. godine, izvršen je napad na kolonu i tom prilikom je zarobljeno 47 oficira, 17 podoficira, 188 vojnika, 8 GL i 32 m/v. Nema preciznih podataka o broju poginulih i ranjenih, ali se zna da su ubijena četiri oficira na zverski način, a ostali su zlostavljani i podvrgavani ruglu i sramoti na ulicama Sarajeva.

¹⁸³ Ti bataljoni bili su razmešteni u pojedinim delovima grada sa većinskim muslimanskim stanovništvom (Hrasnica, Sokolović Kolonija, Dobrinja, Mojmiro, Donje Vrace i Grbavica).

¹⁸⁴ 26.05.1992. godine hrvatske snage preduzele su napad na pravcu Bradina - Ivan Sedlo sa ciljem njihovim ovladavanjem i spajanjem sa snagama u Tarčinu - Pazariću, a radi stvaranja povoljnih uslova za kontrolu komunikacije Prozor-Konjic-Pazarić.

prava. Srpski narod u takvim sredinama podvrgnut je ucenama, teroru i zlostavljanju u različitim „privatnim zatvorima i logorima“. Snage HOS-a, HVO i HV težište su dale na uspostavljanju hrvatske vlasti i vojne organizacije na širem prostoru zeničke regije bez obzira što je većinsko muslimansko stanovništvo.

3.29. I na ovom prostoru hrvatsko-muslimanske snage, posle uočavanja da ne mogu ostvariti cilj većim frontalnim b/d, pribegavaju strategiji vojno-političkih ucena srpske strane pred svetskom javnošću za dejstvo po naseljenim mestima, intenzivno ubacivanje većih DTG koje vrše masovne zločine nad srpskim stanovništvom. Osim muslimanskih snaga na širem prostoru grada Sarajeva u rejonu opštine Zenica formiran je korpus Armije R BiH sa ciljem ovladavanja širim prostorom toka reke Bosne (učešća u deblokadi Sarajeva i spajanja sa jedinicama HV i HVO koje izvode b/d u Posavini). Posle povlačenja jedinica i ustanova JNA iz BiH ostavljene su i znatne količine teškog naoružanja koje je zarobljeno na izdvojenim objektima ili predato u skladu sa dogovorom.¹⁸⁵ Naoružanje i vojna oprema, dobrovoljci i plaćenici iz islamskih zemalja pristizali su preko teritorije R Hrvatske, zapadne Hercegovine u centralnu Bosnu. Glavna komunikacija za snabdevanje ratišta u centralnoj Bosni bila je pravcem: Split-Livno-Duvno-Konjic-Tarčin-Kreševo-Kiseljak-Visoko. U Visokom je razmeštena glavna logistička baza borbenih potreba za ratište u BiH.¹⁸⁶

3.30. Kaonik, Bugojno i Travnik predstavljaju bitan potencijal hrvatsko-muslimanske koalicije za proizvodnju naoružanja i vojne opreme,¹⁸⁷ pa je pravovremenom zauzimanju ove teritorije i njenoj odbrani rukovodstvo R Hrvatske poklonilo posebnu pažnju.

3.31. Prostor planine Igman izabaran je kao dobra osnovica za formiranje jače TG koja bi razvijala b/d prema Trnovu, Foči i Kalinoviku radi spajanja sa snagama u širem rejonu Goražda i radi njihove logističke podrške. Iste snage sa Igmana težišno su angažovane na izvođenju b/d radi spajanja i neposrednog borbenog dodira sa muslimanskim snagama u Sarajevu na pravcu Ilidža - Stup i Vojkovići - Butmir - Vojničko Polje. U sastavu TG nalazile su se dve brigade kao i više diverzantsko-terorističkih jedinica u kojima je bilo dosta i islamskih-fundamentalista iz drugih država. Deblokadom Goražda 02.09.1992. godine i povlačenjem jedinica VRS, nakon političke iznuđene odluke rukovodstva R Srpske, došlo je do stradanja srpskog civilnog stanovništva i pružanja širokog manevarskog prostora za dejstvo „Zelenih beretki“ prema Foči, Višegradu, Rudom, Čajniču i Rogatici (uz sadejstvo sa snagama iz šireg rejona Žepče).¹⁸⁸

3.32. Osnovni cilj hrvatsko-muslimanskih snaga u centralnoj Bosni bio je deblokada Sarajeva, a potom razvijanje ofanzivnih dejstava prema gornjem toku reke Drine i Lima kao i prema širem prostoru Romanije. Pošto nisu imali dovoljno vojne sile da to učine oružanim putem, krnje Predsedništvo R BiH se zalagalo za širu demilitarizaciju grada, posebno od teških mitraljeza,

¹⁸⁵ Pri predislukaciji jedinice JNA iz Zenice 15.06.1992. godine ostavljena je jedinica „Zelenih beretki“ i 20 tenkova T-34.

¹⁸⁶ Iz Zadra u Visoko je 22.08.1992. godine doveženo 80 šlepera municije, a 26.08.1992. godine još 63 šlepera, od čega 20.000 mina 120 mm i 20.000 mina 82 mm. Istog dana je u Bugojno preveženo 15 tenkova i 40 šlepera municije različitog kalibra.

¹⁸⁷ 26.08.1992. godine otpočela proizvodnja 3.000 MB 82 i 120 mm kao i 30 topova 20 mm. U odbrani Travnika raspoređena je baterija TH „NORA“ 152 mm i jedna haubica 203 mm. U ovoj fabrici je proizvedeno desetina vučnih VBR (modifikovanih) tipa „PLAMEN“ i „OGANJ“. Instrumente proizvodi „ZRAK“, a elektro oprema uvozi se iz R Slovenije.

¹⁸⁸ Uočavajući značaj Goražda i gornjeg toka r.Drine Alija Izetbegović i MO tzv. Armije R BiH težilo je po svaku cenu, pritiskom na svetsku javnost, da izvrši deblokadu grada. Mnoga predviđanja ukazuju na činjenice da bi padom muslimanskih snaga u Goraždu, bila kompromitovana vlast i vojno rukovođenje od krnjeg Predsedništva R BiH.

topova, haubica i minobacača. Na taj način imali su nameru da veliki broj jedinica iz Sarajeva izvedu ka Igmanu i centralnoj Bosni radi nastavka izvođenja ofanzivnih operacija, posebno u završnom periodu rata. Pod međunarodnim pritiskom tzv. okruženog grada Sarajeva, izloženog stalnom granatiranjem i snajperskim dejstvima gde staradaju civili stvarali su oreol grada mučenika. Na takvoj medijskoj slici izdejstvovali su stavljanje pod kontrolu teškog naoružanja, kako bi do izražaja došla njihova brojnost i kako bi se oslobodile snage za ofanzivna dejstva u završnim operacijama. Tako je 1. K A BiH koncentrisao snage 1995. godine na širem području Igmana, Bjelašnice i Treskavice za pokušaj proboja prema Podrnju i spajanja sa snagama u Goraždu. Za tu operaciju je bila formirana divizija u koju su ušle elitne muslimanske jedinice, dobro opremljene, obučene i logistički podržane. Danas kada je medijska propaganda o ugroženosti Sarajeva u građanskom ratu utihnula i kada su do izražaja došle mnoge činjenice može se objektivnije govoriti o različitim medijskim zloupotrebama koje su prihvatane kao gotove istine. Nažalost i danas pod snagom argumenta teško se probija istina i opovrgavaju laži, kao zadate istine u podršci Muslimana u građanskom ratu. Te nove činjenice iznose ratni komandanti A BiH. Tako i general A BiH mr Vahid Karavelić, ratni komandant 1.K piše o Sarajevskom ratištu i povezanosti snaga u Sarajevu i na Igmanu, kao i stalnom manevru tih snaga u funkciji potreba na ratištu.¹⁸⁹

3.33. Igman je za Muslimane bio strateško središte ili osovina oko koje su gradili imidž ugroženog naroda, a istovremeno osnovica za prijem logističke pomoći i za borbeno delovanje prema VRS, Hrvatima i prema regionu i međunarodnoj zajednici. „Igman je za odbranu Sarajeva i BiH bio presudan...Padom Igmana pretpostaviti je da bi palo Sarajevo, a onda BiH.“¹⁹⁰ U završnim operacijama HV i A BiH pri okupaciji delova RS u Bosanskoj Krajini 1995. godine, potvrđena je teza da je Igman bio ne samo izlaz za snage 1.K, nego manevarska osnovica za jedinice A BiH u svim pravcima na ratištima u BiH. „Pacifiziranjem Sarajevskog ratišta“ i stavljanjem pod kontrolu teškog naoružanja, 1.K je poslao u pomoć 5. K A BiH, da nastavi napadnu operaciju ka Banja Luci od oko 10.800 vojnika. To su bile velike sveže snage koje ne bi bile upućene da je Sarajevsko ratište bilo aktivno. Šest helikoptera je korišćeno za vazdušni transport, pre svega specijalnih snaga. Na taj način pod izgovorom „opsade grada Sarajeva“, lukavom strategijom muslimanska vojska je izgradila pretpostavke za nadmoć na drugom delu ratišta u BiH.

3.34. Da nije zaustavljena operacija VRS „Lukavac 93“, drugačije bi se odvijao rat između Muslimana i Srba. Otud postoje brojni argumenti koji idu u prilog tvrdnji da je rat bio kontrolisan u kritičnim fazama, te da zaustavljanje VRS u avgustu 1993. godine i muslimanske vojske A BiH i Hrvatske vojske ima dubok smisao i opravdanje jer je vojnički i politički kompromis bio jedino rešenje i izlaz iz građanskog rata, koje je rezultiralo Dejtonskim sporazumom. Najtragičnije je što i danas pojedini nacionalni i verski ekstremisti žale što nisu obezbedili vojničku pobjedu ili je zagovaraju u nekom budućem ratu.

2.4. Izvođenje borbenih dejstava na prostoru Hercegovine

3.35. Ovaj prostor određen je na istoku granicom prema SRJ, na zapadu i jugu granicom prema R Hrvatskoj, a na severu linijom Troglav (tt.1913)-Glamoč-Kupres-Ivan Sedlo-Trnovo (isključno)-Goražde-Rudo.

¹⁸⁹ Vahid Karavelić, Značaj Igmanškog bojišta za borbeno delovanje 1. Korpusa Armije Republike BiH (Značaj Igmanškog bojišta za odbranu Sarajeva i Bosne i Hercegovine, Zbornik radova sa okruglog stola), Sarajevo, 2009., str.24

¹⁹⁰ Značaj Igmanškog bojišta za odbranu Sarajeva i Bosne i Hercegovine, Zbornik radova sa okruglog stola, Sarajevo, 2009., str.24.

3.36. Pored Bosanske Posavine, prostor Hercegovine je za rukovodstvo R Hrvatske imao strateški značaj pa je shodno tome težište obaveštajno-izviđačke aktivnosti, formiranja paravojnih oružanih formacija i razvijanja što intenzivnije diverzantsko-terorističke aktivnosti dato na ovaj prostor i to u rejonu Mostara, Čapljine, Kupresa i Konjica.¹⁹¹ Na ovaj prostor je dovedeno i najviše jedinica HV i najviše ih je zamenjeno u izvođenju b/d.¹⁹²

3.37. Na prostoru Zapadne Hercegovine su bila koncentrisana najsnažnija sredstva vatrene podrške sa kojima je raspolagala R. Hrvatska. Većinu boraca na hercegovačkom delu fronta činile su jedinice HV koje su izvodile b/d u R Hrvatskoj i imale su već značajno borbeno iskustvo u ratu sa Vojskom Republike Srpske Krajine i u sukobima sa jedinicama JNA u Hrvatskoj. Cilj dejstva HV, HVO i HOS-a na prostoru Hercegovine bio je da vlada potpuno dolinom r. Neretve (do Konjica), zauzme Popovo Polje i izbije u širi rejon Trebinja, ovlada Kupreškom visoravni i poveže se sa hrvatsko-muslimanskim snagama u centralnoj Bosni.

3.38. Pored postavljenog vojničkog cilja rukovodstvo R.Hrvatske je imalo na umu formiranja Herceg Bosne, sa sedištem u Mostaru. Osvajanjem Mostara i doline reke Neretve zadržani su mnogi privredni potencijali i komunikacijski pravci (putni i železnički) pod svojom kontrolom. Dostizanju postavljenog vojničkog cilja pogodovala su im okolnosti izvlačenja JNA na prostor SRJ, a postojeća materijalna i ljudska struktura vojne organizacije istočne Hercegovine nije bila u stanju da se adekvatno suprotstavi agresiji daleko brojnih jedinica HV, HVO i HOS-a. Od 03.04.1992. godine vođene su intenzivne borbe na Kupreškoj visoravni. Energičnom akcijom OG/9.K osujećene su namere HV, zaposednuti dominantni topografski objekti i organizovan sistem odbrane na dostignutoj liniji.¹⁹³ Stabilizovanjem linije fronta nije bilo znatnih pomeranja linija fronta jedno duže vreme.

3.39. Početni problemi vojne organizacije u Hercegovačkom korpusu su bili brzo prevaziđeni, tako da je uspešno kontrolisao celu zonu odgovornosti uz potpuno stabilizovanu liniju fronta držeći važne topografske objekte sa kojih je moguće preduzeti ofanzivna dejstva ka dolini reke Neretve radi povratka izgubljenih teritorija u početnoj fazi rata. Do toga nije došlo zato što Hercegovački korpus VRS za to nije imao snage, a iz drugih korpusa nije bilo dovoljno manevarskih jedinica koje bi obezbedile mogućnost izvođenja ofanzivne operacije. Hrvatska vojska je u toku celog rata bila prisutna sa jakim snagama u nameri da sa jedinicama HVO i HOS-a očuva zauzete teritorije. Problemi vojne organizacije i izvođenja borbenih dejstava u Hercegovačkom korpusu u toliko su bili veći što je ovaj prostor, ionako osiromašen demografski, raspolagao sa skromnim resursima za narod i vojsku i što je bio pritisnut velikim brojem izbeglica iz zapadne Hercegovine i doline Neretve.

3.40. Prostor pod okupacijom HV u potpunosti je etnički očišćen, a srpski domovi popaljeni i opljačkani (s.Prebilovci, s.Tasovčići, s.Klepici i niz drugih sela u Konjičkoj, Trebinjskoj, Stolačkoj, Čapljinskoj i Mostarskoj opštini).¹⁹⁴ Sudbina tog naroda se ponovila stradanjem slično kao što su to radile ustaše za vreme NDH, u Drugom svetskom ratu. Pojedinačna b/d na hercegovačkom ratištu nezahvalno je parcijalno opisivati zbog toga što izvori informacija ne obezbeđuju kontinuitet i relevantne podatke. Zato se pristupilo uopštavanju b/d na ovome

¹⁹¹ Od 05.03. do 03.05.1992. godine na prostoru Mostara i Kupresa izvršeno je 78 napada na objekte i jedinice JNA. Gubici: 17 poginulo, 53 teže i 33 lakše ranjena pripadnika JNA.

¹⁹² Do 15.09.1992. godine u zoni odbrane Trebinjske brigade izvršena je zamena 15 brHV uz ojačanja sa manjim jedincima HOS-a i HVO.

¹⁹³ U borbama za Kupres zarobljeno je 95 vojnika i jedan oficir HV.

¹⁹⁴ Veći deo tog iseljenog srpskog stanovništva potražio je spas u SRJ među kojima je izbegao dobar deo ljudi sposoban za borbu i koji je podlegao vojnoj obavezi.

prostoru sa namerom da se mogu sagledati opšti tokovi od nastanka oružanih sukoba u BiH, pa do formiranja relativno stabilnih linija fronta koje se nisu značajnije pomerale ili su te promene bile taktičkog nivoa.

3. Najznačajnije operacije u ratu u BiH

3.41. U početnim oružanim sukobima u ratu u BiH uspostavljene su linije fronta u svim ključnim zonama. Taj početni period karakteriše nepostojanje stabilne vojne organizacije i lanca komandovanja, kao i prisustvo velikog broja paravojnih organizacija, seoskih straža ili kriminalnih organizacija, najviše u delu grada Sarajeva pod muslimanskom kontrolom, koje dugo vremena nisu priznavale nikakvu vlast niti komandu. Samozvani komandiri i komandanti tih jedinica često su imali političku zaštitu samog vrha SDA, a time i krnjeg državnog rukovodstva BiH.

3.42. Nakon perioda početne konsolidacije vojne organizacije, svih zaraćenih strana do kraja 1992. godine, nastupa period povećanja operativnih sposobnosti sve tri zaraćene strane u BiH. Od proleća 1993. godine, pa sve do kraja rata u skladu sa političkim ciljevima i operativnim mogućnostima planirane su i izvođene vojne operacije taktičkog i operativnog nivoa. Malo je operacija koje su po angažovanim snagama i dostignutim ciljevima imale operativno-strategijski značaj. Što se tiče VRS to su bile dve operacije „Lukavac 93“ i operacija „Koridor“, a što se tiče HV, A R BiH i HVO uz direktnu političku, medijsku, vazduhoplovnu i logističku podršku NATO, to su bile dve završne operacije u zapadnom delu Republike Srpske, „Maestral“ i „Južna strela“, kao nastavak operacije „Oluja“, kojom su Srbi prognani iz Republike Srpske Krajine. Hrvatska vojska je nekažnjeno nastavila operacije u BiH, a međunarodna javnost nije reagovala. Takav pristup rukovodstva Hrvatske verovatno je podržan od pojedinih uticajnih država zato što je skoro bilo sigurno da SR Jugoslavija neće reagovati.

3.43. U ovom delu ekspertize date su samo ključne informacije o izvedenim operacijama i njihovoj refleksiji na dalji tok i ishod rata. Dosta operacija je u pogledu početno definisanih ciljeva propalo jer su ti ciljevi bili neusklađeni sa realnim mogućnostima, odnosno više su bili proizvod želje. Takvo stanje promašenih operativnih pokušaja ili nedovršenih operacija vezuje se za grad Sarajevo, pokušaje njegove potpune deblokade od strane muslimanskih snaga A R BiH i spajanja sa teritorijama i snagama u centralnoj Bosni koje su bile pod njihovom kontrolom, kao i pokušaji VRS da defanzivom zadrži postojeće stanje linija fronta u podeljenom gradu. Istini za volju u taj vojnički deo posla puno se mešala politika ili puno je imala uticaja na tok i izvođenje operacija. Takođe na operacije svih zaraćenih strana, kako u pogledu priprema, njihovog trajanja, izvođenja i završetka imale su uticaj i pojedine države u međunarodnim odnosima, NATO i snage UN. U vremenskoj hronologiji navedene su operacije ili događaji masovnog stradanja civila koji su bitno uticali na medijsku sliku rata u međunarodnoj javnosti, a samim tim i na odnos međunarodnih organizacija prema sukobljenim stranama. Danas makar nije sporno reći da su muslimanska i hrvatska strana bili miljenici i povlašćeni u tom smislu, a da je srpska strana celo vreme satanizovana i prikazivana kao jedini krivac za rat i za „zlodela koja se dešavaju“.

3.44. U ratu u BiH 1992. godini izvedene su sledeće operacije: Sijekovac-Zvornik-Kupres-Sarajevo-Dobrovoljačka-Tuzla-Prijedor-Foča-Koridor-Višegrad-Vrbas i Mitrovdanska ofanziva. Tokom 1993. godine izvedene su operacije: Kravica-Lukavac-Sadejstvo-Cerska-Ahmići-Neretva-Drina-operacije u muslimansko-hrvatskom sukobu. Narednu 1994. godinu obeležile su sledeće operacije i zločini: Markale, Zvezda, Tigar, Sloboda, Breza, Jesen, Grmeč, Štit, a 1995. godinu: Kapija (stradanje civila u Tuzli), Plamen, Deblokada Sarajeva, Krivaja, Stupčanica,

Srebrenica, Leto, Oluja, Markale, Namerna sila, Maestral, Mrkonjić Grad, Una, Sana, Uragan, Južna strela i Vaganj.

3.45. **Operacija „Koridor“** ili proboj „koridora života“ je kodni naziv za operaciju VRS u leto 1992. godine u Posavini. Cilj operacije je bilo uspostavljanje komunikacije između zapadnog dela Republike Srpske i Republike Srpske Krajine sa istočnim delom RS i sa Srbijom. U leto 1992. godine snage lojalne krnjem predsedništvu R BiH u sadejstvu sa Hrvatskom vojskom i HVO gotovo mesec i po dana su držale u potpunom okruženju Vojsku Republike Srpske na području Bosanske Krajine i veći deo Vojske Republike Srpske Krajine. U Posavini 1992. godine se nalazilo osam brigada HVO i petnaest brigada HV koje su se smenjivale ili su u kritičnim fazama sukoba bile prisutne na tom ratištu. Četiri brigade HV su bile punog sastava, 108, 139, 157, i 3. gardijska, a ostale brigade su bile sastavljene od jednog ili dva bataljona, ojačane artiljerijom i sa tenkovima, a brojale su od 600 do 1.200 ljudi. Početkom maja 1992. godine svi putni pravci koji su zapadne delove Republike Srpske spajali sa istočnim delom i Srbijom bili su presečeni. Poslednja kopnena veza između zapadnog i istočnog dela Republike Srpske pod kontrolom srpskih snaga bila je saobraćajnica Banja Luka-Doboj-Tuzla-Bijeljina, ali i ta veza je presečena 15. maja 1992. godine, kada su pripadnici TO Tuzla izvršili napad na kolonu JNA koja se povlačila iz tog grada. Opravdanost za operaciju „Koridor“ društveno je ojačana smrću 12 beba u banjalučkom porodilištu usled nedostatka kiseonika. Sredinom juna 1992. godine, general Momir Talić, komandant 1. krajiškog korpusa VRS počeo je ofanzivu sa namerom da oslobodi koridor do 28. juna. Operacija „Koridor“ započela je 14. juna 1992. godine, kada su pripadnici 16. krajiške motorizovane brigade VRS pod komandom potpukovnika Milana Čeleketića, uz podršku tenkovske čete iz Doboja, krenuli u napad na južnom dijelu derventskog ratišta. Borbe su intenzivirane 24. juna, kada je snažna artiljerijska priprema na širokom frontu formacije Armije RBiH navela na pogrešan zaključak da srpske snage nameravaju da zauzmu Tuzlu. U osvit zore 26. juna 1992. godine vojnici 1.KK i Istočnobosanskog korpusa VRS, susreli su se između Modriče i Šamca, spojivši zapadni i istočni deo Republike Srpske. U operaciji „Koridor“ su prema zvaničnim podacima poginula 293 vojnika, a 1.129 pripadnika VRS i specijalaca MUP-a Republike Srpske Krajine teže je ili lakše ranjeno. Prema izveštaju Operativne grupe Istočna Posavina HV gubici HVO i HV za period 01.04. do 01.10. 1992. godine iznose: poginuli: HV 306, HVO 918, ranjeni: HV 1.986, HVO 4.254.¹⁹⁵

3.46. **Mitrovdanska ofanziva 1992. godine** (hrv. *Lipanske zore*) je naziv koji je ostao u narodu, a u suštini radi se o napadnoj operaciji snaga hrvatsko-muslimanske koalicije. Za VRS to je bila iznuđena odbrambena operacija brigadnog nivoa. Izvedena od strane združenih snaga Hrvatske vojske, HOS-a, Armije BiH i HVO. Odbranu je izvodila Nevesinjska brigada i deo Bilečke brigade Hercegovačkog korpusa VRS. Nakon proterivanja srpskog naroda iz doline Neretve u operaciji, združene neprijateljske snage isplanirale su snažan napad na položaje Nevesinjske brigade sa ciljem da zauzmu centralni prostor Istočne Hercegovine i da stvore uslove za dalja ofanzivna dejstva radi osvajanja cele Hercegovine i proterivanja srpskog naroda. Napad je počeo rano ujutru 8. novembra. Napad je bio odlikovan snažnom artiljerijskom pripremom kao i jurišom pješadije. Glavnina napada je išla preko sela Vranjevići gde su položaje držali Bilečki dobrovoljci vojvode Rada Radovića. Velike gubitke na samom početku je spriječila nešto lošija popunjenost linija usled praznovanja krsne slave Mitrovdana od strane većeg broja boraca. Na prvoj liniji su se uskoro počeli pojavljivati borci koji su dolazili direktno sa proslave krsne slave, ali i starci, žene, deca, „svi koji su mogli držati pušku“ ili pomoći na neki drugi način. Ranjenici su bežali iz bolnice da bi branili svoj grad i narod. Snage VRS su

¹⁹⁵ Miladin Mihajlović, Devetnaest godina proboja koridora, Radio-televizija Republike Srpske, 26.06.2011.

imale 40 poginulih i oko 150 ranjenih, dok se gubici hrvatsko-muslimanskih snaga procenjuju na oko 500 poginulih i 1300 ranjenih.¹⁹⁶ Može se reći da su početkom operacije snage VRS doživele iznenađenje ali su se brzo uspele konsolidovati i ojačanjima iz Hercegovačkog korpusa da slome ofanzivu hrvatsko-muslimanskih jedinica.

3.47. Operacija „Lukavac 93“ je naziv operacije VRS, kojom je oslobođeno Trnovo sa širom okolinom, prevoj Rogoj, presečen koridor ka Goraždu i oslobođen veći broj sela i planine Treskavica, Bjelašnica i Igman. Operacija „Lukavac 93“ je bio odgovor VRS na okupaciju Trnova, Rogoja, južnih padina Jahorine i presecanje komunikacija koje povezuju srpsku Hercegovinu sa ostalim delovima RS, koju su izvele jedinice A R BiH u leto 1992. godine. Operacijom „Lukavac 93“ komandovao je Glavni štab i njegov komandant general-pukovnik Ratko Mladić, usklađujući sadejstvo Sarajevsko-romanijskog i Hercegovačkog korpusa VRS i pojedinih manevarskih jedinica iz drugih korpusa VRS. Uz to, angažovane su i dve elitne jedinice Glavnog štaba, 1. Gardijska brigada i 65. Zaštitni puk. Sveukupno, u operaciji je učestvovalo na strani VRS oko 10.000 vojnika. Tokom 27-28. jula, Garda Panteri (1. Bijeljinska laka pješadijska brigada) poslata je na položaje 1. Gardijske i 65. Zaštitnog puka, radi odmora. Na strani A R BiH učestvovala su sledeće jedinice: 4. Motorizovana, 8. Brdska, 9. Brdska, 81. Brdska, 82. Brdska, 43. Brdska i 49. Brdska. Sve zajedno, u početku Operacije Lukavac 93 imale su oko 10.500 vojnika. Neposredno po otpočinjanju i uspešnom sprovođenju operacije snaga VRS, a nakon pada prevoja Rogoj, Trnova i Bjelašnice, Glavni Štab A BiH šalje kao pojačanje elemente 7. Muslimanske i 17. Krajiške brigade, i druge jedinice ali kasno jer su jedinice VRS već bile na samom Igmanu. Operacija „Lukavac 93“ je završena potpunom pobedom VRS. Da nije bilo političkih pritisaka operacija bi bila nastavljena ka Ivan sedlu i ka Sarajevu. U vojnom pogledu dalji tok rata verovatno bi bio drugačiji. Posle vojnog uspeha VRS je pod pritiscima međunarodne zajednice i pregovora koji su se odvijali u Ženevi morala da se povuče sa Igmana i Bjelašnice, te da taj prostor preda pod kontrolu UN. Te planine su proglašene za demilitarizovanu zonu, koja nije nikada zaživela. Naprotiv, takav status prostora višestruko je zloupotrebljen. Već od jeseni 1993. godine muslimanske snage dovele su veći broj jedinica koje su izvodile obuku, prilagođavale se uslovima ratovanja u planini i vršile neposredne pripreme za ofanzivna dejstva tokom 1994. godine.

3.48. Operacija „Drina 93“ jeste kodni naziv za operaciju VRS u zimu 1993. godine čiji je cilj bio slamanje dela snaga Drugog korpusa A R BiH. Izvođena je kroz niz manjih operacija na olovskom, tešanjskom, teočanskom i bihaćkom pravcu. S obzirom da su drugu godinu rata u BiH obeležili, sa jedne strane, eskalacija muslimansko-hrvatskog rata, a sa druge strane, niz pobeda VRS, vojno i političko rukovodstvo Republike Srpske pokrenulo ofanzivu širih razmera u cilju slamanja dela snaga A R BiH koje su stalno napadale na položaje VRS u nameri da se spoje sa enklavama Srebrenica i Žepa, te da izađu na reku Drinu. Plan operacije je predviđao izolaciju i slabljenje Drugog korpusa kroz spajanje Vozuće i mesta Olovo, čime bi se taj korpus našao u okruženju i odsečen od Sarajeva i Zenice. Istovremenim udarima na teočanskom i tešanjskom pravcu, Drugi korpus bi bio stavljen pod opšti pritisak iz više pravaca. Operacija je počela 8. novembra napadima na prilaze Olovu. Uprkos manjim taktičkim uspesima, snage VRS nisu uspele da probiju odbranu jedinica A R BiH. Jedino je 13. januara Mešovita brigada iz Hercegovačkog korpusa (po jedan mešoviti bataljon iz 15. bilećke, 18. gatačke i 8. nevesinjske brigade) uspela da probije linije odbrane A R BiH i zauzme mesto Kruševo, tri kilometra nadomak Olova. Dodatna pojačanja A R BiH iz 1. 3. i 2. korpusa zaustavljaju dalje napredovanje, i krajem januara GŠ VRS prekida operaciju. Teočanska operacija pod nazivom „Kladanj 93“, Tešanjka i Bihaćka operacija nisu realizovane do kraja niti su ostvareni ciljevi.

¹⁹⁶ Grahovac Dragan, Sjećanja na slavnu Nevesinjsku brigadu, Radio Nevesinje, novembar 2012.godine.

Pomeranja linije fronta imala su taktički karakter.

3.49. **Operacija Armije BiH „Kravica“** jeste u suštini drugi po redu pokolj srpskog stanovništva u Kravici koji se desio na Božić 7. januara 1993. godine u srpskom selu Kravica nadomak Bratunca, kada su muslimanske snage A R BiH, od oko 3.000 vojnika, predvođene Naserom Orićem, napale selo koje je branilo manje od 300 pripadnika VRS. Tokom napada snaga Naser Orića u borbi štiteći odstupnicu za oko 1.000 izbeglica iz Kravice, ali i stanovnika okolnih sela Šiljkovići, Ježeštica, Banjevići, poginulo je 49 ljudi, dok je nekoliko sela spaljeno do temelja. Ubijeni su bili stanovnici sela, od kojih su neki upravo napuštali crkvu posle božićne službe. Žrtve masakra su osim pripadnika seoske straže bili i deca i starci. Najmlađa žrtva, Vladimir Gajić, je imao samo četiri godine, a Novica Bogićević četrnaest, dok su među žrtvama i Vladimir Stojanović od 78, Risto Popović 73, a najstarija žrtva Mara Božić je imala 84 godine. Ranjenih je bilo 82 dok je tokom rata u narednim borbenim dejstvima Kravica izgubila 158 meštana. Spaljeno je 690 kuća i pomoćnih objekata, crkva je srušena sa zemljom, a groblja su oskrnavljena i uništena. Pre paljevine je izvršena opšta pljačka od strane više hiljada civila koji su zajedno sa vojnicima A R BiH učestvovali u napadu. U martu 1993. vojska Republike Srpske je započela kontraofanzivu i nakon 70 dana ponovo zauzela Kravicu. Tek tada su meštani sela Kravice na bratunačkom groblju mogli da sahrane svoje mrtve. Detalje napada na Kravicu su planirali Hamed Salihović i Ramiz Bećirović. Između maja 1992. godine i januara 1994. godine, 192¹⁹⁷ srpska sela i zaseoka u širem regionu Srebrenice su opljačkana i spaljena, ubijeno je oko 1.300 seljana. U periodu postojanja tzv. sigurne zone u Srebrenici, jedinice Armije RBiH stacionirane u Srebrenici su, suprotno odredbama rezolucije 819 Saveta Bezbednosti OUN u kojoj je navedeno da je Srebrenica „sigurna zona“, vršile česte napade na teritoriju pod kontrolom VRS u okolini Srebrenice. U svojoj izjavi pred članovima Ratnog Predsedništva Srebrenice, Ramiz Bećirović, komandant 28. divizije iz sastava 2. korpusa Armije RBiH je istakao da je od Glavnog štaba Armije BiH dobijeno naređenje za izvršavanje diverzantskih napada van teritorije enklave Srebrenica u cilju odvlačenja snaga VRS sa fronta kod Sarajeva.

3.50. **Operacija „Una 95“** je bio naziv vojne operacije u kojoj je Hrvatska vojska sa teritorije Republike Hrvatske napala četiri zapadnokrajiške opštine Republike Srpske i to: Novi Grad, Kostajnica, Kozarska Dubica i Gradiška. Operacija je počela 18. septembra 1995. godine, a završila se idućeg dana (19. septembra) teškim porazom Hrvatske vojske. Cilj operacije je bio zauzimanje Prijedora i okupacija dela RS istočno od puta Gradiška - Prijedor. Akciju Una je sa juga, mesec dana kasnije, pratila kombinovana akcija Hrvatske vojske, HVO-a i 5. korpusa Armije BiH pod nazivom Južni potez. Zbog agresije Hrvatske na Republiku Srpsku i teškog poraza, u hrvatskoj javnosti se veoma malo zna o ovoj neuspešnoj operaciji.

3.51. Operacija Una je bila posledica euforije državnog i vojnog rukovodstva Republike Hrvatske, nakon operacije Oluja, zbog čega je Glavni štab HV očekivao da će moći brzo zauzeti ove delove Republike Srpske. Može se konstatovati da je ta operacija bila prethodnica operacije Južni potez, da bi Hrvati, nakon eventualnog zauzimanja tih opština, zaprečili jedinicama A BiH prodor ka reci Savi. Okosnicu odbrane činila su tri rezervna bataljona rezervista (borci preko 50 i 60 godina). Svega oko 1.500 boraca. Nakon odbrane domaćina, drugi dan su u borbu stupile i operativne jedinice Vojske Republike Srpske koje su povučene sa drugih linija fronta. Prilikom napada jedinice Hrvatske vojske su počinile i masovne zločine kod fabrike Knežopoljka, ubivši svakog civila kojeg su presreli na lokalnom putu Kozarska Dubica - Kostajnica. Tada je na svirepi način ubijeno 44 civila, a ranjeno 38. Veliku ulogu u sprečavanju daljeg prodora hrvatskih jedinica prema dubini teritorije i odbrani Kozarske Dubice imao je interventni vod

¹⁹⁷ www.glas-javnosti.rs, pristupljeno 1. 4. 2013. godine

civilne policije, koji je taj dan procentualno pretrpeo najveće gubitke. Pripadnici interventnog voda civilne policije su se i sutradan devetnaestog septembra u rejonu sela Gradine sukobili sa hrvatskom vojskom koja je prešla na teritoriju Republike Srpske. Tom prilikom smrtno je stradao jedan policajac, a više ih je lakše ranjeno.¹⁹⁸

3.52. **Operacija „Cerska 93“** je kodni naziv za operaciju Vojske Republike Srpske u proleće 1993. godine u Podrinju čiji je cilj bio oslobađanje teritorija Republike Srpske zauzetih od strane A R BiH. Početkom 1993. godine snage A R BiH iz Srebrenice potiskuju elemente Biračke i Bratunačke brigade Vojske Republike Srpske sa ciljem da se spoje sa enklavom u okolini mesta Cerska. Sredinom januara jedan manji deo snaga A R BiH upada na teritoriju Jugoslavije i napada minobacačkom vatrom mesto Ljubovija kod Bajine Bašte. Krajem januara jedinice Specijalnog korpusa Vojske Jugoslavije, timovi Službe državne bezbednosti Jugoslavije, dva bataljona 6. sanske lpb i Garda Panteri, napadajući preko mesta Skelani odbacuju snage A R BiH jedan kilometar u dubinu. S obzirom na prisustvo brojnih komandi, od brigade do korpusa, Glavni Štab VRS preuzima komandovanje operacijom. Jedinice određene za napad su bile: 65. zmtp,

1.gmtbr, Garda Panteri, elementi 63. padobranske i 72. protivdiverzantske brigade VJ, Bratunačka i Biračka brigada i delovi Zvorničke brigade. Delovi Zvorničke brigade i 65. zmtp, napadajući sa severa, potiskuju A R BiH iz Kamenice ka Cerskoj. Panteri, zajedno sa Bratunačkom brigadom, odbacuju jedinice A R BiH u okolini Bratunca. Prva gardijska brigada VRS, zajedno sa Biračkom brigadom, upada u Cersku iz jugozapadnog pravca. Cilj ovog dela operacije je stavljanje pod nadzor Konjević Polja radi otvaranja komunikacije Bratunac-Konjević Polje-Zvornik. Kao i u prvoj fazi, sa severeozapadnog pravca probijaju se 65. zmtp i 1. gmtbr, dok Panteri napadaju sa juga. Sa bratunačkog pravca napadaju Panteri. Nakon par nedelja oštih borbi (naročito oko industrijskog predgrađa Srebrenice „Zeleni Jadar“) padaju najvažnije kote oko Srebrenice.¹⁹⁹

3.53. **Operacija „Sadejstvo“** je kodni naziv za operaciju Vojske Republike Srpske u leto 1993. godine u Bosanskoj Posavini. Operacija je još poznata i kao bitka za „Strujni koridor“. Budući da je stabilno i adekvatno snabdevanje električnom energijom Bosanske Krajine zbog ratnog stanja bilo ugroženo, VRS se odlučuje da proširi koridor kod Brčkog kako bi uključio i popravio električnu liniju koja je prolazila kroz sela Brod, Donja Brka, Kolonija, Lipovac, Djukići i Bajići. VRS je u operaciji angažovala jedinice Prvog krajiškog korpusa i Istočnobosanskog korpusa, raspoređene u dve taktičke grupe. Prva taktička grupa (TG-1) se oslanjala na Pantere, specijalni odred „Peša“ 1. posavske brigade, 4. bataljon 43. prijedorske mtbr, kao i na delove elitnog 1. Bataljona vojne policije; TG-1 je napredovao na pravcu s. Brod i s. Brka. Drugu taktičku grupu (TG-2) su predvodili 16. Krajiška mtbr. i 5. Kozarska lpb. na pravcu s. Bajići, s. Lipovac i s. Djukići. U operaciji su još učestvovala snage borbene podrške: jedan oklopni bataljon Prve oklopne brigade; delovi 1. i 3. mešovitih artiljerijskih pukovi.²⁰⁰

3.54. Snage A R BiH su tokom operacije bile veoma jake. Činile su ih sledeće brigade: 21. brigada Srebrenik, 108. motorizovana brigada i 108. HVO brigada. Ceni se da su sve zajedno imale oko 12.000 vojnika. Prednost odbrane se ogledala u netenkoprohodnom terenu, koji je ispresecan kanalima, i ravničarskom zemljištu gde je relativno lako otkriti i zaustaviti pešadijske napade. Oklop i manevar nisu mogli doći do izražaja. Nadmoć u artiljeriji VRS je postojala, ali

¹⁹⁸ Agresija Republike Hrvatske na Republiku Srpsku: Okupacija opštine Mrkonjić Grad: septembar 1995. - februar 1996. Knjiga 2 / Centar za istraživanje ratnih zločina Republike Srpske, Biblioteka ratni zločini, Banja Luka (avgust 2009)

¹⁹⁹ Balkan Battlegrounds Vol, og 387 -389

²⁰⁰ Radmila Žigić, Peša-Jedna ratna legenda, Beograd, 1995.godine

nije bila dovoljna da podrži pešadiju na dosta širokom frontu napada (dužina fronta je bila oko 15 kilometara). Takav prostor omogućavao je odbranu po dubini, to jest, više linija odbrane. Sa druge strane, osnovni hendikep A R BiH bio je u nedostatku teškog naoružanja, što je davalo prednost jedinicama VRS. Operacija je trajala sedam dana, od 20. do 27. jula. Završena je srpskom pobedom i ostvarenjem cilja operacije.

3.55. **Operacija „Zvezda“** je kodni naziv za operaciju Vojske Republike Srpske u aprilu 1994. godine u Podrinju. Cilj operacije je bio da se zauzimanjem Goražda smanji manevarski prostor muslimanskim snagama i obezbedi efektivnija vojna kontrola izvan zaštićene zone Goražde, pošto jedinice A R BiH nisu bile razoružane. Širi rejon Goražda držale su brigade Sarajevsko-romanijskog, Drinskog i Hercegovačkog korpusa. Sa severnog pravca napadala je drinska taktička grupa, koju su činili 1., 3. i 5. podrinjska brigada, kao i jedinice mešovitog sastav izvučene iz ostalih brigada drinskog korpusa. Na zapadnoj strani, liniju prema frontu su držala četiri bataljona Sarajevsko-romanijskog korpusa. VRS je imala na raspolaganju oko 10.000 boraca. Komandovanje operacijom je povereno komandi Hercegovačkog korpusa. Pukovnik Ferid Buljubašić, komandant Istočno-bosanske operativne grupe, imao je na raspolaganju oko 8.000 vojnika, naoružanih uglavnom pešadijskim oružjem. 15. aprila operacija je nastavljena posle prekida koji se desio zbog pretnje NATO-a da će dejstvovati po srpskim položajima. Za tri dana VRS je uspjela da slomi liniju odbrane A R BiH i osvoji najvažnije kote oko Goražda. U pregovorima sa UNPROFOR-om dogovorena je demilitarizacija Goražda, koja nikada nije sprovedena.²⁰¹ Napadi jedinica A R BiH, sve do kraja rata više nisu ispoljavani u značajnoj meri niti su mogli promeniti situaciju na ovom delu ratišta.

3.56. **Operacija „Štit 94“** je kodni naziv za operaciju Vojske Republike Srpske u jesen 1994. godine u Bosanskoj Krajini čiji je cilj bio oslobađanje prostora Republike Srpske koji je prethodno zauzet od strane A R BiH. Ocenivši da su snage 2. krajiškog korpusa u nepovoljnom operativnom-strategijskom položaju, Atif Dudaković, komandant 5. Korpusa A R BiH, naredio je 25. oktobra otpočinjanje operacije „Grmeč 94“. Cilj operacije je bio da se snage Drvarskog korpusa odbace od Bihaća i Cazina. Kako su jedinice A R BiH u prvom danu operacije ozbiljno uzdrmale linije Drvarskog korpusa, komanda 5. Korpusa naređuje opšti napad, ovog puta želeći da se, na jugu, preko Kupresa spoji sa 7. Korpusom A R BiH, a na istoku, preko Bosanske Krupe, izađe na reku Sanu. Do 31. oktobra, Dudakovićeve jedinice osvojile su 250 kilometara kvadratnih, a na jugu 5. Korpus je zauzeo Kulen Vakuf.

3.57. Po naredbi Vrhovne komande RS, general Manojlo Milovanović dobija zadatak da oslobodi zauzetu teritoriju i skrši moć 5. Korpusa A R BiH. Još tokom trajanja operacije „Grmeč 94“, gen. Milovanović naređuje korpusima VRS da izdvoje jedinice za formiranje tri brigade koje bi predvodile kontranapad. Kako je ljudstvo ovih brigada dolazilo iz više korpusa, gen. Milovanović odlučuje da ih nazove 1. Srpska, 2. Srpska i 3. Srpska brigada. S obzirom da su brigade Drvarskog korpusa bile, mada ugruvane, i dalje sposobne za borbu, gen. Milovanović formira tri taktičke grupe. Svaka taktička grupa je imala po jednu Srpsku brigadu, dve brigade iz Drvarskog korpusa, kao i niz manjih jedinica (tokom kasnijih delovanja biće formirana i četvrta taktička grupa od 11. Krupske lake pješadijske brigade i 1. Novigradske pješadijske brigade). Osim taktičkih grupa, u kontraofanzivi su učestvovali i 6. (Banja Luka) i 7. odred (Prijeđor) Specijalne brigade policije, jedan oklopni bataljon 1. Krajiškog korpusa, kao i elementi 65. zaštitnog puka. Operacija je počela 4. novembra, a završena je 20. novembra, kada je neprijatelj vraćen na početne položaje.²⁰²

²⁰¹ Balkan Battlegrounds Vol, og 459 -460.

²⁰² Isto, str.527-529.

3.58. **Operacija „Maestral“** je naziv zajedničke vojne operacije Hrvatske vojske, HVO i A R BiH u kojoj su te snage ubile 655 i prognale oko 125.000 Srba. Ta operacija je bila suštinski nastavak operacije Oluja i prethodila je operaciji Južni potez. Trajala je od 8. do 17. septembra 1995. godine. Operacija „Maestral“ bila je prva veća vojna operacija jedinica HV, HVO i A R BiH u kojoj su okupirani veći prostori Republike Srpske, uključujući gradove Drvar, Šipovo, Jajce, Bosanski Petrovac, Bosanska Krupa i Ključ. Operacija „Maestral“ se sastojala od dve povezane ofanzive. Zajednička hrvatsko-bošnjačka operacija je počela 8. septembra iz pravca Glamoča i Kupresa. Prve srpske linije su bile razbijene, tako da 7. i 4. gardijska brigada su zauzele planinski vrh Veliki Vitorog, visok 1906 m, odakle se kontroliše čitavo područje Kupreškog polja i Glamoča sve do Šipova, Jajca i Mrkonjić Grada. U odbrani se nalazilo sedam lakih pešadijskih slabo popunjenih srpskih brigada, jedna motorizovana brigada i dva oklopna bataljona 2. Krajiškog korpusa VRS. Te jedinice su bile slA BiH operativnih sposobnosti i zbog toga što se veliki broj boraca samovoljno udaljio iz jedinica radi iseljenja svojih porodica.

3.59. U isto vreme kreću napadne operacije 5. korpusa Armije R BiH pod komandom generala Atifa Dudakovića iz pravca Bihaća prema planinama Grmeč i Bosanskom Petrovcu, kao i prema Bosanskoj Krupi. Takođe, 7. korpus Armije R BiH pod komandom generala Mehmeda Alagića izvodi napadnu operaciju na Donji Vakuf. Uporedno s tim, A R BiH pokreće i operacije prema drugim strateškim područjima pa tako 11. septembra 1995. godine, osvaja Vozuću, a narednih dana i deo planine Ozren. U napadu na Vozuću je u sastavu jedinica A R BiH učestvovao odred stranih plaćenika i terorista El Mudžahedin. Sutradan, 12. septembra, snage 4. gardijske brigade HV zauzimaju gradić Šipovo. Sledeći dan, 13. septembra, 7. gardijska brigada zauzima Drvar, 4. gardijska brigada zauzima grad Jajce. Istog dana snage 7. Korpusa A R BiH zauzimaju Donji Vakuf. Na južnom ratištu, HV i HVO su osvojili nekoliko brda sa kojih su dejstvovali artiljerijskom i tenkovskom vatrom po gradu Trebinje. Tokom 15. septembra jedinice 5. korpusa A R BiH zauzimaju Bosanski Petrovac, a idućeg dana Ključ. Narednog dana, 17. septembra, 5. Korpus A R BiH okupira i Bosansku Krupu. Nakon sedam dana borbi, operacija se završava. Zauzeto je područje široko 100 i duboko 25 kilometara sa važnim prevojima Oštrej i Mlinište. Između HV i Banja Luke bio je još samo Mrkonjić Grad, koji je zauzet u akciji Južni potez. Vitalno srpsko uporište, Banja Luka, postao je realni sledeći cilj, hrvatsko-muslimanskih snaga. Zauzimanje Banja Luke bi značilo totalni poraz VRS na tom delu ratišta i verovatno početak jednog većeg rata između Hrvata i Muslimana sa jedne i Srba sa druge strane, jer bi SR Jugoslavija morala da uđe u rat. Agresijom hrvatsko-muslimanskih snaga okupiran je značajan deo izvornih srpskih etničkih teritorija i pokrenuo hiljade izbeglica koje su se u kolonama slivale prema Prijedoru i Banja Luci.

3.60. Danas je teško razumeti ponašanje SR Jugoslavije i rukovodstva u Beogradu, da posmatra nemo agresiju Hrvatske na Republiku Srpsku i da dozvoli takvo mučenje i egzodus naroda, kao i stradanje VRS. Tu slobodu upotrebe Hrvatske vojske u agresiji verovatno su štatile i neke uticajne države u međunarodnim odnosima. Takođe, osnovano je tvrditi da je i Srebrenica i zločin koji se desio deo ukupnog rešavanja i završetka građanskog rata u kome su sukobljene strane instrumentalizovane u funkciji ostvarenja političkih ciljeva, a da toga nisu bile ni svesne.

3.61. **Operacija „Una 95“** bio je naziv vojne operacije u kojoj je Hrvatska vojska sa teritorije Republike Hrvatske napala četiri zapadnokrajiške opštine Republike Srpske (Novi Grad, Kostajnica, Kozarska Dubica, Gradiška). Operacija je počela 18. septembra 1995. godine, a završila se 19. septembra porazom jedinica Hrvatske vojske. Cilj operacije bio je zauzimanje Prijedora i okupacija teritorije istočno od puta Gradiška - Prijedor. Akciju Una je sa juga, mesec dana kasnije, pratila kombinovana akcija Hrvatske vojske, HVO i 5. Korpusa A BiH, pod nazivom Južni potez. Zbog agresije Hrvatske na Republiku Srpsku i poraza, u hrvatskoj javnosti

se veoma malo zna o ovoj neuspešnoj operaciji. Operacija Una je bila posledica euforije nakon operacije Oluja, zbog čega je GŠ HV očekivao da će moći brzo zauzeti ove delove Republike Srpske. Operacija je bila i prethodnica operacije Južni potez, da bi Hrvati, nakon eventualnog zauzimanja tih opština, zaprečili Muslimanima prilaz do reke Save. Prilikom napada, hrvatske snage su počinile i masovne zločine kod fabrike Knežopoljka, ubivši svakog civila kojeg su presreli na lokalnom putu Kozarska Dubica - Kostajnica, koji su dokumentovani i pred Haškim tribunalom. Tada je na svirepi način ubijeno 44 civila, a ranjeno 38.²⁰³

3.62. **Operacija „Južni potez“** je jedna od operacije Hrvatske vojske i HVO operativno-strategijskog značaja na području Bosne i Hercegovine, koje su usledile nakon operacije Oluja. Odigrala se u periodu od 8. do 12. oktobra 1995. godine. Cilj operacije je bio zauzimanje opštine Mrkonjić Grad, uspostavljanje kontrole nad saobraćajnicama Banja Luka - Čađavica, Banja Luka - Mrkonjić Grad i Banja Luka - Jajce, kao i zauzimanje južnih padina planine Manjača kako bi se stvorili preduslovi za napad na Banja Luku. Nakon zauzimanja Šipova u septembru 1995. godine Hrvatska vojska je isplanirala operaciju *Južni potez*. U akciji su učestvovalе sledeće hrvatske vojne jedinice:

- 4. gardijska brigada Hrvatske vojske, pod komandom generala Damira Krstičevića;
- 7. gardijska brigada Hrvatske vojske, pod komandom generala Ivana Korade;
- 1. hrvatski gardijski zdrug, pod komandom generala Miljenka Filipovića;
- 1. gardijska brigada HVO, pod komandom Ante Luburića;
- 2. gardijska brigada HVO, pod komandom generala Stanka Sopte;
- 3. gardijska brigada HVO, pod komandom Ilije Nakića;
- specijalna jedinica MUP-a Herceg-Bosne, pod komandom Zlatana Jelića;
- 60. gardijsko desantna jedinica HVO, pod komandom pukovnika Damira Dodiga;
- 22. diverzantski odred HVO, pod komandom pukovnika Predraga Mandića;
- 126. domobranska pukovnija, pod komandom pukovnika Ante Podruga;
- izviđačko-diverzantska jedinica glavne komande Hrvatske vojske, pod komandom Ivice Dekalića i
- operativna grupa Istok.

3.63. Na srpskoj strani, odbranu su činile brigade 30. pešadijske divizije, jedna mešovita brigada iz Operativne grupe 2. i delovi prvog oklopnog bataljona Prve oklopne brigade. Desno od Mrkonjić grada i planine Lisina, odbranu je držala Treća srpska brigada. Direktno ispred Mrkonjić grada nalazila se 11. Mrkonjićka lpbr. Njen levi bok štitila je 7. Kupreška motorizovana brigada. U rezervi je bila Prva šipovačka laka brigada. Odbranom je komandovao pukovnik Milenko Lazić. Čitavu operaciju je vodio hrvatski general Ante Gotovina. Cilj operacije je bio da se izvrši pritisak na Republiku Srpsku i SR Jugoslaviju, radi potpisivanja Dejtonskog mirovnog sporazuma. Avioni NATO-a su u navedenom periodu bombardovali položaje srpske vojske, u koordinaciji sa napadima hrvatskih snaga. Pri tome su uništavani i repetitori, predajnici i druga sredstva komunikacije, kao i infrastruktura odbrane. Operacija Južni potez počela je ujutro 8. oktobra 1995. godine artiljerijskom pripremom po položajima VRS. Cilj je bio da se zauzmu povoljniji taktički položaji, a jedini napredak su ostvarile 1. gardijska brigada i 126. domovinska pukovnija. Uzrok tome je bilo loše vreme i izuzetno snažan otpor srpskih snaga. Drugog dana je napad odložen zbog guste magle, a otpočet je artiljerijskom vatrom i neposrednom vatrenom podrškom iz dva helikoptera Mi-24. Ponovo je pružen jak

²⁰³ Zborno područje Bjelovar u opeaciji Una, str.321

otpor, pogotovo u rejonu sela Liskovica, Bjelajce i Šehovci gde je delovala 7. gardijska brigada. Tek krajem dana su postignuti značajniji pomaci. GŠ VRS je zbog nadmoći agresorskih snaga Hrvatske vojske u sadejstvu sa HVO i snagama A R BiH odlučio da povuče i koncentriše snage bliže Banja Luci, skрати linije fronta. Tada je otpor bivao sve slabiji Hrvatska vojska ušla je u Mrkonjić grad 10. oktobra. Borbe su završene u noći između 11. i 12. oktobra, kada su hrvatske snage prešle u odbranu.²⁰⁴

3.64. Komandant operativne grupe koja je zauzela Mrkonjić Grad je bio general Željko Glasinić. Operaciju je vodio Štab u kome su bili generali Damir Krstičević, Ante Gotovina, Rahim Ademi, Ljubo Česić Rojs i dr. Iako je prvobitno planirano da se čitava operacija završi do 10. oktobra, prilikom zauzimanja grada poginuo je hrvatski brigadir Andrija Matijaš. U znak odmazde, hrvatski vojnici su sprovodili nasilje i teror nad civilima i ratnim zarobljenicima. Na području opštine Mrkonjić Grad je početkom aprila 1996. godine pronađena masovna grobnica sa 181 žrtvom. Obdukciju leševa su uradili patolozi Vojnomedicinske akademije iz Beograda, a uz nadzor predstavnika brojnih međunarodnih organizacija. Ispitivanja su pokazala da su žrtve bili vojnici i civili, a da su ubijani tupim predmetima, noževima i iz vatrenog oružja. Osim toga pronađeno je još 400 žrtava u manjim grobnicama, a smatra se da ih sa područja mrkonjičke opštine ima oko 260.²⁰⁵ Prema podacima opštinske Komisije za ratnu štetu, hrvatske trupe su zapalile i porušile 3.644 kuće, oko 700 stanova, a 6.017 stambenih objekata je oštećeno. Uništen je i celokupan stočni fond i opljačkane su mašine iz firme na području opštine. Ukupna ratna šteta je procenjena na preko 650 miliona maraka.

3.65. „Cilj operacije bio je okružiti i uništiti srpske snage na širem području Mrkonjić Grada, Podraškičkog polja i hidroelektrane Jajce 3, staviti pod nadzor puteve Banja Luka - Čađavica, Mrkonjić Grad - Banja Luka i Jajce - Banja Luka, uspostaviti obranu na južnim padinama Manjače i postaviti topništvo na položaje s kojih se može gađati Banja Luka kako bi se nastavilo zauzimanje toga grada. Glavne snage za napad u operaciji „Južni potez“ bile su 4. i 7. gardijska brigada HV-a pod zapovijedanjem generala Damira Krstičevića i Ivana Korade. U operaciji su sudjelovale i specijalne snage 1. Hrvatskog gardijskog združenja pod zapovjedništvom generala Milenka Filipovića. Osim gardijskih brigada HV-a u operaciji su kao pomoćne snage sudjelovali dijelovi triju gardijskih brigada HVO-a pod zapovjedništvom stožernog brigadira Ante Luburića, generala Stanka Sopte i brigadira Ilije Nakića.”²⁰⁶

3.66. **Operacija „Vaganj 95“** je naziv za operaciju Vojske Republike Srpske u leto i jesen 1995. godine čiji je cilj bio zaustavljanje ofanzive hrvatsko-muslimanskih snaga i oslobađanje dela osvojenih teritorija. „Vaganj 95“ je obuhvatao niz manjih operacija na grahovskom, ključkom, sanskom, petrovačkom, bihaćkom, šipovskom i glamočkom pravcu; borbe su vođene i u Pounju i na teritoriji opštine Mrkonjić grad.

²⁰⁴ Haška pitanja za generala Koradu, Nacional br. 366, 2002-11-20

²⁰⁵ Banjalukalive, www.banjalukalive.com, pristupljeno 27.09.2013.

²⁰⁶ „Umirovljeni general-pukovnik Korade prije Domovinskog rata bio je monter centralnog grijanja. Ratni put počeo je početkom 1991. kao dragovoljac u Specijalnoj policiji. Nakon osnutka ZNG-a pridružuje se 1. gardijskoj brigadi, „Tigrovima“, a 1992. postaje zapovjednik 5. bojne „Tigrova“. U ljeto 1992. teško je ranjen na dubrovačkom bojištu, ostaje bez jedne ruke, no nakon samo dva tjedna bolničkog liječenja vratio se u postrojbu, što je navodno impresioniralo i generala Bobetka, tadašnjeg zapovjednika južnog bojišta kojem Korade može zahvaliti za promaknuće u čin generala. Kad je potkraj 1993. osnovana 7. gardijska brigade „Puma“, Korade postaje njen prvi zapovjednik. Pod njegovim zapovjedništvom 7. gardijska brigada 1994. i 1995. izravno sudjeluje u vojnim operacijama u BiH „Zima ‘94“, „Skok 1 i 2“, „Ljeto ‘95“, zatim u kolovozu 1995. u „Oluj“ u Hrvatskoj, a odmah potom iste godine u operacijama „Maestral“ i „Južni potez“ u BiH...“, Nacional br. 366, Zagreb, 2002-11-20

3.67. Po slamanju Republike Srpske Krajine u hrvatskoj operaciji „Oluja“ u leto 1995. godine, zona odgovornosti 2. krajiški korpus VRS (Bihać-Glamoč) postala je ozbiljno ugrožena pritiscima hrvatskih snaga iz livanjskog i grahovskog pravca: u neposrednu opasnost su zapali Drvar i Glamoč, a čitav front prema 5. korpusu A R BiH pretio je da se uruši usled napada novih, oslobođenih brigada 5. korpusa (jedinice koje su pre „Oluje“ držale front prema SVK i operativnoj grupi „Pauk“). Glavni štab VRS se zbog toga odlučio da u zonu odgovornosti Drvarskog korpusa uputi sveže snage i pokrene protivnapad. Zvaničan početak operacije Vaganj 95, bila je direktiva broj 8. Glavnog štaba VRS 3. avgusta, upućena komandama Prvog krajiškog i Drugog krajiškog korpusa. (Direktiva br. 8. VRS dostupna je na stranama ICTY).

3.68. Prve pristigle jedinice u operaciji Vaganj 95 bile su: Prva drinska lpbr, Druga drinska lpbr, Brigada Istočnobosanskog korpusa (mešoviti sastav), Prva srpska brigada (mešoviti sastav), 65. zaštitni puk i 10. diverzantski odred. Sve mešovite brigade, mada su bile sveže, patile su od istih, ozbiljnih boljki: nije izvršena selekcija ljudstva pa su osim dobrovoljaca u sastav mešovitih brigada ulazili i redovni pripadnici matičnih brigada; mešovite brigade su imale simboličnu organsku vatrenu podršku i morale su da se u novim okolnostima oslanjaju na vatrenu podršku Drvarskog korpusa ili privremeno pridruženih baterija drugih jedinica; logistička podrška se obavljala u haotičnim uslovima bega civilnog stanovništva, a kako su linije komunikacije između matičnih korpusa i mešovitih brigada bile nesigurne i predugačke, nije bilo uslova za druge izvore logističkog obezbeđenja. Komande brigada čije su matične opštine bile opustošene naletima hrvatsko-muslimanskih snaga prestale su da postoje u borbenom smislu; mešovite brigade su listom upotrebljavane za ofanzivna dejstva, iako to njihov sastav objektivno nije dozvoljavao. Vrlo mali broj pripadnika VRS u tim jedinicama se ranije susreo sa artiljerijskom vatrom i dejstvima oklopnih snaga neprijatelja, što je u početku stvaralo paniku jer je Hrvatska vojska imala ogromne količine artiljerijske municije i raketa za višecevne bacače raketa. Mešovite brigade su bile privremeni sastavi, što je značilo da se borci, uglavnom, nisu međusobno poznavali, zbog čega je dolazilo do nesporazuma i teških posledica u borbi.²⁰⁷

3.69. Obezbeđenje borbenih dejstava, naročito obaveštajno i logističko nije bilo ni blizu ispoljenim potrebama. Sve je to doprinosilo pojavi panike u narodu i njenom prenošenju u redove VRS. Zato su i mnoge odluke i ciljevi u operacijama odudarali od stvarne situacije. Sredinom septembra, Glavni štab je uputio dodatne snage kako bi pojačao uzdrmane jedinice i da bi pokrenuo kontranapad. Osim još dve mešovite brigade, upućene su i najjače brigade Prvog krajiškog korpusa: 16. krajiška, 43. prijedorska, 6. sanska i 5. kozarska brigada. Na front su, takođe, stigli i 11. Dubička, Prva banjalučka, Druga krajiška brigada, Prvi bataljon vojne policije i Izviđački odred Prvog krajiškog korpusa, te jedan deo boraca Specijalne brigade policije iz istočnog dela Republike Srpske. Lokalnu osnovicu snaga VRS činile su brigade Drvarskog korpusa, 30. pešadijske divizije i druge brigade Prvog krajiškog korpusa.

3.70. Na osnovu direktive broj 8. Glavnog štaba, formirane su, u početnom periodu, četiri operativne grupe. U isto vreme formirana je i još jedna operativna grupa za širu zonu opštine Prijedor. Snage Hrvatske vojske i HVO bile su objedinjene pod komandom Ante Gotovine. Neposredno po okončanju operacije „Oluja“, sastav hrvatskih snaga bio je sledeći: dve gardijske brigade (4. Splitska i 7. Varaždinska) HV, Prvi hrvatski gardijski združ HV, tri gardijske brigade HVO, tri pešadijske brigade HV (112. brigada, 113. brigada i 141. brigada), šest domobranskih pukovnija HV (6. pukovnija, 7. pukovnija, 142. pukovnija, 134. pukovnija, 15. pukovnija, i 126. pukovnija), Izviđačko-diverzantska četa Glavnog štaba HV, 60. Gardijski padobranski bataljon HVO, 22. Diverzantski odred HVO, jedinice vojne policije HVO, 81. Gardijski samostalni

²⁰⁷ Balkan Battlegrounds Vol, 1, 380 -394.

bataljon HV i snage Specijalne policije HV. Sveukupno, Gotovina je u to vreme imao pod komandom oko 30.000 vojnika.

3.71. Osim u zoni Drvarskog korpusa, Hrvatska vojska je tokom operacije Vaganj 95 bila aktivna i u Pounju, gde su u borbenim dejstvima, kao deo Zagrebačkog zbornog područja, učestvovali Prva gardijska brigada (Zagreb), Druga gardijska brigada (Sisak), jedna Izviđačko-diverzantska četa, 17. Domobranska pukovnija, te manji elementi niza drugih rezervnih brigada i pukovnija; pride, u borbama u Posavini (Jasenovac) su uzele učešće i jedinice Bjelovarskog zbornog područja, i to delovi 121. pukovnije, 125. pukovnije i 52. pukovnije - sveukupno oko 3.500 vojnika. Ako se uzme u obzir da je u Istočnoj Slavoniji za vreme operacije Vaganj 95, bilo raspoređeno preko 35.000 vojnika HV (uključujući dve gardijske brigade 3. (Osijek) i 5. (Vinkovci)), te da je HV pred Istočnom Hercegovinom imala 12.000 vojnika (uključujući 9. gardijsku brigadu (Gospić)), zbog opasnosti prema Osijeku, odnosno Prevlaci, može se zaključiti da je većina slobodnog ljudstva Hrvatske vojske u završnim operacijama bila upućena u Bosnu, izuzev jednog dela snaga Specijalne policije i snage Karlovačkog zbornog područja. A R BiH je za vreme trajanja operacije Vaganj 95 zadejstvovala kompletan 5. i 7. korpus, dok su u kasnijoj fazi u borbenim dejstvima uzele učešće i jedinice Glavnog štaba A R BiH (Gardijska brigada i „Crni labudovi“, Vojna policija), kao i manevarske brigade 1., 2. i 3. korpusa A R BiH, sveukupno u pomoć je došlo oko 10.000 vojnika. Sa snagama 5. i 7. korpusa to je bilo oko 40.000 vojnika.

3.72. Iako je „Vaganj 95“ bio zamišljen kao napadna operacija širih razmera veći deo operacije je bio izrazito odbrambenog karaktera. Mogu se razlikovati dve faze, razdvojene napadnim operacijama hrvatsko-muslimanskih snaga. U prvoj fazi, koja je trajala od 3. avgusta do 18. septembra, VRS je preduzela jedan veći udar na Bosansko Grahovo i niz manjih taktičkih napada. Najveći deo vremena je proveden u odbrani zone odgovornosti 2. KK VRS, koja je, naposljetku, skršena hrvatsko-muslimanskom operacijom Maestral. Drugu fazu operacije „Vaganj 95“, koja je trajala od 18. septembra do 10. oktobra, obeležio je niz protivnapadnih i odbrambenih operacija VRS. U ovoj fazi, VRS je većim delom uspela da preko svežih snaga ne samo zaustavi napad hrvatsko-muslimanskih snaga i oslobodi dobar deo zauzetih teritorija, već i da ugrozi sam opstanak delova 5. i 7. korpusa A R BiH. Ipak, ponovne napadne operacije hrvatsko-muslimanskih snaga (Južni potez, Uragan, Operacija Sana), osujetile su dalje napredovanje, vratile snage VRS na početne položaje, a potom zauzele gradove Sanski Most i Mrkonjić Grad. To je bio dokaz strateške prednosti koalicionih hrvatsko-muslimanskih snaga nad jedinicama VRS, uz vazduhoplovnu i obaveštajnu podršku NATO.

3.73. Nakon neuspeha operacije „Vaganj 95“, hrvatske snage izašle su na 24 km od Banja Luke - rastojanje u dometu haubica HV. Da li je hrvatsko-muslimanska koalicija mogla da zauzme Banja Luku ili ne, postalo je, sledstveno, predmetom užarenih rasprava. Komanda Zbornog područja Split je 18. septembra, nakon operacije Maestral, predložila Ministarstvu odbrane HR zauzimanje Banja Luke i utvrđivanje na levoj obali Vrbasa. Plan operacije zahtevao je, međutim, upotrebu Prve i Druge gardijske brigade, koje su u to vreme već bile neuspešno zadejstvovane u Pounju. U svakom slučaju, očigledno je da je komanda Zbornog područja Split smatrala nerealnim zauzimanje Banja Luke samo sa snagama HVO i Zbornog područja Split. Hrvatsko političko rukovodstvo pre svega Franjo Tuđman, želelo je da po svaku cenu ispravi hrvatsku „kiflu“, to jest, stavi Banjalučku regiju pod svoju kontrolu. Sigurno je da su snage VRS zbog egzodusa naroda i etničkog čišćenja koje su izvele hrvatsko-muslimanske snage bila u nezavidnom položaju, kao i cela Republika Srpska. Sve je to loše delovalo na borbeni moral, pored već postojećih vojnih poraza. Osim tog, zalihe vojnog materijala već su bile male. Ponovni dolazak 16. krajiške, ojačane Drugom oklopnom brigadom, zatvorio je put za Banja Luku preko

Manjače i stvorio uslove za stabilizaciju fronta.²⁰⁸

3.74. **Muslimansko-hrvatski oružani sukobi** za vreme rata u Bosni i Hercegovini jesu rezultat suprotstavljenosti nacionalnih i političkih interesa hrvatskog i muslimanskog naroda. Sukob između A BiH i jedinica HVO potpomognutih regularnom HV, trajao je od 19. juna 1992. godine do 23. februara 1994. godine, kada je zaključen prekid vatre koji je bio uvod za stvaranje Muslimansko-hrvatske federacije u okviru Bosne i Hercegovine. Sukobi između muslimanskih i hrvatskih snaga okončani su potpisivanjem Vašingtonskog sporazuma. To je bio uvod u novo strateško partnerstvo i saradnju HV, A BiH i HVO u funkciji neposrednih priprema za završne operacije protiv Srpske Vojske Krajine i Vojske Republike Krajine.

3.75. Među Hrvatima u BiH su postojale dve frakcije. Veća frakcija je zastupala ideju Franje Tuđmana o etničkoj podeli Bosne i Hercegovine, dok je manja frakcija bila za jedinstvenu Bosnu i Hercegovinu. Prva frakcija je imala svoje uporište u Hercegovini, osim grupe ljudi oko Blaža Kraljevića u Ljubuškom, koji se zalagao za jedinstvenu Bosnu i Hercegovinu i za savezništvo Muslimana i Hrvata. Od dva hrvatska predstavnika u Predsedništvu Republike Bosne i Hercegovine, Franjo Boras je pripadao hercegovačkoj frakciji, a Stjepan Kljujić promuslimanskoj. Hrvati su bili veoma podozrivi prema Muslimanima zbog optužbi da su mnogi ostali u JNA tokom cele 1991. i većeg dela 1992. godine. Hrvatska propaganda optužila je komandanta bosanske TO, Sefera Halilovića, da je aktivno učestvovao u razaranju Vukovara, što se kasnije pokazalo neistinitim, ali je istina da je general Atif Dudaković bio komandant diviziona JNA u ratu u Hrvatskoj.

3.76. Mate Boban, pod Tuđmanovim pokroviteljstvom je postao *de facto* vođa Hrvata u BiH, ubrzo odbacivši njihove dotadašnje predstavnike, Kljujića i Borasa. Tokom 13. i 20. juna 1991. godine Franjo Tuđman, je održao sastanak sa predstavnicima HDZ-a iz Bosne i Hercegovine, tačnije sa predstavnicima Hercegovačke i Travničke hrvatske regionalne zajednice. Novembra 1991. godine Hercegovačka i Travnička regionalna zajednica su u Grudama postigli dogovor o ciljevima hrvatskog naroda, što je rezultiralo dokumentom kojeg su potpisali članovi HDZ-a BiH Mate Boban, Dario Kordić, Ivan Bender, Božo Raić, Jozo Marić i dr. U dokumentu je navedeno da je trajno opredeljenje Hrvata u BiH, zajednička hrvatska država. Boban je proglasio hrvatsku državu u zapadnoj Hercegovini 18. novembra 1991. godine pod imenom Hrvatska zajednica Herceg-Bosna sa vlastitim oružanim snagama, koja je kasnije, 28. avgusta 1993. godine preimenovana u Hrvatsku republiku Herceg-Bosnu. Od samog početka Hrvatska vojska je bila prisutna jakim snagama u Hercegovini, kako bi ostvarila političke i nacionalne interese hrvatskog naroda. Dana 17. juna 1992. godine hrvatske snage su u Mostaru zauzele pojas hercegovačke teritorije duž istočne obale reke Neretve. Mate Boban je zaveo hrvatski sistem lokalne uprave, hrvatski školski sistem, i hrvatski je postao „zvanični jezik“. Hrvatski dinar je već 1991. godine, zamenio jugoslovensku valutu. Policija je postavila barikade po celom gradu. Muslimanima nije bilo dozvoljeno da se slobodno kreću.

3.77. Boban nije nikad eksplicitno definisao šta smatra granicama svoje države. Njegov zamenik u Srednjoj Bosni, danas osuđeni ratni zločinac Dario Kordić bio je eksplicitniji u svom uverenju da Bosna pripada Hrvatskoj. On je oformio štab u Novom Travniku. Izjavio je da su gradovi Srednje Bosne, Travnik i Vitez, te gradovi na severu Hercegovine Jablanica i Konjic, deo Herceg-Bosne. U tri od navedena četiri grada Bošnjaci su bili većina. Prema navodima oficira A R BiH, HVO je od početka rata zaustavljao konvoje sa oružjem i logistikom. Glavni problem bilo je uspostavljanje jedinstvene komande koja bi objedinjavala i koordinirala vojna delovanja protiv srpske vojske. Taj problem biće izražen do kraja rata, iako su sva iskustva rata govorila da

²⁰⁸ Zbornu područje Bjelovar u operaciji Una, str. 317

su vojni uspjesi mogući tamo gde postoji koordinirano delovanje.

3.78. Zapovednik HOS-a Hercegovine, pukovnik Blaž Kraljević koji se stavio pod komandu Predsedništva Republike Bosne i Hercegovine (na čelu sa Alijom Izetbegovićem), 9. maja 1992. godine izdaje proglas protiv podele Bosne i Hercegovine. Dana 20. juna 1992. godine HVO napada Gornji Vakuf i Novi Travnik. Nakon što je HOS bez saglasnosti HVO-a 6. avgusta zauzeo delove opštine Trebinje, Mate Boban je pozvao Blaža Kraljevića na sastanak u Mostaru, dana 9. avgusta 1992. godine. Danas osuđeni ratni zločinac Vinko Martinović „Štela“ odveo je Kraljevića na mesto sastanka. Pri povratku sa sastanka Blaž Kraljević je sa osam zamenika Hrvatskih odbrambenih snaga upao u unapred postavljenju klopku HVO. Kraljevićeva pratnja je zasutavljena vatrom iz automatskih pušaka. Vođstvo Hrvatskih odbrambenih snaga bilo je likvidirano, a samim tim i deo hrvatske frakcije koji je bio pod komandom Alije Izetbegovića. Do novog sukoba između Armije RBiH i HVO-a dolazi 23. oktobra 1992. godine, kada snage HVO-a ulaze u Prozor, do tada pod kontrolom A R BiH, i zauzimaju ga, a pri tome etnički čiste Muslimane sa područja opštine iz sela Here, Ščiće, Kute, Varvara, kao i grad Prozor. Izbeglice iz Prozora dolaze u Gornji Vakuf, nakon čega HVO ponovo pokušava da osvoji Gornji Vakuf radi vojno-strateškog značaja, kojim se povezuje Hercegovina sa Srednjom Bosnom.

3.79. U Kiseljaku, gradu sa hrvatskom većinom na zapadnom obodu Sarajeva, tvrdokorni nacionalisti na čelu sa ratnim zločincem Ivicom Rajićem²⁰⁹, lojalni hercegovačkim Hrvatima, preuzeli su kontrolu nad lokalnom vladom i HVO. Oni su sarađivali sa jedinicama VRS u pojedinim periodima rata, kada su bili ugroženi. Dana 13. januara 1993. godine pukovnik HVO-a, Željko Šiljeg postavlja ultimatum Armiji RBiH u Gornjem Vakufu, da se razoruža i stavi pod kontrolu HVO-a, pozivajući se na „Odluku HVO-a o ustrojstvu provincija“. Armija RBiH nije prihvatila ultimatum. Polovinom januara 1993. godine hrvatske jedinice krenule su u otvoreni napad na Gornji Vakuf i započele su sa etničkim čišćenjem gradskih delova u kojima su Hrvati bili većina. Nešto ranije, isti scenario je sproveden u selima Uzričje, Hrasnica i Duša. Nakon ovih događanja Gornji Vakuf se našao u opsadnom stanju sve do marta 1993. godine, te je izložen konstantnoj artiljerijskoj i snajperskoj vatri po stambenim objektima. U martu je potpisano primirje.

3.80. Krajem aprila 1993. godine, sukob između Muslimana i Hrvata eskaliralo je u totalni rat. Vesti o porazu u Srebrenici izazvale su za Hrvate uznemirujuće glasine, koje su se proširile Srednjom Bosnom da će na desetine hiljada muslimanskih izbjeglica stići za nekoliko dana. U Kiseljaku i Vitezu, dva džepa naseljena Hrvatima severno i zapadno od Sarajeva, hrvatske milicije u saradnji sa HVO krenule su u preventivnu akciju. Ušle su u muslimansko selo Ahmići, koje je bilo okruženo selima sa hrvatskim stanovništvom, i žive spalile 117 civila zatvorenih u jednoj kući u selu, uključujući žene, decu i stare, što je bio i najveći zločin u toku muslimansko-hrvatskog rata. Usledio je talas prinudnih iseljenja, ubistava i silovanja. Muslimani su bežali iz Viteza uputivši se ka Travniku ili Zenici, tvrdeći da su im hrvatski vojnici dali tri sata da napuste grad ili da budu ubijeni. U to vreme u Travniku je HVO zahtevao da se muslimanska armija razoruža i raspusti, pozivajući se na Vens-Ovenov plan, prema kome je Travnik stavljen u „hrvatsku pokrajinu“. HVO je zahtevao povlačenje svih nehrvatskih snaga iz te pokrajine. Na samoj granici sukobom zahvaćene teritorije nalazio se Vareš, pre rata podjednako naseljen Muslimanima i Hrvatima uz popriličnu srpsku manjinu, koja je već početkom rata pobegla ili bila etnički očišćena. Muslimani i Hrvati su uspevali da se odupru sukobu celo leto 1993. godine, kada na scenu stupa podeljenost unutar hrvatskog naroda. Lokalno rukovodstvo je bilo za dalju saradnju sa Muslimanima zastupajući interes probosanske struje, ali situacija se pogoršala dolaskom jedinice HVO-a iz Kiseljaka oktobra 1993. godine. Lokalni hrvatski načelnik i šef

²⁰⁹ Ivica Rajić je priznao krivicu, osuđen je na 12 godina zatvora (MKSJ predmet broj IT-95-12-S)

policije su kraće vreme zatvoreni, a potom smenjeni sa funkcija. Doveden je čovek sa strane i postavljen za načelnika.²¹⁰

3.81. Muslimanski muškarci su odvedeni u zarobljeništvo, izvršen je upad u kuće Muslimana i one su poharane. Hrvati nisu mogli niti hteli da brane Vareš, pre svega jer im se nije uklapao u teritorijalne planove. Istog časa kada su stekli kontrolu nad gradom počele su pripreme za evakuaciju stanovništva u Hercegovinu. Postojala su dva puta za zbeg, oba preko srpske teritorije. Evakuacija preko srpske teritorije nije predstavljala problem sa obzirom na saradnju kiseljačkog HVO-a sa Srbima, ali muslimansko selo Stupni Do, dva kilometra udaljeno od Vareša, je predstavljao problem. U to vreme Franjo Tuđman 22. oktobra 1993. godine saziva sastanak u Predsedničkim dvorima uz prisustvo Janka Bobetka, Imre Agotića, Josipa Lucića i Gojka Šuška u kojem iznosi teritorijalnu viziju Herceg-Bosne na liniji Novi Travnik-Vitez-Busovača uz rešavanje pitanja Mostara i Gornjeg Vakufa.

3.82. U noći 23. oktobra 1993. godine, nakon neprestanog celodnevnog bombardovanja sela Stupni Do, pripadnici hrvatskih jedinica upadaju u selo nakon čega čine masakr nad stanovništvom. Zločini nad civilima i imovinom trajali su danima, sve do kasno 3. novembra 1993. godine, kada hrvatski načelnik naređuje hrvatskom stanovništvu da se do zore sprema za evakuaciju i okupe na gradskim ulicama, pozivajući ih preko megafona. Rekao im je da se „muslimanska armija približava gradu sa severa, zapada i juga“. Preko 10.000 ljudi pobeglo je u jednoj noći.

3.83. Inicijativu o prestanku sukoba podržale su SAD i Nemačka, koja je i ranije kroz istoriju a i u ovom ratu bila naklonjena Hrvatskoj. Savet bezbednosti je 3. februara 1994. godine postavio Hrvatskoj rok od dve nedelje da izvuče trupe svoje regularne vojske iz BiH ili da se suoči sa posledicama. Hrvatskoj je zaprećeno da će proći kao i Srbija pod sankcijama ukoliko ne ispoštuje ultimatum. U narednih nekoliko dana muslimanska i hrvatska delegacija su dovučene u Vašington. Sporazum o Muslimansko-hrvatskoj federaciji je bio potpisan, a Hrvatskoj je zauzvrat obećana vojna i ekonomska pomoć koja se i desila u funkciji priprema za agresiju na Republiku Srpsku Krajinu, a potom i na Republiku Srpsku.

3.84. **Operacija „Plamen 95“** je kodni naziv za operaciju Vojske Republike Srpske u maju 1995. godine u Bosanskoj posavini čiji je cilj bio zauzimanje oraščkog džepa, u okolini mesta Orašje. Još od kraja 1992. godine, kada je Vojska Republike Srpske u operaciji Koridor ovladala Bosanskom posavinom, oraški džep, pod kontrolom Hrvatske vojske i Hrvatskog veća odbrane, zadavao stalne probleme jedinicama VRS. Zbog strateškog položaja Orašja, koje se nalazi tik uz najuzaniji deo brčanskog koridora, pretila je opasnost da hrvatska strana kroz samo jednu uspešnu operaciju (presecanje koridora preko Orašja) okonča rat u svoju korist, za razliku od 1992. godine. VRS je po potpisivanju Hrvatsko-muslimanskog sporazuma u proleće 1994. godine, izgubila stratešku inicijativu. U takvim okolnostima, VRS se odlučuje da otkloni jedini preostali hrvatski mostobran na reci Savi. Ukoliko bi bila uspešna, operacija bi oslobodila pešadijske brigade VRS koje su držale položaje prema Orašju. VRS je operaciju Plamen započela 5. maja snažnim artiljerijskim napadom. Prvih dana napadi su bili neuspešni. Tokom 10. maja VRS započinje ofanzivu drugi put, napadajući na više pravaca. Ovaj put, snage VRS probijaju odbranu HVO na više mesta i 14-15. maja dolaze nadomak mesta Vidovice, 4 kilometara daleko od Orašja.²¹¹ Narednog dana, međutim, HVO snage u protivnapadu zaustavljaju napredovanje VRS. Nakon pat pozicije VRS 10. juna i definitivno obustavlja

²¹⁰ Crnobrnja Mihailo, *The Yugoslav Drama*, McGill-Queen's University Press. ISBN 978-0-7735-1429-4

²¹¹ *Balkan Battlegrounds: A Military History of the Yugoslav Conflict, 1990-1995 Volume I*. Central Intelligence Agency, Office of Russian and European Analysis. Washington.

operaciju.

3.85. **NATO bombardovanje Republike Srpske**²¹² (**Operacije „Namerna sila“** (engl. *Operation Deliberate Force*) i **Mrtvo oko** (engl. *Operation Deadeye*) su činile suštinu vojne intervencije NATO snaga, sa SAD na čelu, tokom rata u Bosni i Hercegovini od 30. avgusta do 20. septembra 1995. godine. Avijacija NATO-a bombardovala je položaje Vojske Republike Srpske u zonama bezbednosti OUN Sarajevo i Goražde od 30. avgusta do 14. septembra 1995. godine. Zvanični razlog za bombardovanje bilo je još uvek neutvđena odgovornost za granatiranje sarajevske pijace Markale 28. avgusta 1995. godine. Kada je od eksplozije mine poginulo 37 civila. Bila je to prva veća vojna akcija NATO-a. Tadašnji komandant UNPROFOR-a general Majkl Rouz izjavio je nakon incidenta da ne može da se utvrdi odakle je mina ispaljena. Ruski pukovnik Andrej Demurenko, koji je bio komandant ruskog mirotvoračkog bataljona u Sarajevu i učestvovao u istrazi, izjavio je da su Srbi „nepravедno bili optuženi samo da bi NATO imao povod za napad“. On je istraživao slučaj „Markale“ na osnovu analize koju su napravili Francuzi. Neposredno nakon granatiranja pijace u Sarajevu, obišao je i mesto odakle su navodno gađali srpski minobacači. Na površini od stotinu metara, gde je trebalo da bude zakopan navodni minobacač, nije bilo apsolutno nikakvih tragova na travi. Danas je sve više jasnije da je eksplozija mine na Markalama pretpostavljena istina za koju je krivac unapred određen, a to se uklapalo i u strategiju koja je uspešno plasirana u region i pred međunarodnu javnost da su Srbi loši momci koji sa brda teroristu i ubijaju civile po Sarajevu. Jednostavno, to je sve tako bilo daleko od istine i sastavni deo režije rata sa kojim se upravljalo.

3.86. Operacija je uslovljavala stavljanje pod kontrolu i izvlačenje van dometa artiljerije, minobacača i raketnih sistema u funkciji „prekida tzv. opsade“ Sarajeva. Suštinski Sarajevo u to vreme nije bilo pod opsadom, niti okupirano, nego je to bila strategija muslimanskog rukovodstva sa ciljem da se izbac i borbe artiljerija i oklopne jedinice, kako bi se umanjila borbena moć jedinica VRS, obezbedila prednost u ljudstvu i oslobodile snage 1. K A R BiH za završne operacije. Operacija „Mrtvo oko“ imala je za cilj onesposobljavanje PVO VRS. Ostvareno je oko 3.550 avio poleta. Ukupan broj bačenih bombi na položaje VRS iznosi po evidenciji 1.026, od čega oko 708 vođenih. U toku bombardovanja ubijena je 40 vojnika i 152 srpska civila. Prilikom vazdušnih napada na Republiku Srpsku, NATO je koristio municiju punjenu osiromašenim uranijumom. Municijom sa osiromašenim uranijumom NATO je gađao radio-televizijske predajnike i releje, na teritoriji Republike Srpske. Francuski Miraž 2000K oboren je raketom zemlja-vazduh 20 km jugoistočno od Pala. Napori za otkrivanje pilota trajali su do 28. septembra kada je objavljeno da su piloti zarobljeni, a nakon izvesnog vremena i dogovora uz posredovanje Vojske Jugoslavije sa Francuskom vojskom.²¹³ Neosporno je da su dejstva avijacije NATO znatno umanjila operativne sposobnosti jedinica VRS, koje su postajale sve ugroženije i zbog velikog pokreta izbegličkih kolona civilnog stanovništva koje je bilo izloženo teroru i etničkom čišćenju od strane snaga muslimansko-hrvatske koalicije.

3.87. Operacija Sarajevo, tzv. deblokada Sarajeva, Markale i Srebrenica jesu predmet detaljnije analize u četvrtom i petom delu ovog izveštaja i ekspertize. Te operacije zbog karaktera građanskog verskog i etničkog rata dale su svojevršni medijski i međunarodni pečat o karakteru rata i o učesnicima u tom ratu. Ta pretpostavljena medijska istina, u koju čak ne sme nekada ni

²¹² Severnoatlanski savez se na prostor Bosne i Hercegovine umešao 1992. godine kada je uveo Zonu zabranjenog letenja iznad BiH. Prvo dejstvo NATO na VRS izvršeno je 28. februara 1994. godine, kada su oborena četiri aviona VRS J-21 „Jastreba“, sledeće je bombardovanje VRS u okolini Goražda, od 10. do 16. aprila 1994. godine, pa bombardovanje VRS u okolini Ilidže, 5. avgusta 1994. godine a maju 1995. godine sprovedena su sporadična bombardovanja skladišta municije VRS (izvor: <http://avijacija.com/?p=1065>)

²¹³ Tim Ripley, „Air war Bosnia - UN and NATO airpower“, Airline, (1996), ISBN 1-85310-814-6

da se sumnja, utiče i na stvaranje predstave o odgovornosti pojedinaca, komandira, komandanata, pa do stvaranja slike pravne i moralne osude kolektivnih subjektiviteta vojski, naroda i država.

4. Gubici u ratu u BiH

3.88. Srpsko stanovništvo pravoslavne vere u BiH, predstavljalo je stabilnu većinu sve do Drugog svetskog rata, kada je, zbog ustaškog genocida i prinudnog iseljavanja ozbiljno smanjen njegov udeo u ukupnoj populaciji. Vršena je i planska kolonizacija srpskog stanovništva u posleratnom periodu naročito u Srbiju, na prostor Vojvodine. Migracije Srba iz BiH potsticane su i politikom muslimanskog dela komunističke oligarhije jer oni „imaju rezervnu domovinu“.²¹⁴

3.89. BiH je tipičan predstavnik civilizacijski isprepletenih i podeljenih zemalja u kojima granice između tri svetske civilizacije, vere i kulture, kroz istoriju su ostavile protivrčnosti, mržnju i isključivost. Pokazalo se da u kriznim situacijama religijski identiteti se pojačavaju, tako da su međunacionalni sukobi izraženo verski obojeni. Naročito je bilo upadljivo pomeranje svesti bosanskohercegovačkih Muslimana prema islamskom identitetu, koji je u „Islamskoj deklaraciji“ fundirao Alija Izetbegović, pretvarajući je u program za delovanje SDA, što je najviše i uzrokovalo međuetnički građanski rat u BiH.²¹⁵

3.90. Iz političkih razloga i radi međunarodne osude druge sukobljene strane, često se u javnosti plasiraju podaci o gubicima koji nisu pouzdano utvrđeni. Međutim, posebne evidencije porodica poginulih, ranjenih i nestalih kod raznih organizacija, rapidno smanjuju broj navedenih gubitaka. Tako je organizacija porodica šehida i poginulih boraca sredinom 1996. godine zahtevala da se grobovi poginulih označe jedinstvenim spomen obeležjem - nišanom. Po tom predlogu postavljeno je oko 35.000 nišana, što ukazuje na realniju sliku broja poginulih muslimana u ratu. Približan je i broj podeljenih deviznih knjižica po 8.000 DM porodicama poginulih šehida, čime je demistifikovana prevara o broju poginulih „Bošnjaka“. Slična provera je važila i za grad Sarajevo za koji su isticali podaci da je u njemu svake godine stradalo 15.000 do 20.000 ljudi, tj. oko 60.000 do 80.000 ukupno. Danas zvanični muslimanski izvori govore da na području Sarajeva živi 8.079 porodica „šehida“ i poginulih boraca.²¹⁶ (Jovan Divjak je u emisiji TV „Step“ 14. avgusta 2001. godine izneo da je u Sarajevu u ratnom periodu poginulo ukupno oko 10.400 ljudi, što se uklapa u procentualni okvir poginulih vojnika i civila približno 75:25 odsto.

3.91. List „*Internacional Ferald Tribjun*“ tvrdi „da su Muslimani u Sarajevu tokom rata zvjerski ubijali više hiljada Srba, da su muslimanski politički lideri znali za te zločine, ali nisu učinili ništa da ih spreče“.²¹⁷ To je dokaz, navodi list, da „priča o opkoljenom Sarajevu koje je bilo pod stalnom artiljerijskom vatrom srpskog agresora“, nije kompletna i da ima i drugu stranu medalje. U Sarajevu su ubijani Srbi bez suđenja, od strane paravojski, kriminalnih grupa, kao i od policijskih i vojnih snaga R BiH. Dakle, zločin je carevao Sarajevom tokom celog rata i to će postepeno ugledati svetlo dana.

3.92. Potpunija istraživanja pokazuju da je Armija BiH imala ukupno 46.020 poginulih

²¹⁴ Ljubomir Borovčanin, isto, str. 24

²¹⁵ Dve trećine do tri četvrtine međucivilizacijskih ratova bili su između muslimana i nemuslimana. „Granice islama su krvave. Muslimanska ratobornost i nasilje su činjenice poznog dvadesetog veka koje ni muslimani ni nemuslimani ne mogu da ospore“. (Semjuel Hantington, Sukob civilizacija i preoblikovanje svetskog poretka, CID, Podgorica, 1999, str. 286.)

²¹⁶ „Šehid“ - mučenik za vjeru., Ljubomir Borovčanin, isto, str. 218.

²¹⁷ Miroslav Lazanski, Istina o Srpskoj, Knjiga komerc, Beograd, 2001. str. 182

pripadnika, zatim 17.420 poginulih civila, ili ukupno 63.440 na prostoru F BiH. Takođe je registrovano 103.466 ranjenih i 4.160 nestalih lica. To su ukupni gubici stanovništva MHF u kojoj su ratovala sve zaraćene strane: Srbi i Muslimani; Srbi i Hrvati; Hrvati i Muslimani i Muslimani međusobno u Zapadnoj Bosni, kao i u međusobnim obračunima paravojnih formacija i grupa u Sarajevu.

3.93. Prezentovani podaci ukazuju da je u RS tokom rata stradalo ukupno 24.242 stanovnika. Od toga je poginulo 18.672 vojnika i 5.970 civila. Ranjeno je 36.543 lica, a 950 ljudi se još vodi kao nestali. U taj broj spadaju i žrtve NATO bombardovanja. Avioni i rakete NATO su tokom 1994. godine sedam puta bombardovali RS, a u toku 1995. godine, u četirti navrata. Odnos broja stanovnika srpske i muslimansko-hrvatske strane u početku je bio 1 :1,87; broj mobilisanih u odnosu 1:1,2; broj poginulih u odnosu 1:2,57 i broj ranjenih 1:2,83.

3.94. Specifičnost građanskog rata u BiH je u tome što je vojna komponenta pretrpela veće gubitke od civilne. Naime, od ukupnih gubitaka u RS 75,77% odnosi se na vojnike, a 24,22% na civile. U Federaciji BiH vojni gubici iznose 72,54%, a civilni 27,46%. To upravo opovrgava tezu o stalnom granatiranju Sarajeva i snajperskim dejstvima kojima je izloženo civilno stanovništvo, kao i o konstantnom uništavanju civilnog stanovništva od VRS. Na nivou Bosne i Hercegovine taj odnos je 73,45% vojnika i 26,55% civila. Odlučujuće za ovakve rezultate je visok stepen mobilizacije na obe strane, oko 10 – 20% stanovnika, kao i činjenica da je u ratu u BiH došlo do masovnog uništavanja i devastacije materijalnih dobara u privatnoj, državnoj i društvenoj svojini.

3.95. Demografski gubici BiH od 1991. godine do danas su oko 900.000 ljudi, odnosno da nije bilo rata, BiH bi u uslovima normalnog razvoja imala 898.000 stanovnika više - tvrdi demograf Stevo Pašalić. Pašalić je rekao Srni da se ovi podaci temelje na vrlo relevantnim istraživanjima i proračunima. „Od oko 900.000 ukupnih demografskih gubitaka, 110.000 su direktne žrtve rata - vojnici i nestala lica, što je prema mojim istraživanjima nešto više od podataka eksperta demografa Haškog tribunala Eve Tabu, koja je u svojim tridesetak radova i izvještaja navela da su ukupni ratni gubici u BiH 104.732-oje ljudi“, rekao je Pašalić. On je dodao da su manjkavi i podaci o blizu 100.000 žrtava navedeni u Istraživačko-dokumentacionom centru Mirsada Tokače. „U istraživačkim radovima Eve Tabu i Tokače umanjen je broj srpskih žrtava“, rekao je Pašalić i naglasio da se na osnovu svih izvora i podataka broj srpskih žrtava kreće oko 35.000, što prihvatajući broj hrvatskih i bošnjačkih žrtava daje ukupan broj od 110.000 direktnih demografskih gubitaka rata u BiH. Prema njegovim rečima, usled rata došlo je do takozvanih čistih demografskih gubitaka u natalitetu, odnosno smanjenog broja rađanja u toku i posle rata za oko 145.000. Pašalić ističe da su migracioni demografski gubici treći vid populacionih gubitaka, koji od 1996. godine iznose oko 645.000 ljudi. Pašalić je rekao da ukupni demografski gubici za ovaj dvadesetogodišnji period u Republici Srpskoj iznose oko 305.000 stanovnika - gubici u ratu iznose oko 35.000, zbog smanjenog nataliteta oko 45.000, dok su migracioni gubici oko 225.000 stanovnika. Pašalić, koji je i profesor na Univerzitetu Istočno Sarajevo, ističe da su ovo ekskluzivni podaci koji će biti objavljeni u njegovoj knjizi „Demografski podaci u BiH od 1991. do 2011. godine“, čiji će sastavni deo biti i njegov demografski ekspertski izveštaj Haškom tribunalu, koji je u cjelosti prihvaćen. On je rekao da se u njegovom ekspertskom izveštaju govori o svim demografskim gubicima u toku rata u BiH, sa akcentom na dešavanja u srpskom nacionalnom korpusu.²¹⁸

3.96. Za potrebe ovog Izveštaja prikazani su osnovni rezultati najnovije procene žrtava rata u

²¹⁸ Demograf Stevo Pasalic, Da nije bilo rata BiH bi imala oko 900.000 više stanovnika, Nezavisne novine, 2.12/2011.

BiH od 1992. do 1995. godine, koja je izvršena 2010. godine. Procena se zasniva i na kritičkom osvrtu na epidemiološku procenu žrtava rata u BiH koju su napravili Obermeyer i drugi 2008. godine. Ta procena predstavlja ekstrapolaciju ispitivanja uzorka, zasnovanu na podacima o smrti braće i ili sestara koji su prikupljeni tokom jednog retrospektivnog istraživanja Svetske zdravstvene organizacije izvršenog u periodu od 2002. do 2003. godine. Istaknuta je sumnja u epidemiološki pristup načina procene gubitaka jer ima više ozbiljnih nedostataka i zbog toga što daje pogrešne rezultate u vezi sa ratom u BiH i verovatno i sa drugim sukobima.²¹⁹

3.97. Objedinjena baza podataka za BiH iz 2010. godine sadrži 181.477 zapisa, od kojih je njih 163.060 upareno s Popisom stanovništva iz 1991. (procenat uparenosti 89,5%). Nakon isključivanja preklapanja, Objedinjena baza podataka za BiH iz 2010. godine se sastoji od 89.186 potvrđenih i jedinstvenih zapisa, od kojih je 75.532 zapisa upareno s Popisom stanovništva iz 1991. (stepen uparenosti 84,1%). Potvrđen zapis je zapis lica koje je preminulo u Bosni i Hercegovini tokom rata od 1992. do 1995. godine i čija smrt je prouzrokovana ratnim aktivnostima.

Tabela 2: Žrtve rata u Bosni i Hercegovini, 1992-1995. Minimalni odnos smrtnih slučajeva vezanih za rat prema nacionalnosti.²²⁰

Kategorija/nacionalnost	Muslimani	Srbi	Hrvati	Ostali	Ukupno
Ukupno stanovništvo 1991.	1.896.009	1.361.814	758.585	352.106	4.368.514
Poginuli/nestali	57.992	19.398	7.543	4.253	89.186
Procenat	3,1%	1,4%	1,0%	1,2%	2,0%

Napomena: Nacionalnost 13.654 lica čiji zapisi nisu upareni ovde je utvrđena na osnovu nacionalnog sastava.

3.98. Kategorija vojnika obuhvata smrtnu slučajevu tokom borbe i smrtnu slučajevu izvan borbe, svih lica koja su bila u vojskama u ratu u BiH (Armija BiH za Bošnjake, HVO za Hrvate, ili VRS za Srbe). Rezultati iz 2010. godine su veoma slični proceni iz 2005. godine. Sveukupni broj smrtnih slučajeva koji je procenjen 2005. godine u BiH iznosi oko 102.622 žrtve. Prema proceni iz 2010. godine, broj žrtava iznosi 104.732. Uočljivo je određeno povećanje apsolutnih cifara i odnosa smrtnih slučajeva prema nacionalnosti. Međutim, opšti obrazac ostaje nepromenjen. Muslimani su pretrpeli najveće gubitke, 3,1% stanovništva. Srbi su izgubili oko 1,4% stanovništva. Kao Jugosloveni su se uglavnom izjašnjavali Srbi, tako da se može reći da su Srbi stradali u daleko većem procentu, oko 2,6 %, odnosno oko 23.550 stanovnika. Hrvati su pretrpeli najmanje gubitke, oko 1%. Svi podaci se odnose na popis stanovništva iz 1991. godine.

²¹⁹ Jan Zwierchowski i Ewa Tabeau, „International Research Workshop on The Global Costs of Conflict“, Berlin, 2010., str. 1

Jan Zwierchowski pohađa postdiplomski studij za doktorante i radi kao istraživač asistent na Institutu za statistiku i demografiju varšavskog Ekonomskog fakulteta u Poljskoj. On je u periodu od juna 2009. do februara 2010. radio u Demografskom odjeljenju Kancelarije tužioca (Tužilaštvo MKSJ-a) Međunarodnog krivičnog suda za bivšu Jugoslaviju (MKSJ).

Ewa Tabeau je viši istraživač i vođa projekta Demografskog odjeljenja Tužilaštva MKSJ-a, MKSJ.

²²⁰ Jan Zwierchowski i Ewa Tabeau, str.16

Tabele 3: Distribucija žrtava prema civilnom ili vojnom (C-V) statusu i polu ²²¹

a) Ukupno 104.732 smrtna slučaja vezana za rat: C-V status kako je naveden u uparenim zapisima

Status	Pol			Ukupno	Procentualno
	Lica muškog pola	Lica ženskog pola	Nepoznat		
Civilni	28.726	7.974	-	36.700	35,0%
Vojni	67.485	546	-	68.032	65,0%
Ukupno	96.211	8.521	-	104.732	100,0%
Procentualno	91,9%	8,1%	-	100,0%	

Napomena: Procentualna distribucija lica civilnog ili vojnog statusa, kako je navedeno u 75.532 zapisa o smrtnim slučajevima vezanim za rat koji su upareni s Popisom iz 1991.

b) Ukupno 104.732 smrtna slučaja vezana za rat: C-V status u jedinstvenim zapisima u bazi podataka

Status	Pol			Ukupno	Procentualno
	Lica muškog pola	Lica ženskog pola	Nepoznat		
Civilni	32.251	9.842	13	42.106	40,2%
Vojni	62.099	526	1	62.626	59,8%
Ukupno	94.350	10.368	14	104.732	100,0%
Procentualno	90,1%	9,9%	0,0%	100,0%	

Napomena: Procentualna distribucija lica civilnog i vojnog statusa, kako je uočeno među 89.186 zapisa o smrtnim slučajevima vezanim za rat u objedinjenoj bazi podataka za BiH.

3.99. Prema prvom pristupu, oko 35% žrtava su bili civili, a 65% su bili vojna lica (Tabela 3a). Ako se uzmu u obzir svi jedinstveni zapisi u bazi podataka, civilno-vojna distribucija, onda taj odnos iznosi 40 prema 60 procenata (Tabela 3b). Razlika između te dve kategorije zapisa je oko pet procentualnih poena i ona ukazuje na to da je kod vojnih lica uparivanje bilo efikasnije nego kod civila. Razlog za to je prilično detaljno prijavljivanje smrtnih slučajeva među vojnim licima od strane članova njihovih porodica, što su oni radili kako bi ostvarili beneficije koje im sljeduju zbog te smrti, tako da su ti zapisi zasnovani na dokumentima koji sadrže lične podatke i podatke o smrti. Međutim, neki vojni zapisi se odnose na lica koja nikada nisu učestvovala u borbama. To su smrtni slučajevi osoblja ministarstava odbrane (FBiH i RS), policijskih snaga i lica zaposlenih u sektoru odbrambene industrije.

3.100. Jednu od najskorijih procena žrtava u BiH napravili su 2008. godine Obermeyer i drugi (2008.). Radi se o ekstrapolaciji zasnovanoj na anketi, koju autori nazivaju proporcionalnom

²²¹ Jan Zwierchowski i Ewa Tabeau, str.16 i 17.

procenom mortaliteta. Ukratko, oni su procenili udeo smrtnih slučajeva iznad očekivanog broja (prevashodno broj nasilno prouzrokovanih smrtnih slučajeva iznad očekivanog broja), za šta su koristili podatke dobijene putem ankete i taj udeo su primenili na procene ukupnih brojeva smrtnih slučajeva za sve zemlje sveta počev od 1955. godine, uključujući i Bosnu i Hercegovinu koje je izvršilo Odjeljenje UN za populaciju.²²² Nova procena iz 2010. godine poboljšana je u odnosu na prethodnu procenu MKSJ-a iz 2005. godine koju su napravili Tabeau i Bijak, i to poboljšanje je vezano za korištene izvore i metode utvrđivanja brojnosti, kao i utvrđivanje nepoznatog prebrojavanja sveukupnog broja žrtava čiji je rezultat manji od realnog. U proceni iz 2010. godine glavno poboljšanje predstavlja utvrđivanje prebrojavanja čiji je rezultat manji od realnog. Procena višestrukih sistema izvršena je za osam velikih grupa izvora, od kojih nisu svi bili statistički nezavisni, niti su se svi savršeno podudarali.²²³

²²² UN-ove projekcije za period od 1992. do 1995. godine praktično su nagađanja pošto još uvek nema izvora o populaciji iz ratnog perioda, o licima rođenim tokom rata, o smrtnim slučajevima tokom rata (kako prirodnim smrtnim slučajevima tako i smrtnim slučajevima vezanim za rat) i o migraciji.

²²³ Jan Zwierzchowski i Ewa Tabeau, str. 22

IV Deo

ORUŽANI SUKOB I NA SARAJEVSKOM RATIŠTU

4.0. Sarajevsko ratište²²⁴ i u njegovom sklopu uloga generala Ratka Mladića, komandanta GŠ VRS, sastavni su deo ukupnog strateškog i operativnog konteksta rata u BiH, njegovog socijalno-političkog i vojnog karaktera, te njegovih tokova i procesa, aktera i njihovih uloga. Šta više, Sarajevsko ratište je neodvojivo od ukupnog konteksta rata na prostoru prethodne SFR Jugoslavije, njegovih uzroka, povoda i posledica. Čitava medijska konstrukcija događaja na Sarajevskom ratištu reflektovala se na blagonaklon odnos dela međunarodne zajednice prema Muslimanima, kao jednoj od sukobljenih strana u građanskom ratu u BiH. U vezi sa tim danas se već pojavljuju objektivnije informacije koje razobličavaju delimično medijsku kampanju koju su plasirale muslimanske vlasti u Sarajevu, a prenosili mnogi uticajni svetski mediji. Tako i Jovan Divjak, penzionisani general A BiH, optuženi za predratni šverc oružja i municije sa vremenske distance nakon 8 godina iznosi stavove koji se značajno razlikuju od lažne slike koju je fabrikovala centralna vlast u muslimanskom delu Sarajeva, a radi ostvarenja vojnih i političkih ciljeva rata. „Nesporno je da su sve tri strane u BiH odgovorne za rat, samo je potrebno utvrditi ko je imao veću odgovornost. A za stvarno pomirenje, takođe nije sporno, prvi preduslov je da svi oni koji su počinili ratne zločine bez obzira na versku i nacionalnu pripadnost odgovaraju za nedela. Žao mi je što ideja o istorijskom sporazumu između Muslimana i Srba u januaru 1992. godine nije realizovana, jer to je bila prilika da se izbegne rat.“²²⁵ Ako se u analizi događaja i borbenih dejstava na Sarajevskom ratištu pođe od argumenata i činjenica, bez predrasuda može se doći do objektivnije slike stvarnosti koja se dešavala u tom surovom građanskom ratu. Ta objektivnost jeste uslov za pravičnost i pravdu prema svim akterima koji su imali suštinsku i formalnu odgovornost za posledice ratnih sukoba, posebno prema civilnom stanovništvu u muslimanskom i u srpskom delu Sarajeva. Medijska slika, a u većem delu i međunarodna javnost, pod uticajem medija, skoro je od samog početka rata optuživala Srbe za početak rata i za stradanja koja su se dešavala na Sarajevskom ratištu.

4.1. Kada se kaže dejstva na Sarajevskom ratištu, onda bi pod tim pojmom trebalo razumeti sve ratne događaje na prostoru koji čini zona odgovornosti 1.K A BiH i SRK VRS. U tom smislu, tu bi se našli i oružani sukobi na Nišićkoj visoravni, severno od grada Sarajeva, koja su bila i teška, neizvesna i veoma bitna za obe sukobljene strane, jer su direktno uticala na ostvarivanje operativnih ciljeva obeju strana. Praktično, ishod borbi za sam grad Sarajevo zavisio je od ishoda borbenih dejstava na Nišićkoj visoravni i na pravcu Igman-Trnovo-Rogoj-Goražde. Sarajevsko

²²⁴ Sintagma „Sarajevsko ratište“ kao pojam se udomačila u dokumentima i literaturi koja sa bavi građanskim ratom u BiH. U vojnoj terminologiji i po parametrima prostora i snaga koje su učestvovala u oružanim sukobima na tom prostoru više se može govoriti o „Sarajevskom vojištu“ kao delu ukupnog ratišta u BiH. Iz pomenutih razloga data je prednost veće formiranom i i opšte prihvaćenom pojmu „Sarajevsko ratište“, koji se koristi i u ovoj ekspertizi.

²²⁵ „Još u septembru 1991. godine, a na zahtev štaba Teritorijalne odbrane Kiseljaka i predsednika te opštine, doneo sam odluku da se oružje - stotinu cevi i 20.000 metaka da tamošnjoj policiji. Naravno, to nije trebalo da uradim na svoju ruku, jer je o tome morao da odluči komandant TO Republike BiH, general Drago Vukosavljević. U to vreme Vlada BiH je donela odluku o povećanju borbene gotovosti zbog rata u Hrvatskoj i smatrao sam da treba da pomognem policiji. Zahtevalo se da se to oružje vrati, ali pošto to nije učinjeno, osuđen sam na devet meseci zatvora, uslovno dve godine. Presuda je izrečena u decembru 1991. i ja sam do aprila sledeće godine očekivao da budem poslat u zatvor. Kiseljak je već bila „hrvatska“ opština...- Pošto sam ostao ovde, onda su iz Beograda stizale poruke da Jovan nije hteo s JNA zato što je od „ustaša“ dobio 80 hiljada maraka“ Jovan Divjak, penzionisani general Armije BiH, Intervju sa Dušanom Stojakovićem, Večernje novosti, 22.02.2003.

ratište obuhvata na istoku sve do Goražda, na jugu jugozapadu sve do gornjeg toka Neretve, te na severu i severozapadu do Cemerske planine i gradova Visoko, Breza i Kiseljak.

4.2. Posledice rata na Sarajevskom ratištu su markantnije nego na ostalim delovima strategijskog fronta u BiH iz sledećih razloga: (1) zato što je Sarajevo bilo u žiži medijskog i političkog interesovanja dela međunarodne zajednice, koji je u tom ratu već a priori bio „zauzeo i proglasio pravednu stranu u ratu“; (2) radi se o gusto naseljenim gradskim opštinama koje su se prema većinskoj nacionalnoj pripadnosti našle iza linija fronta sukobljenih strana na relativno malom prostoru koji je jako osetljiv na svaku vrstu destruktivnog delovanja, a posebno oružanog sukoba u dužem vremenskom periodu; (3) imajući u vidu da je stari deo grada Sarajeva pripadao Muslimanima i da je linija fronta bila u samom gradskom delu i njegovim spoljnim ivicama, može se reći da posledice borbenih dejstava po civilno stanovništvo nisu bile velike.; i (4) Imajući u vidu statistiku prema kojoj u svim savremenim ratovima, a posebno građanskim gine daleko više civila od vojnika u ovom građanskom ratu se to nije desilo. Dugo trajanje rata u gradu i obim posledica ipak ukazuju na brigu donosilaca odluka, komandanata i komandira o vatrenom dejstvu u gradskim sredinama i suzdržavanje od izvođenja artiljerijsko-raketnih dejstava i od masovne upotrebe oklopnih i mehanizovanih jedinica.²²⁶

4.3. Svaka od strana u sukobu pravda svoje, a napada napore druge sukobljene strane. U operativnoj dokumentaciji obe strane sadržani su podaci o krivici suprotne, neprijateljske, strane, naročito kada je reč o narušavanju Sporazuma o prekidu neprijateljstva i međusobnoj razmeni minobacačke, artiljerijske i snajperske vatre. Gotovo je uvek bila kriva ona strana, a ova, tj. sopstvena, navodno je bila izazvana. Istina je, razume se, negde na sredini, između tih krajnosti. U ratu inače nema nevinih. Ono što je upečatljivo da se za posledice svih ratnih zločina u gradu Sarajevu žele optužiti Srbi. To je bio deo strateškog koncepta Muslimana u ratu u BiH, koji su to uspešno medijski i lobiranjem preneli u međunarodnu javnost. Jedna od najvećih laži koja se od početka rata plasirala, a i danas ponavlja, u falsifikovanoj nacionalnoj istoriji muslimanskog političkog rukovodstva, jeste da su Srbi izvršili agresiju na BiH, a samim tim i na grad Sarajevo.

4.4. Ovaj deo ekspertize zamišljen je kao analiza i identifikovanje primarnih vojno-strateških i taktičkih činjenica koje konstituišu Sarajevsko ratište kao jednu, iako najznačajniju, sekvencu celog ratnog sukoba u BiH. Odbrana generala Mladića od Optužnice, koja ga tereti za navodne ratne zločine, jeste pravna stvar u kojoj je verovatno donošenje odluka uslovljeno i sa činjenicama iz vojno-stručne ekspertize. Vojno-stručna osnova za razmatranje i sagledavanje generalove uloge i mesta u oružanim sukobima na Sarajevskom ratištu, polazi od činjenica koje su često zamagljene ili nestale u procesu nametanja medijske slike o učesnicima građanskog rata u BiH. Događaji na Sarajevskom ratištu, prvenstveno su bili u domenu nadležnosti i odgovornosti komandanata korpusa, brigada i bataljona VRS i A BiH, jer su se dejstva i protivdejstva dešavala kontinuirano, bez značajnijeg pomeranja linije fronta.

²²⁶ To argumentuju i slike iz građanskog rata u Libiji, Egiptu, Siriji i sl. gde je vidljivo da u gradovima gde se ratuje nema života i veoma malo civila se nalazi u tim zonama. Muslimani i Srbi su živeli svo vreme rata u svojim opštinama i naseljima. U međunarodnoj javnosti, medijskom propagandom je kontinuirano prikazivana teška situacija u Sarajevu, kao muslimanskom gradu u kome stradaju civili od velikosrpske agresije. Sve su to laži koje su nažalost u kritičnim fazama rata zloupotrebljavane do te mere da su izazivale pogrešne odluke uticajnih država, pa i međunarodnih organizacija. Ta lažna medijska slika „patnje Sarajeva i Sarajlija“ bila je ulog za ostvarivanje ciljeva političkog islama u formi unitarističke islamske države, gde bi druga dva naroda, Srbi i Hrvati, bili formalno ravnopravni, a suštinski u dužem vremenskom periodu lagano bi se većinski odselili ka svojim matičnim državama i nebi predstavljali politički faktor niti konstitutivni narod u BiH. Istina je da su na prostoru grada živeli u teškim uslovima rata civili u muslimanskom i u srpskom delu Sarajeva.

4.5. Tako shvaćena svrha ovog dela ekspertize Sarajevskog ratišta, kao jedne sekvence rata u BiH, opredelila je njenu operacionalizaciju. Nakon geografskih i demografskih karakteristika Sarajevskog ratišta, razmatrana su osnovna obeležja sukobljenih snaga VRS i A R BiH. Opisan je nastanak Sarajevsko-romanijskog korpusa (SRK) VRS i 1. korpusa A R BiH, njihova uloga u oružanim sukobima, organizacija, zone odgovornosti korpusa i operativni raspored, kao i opis njihovog operativnog položaja. Opisivanje ključnih borbenih dejstava i događaja na Sarajevskom ratištu realizovano je u funkciji sagledavanja eventualne komandne odgovornosti generala Ratka Mladića, u odnosu na stavove koji su iskazani u Optužnici.

1. Osnovna obeležja i karakteristike Sarajevskog ratišta

1.1. Prostorno-geografske karakteristike Sarajevskog ratišta

4.6. Centralna teritorija Sarajevskog ratišta je sam grad Sarajevo, koga čine gradske opštine i naselja sa bližom okolinom. Podaci o tome kada se Sarajevo kao toponim i kao pojam prvi put javlja u istoriji i istorijskim zapisima su različiti. Po jednim to je stari vek - u vreme Rimske imperije (I vek naše ere), a po drugima to je negde sredinom 15. veka.²²⁷ Za ovu ekspertizu ti podaci nemaju neki značaj pa se tim povodom neće ni realizovati neka dublja analiza.

4.7. Sarajevo kao geografski pojam obuhvata uži urbani deo duž reke Miljacke i čitav niz prigradskih naselja i gradskih opština. U prostornom smislu obuhvatao je teritoriju između Kozje Čuprije na istoku, do Hadžića na zapadu, te od Krupca na jugu i do Ilijaša na severu. Samo gradsko jezgro Sarajeva čini njegov stari deo koji se proteže na jednoj i drugoj obali reke Miljacke (Prilog broj 7).

4.8. U skladu sa činiocima koji su opredeljivali razvoj grada Sarajeva, kroz istoriju, on se širilo smerom istok-zapad, istovremeno naseljavajući predele ka Vogošci, Trebeviću, Kalinoviku, Hadžićima i dolinom Bosne do Semizovca i uzvodno do vrela Bosne. Na taj način može se reći da je Sarajevo ubrzanom urbanizacijom, obuhvatilo i uvezalo u jedinstvenu urbanu celinu svoja nekada prigradska naselja: Kobilju glavu, Vogošću, Velešiće, Pofaliće, Buljakov potok, Rajlovac, Ilidžu sa Stupom, Butmirom, Hrasnicom, Vojkovićima, Dobrinjom, Kasindolom, Lukavicom, a naselja Hrasno, Alipašino polje i Nedžarići, koja su ušla u sastav urbanog dela Sarajeva znatno ranije.

4.9. Oko grada Sarajeva, koji je težišno smešten u relativno uzanoj dolini kojom protiče reka Miljacka, dominiraju dva niza uzvišenja na brdskom i planinskom zemljištu. Neposredno iznad grada, gledano od severa ka zapadu, jugu, jugoistoku i istoku, uzdiže se niz brdskih prostornih objekata i to: Grdonj (906 m), Hum (816m), Orlić (876m), Žuč (850m), Mojnilo (680m), Hrasno (633m), Debelo brdo i to njegovo uzvišenje Grad (830m), Čolina kapa (966m) i Hrastova glava (896m). Drugi, znatno udaljeniji lanac visokih planina čije se padine spuštaju ka Sarajevu su: na severu i severoistoku Ozren, na istoku Romanija i Jahorina, na jugoistoku Trebević, a na jugu i jugozapadu planina Igman. Najbliže Sarajevu primakle su se planine Trebević i Igman.²²⁸

4.10. Sarajevo je bilo državno, političko, ekonomsko i kulturno središte BiH, kao federalne jedinice bivše SFRJ. Podelom BiH na dva državno-politička entiteta u skladu sa Dejtonskim mirovnim rešenjem, deo tog svog značaja Sarajeva je nestao i pripao Istočnom Sarajevu i Banja

²²⁷ Prema tim podacima, Turci su zauzeli grad 1428. godine, kada je inače i ovaj današnji grad dobio ime (etimološko značenje reči Sarajevo je „palata na poljima“).

²²⁸ Radovan Radinović, Ekspertiza o Sarajevskom ratištu, Beograd, 2000, str.35.

Luci, kao središtu srpskog političkog entiteta, kao i zapadnom delu Mostara, kao hrvatskom političkom, privrednom i nacionalnom središtu.

4.11. Grad Sarajevo bio je organizovan u 10 gradskih opština, i to: Stari Grad, Sarajevo centar, Novi Grad, Novo Sarajevo, Hadžići, Ilidža, Ilijaš, Vogošća, Pale i Trnovo. Demografske karakteristike i nacionalna struktura stanovništva date su u Prilozima, kroz rezultate popisa u BiH iz 1991. godine (Prilog broj 8).

4.12. Površina zone odgovornosti SRK iznosila je oko 2.000 km². U njoj su dominirale visoke planine Igman, Bjelašnica, Romanija, Jahorina i Trebević, te planina Ozren na severoistoku od Sarajeva. Centralna prostorija, odnosno centar gravitacije ove zone odgovornosti jeste stari deo grada Sarajeva sa svojim urbanim delom, ka kome gravitiraju drugi delovi grada organizovani u gradske opštine, naseljena mesta i prigradska naselja koja se protežu ka dolini reke Bosne, ka Zvorniku; ka Gornjem Podrinju preko Trnova i Miljevine, ka Foči; ka Srednjem Podrinju preko Pala, Podgraba i Rogatice i ka Goraždu i Višegradu, te ka dolini Neretve preko Pazarića i Konjica.

4.13. Kao glavni grad BiH, njeno kulturno, političko i privredno središte za političku, pa shodno tome i za vojnu, strategiju RS imalo je neprocenljiv značaj. Taj veliki značaj Sarajeva za Republiku Srpsku je imao i svoj pozitivni i negativni smer. U pozitivnom smislu i značenju, Republika Srpska je Sarajevo definisala kao glavni grad sopstvene države.²²⁹ Za vojnu strategiju i doktrinu to je značilo da se mora obezbediti respektabilno vojno prisustvo na prostoru Sarajeva, do mere koja će otkloniti opasnost vojničkog poraza na tom delu stratejskog fronta u podeljenom gradu. Polaganje istorijskog, etničkog i političkog prava na deo Sarajeva, a ne na Sarajevo u celini, impliciralo je slično strateško opredeljenje o paralelnom vojnom prisustvu snaga obeju ratujućih strana.

4.14. Srpski narod u Sarajevu jeste na tom prostoru autohtoni narod i nije mogao da dozvoli da napusti te krajeve i ogromna materijalna dobra i nepokretnosti koje je posedovao, da muslimanska strana, sama i u koaliciji sa hrvatskom stranom, uspostavi kontrolu nad celim Sarajevom, a time ospori pravo RS da jedna trećina stanovnika srpske nacionalnosti ostane da živi u podeljenom gradu. Direktnim vojnim prisustvom na Sarajevskom ratištu, odnosno u sarajevskom regionu, RS je na neposredan način osporila isključivo pravo Muslimanima da kontrolom glavnog grada srpskoj strani nametne unitarni koncept BiH, na čemu i danas insistira muslimansko rukovodstvo. Jer, jasno je i na prvi pogled da se bez apsolutne kontrole Sarajeva ne može računati na političku superiornost u celoj BiH niti na njenu unitarizaciju, makar i pod izgovorom njene teritorijalne celovitosti, multietničnosti i multikonfesivnosti. Takav za Srbe neprihvatljiv državni koncept BiH najefikasnije se negirao upravo na prostoru Sarajeva.²³⁰

1.2. Demografske karakteristike Sarajevskog ratišta

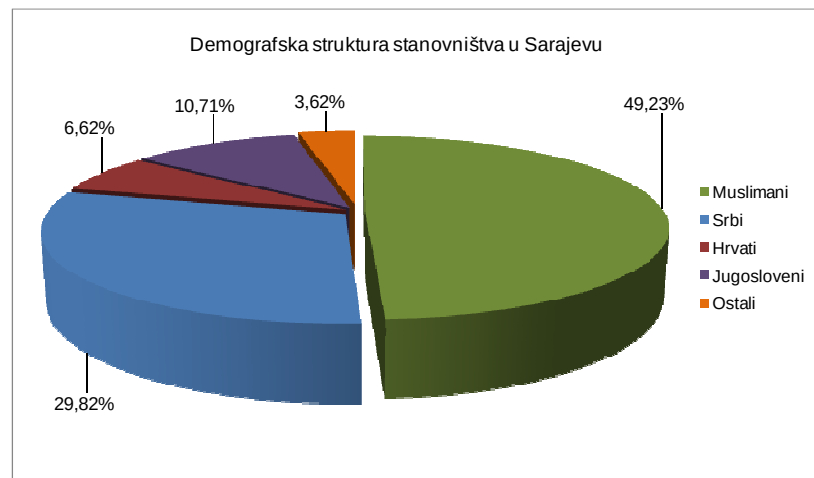
4.15. Neposredno pred početak rata Sarajevo je brojalo ukupno 527.049 stanovnika. Ukupan broj stanovnika obuhvata sva naselja i opštine koje su prema administrativno-političkoj podeli BiH pripadale gradu Sarajevu. Ako se uzme u obzir da je od ukupno 10 sarajevskih opština njih 5 potpuno urbanizovano, a 5 su pripadale prigradskim opštinama, te da su te prigradske opštine sa daleko manje stanovnika od urbanih opština, može se zaključiti da je veliki procenat stanovnika grada Sarajeva živio je u centralnoj zoni grada, sa okolnim gradskim opštinama koje su se ubrzano razvijale i demografski jačale. Od ukupnog broja stanovnika grada Sarajeva na

²²⁹ Ustav RS, čl.9.

²³⁰ Radovan Radinović, Ekspertiza za Sarajevo, 2002. Str. 63-65

Muslimane pripada 259.470, pripadnike srpske nacionalnosti i pravoslavce otpada 157.143, na Hrvate 34.873, Jugoslovene 56.470 i ostale 19.093. Kada se uzme u obzir da su se većinom Srbi ateisti izjašnjavali kao Jugosloveni, onda dolazimo do drugačije nacionalne strukture, a to je da je u gradu Sarajevu živelo preko 200.000 Srba (Prilog broj 8).

4.16. Demografski pokazatelji potvrđuju tezu da su u Sarajevu Muslimani imali jedva prostu većinu stanovništva, a stalno je u medijima i svetskoj javnosti prikazivan kao grad pod opsadom JNA i VRS, kao da Srbi nisu ni živeli u tom gradu pre i u toku rata. Srbi su imali većinsko vlasništvo nad zemljom u privatnom posedu. Sve to govori u prilog tvrdnji da su Srbi na prostoru grada Sarajeva bili istorijski autohtoni narod koji je polagao pravo da u njemu živi i učestvuje u vršenju vlasti. Zato i jeste čudna i neodrživa medijska propaganda o Sarajevu kao gradu pod opsadom ili okruženom gradu u kome stradaju „nedužni civili“ ili o gradu na koji je izvršena „velikosrpska agresija“. Sarajevo je sve do građanskog rata 1992. godine bilo multietnički grad, grad mladih sa specifičnom kulturnom scenom i ponudom. Nakon progona Srba u toku i posle rata, uticajem islama i uplitanjem u politički život, Sarajevo je promenilo svoju suštinu i zaista postalo islamski grad po broju džamija i islamskih kulturnih centara, kao i drugim spoljnim manifestacijama koje su vidljive u arhitekturi i odevanju mladih. Ta gradska struktura i nova arhitektura, kao i ogroman broj islamskih verskih objekata i kulturnih centara daju sliku islamskog grada, koji je izgubio sličnost sa sobom i svim onim što je nosio u predratnom periodu. U Evropi danas ne postoji grad sa takvim islamskim obeležjima, sve do Istanbula. Zato muslimanski deo Sarajeva nije više multietnički grad nego najveći islamski grad i islamski kulturni centar u Evropi, u kome njegovi bivši stanovnici Srbi nemaju više mesto za dostojan život. Obilazeći muslimanski deo grada Sarajeva i pored značajne međunarodne pomoći mogu se videti mnoge popaljene srpske kuće i nakon 18 godina posle rata. Te kuće i dalje nisu obnovljene, jer su sredstva za obnovu jednostrano usmeravana po nacionalnoj osnovi i za izgradnju islamskih verskih objekata i kulturnih centara. Takođe u pojedinim delovima muslimanskog dela Sarajeva vidljiv je raskoš novih vila i velelepni građevina, verovatno od donacija i novca koji je dobijan iz sveta za obnovu grada. Ti islamski verski objekti nisu autohtoni nego preuzeti kulturni obrazac sa Bliskog istoka, a u funkciji obeležavanja teritorija političkog islama. Sve je to definitivno promenilo imidž Sarajeva u BiH, regionu i svetu.



Slika 1: Demografska struktura stanovništva u Sarajevu 1991. godine

4.17. Ako se zna da je Sarajevo bilo naseljeno sa toliko stanovnika srpskog porekla i kada se zna da je u najmanje 4 od njegovih 10 opština srpsko stanovništvo činilo ili apsolutnu ili relativnu

većinu, tada ne može biti ništa čudnog u tome što je Sarajevo u političkom i državnim strateškim projekcijama srpskih političkih lidera u BiH, uzeto i kao glavni grad Republike Srpske. Sasvim je bilo prirodno da deo tog grada koji pripada Srbima bude određen za glavni grad, a drugi muslimanski deo da bude glavni grad tog entiteta. Posle Beograda, Sarajevo je pre građanskog rata bilo grad sa najviše srpskog življa. Sarajevo je po broju Srba bilo drugi grad po veličini u bivšoj SFR Jugoslaviji. Ogromna većina koji su se na popisu izjasnili kao Jugosloveni su u suštini bili Srbi. To znači da je u gradu Sarajevu živelo preko 200.000 Srba, odnosno oko 40 odsto. Veliki broj Jugoslovena u Sarajevu govori u prilog tezi da je veći deo stanovnika Sarajeva bio za opstanak u zajedničkoj državi sa Srbima. Svega 3.063 stanovnika Sarajeva su se izjašnjavali kao Bosanci (Bošnjaci). I to je argument za tvrdnju da je referendum o samostalnosti BiH naturen, da nije postojala izvorna politička potreba nego je nametnut od islamskih ekstremista, kao i sam početak rata u Sarajevu. To većina stanovnika Sarajeva zna ali nažalost nije mogla uticati na ekstremiste i „upravnike krize i rata“, koji su oličeni u pojedinim centrima moći u međunarodnim odnosima u to vreme.

4.18. Prostorni razmeštaj stanovnika tri etničke zajednice u gradu Sarajevu prikazan u Prilogu broj 9. Površnom analizom šeme i informacija koje nudi, očigledno je da bi bilo gotovo nemoguće, uz bilo kolike napore i izvesti zaključak da su Muslimani mogli polagati pravo na ceo grad Sarajevo, polazeći od etničkih i naročito katastarskih podataka o vlasništvu nad nepokretnostima. Srbi su polagali puno etničko i pravo vlasništva nad dobrima da participiraju u upravljanju gradom Sarajevom proporcionalno zastupljenosti u stanovništvu Sarajeva i katastarskom vlasništvu. Pojam podela je frekventan zato što se sve delilo u ratu u bivšoj SFRJ, pa i u građanskom ratu u BiH, čak i mešoviti brakovi nisu uspeli u većini da opstanu od međuetničke netrpeljivosti a potom i mržnje.²³¹ Imajući u vidu činjenice o demografskoj strukturi grada i gradskih opština, kao i privatno vlasništvo nad zemljom i nepokretnostima, te da je srpski narod bio u većini u četiri od deset gradskih opština nisu održivi stavovi u Optužnici protiv generala Ratka Mladića koji se provlače u gotovo svakom paragrafu da su pripadnici JNA, a potom VRS nelegitimno poseli položaje oko grada. Položaje su posele zaraćene strane na ivicama naselja gde su bili apsolutna ili relativna većina. VRS nije došla sa strane da opseđa Sarajevo, ona je tu nastala od ljudi koji su živeli u sarajevskim opštinama i naseljima. Suštinski došlo je do podele grada, a ne do nikakve opsade. Koliko je bio blokiran muslimanski deo Sarajeva u sličnim uslovima je bio blokiran i živeo srpski deo Sarajevu, u kome je živelo preko 170.000 stanovnika. Medijskom kampanjom samo se pominjalo muslimansko Sarajevo i na tom delu ratišta izgrađivao oreol grada mučenika i muslimanskog naroda kao jedinog koji pati i koji je izložen srpskom teror. Jednostavno to ne odgovara činjenicama i istini, ali nažalost ta medijska propaganda satanizovala je Srbe i prikazivala ih kao zločince. Danas je to znatno drugačije jer su se neke nove činjenice pojavile i ozbiljno ugrožavaju uvrežene stereotipe o građanskom ratu u BiH.

2. Sukobljene strane na Sarajevskom ratištu

4.19. U ovom delu Izveštaja date su osnovne informacije o vojnim formacijama Srba i Musimana na operativnom i taktičkom nivou organizovanja, koje su izvodile borbena dejstva na Sarajevskom ratištu.

²³¹ Radinović, R., Ekspertiza o Sarajevskom ratištu, Beograd, 2000, str.36-37.

2.1. Sarajevsko-romanijski korpus VRS

4.20. Sarajevsko-romanijski korpus (SRK) je nastao na prostoru koji je činio deo zone odgovornosti 4. korpusa JNA. Pored formacijskih jedinica, u zoni odgovornosti 4.K bilo je razmešteno niz jedinica i ustanova potčinjenih komandi 2.VO i Vrhovnoj komandi: 346. lap PVO, u Lukavici; 240. SSRP „KUB“ u Lukavici (ova jedinica je početkom marta dislocirana na Sokolac, a odatle u Novi Sad i nije uzela učešća u borbenim dejstvima u BiH); puk veze Saveznog sekretarijata narodne odbrane (SSNO) u Lukavici; Vojnograđevinski puk u Hadžićima (izvučen u Obrenovac i delimično u Petrovac na Mlavi-SR Jugoslavija); delovi Vojnogeografskog instituta - prebačen u Beograd; 228. bataljon vojne policije u kasarni „Viktor Bubanj“; Komanda 2. vojne oblasti u kasarni Bistrik u Sarajevu; 67. zaštitni puk Vrhovne komande u Vratnicama kod Visokog. Opremu toga puka čuvao je 4. mpoap (Visoko); Vazduhoplovno-tehnička vojna akademija u Rajlovcu, Centar vojnih škola „Maršal Tito“ u istoimenoj kasarni u Sarajevu; Artiljerijska brigada Vrhovne komande u Doboju - izmeštena najvećim delom u SRJ i nije učestvovala u borbama u BiH.²³²

4.21. U zoni odgovornosti 4.K pre početka rata našla su se brojna skladišta i velike količine vojne opreme i raznovrsnog materijala. To su:

- Skladište ubojnog materijala u Žunovnici - Hadžići. Deo skladišta su držali Srbi, a deo muslimani. Jedan deo bio je na tzv. ničijoj zemlji, pa su muslimani postepeno otimali deo po deo te opreme koji Srbi nisu, zbog nedostatka ljudstva, mogli da kontrolišu;
- Centralno skladište intendantske opreme i hrane u Butilama koje se nalazilo između Rajlovca i Vogošće;
- Skladište u Faletićima (istočno od Sarajeva) u kojem je bila smeštena oprema za Gradski štab TO i za dve brigade TO. Skladište je opljačkano od strane raznih paravojski obe etničke zajednice i kasnije uništeno bombardovanjem u NATO intervenciji - 1994. godine;
- U kasarni „Jovo Jovanović“ u Zenici skladište opreme za dve brigade TO. Sve su zaplenili Muslimani;
- Skladište ubojnog materijala za RV i PVO. Deo je izvučen na teritoriju SR Jugoslavije, a najveći deo je bio blokiran od strane HVO i muslimanske paravojske i njima je pao u ruke;
- Skladište ubojnog materijala u Kaoniku. Skladište i materijal pali u ruke muslimanskih formacija i HVO;
- Fabrika za proizvodnju pešadijske municije u Ljutoj-Konjic, fabrika „Pobeda“ (inicijalna kapisla i štapini) u Goraždu, fabrika za proizvodnju artiljerijskih oruđa i višecevnih bacača raketa u Travniku, fabrika artiljerijske municije u Bugojnu i fabrika eksploziva u Vitezu. Svi ovi kapaciteti ostali su na teritoriji pod muslimanskom kontrolom.²³³

4.22. Sarajevsko-romanijski korpus VRS (SRK) (Prilog broj 10) formiran je 22.05.1992. godine Naredbom GŠ VRS.²³⁴ U sastav SRK ušle su tri brigade iz ranijeg sastava 4.K JNA²³⁵. Zbog neodazivanja na mobilizaciju niti na poziv za služenje vojnog roka, dezerterstva Muslimana i Hrvata i veoma ishitrenog i brzog izvlačenje jedinica JNA iz BiH, po naredbi Predsedništva

²³² Radinović, R., Ekspertiza o Sarajevskom ratištu, Beograd, 2000, Str. 38-56

²³³ Isto. Str. 39-40

²³⁴ Naredba GŠ VRS, Str.pov.br.09/19-192 od 22.05.1992. godine.

²³⁵ Komanda 4. korpusa, Izmene naziva jedinice, Str.pov.br.09/19-190, od 17.05.1992. godine.

SFRJ od 04.05.1992. godine, sve te tri brigade su bile samo po nazivu, ali ne i prema faktičkom stanju kadrova i operativne sposobnosti. One su bile gotovo ljudstva, a deo borbene i neborbene tehnike i intendantske opreme je bio opljačkan ili devastiran do mere neupotrebljivosti. Te tri brigade koje su po formiranju SRK ušle u njegov sastav bile su: 49. mtbr koja je preformirana i preimenovana u 1. smbr sa sedištem u Lukavici; 120. lpbr (Zenica) - preimenovana u 2. slpbr i locirana u Vojkovićima (naselje na jugu Sarajeva) i 216. brdska brigada (Han Pijesak) - primenovana u 1. Rpbr i locirana istočno od Sarajeva sa sedištem na Palama. Ovim trima brigadama treba dodati i 14. mtbr koja je sa delom tehnike i ljudstva u Zenicu pristigla iz Ljubljane. Ta brigada je preimenovana u 2. Rmtbr sa sedištem na Sokocu. Ona je od 01.01.1993. godine ušla u sastav Drinskog korpusa VRS.

4.23. Od dela tehnike i opreme tri brigade iz sastava bivšeg 4.K JNA formirane su četiri brigade SRK, a u njegov sastav SRK su ušle i još novih 10 brigada koje su formirane od delova raspadnute Teritorijalne odbrane BiH u sarajevskoj regiji, odnosno od dobrovoljaca, meštana srpske nacionalnosti koji su u tim opštinama formirali svoje odrede, bataljone i brigade Teritorijalne odbrane. Brigade su formirane pre donošenja Odluke o formiranju SRK, pa su naređenjem o formiranju korpusa samo uključene u njegov sastav. To su: Novosarajevska, Ilidžanska, Ilijaška, Rajlovačka, Vogošćanska, Rogatička, Trnovska, Blažujka, Igmanska, Koševska i Paljanska.²³⁶

4.24. Kada je 01.11.1992. godine formiran Drinski korpus Vojske Republike Srpske, neke brigade iz sastava SRK su ušle u sastav ovog novoformiranog kopusa, i to: 2. romanijska motorizovana brigada iz Sokoca i Rogatička laka pešadijska brigada. Tokom leta i jeseni 1992. godine organizacija SRK je dograđivana, neke nove brigade su ukрупnjene u veće jedinice.

4.25. Zona odgovornosti Sarajevsko-romanijskog korpusa utvrđena je podelom zona odgovornosti korpusa VRS:²³⁷

- *Levo:* Visoko-Azapovići-Bukovica-Ormanj planina-Igman planina-Dubrave- Đokin Toranj na planini Treskavici.
- *Desno:* Grabovac na Gosinoj planini-Ljeljen brdo na Romaniji (tt.1311)-Borovac- Ravne njive (tt.1028)-Breza.
- *Južno:* Granica sa Hercegovačkim korpusom: Đokin Toranj-Bandijerka (tt.1382)-Mazlina i dolina Mazlinske reke-Mliječnik-Crni vrh na Jahorini-Grabovac na Gosinoj planini.
- Linija razgraničenja SRK sa Istočnobosanskim korpusom je bila Drinjača-Vlasenica-Olovo i Kladanj.²³⁸

4.26. Sarajevsko-romanijski korpus je svojom organizacijsko-formacijskom strukturom, rasporedom, a naročito doktrinom trebao da obezbedi ostvarenje ciljeva političke i vojne strategije RS na području grada Sarajeva. Da bi VRS participirala u podeli Sarajeva, njen SRK morao je odgovarajućom gustinom vojničkih snaga posesti onaj deo sarajevskog prostora na koji je smatrao da poseduje neotuđivo etničko i političko pravo. Reč je o prostorima gradskih opština u kojima su Srbi bili ili apsolutna etnička većina ili relativna većina.

4.27. Strategijska uloga snaga VRS na Sarajevskom ratištu bila je: (1) odbraniti one prostore koji su se smatrali sastavnim delom srpskog etničkog prostora; (2) sprečiti spajanje muslimanskih snaga koje su dejstvovala na unutrašnjem Sarajevskom frontu sa snagama koje su držale spoljni

²³⁶ Analiza borbene gotovosti iz 1991, Str.pov.br. 20/15-281 od 02.03.1993. godine, str. 32.

²³⁷ Vidi Prilog: broj 11 Karta obostranog rasporeda snaga na Sarajevskom ratištu.

²³⁸ Radinović, R., Ekspertiza o Sarajevskom ratištu, Beograd, 2000, str.41

prsten strategijskog fronta na prilazima Sarajevu iz centralne i istočne Bosne, Podrinja i doline Neretve, i (3) blokirati vojne snage koje su bazirale i djelovale u urbanom delu Sarajeva i ne dozvoliti im da se nakon proboja i deblokade, u ulozi slobodnih snaga, nađu na nekom drugom frontu bosansko- hercegovačkog ratišta.

4.28. Navedeni treći operativni cilj SRK bio je iznuđen i nužan uslov daljeg vođenja rata u BiH od strane VRS. Taj cilj je bio iznuđen Odlukom muslimanskog političkog i vojnog vrha da Sarajevo ne proglase *slobodnim, odnosno otvorenim gradom*. Kada je već muslimanska Vrhovna komanda odlučila da u delu Sarajevu formira i drži *aktivne vojne snage, njihova blokada bila je sasvim racionalan i jedini mogući način vojničkog odgovora*. Takav isti pristup primenjivale su i muslimanske snage A R BiH prema jedinicama VRS, koje su branile srpski deo Sarajeva koji se nalazio u poluokruženju (Prilog broj 11). VRS nije imala nikakve strategijske alternative u pogledu odbrane srpskog dela grada Sarajeva u kome je živelo oko 170.000 stanovnika. „Blokada nije isto što i „opsada“. Opsada se koristi kao arhaičan istorijski pojam koji nosi u sebi poruku terora nad civilnim stanovništvom. Kada se uvaži nacionalna struktura stanovništva u gradu Sarajevu, kao i teritorijalna podela grada početkom rata, o Sarajevu, nakon početka rata može se govoriti kao o podeljenom gradu u kome su se sukobljene strane blokirale na unutrašnjim i spoljnim operacijskim pravcima. (Prilog broj 11 Karta obostranog rasporeda snaga). Muslimani su svo vreme rata nastojali problem grada Sarajeva rešiti jedino na njima prihvatljiv način zauzimanja celog grada, ali za to nisu imali dovoljno vojne sile i sposobnosti. Zbog nedovoljne vojne sposobnosti i moći sve operacije 1. K A BiH imale su taktički značaj, po ostvarenim rezultatima.

4.29. Odabrani operativni model blokade grada bio je defanzivni model dejstava VRS od samog početka rata u BiH. Po svojoj osnovnoj tipologiji dejstva VRS (SRK) na Sarajevskom ratištu bila su pretežno odbrambenog karaktera. Jedinice SRK na položajima na urbanom delu Sarajeva ili u samom njegovom urbanom delu (na Grbavici, u Nedžarićima i na Dobrinji) branile su svoje položaje naselja, ulice i kuće gde su živele njihove porodice. U vojničkom smislu na taj način sprečavan je prodor muslimanskih snaga na slobodne srpske teritorije i otvorene operacijske prostore na širim prilazima Sarajevu. Takođe, jedinice SRK na prilazima Sarajevu, obrnutim frontom (tj. od Sarajeva) branili su svoje položaje od prodora muslimanskih snaga ka urbanom delu grada i sprečavale njihovo spajanje, odnosno deblokadu onog dela muslimanskih snaga koji je djelovao iz grada ka spoljnim ivicama operacijskim pravcima.

4.30. Percepcija Sarajeva i Sarajevskog ratišta, a samim tim i sukobljenih strana na tom ratištu, od strane dela međunarodne zajednice bila je pod uticajem medijske propagande i stereotipa koji su potpuno veštački iskonstruisani u funkciji označavanja krivca za rat i za posledice u tom ratu. Stiče se utisak kao da je samo VRS ratovala protiv civilnog stanovništva, što je neistinito i morbidno. Takve „iskonstruisane istine i unapred zadate istine“ ogledale su se u stalno ponavljanim neistinama u medijima i u velikom delu međunarodne zajednice, kao što su: (1) „u BiH se vodio *međunarodni rat* u kojem je srpska strana agresor, a muslimanska branilac i napadnuta strana.“ Visoki vojni rukovodioci međunarodnih snaga u BiH i ako nisu bili naklonjeni srpskoj strani, nisu zbog vojničke časti prihvatili tu neistinu i govorili su da se u BiH vodi *građanski rat*,²³⁹ sa njegovim etničkim i verskim uzrocima koji borave u najdubljim slojevima istorijske svesti i podsvesti tri etničke zajednice. To i jeste apsolutna istina koja počiva na jakim argumentima i činjenicama; (2) iz tog stereotipa i naručene istine koju je propagirala muslimanska strana u sukobu, deo međunarodne zajednice bio je pao pod uticaj dezinformacija i laži i počeo da utiče na mirovnu misiju UN i snage NATO da za sva zla u građanskom ratu

²³⁹ Rouz M.: „Misija u Bosni“, (naslov originala „FIGHTING FOR PEAGE“), izd. „TETRA GM“, 2001, str. 15.

osuđuju Srbe; (3) iz unapred zadate percepcije ratujućih strana i njihove odgovornosti u ratu, uključujući i humanitarno i ratno pravo, uz stalne ustupke u formi kontrole i izmešanja naoružanja muslimanskoj vojsci A BiH data je neposredna podrška na Sarajevskom ratištu, posebno u završnim operacijama rata u BiH, kada je u zapadnu Bosnu iz 1.K A BiH upućeno oko 10.800 vojnika; (4) poseban domen zloupotreba može se opisati kroz proglašavanju statusa zaštićenih zona, koje su kontinuirano zloupotrebjavane. UNPROFOR je različitim postupcima uticao na odnos snaga strana u sukobu, skoro uvek na štetu VRS: počev od preuzimanja kontrole nad aerodromom Butmir juna 1992. godine, preko defunkcionalizacije artiljerije, najpre njenim grupisanjem radi kontrole, a potom izmeštanjem oko Sarajeva na položaje sa kojih je Sarajevo izvan daljine uspešnog dometa, uvođenje tzv. „zone potpunog isključenja“, preuzimanje, a potom prepuštanje muslimanskoj strani prostora između Igmana i Bjelašnice avgusta 1993. godine, do direktne upotrebe snaga za brza dejstva i vojnih snaga NATO iz vazduha i sa zemlje. Danas je istina o ratu u BiH, a posebno na Sarajevskom ratištu sasvim drugačija jer su činjenice isplivale na površinu. Još se mnoge činjenice kriju ali ipak istorijska istina je dostižna i mnogo je drugačija od medijske slike rata kakva je išla u svet od 1992. do 1995. godine.

4.31. Medijska propaganda nastala u ratu nije ni danas potpuno utihnula. Naime, danas se pokušava prekraјati istorijska istina na kojoj se mlade generacije truju mržnjom. Ta mržnja neće doneti ništa dobro sadašnjim ni budućim generacijama. Nakon nelegitimnog referenduma o secesiji BiH iz sastava Jugoslavije, na kojem nisu učestvovali bosanski Srbi, nastupila je nacionalistička euforija Muslimana. U tom „zanosu“ je na Baščaršiji ubijen srpski svat Nikola Gardović (01.03.1992. godine). To ubistvo srpskog svata Nedžad Ajnadžić pripisuje Srbima i naziva ga insceniranim ubistvom koje je trebalo da svetu pošalje poruku da je zajednički život Srba i Bošnjaka nemoguć. To je, razume se, apsurdna tvrdnja, a služi kao neuverljivo eskiviranje povoda za oružani sukob.²⁴⁰ Ovaj krvavi incident na Baščaršiji može se smatrati glavnim povodom, a datum kada se dogodio kao faktički početak građanskog rata na Sarajevskom ratištu.

4.32. Već 02.05.1991. godine, dva dana pre Odluke Predsedništva SRJ da se JNA povuče iz BiH, izvršen je opšti napad na sve vojne objekte i jedinice JNA u Sarajevu.²⁴¹ Brz odlazak JNA samo je podstakao ekstremiste zaraćenih strana da rešenje rata traže u oružanom nasilju. Tog dana oko 12.00 časova 500 naoružanih Muslimana napalo je Dom JNA, potpuno neborbenu i nebranjenu vojnu ustanovu. Tom prilikom ranili su načelnika Doma, potpukovnika Božinovskog, tri građanska lica zaposlena u Domu JNA Sarajevo i jednog vojnika na odsluženju vojnog roka. Komandant 2. VO je naredio pukovniku Šuputu da sa 30 vojnih policajaca deblokira i oslobodi zarobljenike i ranjenike.²⁴² Međutim, on upada u postavljenu zasedu i biva zarobljen.

4.33. Dana 22.04.1992. godine muslimanske oružane formacije i HVO krenuli su u opšti napad na Ilidžu i pored prethodno postignutog dogovora o nenapadanju. Napad je krenuo iz svih pravaca, a najžešći je bio sa pravca Hrasnice i Sokolović Kolonije, posebno sa zgrade Instituta za rehabilitaciju. U taj objekat su se, preodeveni u bele mantile, smestili muslimanski snajperisti. U tom napadu poginulo je 15, a ranjeno 50 srpskih boraca i civila sa Ilidže. Ubrzo zatim, 12.05.1992. godine, donesena je odluka o formiranju Vojske Republike Srpske, a 22.05. je odlučeno da se formira Sarajevsko-romanijski korpus VRS. Za komandanta je imenovan

²⁴⁰ Vidi Ajnadžić, N.: „Odbrana Sarajeva“, str.103.

²⁴¹ „Naredio sam svim jedinicama da blokiraju sve kasarne u gradu. Tražio sam da – ako bi izašle iz kasarni – protivoklopima zaspu sve oklopne jedinice“, Lučarević K. „Bitka za Sarajevo“, izd. TZU Sarajevo, 2000.godine, str.77.

²⁴² Lučarević u svojoj knjizi (str.74-79) tu akciju naziva obračunom sa specijalcima - pripadnicima 63. padobranske brigade JNA koja je inače bila smeštena u Nišu na jugoistoku Srbije. Samo je Lučareviću jasno i muslimanskoj propagandi, kako se ta brigada našla u Sarajevu.

pukovnik Šipčić Tomislav, komandant 14. mtbr iz Zenice, koji je 19.05. uspeo da ovu brigadu iz Zenice preseli na Sokolac.

4.34. Ovo je sinteza ključnih događaja koji su pratili formiranje i zauzimanje operativnog rasporeda SRK u podeljenom gradu Sarajevu, a ne prethodno sročeni „plan opsade“, kako se navodi u Optužnici MKS za bivšu Jugoslaviju protiv generala Ratka Mladića. Od početka, tj. od njegovog formiranja pa do kraja 1992. godine, SRK se našao u operativnom rasporedu po karti, sa veoma malim promenama i pomeranjima linije fronta.²⁴³

(1) *Glavne snage korpusa* bile su raspoređene u odbrani onog dela grada Sarajeva u kome je većinski živeo srpski narod pa ga je političko i vojno rukovodstvo smatralo svojim. To je deo Sarajevskog fronta koji se kolokvijalno naziva unutrašnji prsten, ma da se tu ne radi ni o kakvom prstenu, jer je prsten zatvoren, a front u i oko Sarajeva nije bio zatvoren, o čemu je inače pisao i general Rouz u svojoj knjizi o Sarajevu.²⁴⁴ Na tom delu fronta dužine od oko 55 kilometara bilo je raspoređeno 7 brigada SRK, i to:

- 1. sarajevska mehanizovana brigada na frontu od Gornjeg Kotrca levo do Knjeginca desno. Širina fronta 30 kilometara. Na početku rata pa do sredine 1993. godine front od Grbavice do Knjeginca držale su snage 1 .rpbr.
- 1. romanijska pešadijska brigada od Knjeginca do Pašinog brda, s tim što je do sredine 1993. godine - kako je to napred rečeno - ova brigada držala i deo fronta od Knjeginca do Grbavice. Na tim položajima su bile angažovane samo njene pomoćne snage, a ostale snage na položaju ka Goraždu (Podgrab-Prača), na planini Gosina i na južnim i jugoistočnim padinama Jahorine okrenuti frontom ka Delijašu. Na osnovu toga može se zaključiti da je ova brigada samo delom snaga bila angažovana ka ubranom delu Sarajeva, tj. na tom tzv. unutrašnjem frontu ili prstenu, a njene glavne snage su branile spoljni prsten ka Sarajevu. Širina fronta ove brigade je bila oko 65 kilometara.
- Koševska laka pešadijska brigada branila je deo fronta od Pašinog brda do Hotonja. Dužina fronta je oko 9,5 kilometara. No, ako se uzme u obzir da je ona bila najmalobrojnija brigada, tada dužina fronta od 9,5 km dobija sasvim drugačiju vrednost.
- Vogošćanska brigada držala je front od Hotonja do Perivoje. Dužina fronta oko 29 kilometara.
- Rajlovačka brigada držala je front od Perivoja do Azića. Dužina toga fronta je bila oko 12 kilometara.

Od ove tri brigade - Rajlovačka, Vogošćanska i Koševska, u prvoj polovini 1994. godine formirana je 3. sarajevska pešadijska brigada. Na taj način je smanjen broj brigada, komandovanje pojednostavljeno, zona odgovornosti ukрупnjena. Ta reorganizacija se poklapa sa vremenom ojačavanja fronta prema Varešu i Olovu radi sprečavanja deblokade snaga u Sarajevu sa pravca koji ka Sarajevu vodi od Olova.

- Ilidžanska brigada je bila raspoređena od Azića do Plandišta, na dužini fronta od 18 kilometara.
- 2. sarajevska laka pešadijska brigada držala je i delom sarajevski front na tzv. unutrašnjem prstenu od Gornjeg Kotorca do Krupca, a potom i na spoljnom prstenu od Krupca do Jagodnice. Njen front je bio ukupne dužine oko 14 kilometara.

²⁴³ Karta obostranog rasporeda (Prilog broj 11)

²⁴⁴ Vidi Rouz, „Misija u Bosni“, str.37.

(2) *Pomoćne snage korpusa* su bile raspoređene na tzv. spoljnom prstenu sarajevskog fronta, i to:

- Igmanska brigada je držala front prema Igmanu, Pazariću i Bukovci i to od Plandišta do Crkvice. Dužina fronta oko 33 kilometra.
- Ilijaška brigada je bila na frontu od Crkvice do Srednjeg. Dužina njenog fronta bila je oko 40 kilometara.
- Rogatička brigada (do formiranja Drinskog korpusa) je držala front prema Goraždu na dužini od oko 28 kilometara.
- 2. romanijska motorizovana brigada (do formiranja Drinskog korpusa) je bila delom snaga orjentisana ka Sarajevu i Podrinju, a delom ka Olovu i Kladnju.

4.35. Nakon formiranja Drinskog korpusa dolazi do korigovanja zone odgovornosti SRK i do pomeranja snaga na tzv. spoljnom prstenu sarajevskog fronta, tako da su snage toga korpusa preuzele kompletnu odbranu na spoljnjem frontu od Olova i Kladnja ka Sarajevu.²⁴⁵

4.36. Ukupna dužina fronta kojeg su držale snage SRK na kraju 1992. godine iznosila je oko 237 kilometara, od čega je na unutrašnji front otpadalo oko 55 kilometara, a na spoljni oko 180 kilometara.²⁴⁶

2.2. Snage Armije BiH na Sarajevskom ratištu

4.37. Od samog početka sukoba u gradu Sarajevu paravojne grupe i ekstremisti iz redova političkih stranaka sva tri naroda uspostavili su punktove i u suštini „obeležili svoje teritorije“. Eskalacijom krize paravojne organizacije i jedinice su prerastale u klasičnu vojnu organizaciju uz uspostavljanje linije fronta. Na Sarajevskom ratištu bile su angažovane snage 1. korpusa A BiH u celini (Prilog broj 12 i 13), te delovi 2, 3. i 4, a kasnije i 6. korpusa Armije BiH. Nosilac dejstva bio je 1.K, a sadejstvovala su mu iz 2.K snage operativne grupe 3; iz 3.K, snage operativne grupe „Istok“ i 6. korpusa (Konjic). Snage sadejstvjućih korpusa različite veličine i brojnosti, težišno su bile usmerene na deblokadu Sarajeva, tj. na pritisak na spoljni prsten sarajevskog fronta kojeg su posedale i branile jedinice SRK, i to:

- 2. korpus sa pravca Olova i Kladnja ka Nišićkoj visoravni radi proboja fronta SRK na pravcu Olovo-Srednje-Semizovac, odsecanjem snaga VRS na Nišićkoj visoravni.
- 3. korpus sa pravca Kaknja i Visokog, u sadejstvu sa snagama HVO iz pravca Kiseljak i snaga 1. K iz Sarajeva, probiti front SRK na pravcima Visoko-Ilijaš-Vogošća i Pazarić-Hadžići-Ilidža, deblokirali Sarajevo sa severozapadnog i zapadnog pravca.²⁴⁷
- Delovi 6. korpusa vršili su pritisak ka Igmanu i na prostoru između planina Igmana, Bjelašnice i Treskavice ka Kalinoviku i Trnovu.

4.38. Linija fronta uslovlila je operativni raspored 1.K A BiH. Snage tog korpusa bile su podeljene na deo koji je držao unutrašnji front u starom delu grada Sarajeva prema Srpskom Sarajevu i snage na spoljnom frontu i to od Goražda i Trnova do Igmana, Rajlovca, Hadžića i Semizovca. U početnom periodu rata glavne snage 1. korpusa A BiH bile su angažovane na unutrašnjem frontu u Sarajevu i bile su jačine ekvivalenta oko petnaest brigada, a snage na

²⁴⁵ Radinović, R., Ekspertiza o Sarajevskom ratištu, Beograd, 2000, str.54-55

²⁴⁶ U borbenom izveštaju Komande SRK Glavnog štaba VRS str.pov.20/15843-2 od 15.07.1993.godine sarajevski front se ovako strukturira: (1) sverozapadni: Ilijaška, Igmanska i Ilidžanska brigada; (2) južni front: sarajevska pešadijska i 1. Sarajevska mehanizovana brigada; (3) jugoistočni front: 1. Romanijska brigada i (4) front prema Sarajevu: 1.rpbr, Klpbr, Vrpbr, Ilpbr, Rlpbr, 2.slpbr (delovi) 1.smpbr.

²⁴⁷ „Sastav, grupisanja i namere neprijatelja“, dokument Glavnog štaba VRS, Str.pov.br.18/19-732.

spoljnim frontovima bile su ekvivalenta dve divizije. Broj brigada se menjao od jedne do druge reorganizacije 1.K A BiH.

4.39. Komandant 1. K A BiH je pod komandom imao više samostalnih jedinica ranga brigade i bataljona-divizionara, kao i jedan broj specijalnih jedinica čiji je borbeni ekvivalent nadmašavao snagu čiste rodovske jedinice.²⁴⁸ Teško je utvrditi precizno brojno stanje korpusa, jer se ono stalno menjalo. Moglo bi se približno smatrati da je korpus tokom rata raspolagao snagama od 40.000 do 70.000 ljudi, zavisno o kom periodu rata se govori i o kom nivou angažovanja snaga. Od toga je na snage na unutrašnjem frontu otpadalo prosečno tokom celog rata oko 35.000 do 50.000 ljudi. Nedžad Ajnadžić, ratni načelnik Štaba 1.K, u svojoj knjizi "Odbrana Bosne", tvrdi da je 1.K na kraju 1992. godine imao 73.141 borca, a u januaru 1994. godine 84.698 boraca. Broj boraca korpusa na unutrašnjem prstenu, kada se ne računaju pripadnici Specijalnih jedinica i naoružani pripadnici MUP-a, iznosio je 33.151 u 1992. godini, a 37.800 boraca u 1993. godini. Sam komandant 1.K A BiH u jednoj svojoj Zapovesti za napad iznosi podatak da snage 1.K u Sarajevu, a to znači na unutrašnjem prstenu Sarajevskog ratišta, koje se nalaze frontom ka spoljnim ivicama, broje 46.372 borca.²⁴⁹ Prema nekim informacijama koje su vrlo blizu navedenim brojkama, u Sarajevu je prosečno bilo angažovano oko 35-40.000 naoružanih vojnika i oko 12.000 policajaca.²⁵⁰ Bez obzira da li su policijske snage bile direktno podređene Komandi 1.K ili su deystvovalе po naređenju Ministarstva unutrašnjih poslova, te snage koje su izvršavale borbene i brojne specijalne zadatke u kontekstu borbenih deystava mogu se i moraju smatrati naoružanim sastavima unutar Sarajeva. Da je to tačno, govori i borbena i operativna dokumenta 1.K A BiH i njegovih potčinjenih jedinica u kojima se u sklopu davanja zadataka spominju pojedine snage MUP-a.²⁵¹ Tako se u Borbenom izveštaju Komande 101. brdske brigade od 24.01.1993. godine izveštava Komanda 1. korpusa A BiH da je artiljerija brigade toga dana u 15,15 časova deystvovala i to po zahtevu Vikićević specijalaca, a Vikić je bio jedan od komandanata specijalnih jedinica MUP-a.²⁵²

4.40. Potpuno je razumljivo, 1.K A BiH je svoje glavne snage angažovao na unutrašnjem delu Sarajevskog fronta, a pomoćne snage na spoljnom prstenu strategijskog fronta oko Sarajeva, s tom napomenom da su, kao što je to već rečeno, korpusne snage na spoljnom frontu bile poduprte angažovanjem snaga tri druga korpusa A BiH i jedinica HVO. Težište deystva snaga na unutrašnjem delu strategijskog fronta bilo je proboj fronta na pravcima Sarajevo -Vogošća; Sarajevo-Rajlovac, Sarajevo-Ilidža-Hadžići i Butmir-Sokolović Kolonija-Hrasnica. Na tim pravcima je trebalo da se ove snage spoje sa snagama koje deystvuju na spoljnim operacijskim pravcima ka Sarajevu.

4.41. Snage 1.K A BiH na unutrašnjem delu strategijskog fronta bile su operativno razvijene do jeseni 1992. godine, a već krajem te prve godine rata one su u potpunosti stabilizovale front, tako da je tokom celog rata bilo veoma malo promena na taktičkom nivou. Ozbiljno pomeranje snaga

²⁴⁸ U jednoj borbenoj zapovesti komandant SRK stoji da grad Sarajevo brane sledeće snage 1.K A BiH: 1,2,5,9,15,101. i 102. Motorzovana brigada, te 1,2 i 10. Brdska brigada, 1. Mešovita artiljerijska brigada, izviđačko-diverzantska brigada, brigada HVO „Kralj Tvrtko“, puk PVO, 1. i 2. Sanitetski bataljon (neborbena jedinica), odred „DELTA“, odred „AL FATAH (SIC)“, specijalni odred MUP-a „LASTE“, specijalni odred „BISERI“, specijalna jedinica „VIKIĆEVCI“, brojne jedinice policije, nastavni centri, prištapske i pozadinske jedinice – vidi ZAPOVEST, str.pov.14/93 od 16.12.1993. godine, str.1 i 2.

²⁴⁹ Zapovest za napad komandanta 1.K A BiH, Str.pov.br.3/727-2, od 07.09.1994.godine, dokument Tužilaštva br.02057576.

²⁵⁰ Izjava Kojovića koju je dao odbrani i Ajnadžić, N.: „Odbrana Sarajeva“, str.80.

²⁵¹ O tome vidi: Borbeni izveštaj Komande 101. brdske brigade 1.K A BiH, br.01/1648 od 24.01.1993.godine.

²⁵² Vidi šire, Radinović, R., Ekspertiza o Sarajevskom ratištu, Beograd, 2000, str.56-57.

desilo se u junu 1992. na štetu VRS na aerodromu Butmir i na severnom delu Sarajevskog ratišta, gubitkom dominantnih zemljišnih objekata Orlić i Žuč. Na štetu muslimanske strane došlo je do pomeranja fronta u decembru 1992. godine, na njegovom zapadnom delu u rejonu Otesa.²⁵³

4.42. Na spoljnom prstenu fronta na Sarajevskom ratištu, obe sukobljene strane su nastojale da poboljšaju svoj operativni položaj, ali bez značajnih rezultata. Srpska strana je uspela da povрати izgubljene teritorije u širem rejonu Igmana i Bjelašnice, tj. na pravcu Kalinovik - Trnovo i ka Goraždu, a muslimanska i kasnije muslimansko-hrvatska koalicija na pravcu Visoko-Ilijaš; Breza- Ilijaš i Olovo-Srednje. Uspeh VRS u operaciji „Lukovac 93“ srpska strana je delimično morala prepustiti UNPROFOR-u, da bi taj prostor tokom 1994. i 1995.godine muslimanske snage iskoristile kao povoljnu operativnu osnovicu za napadne operacije prema Trnovu, Treskavici, sa ciljem otvaranja koridora prema Goraždu u završnim operacijama 1995.godine.

4.43. Operativni razvoj 1.K A BiH u Sarajevu bio je po sledećem (od istoka ka zapadu i od zapada ka jugu):²⁵⁴

- 1. brdska brigada na frontu od Jarčedola do Kozje Čuprije. Komandno mesto u naselju Bistrik;
- 2. brdska brigada od Kozje Čuprije do Hladivoda sa komandnim mestom u naselju Vasin Han;
- 3. brdska brigada od Hladivoda do Grdonja, sa komandnim mestom u naselju Sedrenik;
- 7. brdska brigada od Grdonja do Kobilje Glave sa komandnim mestom u naselju Koševo;
- jedinice Štaba odbrane Vogošća (ŠOV) od Kobilje Glave do Hotonja;
- 1 .mehanizovana brigada od Ugorskog do Zabrđa do sa komandnim mestom na brdu Zuč;
- 2. motorizovana brigada od Zabrđa do Alipašinog mosta, sa komandnim mestom u Boljakovom potoku;
- 3. motorizovana brigada od Alipašinog mosta do Nedžarića sa komandnim mestom naselje Halilovići na Alipašinom mostu;
- 4. motorizovana brigada od Nedžarića do Stojčevca i od Butmira do Hrasnice, praktično zatvarajući front polukružnog oblika između Ilidže, padina Igmana do Hrasnice na istoku i dalje na sever do Donjeg Kotarca i Butmira. Komandno mesto brigade nalazilo se u Hrasnici, odnosno u onom delu Hrasnice koji je bio pod muslimanskom kontrolom;
- 5. brdska brigada na frontu od Nedžarića do Dobrinje, sa komandnim mestom na Dobrinji;
- 101. brdska brigada na Mojmilu brdu do naselja Hrasno, sa komandnim mestom u naselju Pavla Goranina;
- 6. brdska brigada od naselja Hrasno do Grbavice, sa komandnim mestom u naselju Hrasno;
- 1 .motorizovana brigada na frontu na Grbavici i to od Hrasnog do Miljacke i potom Miljackom do Skenderije. Komandno mesto brigade u kasarni “Maršal Tito”;
- 10. brdska brigada od Miljacke do Debelog brda na sever i odatle na istok do Čoline kape i Jarčedola. Komandno mesto brigade nalazilo se u zgradi Komande bivše 2. vojne oblasti;

²⁵³ Isto.

²⁵⁴ „Obavještenje o neprijatelju“, GŠ VRS - Sektor za obavještajno-bezbjednosne poslove, Str.pov.br.31/15 od 02.09.1993. godine.

- brigada HVO „Kralj Tomislav“ nalazila se na Grbavici na frontu do Jevrejskog groblja, a delom snaga i na Stupu. Komandno mesto brigada je neko vreme imala u kasarni „Maršal Tito“;
- front na Igmanu držala je 8. brdska brigada;
- 9.brdaska brigada na frontu od vrela Bosne do Grivica, sa komandnim mestom u Gradacu.²⁵⁵

4.44. Pored navedenih brigada koje su držale front na unutrašnjem prstenu u Sarajevu i na Igmanu,²⁵⁶ na spoljnom prstenu Sarajevskog fronta nalazile su se 17,302,303. i 304. brdska brigada koje su činile operativnu grupu „Visoko“ koja je sadejstvovala snagama 1.K u Sarajevu. Front prema Olovu i Varešu držali su delovi 2. i 3. korpusa A BiH, pa se može reći da su i te snage na svoj način bile usmerene na Sarajevsko ratište i sadejstvovala 1.K A BiH.

4.45. U nekim operativnim dokumentima Armije BiH iz fondova sa kojima je raspolagalo Tužilaštvo, u sastavu 1.K A BiH spominju se još neke brigade, isto kao što se neke druge brigade ovoga korpusa spominju i u nekim dokumentima iz fondova sa kojima je raspolagala odbrana. Tako se u dokumentima Tužilaštva od 02057593-02057601 pojavljuju se 15. brdska i 105. motorizovana brigada: 15. na frontu od Miljevića do Čoline kape i po dubini do Vrbanja mosta, te 105. na frontu od Hladivoda do Muzeja i po dubini do Katedrale²⁵⁷. Isto tako, u dokumentu Odbrane pod nazivom „Obavještenje o neprijatelju“, pojavljuju se 12. i 13. brdska brigada,²⁵⁸ ali bez jasno definisanog fronta i zone odgovornosti.²⁵⁹

4.46. Razlike u sastavu 1 .K A BiH utvrđene u različitim dokumentima jesu posledica više uzroka, pre svega nepreciznosti izvora koji su poslužili za izradu dokumenata, grešaka prilikom izrade dokumenata u vreme organizacionih promena u 1. K A BiH koje su inače bile veoma česte. Suština analize i Izveštaja jesu borbena dejstva, njihov karakter i posledice, bez obzira koja jedinica da ih je izazvala svojim dejstvom. Osnovne informacije o jedinicama zasnovane su na radnoj karti iz fondova Tužilaštva, jer se sa dovoljno pouzdanja može pretpostaviti da su u tom smislu podaci za svoje snage tačniji 1.K.

4.47. U Sarajevu su bile raspoređene prištapske i specijalne jedinica 1. K A BiH i to:

- bataljon vojne policije, bataljon veze, bataljon inženjerije, sanitetski bataljon;
- laki artiljerijski divizion PVO, izviđačko-diverzantski odred, odredi za elektronsko izviđanje i protivelektronska dejstva i četa ABHO;
- brigada specijalne namene (Vrhovne komande, odnosno Štaba Vrhovne komande kao najvišeg vojnog rukovodećeg organa, ali je ona dejstvovala u Sarajevu ili u njegovom neposrednom okruženju, a to znači praktično za potrebe 1K A BiH);
- 1. i 2. samostalni motorizovani bataljon Sarajevo;
- specijalni odred MUP-a „Laste“ Sarajevo.

²⁵⁵ Na kartama rasporeda snaga 1.K ABiH iz izvora Armije BiH javljaju se dve brigade nominovane kao 9.brigada, i to: jedna na položajima na Igmanu, a jedna u starom delu grada i to u njegovom severoistočnom delu, na položajima od Sedrenika do Kobilje glave.

²⁵⁶ Podaci o nazivima i rasporedu jedinica 1.K A BiH uzeti sa Radne karte koja je rađena u 1.K. Vidi: Ratna karta, dokument Tužilaštva 01850567.

²⁵⁷ Dokument Tužilaštva, str.pov.br.05-7/466/4 od 08.12.1993.godine, str.02057595. ta;ka 5.7. i str.02057596 / tačka 5.9.

²⁵⁸ „Obavještenje o neprijatelju“, dokument GŠ VRS, Str.pov.br.31/15 od 02.09.1995.godine..

²⁵⁹ Prema Radovan Radinović. Ekspertiza za Sarajevo, 2002. Str. 59-61

4.48. U Odluci Predsedništva BiH o organizacijskom sastavu 1.K iz avgusta 1992. godine navedeno je ukupno 13 brigada i to bez Specijalne brigade Dragana Vikića za koju se iz drugih izvora zna da je bila pod operativnom komandom 1 .K i da se radi o brigadi MUP-a, i bez brigade HVO koja formalno nije bila u sastavu 1.K, ali je dejstvovala pod njegovom komandom. Pored toga, tu nisu ušle brojne samostalne jedinice-bataljoni, sem 1. samostalnog bataljona, i naoružani odredi. Već tada korpus u svom sastavu ima artiljerijsku brigadu. Istina, u tom dokumentu naziv „brigada“ je precrtan i ispisan naziv „puk“, ali se naziv brigada pojavljuje u nekim drugim dokumentima kasnijeg datuma, pa se može smatrati da se radi o brigadi a ne o puku. Brigade su nosile zavičajni naziv, tj. mesto, dela grada u kojem su formirane.²⁶⁰

4.49. Kroz organizacijske promene o ustrojstvu 1.K A BiH težilo se ukрупnjavanju i objedinjavanju brigada i to tako što se uvode nazivi koji odražavaju sastav, opremu i namenu, slično kako je rađeno u bivšoj JNA. Tako se u ovim naređenjima pojavljuju mehanizovane, motorizovane i brdske brigade, da bi u poslednjem od tih naređenja sve brigade bile unificirane kao motorizovane.²⁶¹ U Naređenju, od 09.10.1992. godine, nalaže se formiranje izviđačko-diverzantske brigade, što ukazuje na ofanzivne ambicije 1.K A BiH, koja je u skladu sa politikom unitarne BiH. U toj činjenici se može videti namera 1.K da na sarajevskom ratištu stalno održava visoki stepen ratne tenzije i usijane linije fronta.²⁶² Takav pristup govori i o tome da su procene u 1. K A BiH bile dosta površne a odluke zasnovane na njima nerealne. To je imalo za rezultat povećani broj gubitaka u živoj sili na Sarajevskom ratištu.

4.50. U skladu sa namerom i opredeljenjima u izgradnji i jačanju A BiH, u proleće 1993. godine 1.K je pretrpeo reorganizaciju. Smanjen je ukupan broj brigada, od 15 koliko ih bilo u jesen 1992. godine na 11 u proleće 1993. godine. Izvršena je korekcija zona odgovornosti brigada, odnosno zone su postale šire. Formirana su i dva samostalna motorizovana bataljona koji su, kao izrazito manevarske snage bili operativna rezerva i znatno poboljšali ofanzivnu moć korpusa. Sa takvom organizacijom korpus je ostao do proleća 1994. godine. Nova reorganizacija je izvršena u prvoj polovini 1994. godine. Za dejstva na spoljnom prstenu Sarajevskog ratišta u 1.K A BiH formirane su dve operativne grupe. Cilj je bio objединiti snage na delu ratišta Bjelašnica-Treskavica i Olovo-Vareš, a samim tim i poboljšati njihovu ofanzivnu i udarnu moć i osposobiti ih za deblokadu Sarajeva.

4.51. U izjavi Tužilaštvu, komandant 1.K A BiH Vahid Karaveljić, kaže da je korpus i u Sarajevu imao Operativnu grupu koja je od sredine 1993. godine objединila sve snage u gradu, odnosno da je korpus od sredine 1993. godine funkcionisao po operativnim grupama, a ne sa direktnom linijom komandovanja sa brigadama. To nije pronađeno u dokumentima i nigde se ne pojavljuje OG Sarajevo, jer je komandant korpusa neposredno izdavao zadatke komandama brigada. Već od leta 1993. godine iz skoro svake brigade u Sarajevu po jedan bataljon je izlazio na Igman, koristeći se tunelom i aerodromom, te na taj način je komandant ojačavao položaj svojih snaga na Igmanu a u isto vreme i uvežbavao i osposobljavao snage za ofanzivna dejstva. Već 1994. godine, to se praktikuje i za deo fronta prema Visokom, tako da je broj ljudi u Sarajevu varirao od slučaja do slučaja.²⁶³ Smanjenje brojnog stanja u Sarajevu nije narušavalo borbenu moć korpusa iz dva razloga: (1) tokom 1994. godine, sve do sredine 1995. godine na Sarajevskom ratištu, na njegovom unutrašnjem delu front je gotovo mirovao, odnosno nije bilo

²⁶⁰ Odluka Predsednika A Izetbegovića o jedinicama koje ulaze u sastav 1. K, od 18. avgusta 1992. godine, bez broja.

²⁶¹ Naređenje Štaba Vrhovne komande OS, Str.pov.br.02/1509-13, od 01.09.1992.godine; Naređenje Štaba VK, Str.pov.br.02/1010-201, od 28.09.1992.godine; Odluka Štaba VK, Pov.br.01/133, od 10.02.1993.godine.

²⁶² Naređenje o formiranju izviđačko-diverzantske brigade 1. K, str.pov.br.02/1010-261/92, od 09.10.1992. godine

²⁶³ O reorganizacijama 1.K vidi: Ajnadžić N.: "Odbrana Bosne", str.196 i 197.

ofanzivnih akcija SRK - posljednja takva akcija je bila operacija "Lukavac 93" (jul, avgust 1993.), (2) to je vreme intenzivnih pretnji NATO prema VRS, pa se ona uzdržavala od bilo kakvih dejstava koja bi mogla biti u tom smislu provocirajuća i (3) VRS je u suštini ostala bez vatrene podrške snaga u blokadi muslimanskog dela Sarajeva.

4.52. U drugoj polovini 1994. godine I.K A BiH je preorganizovan tako da je uveden još jedan stepen operativnog komandovanja i to divizijski. Sve snage u Sarajevu je objedinila jedna divizija, na Igmanu i Bjelašnici takođe jedna divizija, a na Goraždanskom ratištu operativna grupa. Slično je bilo i na frontu oko Visokog. Komandno mesto 1. korpusa Armije BiH bilo je u Sarajevu.

4.53. „Kraj 1994. godine 1. korpus je dočeka sa 58.820 boraca u svom stroju. Iskustva iz uspješnih borbenih dejstava u drugoj polovini 1994. godine, upućivala su na nužnost stvaranja znatnijih manevarskih snaga. Na toj ideji je početkom 1995. godine izvršena reorganizacija cijele Armije R BiH. Formirane su divizije u sastavu korpusa, koje su u svom sastavu imale po jednu manevarsku brigadu, i veći broj lakih manevarskih brigada na direktnoj vezi komande korpusa. U sastavu 1. korpusa formirane su 12. divizija Sarajevo, 14. divizija Tarčin i 16. divizija Vareš. Ofanzivna dejstva reorganizovani 1. korpus započeo je polovinom aprila 1995. na treskavičkom platou. Kao odgovor, snage VRS započele su ofanzivna dejstva na području Sarajeva, koja su trajala tokom maja uz stalno granatiranje gradskog područja. Ovo bezobzirno kršenje prethodne godine potpisanog sporazuma o kontroli teškog naoružanja, rezultiralo je ograničenim dejstvima avijacije NATO po srpskim artiljerijskim položajima oko Sarajeva. Snage VRS su na tu akciju zarobile i kao taoce u neposrednoj blizini vojnih objekata držale nekoliko stotina pripadnika mirovnih snaga UN. U nastavku dejstava u zoni 14. divizije jedinice 1. korpusa su krajem maja i početkom juna postigle značajne uspjehe i ovladale cijelim platoon planine Treskavice.“²⁶⁴

4.54. „U proljeće 1995. godine, nakon demonstracije nemoći snaga UN oko Sarajeva, promjena na međunarodnoj političkoj sceni, za koje se još nije moglo znati u kojem pravcu će se kretati i šta će donijeti Bosni i Hercegovini, kao i zbog realnih promjena u odnosima snaga na ratištu, koje zbog blokade Sarajeva nisu mogle doći do punog izražaja, deblokada grada se činila potrebnijom nego 1992. i bilo je veoma rašireno uvjerenje da je napokon došlo vrijeme njenog ostvarenja. Plan operacije deblokade Sarajeva, poznate pod nazivom "TEKBIR" ili operacija "T", sačinio je GŠ A BiH. Prema planu, glavne snage za napad bile su grupisane u zoni desno: Kiseljak-Igman, lijevo: Ratni plijen ostvaren prilikom oslobađanja ovog velikog prostora bio je impozantan: 7 tenkova T-55, 1 samohotka 122 mm, 5 oklopnih transportera, 2 topa 76 mm B-1, 1 top 76 mm ZIS, 1 top Boffors 40 mm, 2 PAT 20 mm, 1 MB 120 mm, 5 PAM 12,7 mm, 3 MB 82 mm, 6 MB 60 mm, 6 protivavionskih sistema S-2M, 7 kamiona, 1 cisterna, 1 autobus, veći broj manjih vozila i drugih sredstava. Čemerska planina-Vogošća. Na glavnom pravcu napadale su snage 3., 4. i 7. korpusa sa pridodatim snagama 1. korpusa i GŠA R BiH, a napad na sporednim pravcima izvodile su preostale snage 1. korpusa. Operacija je počela 15. juna u ranim jutarnjim satima. I pored ostvarenog prodora snaga na pojedinim pravcima i oslobađanja 22 kvadratna kilometra teritorije, uz angažovanje znatnih snaga i materijalno-tehničkih sredstava, operacija do početka avgusta nije postigla postavljeni cilj i dalja dejstva su obustavljena. U relativnom zatišju na ratištu, nakon okončanja operacije, došlo je do promjene na čelu 1.K A BiH. Za komandanta je 16. avgusta postavljen brigadir Nedžad Ajnadžić.“²⁶⁵

²⁶⁴ Vahid Karavelić, general u penziji A BiH i bivši komandant 1. K A BiH izneo je osnova gledišta o mestu i ulozi te operativne jedinice na Sarajevskom ratištu, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.63

²⁶⁵ Isto, str. 64

4.55. Snage za brzu reakciju, formirane i upućene u BiH nakon majske talačke krize mirovnih snaga, i avijacija NATO pakta odgovorili su na masakr na „Markalama 2“, snažnim udarima po položajima i vojnoj infrastrukturi VRS. Prije početka ovih udara Komanda 1. K A BiH je upozorena od strane UNPROFOR-a da ne smije koristiti dejstva NATO i da se mora suzdržati od borbenih djelovanja. Aktivnosti snaga za brzo delovanje na terenu i avijacije NATO potrajale su do druge polovine septembra, sa postepenim smanjivanjem intenziteta. Jedinice 1. korpusa pokrenule su svoju posljednju ofanzivu u toku rata početkom oktobra. Napad je započeo u zoni 14. divizije. U dvije faze napada do 9. oktobra, ove su jedinice oslobodile niz važnih i dobro branjenih objekata i široko otvorile vrata za oslobađanje Trnova izbivši na rogojsku gredu, ali u tome nisu uspjele prije stupanja na snagu potpisanog primirja 12. oktobra 1995. Jedinice 1. korpusa su na dostignutim linijama dočekale potpisivanje mirovnog sporazuma u Dejtonu i Parizu, i nakon njega provele predviđena etapna povlačenja snaga. Kraj poslednje ratne godine 1.K A BiH je dočekao sa 51.312 pripadnika u svom stroju. U odbrani Bosne i Hercegovine od 1992. do kraja 1995. godine poginulo je 5.394, teško ranjeno 7.056, lakše ranjeno 13.457 boraca 1. korpusa.²⁶⁶ Iz pomenutog opisa situacije na Sarajevskom ratištu jasno se vidi da su muslimanske snage 1.K iskoristile stavljanje pod kontrolu teškog naoružanja, oslobađajući velike vojne snage koje su angažovali na spoljnjem prstenu Sarajevskog ratišta. To je bila u suštini direktna pomoć od strane UNPROFOR-a, a potom i od snaga NATO, nakon monstruoznog napada na civile na pijaci Markale za koji se sve više zna da su ga pripremile i izvele muslimanske snage, zloglasne „Ševe“. Svedočeći u odbranu Radovana Karadžića, bivši pripadnik policije BiH izjavio je pred Haškim tribunalom da je granatu na sarajevsku pijacu Markale, u zimu 1994, ispalila Armija BiH, po nalogu Alije Izetbegovića. Pod pseudonimom KW-586, skrivenog lika i elektronski izmjenjenog glasa, svjedok je izjavio da je kao pripadnik specijalne jedinice "Biseri", 1992-94 godine, bio u obezbjeđenju Predsjedništva BiH koje je zasijedalo u zgradi Narodne banke u Sarajevu. KW-568 je tvrdio da je imao priliku da čuje šta su predsjednik Predsjedništva Alija Izetbegović, njegov sin Bakir, poglavar Islamske vjerske zajednice BiH reis-ul-ulema Mustafa Cerić i drugi zvaničnici govorili na sastancima. Izetbegoviće i ostale svjedok je optužio da su planski izazivali civilne žrtve u Sarajevu, uključujući pijacu Markale, i u Srebrenici, da bi optužili Srbe i iznudili vojnu intervenciju NATO u korist muslimana. KW-586 je posvjedočio i da je čuo Izetbegovića i vjerskog poglavara Cerića kako razmatraju "šta bi se dogodilo ako bi granata pala na Markale". Posle par dana, 5. februara 1994. godine, to se i desilo, izjavio je svjedok, tvrdeći da je ABiH ispalila granatu na Markale iz rejonu sela Mrkovići i da je to, po naređenju generala ABiH Sefera Halilovića, učinila jedinica generala Mustafe Hajrulahovića zvanog Talijan.²⁶⁷ Bombardovanje snaga NATO bilo je veoma snažno po broju ciljeva, objekata infrastrukture i poslasticama. To je bila namera muslimanskog političkog rukovodstva i GŠ A BiH da po svaku cenu ne birajući sredstva pridobiju i iznude dejstva snaga NATO po jedinicama VRS. Medijskim konstrukcijama, perfidijama i lažima u tome su uspjeli.

3. Analiza i ocena operativnog položaja ratujućih strana na Sarajevskom ratištu

4.56. Korpusi sukobljenih vojski, na Sarajevskom ratištu, našli su se u međusobnom poluokruženju, sa frontom u podjeljenom gradu i na njegovim rubnim područjima (Prilog 11 Karta obostranog rasporeda snaga na Sarajevskom ratištu). Snage SRK su držale u nepotupnom

²⁶⁶ Vidi šire, Isto, str. 65-72

²⁶⁷ <http://www.nezavisne.com/novosti/bih/Svjedok-Armija-BiH-gadjala-Markale-po-naredjenju-Izetbegovica-231570.html>

okruženju deo snaga 1.K A BiH, koje su držale odbranu starog dela Sarajeva.²⁶⁸ To okruženje nikada nije bilo potpuno iz više razloga i o tome postoji niz argumenata i u izvorima A BiH. Predajom aerodroma Butmirjuna 1992. godine²⁶⁹, snage na unutrašnjem prstenu su bile fizički povezane sa snagama na Igmanu i dalje ka 4. korpusu u širem rejonu Konjica i gornjeg toka Neretve. Prokopavanjem tunela ispod aerodromske piste u julu 1993. godine, izvršeno je dodatno fizičko spajanje Butmira i dela Dobrinje kojeg su kontrolisale muslimanske snage. Na taj način bio je omogućen manevar snagama i sredstvima u oba smera.²⁷⁰ Treba imati na umu da su takođe celo vreme rata funkcionisali "plavi putevi" kojima je išlo snabdevanje grada humanitarnim konvojima. Dobar deo roba i materijala koji je u Sarajevo pristizao putem humanitarane pomoći koristio se za logistiku 1.K A BiH. Celo vreme rata aerodrom Butmir je korišten i za snabdevanje Armije BiH. Prethodne činjenice koje govore o otvorenosti Sarajeva za komuniciranje sa okruženjem bili su razlog da general Majkl Rouz u svojoj knjizi kaže da Sarajevo nije bilo opsednuti grad.²⁷¹

4.57. Krunski argumenat na osnovu kojeg se može tvrditi da Sarajevo nije bilo opsednuti, pa ni u blokirani grad, jeste linija fronta između sukobljenih strana, kako urbanog tako i perifernog dela grada. Kada se to vidi onda je zaključak jedino moguć i jasan da se može samo govoriti o podeljenom gradu jer je stanje na terenu bilo takvo. Pod kontrolom VRS bili su: Grbavica, Vrace, Nedžarići, deo Dobrinje, Lukavica, Ilidža, Rajlovac, te sarajevska naselja u mesnim zajednicama opštine Centar u Pionirskoj dolini, na Betaniji, Mrkovićima i Nahorevu, kao i gradske opštine Ilidža, Rajlovac, Ilijaš i Vogošću. VRS je kontrolisala deo grada koji je po demografskoj strukturi većinski pripadao Srbima (Prilog 11). Borci SRK VRS na linijama fronta bili su meštani iz tih opština i naselja a ne neka vojska koja je došla sa strane da „opseda grad“.

4.58. Istina je da su u poluokruženju i delimičnoj blokadi bile snage 1.K A BiH i SRK, kao i delovi grada Sarajeva pod njihovom kontrolom. Onako kako su se u poluokruženju nalazile snage 1.K A BiH u starom muslimanskom delu Sarajeva, tako su bile poluokružene snage SRK VRS na Grbavici, Nedžarićima i Dobrinji, u širem rejonu Hadžića i Ilijaša, Ilidže, i Vogošće. U širem operativnom smislu i pogledu, ceo SRK, sa izuzetkom onog dela snaga koje su se nalazile na padinama Jahorine i Romanije, nalazili su se u operativnom okruženju. Pogled na karti obostranog rasporeda snaga jasno definiše približnu poziciju snaga VRS i 1. K A BiH u taktičko-operativnom smislu, kao i u Nedžarići odnosu na teritorijalnu podelu grada (Prilog 11).

4.59. Snage SRK nisu ni imale nameru da u potpunosti odseku muslimanske snage 1.K A BiH u starom delu grada Sarajeva, koji je bio pod njihovom kontrolom. Ukupni odnos vojnih snaga u ljudskom faktoru, na Sarajevskom ratištu u celini i posebno na njegovom unutrašnjem prstenu bio je izrazito u korist 1.K A BiH. Prema verodostojnim podacima o broju naoružanih ljudi na obe ratujuće strane, odnos snaga tokom celog rata, odnos snaga u živoj sili bio je od 3 do 4:1 u korist 1.K A BiH. Kada bi se taj odnos snaga cenio na najkritičnijim taktičkim pravcima i prostorijama, on bi bio još nepovoljniji za snage VRS. Tu se pre svega misli na deo fronta u Nedžarićima, na Koševu, prema položajima Koševske brigade, te na Grbavici, Dobrinji i na pravcu Ilijaš i Visoko.

²⁶⁸ Analiza operativnog položaja 1.K A BiH je izvršena na osnovu dokumentata SRK i GŠ VRS i dela muslimanske borbene i druge dokumentacije. Kompletan relevantna dokumentacija A BiH nije nam bila dostupna izuzev informacija do kojih se došlo iz knjiga, monografija i zbornika radova sa naučnih i stručnih skupova.

²⁶⁹ Sporazum o predaji aerodroma u junu 1992.godine.

²⁷⁰ Naređenje komandanta 1.K A BiH o prevođenju jednog bataljona iz Sarajeva, preko aerodroma (i ispod aerodroma, kroz tunel), te njegovo upućivanje na Igman - br.02/876-1, od 14.07.1993.godine i Naređenja Komande 5.mtbr o organizaciji saobraćaja kroz objekat "D-B", Str.pov.br.4365/93, od 02.08.1993.godine.

²⁷¹ Majkl Rouz. "Misija u Bosni" (prevedeno na srpski), vidi str.40-41.

4.60. Obim i kvalitet snaga, odnos snaga, pripremljenost operacijske osnovice i zone dejstva, izgrađenost taktičkih oslonaca neposredno oko Sarajevo i u urbanom delu grada, nisu obezbeđivali pretpostavke potpune blokade a kamoli „opsade“ muslimanskog dela Sarajeva. Kako je rat odmicao utvrđenost linija fronta, sistem vatre i veliki broj snajpera na obadve zaraćene strane, nisu dozvoljavali znatniju promenu linija fronta jer su gubici bili nepodnošljivi i iracionalni. Podela grada na njegov srpski i muslimanski deo odgovarala je demografskoj strukturi grada Sarajeva i strukturi stanovništva u deset gradskih opština. Takva podela nije odgovarala Muslimanima, odnosno njihovom političkom i vojnom rukovodstvu koje nije uvažavalo interese druga dva konstitutivna naroda, nego je po svaku cenu nasilno nastojalo da pod svoju kontrolu stavi ceo grad Sarajevo i gradske opštine u kojima su živeli Srbi. Da VRS nije imala organizovanu odbranu i uspostavila blokadu muslimanskog dela Sarajeva oko 170.000 Srba bi bilo prinuđeno da ode u izbeglištvo. Tu cenu političko i vojno rukovodstvo Srba u BiH nije moglo da prihvati, što zbog velikog broja ljudi što su tu živeli, to i zbog opštih ciljeva zaštite srpskog naroda u građanskom ratu.

4.61. Zauzimanje Sarajeva VRS nikada nije postavila kao svoj operativni cilj iz više razloga. Najvažniji je taj što je zaštita stanovništva u delovima grada gde je bio većinski, a na osnovu toga i podela grada kao jedan od vojnih ciljeva VRS. To znači da politički i opšti strateški cilj Republike Srpske, nije bio radikalan, nego je u svojoj suštini bio human i u prvi plan stavljao civilno stanovništvo, izbegavajući uzaludno trošenje i onako oskudnih snaga i sredstava. Sa čisto operativnog i taktičkog gledišta, zauzimanje Sarajeva nikada nije mogao biti prihvatljiv cilj VRS iz sledećih razloga: (1) za osvajanje velikih naseljenih mesta koja obiluju visokim objektima građenim od tvrdog materijala i čije stanovništvo se većinom poistovećivalo sa svojom vojskom i ciljevima borbe, bila je neophodna velika nadmoćnost u ljudstvu i u borbenim sredstvima, minimum od 5:1, pa sve do 10:1. Takav odnos vojnih snaga ni kvalitativno niti kvantitativno VRS nije mogla da obezbedi na Sarajevskom ratištu ni u jednoj fazi rata; (2) da bi se čvrsta odbrana starog muslimanskog dela grada Sarajeva probila onda bi pretrpeo značajna rušenja i razaranja a RS bi bila optužena pred međunarodnom zajednicom; (3) takav vojni cilj, podrazumevao bi velike gubitke na strani civilnog stanovništva sa obadve strane fronta, što je za srpsku strategiju bio neprihvatljiv rizik; (4) jedinice VRS pretrpele bi nepotrebne gubitke i (5) pokrenuo bi se ogroman talas izbeglica.²⁷²

4.62. Podela grada Sarajeva na njegov srpski i muslimanski deo, u kojem bi svaka strana obezbedila efektivnu vojnu i političku kontrolu bio je optimalan ishod. Vezivanje snaga A BiH na unutrašnjem prstenu sarajevskog fronta i onemogućavanje da se te snage pojave kao slobodne a potom angažovane na nekom drugom delu ratišta u BiH, bio je takođe legitiman vojni cilj. U muslimanskoj propagandi a potom i u delu međunarodne javnosti odbrana svojih naselja i opština se nazivala opsadom ili blokadom grada. Ne radi se o blokadi muslimanskog dela Sarajeva, jer se iz grada izlazilo i u grad ulazilo celo vreme rata. Ni jednog dana muslimanski deo grada Sarajeva nije bio odsečen kopnenom vezom od ostalog dela ratišta u BiH, posebno je ta veza bila operativna sa snagama 1.K A BiH, koje su bile raspoređene na planini Igman. Ovo su činjenice koje su argumentovane u originalnim dokumentima A BiH i snaga UNPROFOR-a. Blokadu gradova kao princip vojne doktrine o upotrebi snaga u dejstvima oko naseljenih mesta prihvatile su a i danas to primenjuju sve vojske savremenog sveta. Takođe treba imati u vidu da u svim periodima rata RS i njena vojska VRS su uvek dozvoljavale prolazak konvoja pomoći civilnom stanovništvu, kao i povezivanje dalekovoda električne energije, koji bi bili oštećeni u borbenim dejstvima, radi stvaranja podnošljivih uslova za život. Takav odnos je proisticao i iz iste potrebe civilnog stanovništva u srpskom delu Sarajeva.

²⁷² Vidi šire, Radinović, R., Ekspertiza o Sarajevskom ratištu, Beograd, 2000, str.66-67

4.63. U skladu sa stratejskim ciljem na Sarajevskom ratištu, VRS je skoro za celo vreme rata ostala u defanzivi, i izvodila odbrambene operacije koje su bile uslovljene napadnim operacijama A R BiH na unutrašnjem i spoljnom prstenu. Pojedinačne napadne operacije jedinica SRK bile su retke i uglavnom u funkciji popravljjanja taktičkog položaja na delovima fronta koji je bio ugrožen ili zaposednut u napadnim operacijama muslimanskih snaga 1.K A BiH. Pre svega to se odnosi na ofanzivna borbena dejstva na Otesu, ka Žuču, pa i na napadnu operaciju „Lukavac 93“.

4.64. Između sukobljenih strana u odnosu prema Sarajevu, postojala je nepomirljiva suprotnost. Muslimanska strana je svoje preče pravo, odnosno svojatanje celog Sarajeva zasnivala na činjenici da je Sarajevo glavni grad njihove međunarodno priznate BiH u njenim administrativnim granicama nakon odcepljenja od SFR Jugoslavije. Paralelno sa takvim shvatanjem, Srbi su smatrali da se i njihovo pravo na deo Sarajeva može i treba zasnivati na etničkom pravu i pravu katastarskog privatnog vlasništva nad zemljištem. Shodno tome, Srbi su smatrali da imaju svoje legitimno pravo da pod svoju kontrolu stave onaj deo Sarajeva koji je po demografskoj strukturi bio sastavni deo srpske etničke teritorije. Faktički, Srbi su to i učinili i po toj osnovi se njihova vojska našla na položajima u Sarajevu i oko muslimanskog dela Sarajeva. VRS i A BiH su posedanjem položaja na delu teritorije koja je bile srpske i muslimanske, podelile Sarajevo na njegov muslimansko-hrvatski i srpski deo. Dakle, podela Sarajeva je izvršena po etničkim principima, skoro po istim principima po kojima je izvršena i podela bivše SFRJ, a time BiH. (Prilog broj 14)

4.65. Operativni raspored jedinica SRK bio je linijski. Potčinjene jedinice, a ni korpus kao celina nisu raspolagali ljudskim resursima za formiranje jedinica koje bi činile operativnu rezervu. Širina fronta brigada koja je bila iznad svih doktrinarnih normi, tako da su jedinice tokom celog rata bile u problemu obezbeđivanja dovoljnosti snaga za alteratnivne zadatke i za intervencije na ugroženim pravcima u skladu sa borbenom situacijom.

4.66. Kakav je bio operativni položaj SRK zbog dugog fronta daleko iznad doktrinarnih normi i što nije imao dovoljno ljudi da popuni brigade, najbolje argumentuje dokument u kome komandant 1.K A BiH procenjuje borbenu gotovost SRK VRS. U tom dokumentu komandant 1.K kaže da SRK raspolaže sa 7 brigada, ukupno oko 8.000 boraca, da borbeni poredak ima u jednoj liniji, a da po dubini nema nikakvih snaga, da mu je težište angažovanja na Olovskom ratištu i da zbog toga u njegovom operativnom rasporedu postoje veliki prazni i neposednuti prostori koji su pogodni za ofanzivno dejstvo sopstvenih snaga i to ubacivanjem DTG u njegovu pozadinu.²⁷³ Zbog tih nedostataka sve aktivnosti SRK „... svode se na držanje straža na dostignutim linijama (...) i na dejstva naših IDG koje se ubacuju u pozadinu neprijatelja“.²⁷⁴

4.67. VRS u celini, posebno HK i SRK imala je stalni problem nedostatka ljudstva za popunu postojećih jedinica. Taj problem je bio i još naglašeniji zbog postojanja radne obaveze jer je znatan broj i to najkvalifikovanijih ljudi bio angažovan na zadacima u pogonima fabrika namenske proizvodnje, kao što su u Srpskom Sarajevu bili pogoni TRZ Hadžići, „Orao“ u Rajlovcu i „Pretis“ u Vogošći. Postojala je stalna napetost između potrebe za nesmetanom proizvodnjom u ovim pogonima i operativnih potreba za popunu jedinica na frontu.²⁷⁵

4.68. Glavne snage Armije BiH bile su usmerene iz više operativnih jedinica ka Sarajevu, i to iz pravca: Konjica, Visokog, Vareša, Zenice, Olova i Tuzle. Zato je stabilnost fronta na njegovom

⁸⁸ Dokument Komande 1.K A BiH „Oцена borbene gotovosti 1.K A BiH“, Str.pov.br.5/16-1 od 05.01.1994.godine.

²⁷⁴ Isti dokument, Tužilaštvo, br.02057576

²⁷⁵ Borbeni izveštaj 21.10.1993.godine i Dokument - Zahtev za angažovanje ljudstva iz Vazduhoplovnog zavoda „ORAO“ - Pov.br.20/15-787 od 02.07.1993.godine

spoljnom, tako i na unutrašnjem prstenu bila stalno neizvesna. Za komandovanje snagama VRS na Sarajevskom ratištu stalni problem je bio uslovljen namerama A BiH da u vojnom smislu potpuno deblokira muslimanski deo Sarajeva, otvori operacijske pravce ka svojim korpusima koji su delom snaga bili angažovani prema Sarajevskom ratištu. Time bi oko 170.000 Srba krenulo u egzodus i bilo prognano. U svim borbenim dokumentima vidljivo je da to Sarajevsko-romanijki korpus nije smeo dozvoliti po bilo koju cenu, jer bi to direktno vodilo u opšti ratni poraz. VRS nije držala Sarajevo pod opsadom nego je branila deo grada Sarajeva gde je srpski narod bio većina.

4.69. Prvi korpus A BiH je bio u izrazitoj prednosti nad SRK, na najvećem delu fronta, u pogledu posednutih prostornih objekata i njihovih vojnih karakteristika.²⁷⁶ SRK bio je u prednosti na delu fronta od Zlatišta do Radave i to pre svega zato što se nad tim delom fronta uzdizao Trebević i spuštale južne padine planine Ozrena. Te planine su kontrolisale snage SRK. Kada se ima u vidu da je Trebević svojom padinom prema Sarajevu veoma strm i pošumljen, te da je Ozren dosta udaljen od položaja 1.K A BiH. Može se istaći da reljef obe te planine nije pogodan za razmeštaj pešadijskih snaga i njihovo dejstvo, a posebno ne za artiljerijsku podršku i upotrebu oklopnih jedinica. SRK imao je prednost u artiljeriji i u oklopnim jedinicama u odnosu na 1.K A BiH, na drugom delu fronta koji je imao manevarski karakter i na taj način uspevao je da kompenzuje veliku inferiornost u brojnosti žive sile.

4.70. Kada analiziramo liniju fronta na satelitskom ili panoramskom snimku Sarajevskog ratišta, veoma se lako može steći pouzdan utisak o taktičkom značaju i važnosti pojedinih objekata, a time i o prostornim prednostima 1. K A BiH nad SRK VRS.

- Od istoka ka Zapadu i dalje ka jugu, uočava se da se iznad naselja Lipe i Bistrik u starom delu Sarajeva uzdižu objekti Debelo brdo i Čolina kapa. Sa tih položaja se uspešno kontrolišu srpski položaji na severnim padinama Trebevića, a naročito se pod potpunom kontrolom drži taj deo Sarajeva i srpski položaji na Jevrejskom groblju i na Vracama;
- Objekat Grdonj se uzdiže nad sarajevskim naseljima Sedrenik i Koševo, a odatle se uspešno kontroliše i objekat Špicasta stijena, gde su se nalazili položaji snaga SRK. Položaji muslimanskih snaga na Grdonju nadvišavaju i položaje SRK prema Radavi (Koševska brigada, a kasnije 3. sarajevske lake pešadijske brigade);
- Sa objekta Hum i Humsko brdo u potpunosti se može uspostaviti vatrena i taktička kontrola nad celim rejonom Koševa i Kobilje glave sve do Poljina na severu, a tu kontrolu je bilo moguće protegnuti i ka jugu sve do Vraca i Grbavice, pa čak i prema Trebeviću;
- Sa objekta Orlić i Žuč se vrlo efikasno mogla uspostaviti taktička i vatrena kontrola šireg rejona Vogošće i doline reke Bosne sve do Rajlovca. Toliko se radi o nadvišujućim položajima relativno male udaljenosti u odnosu na položaje SRK prema Vogošći i Priboju i Dvoru (dolina Bosne), da je sa njih kontrola bila moguća i masovnim pešadijskim, a ne samo minobacačkim i artiljerijskim naoružanjem;
- Objekti Briješće brdo i Švabino brdo, odnosno Sokolje, pružaju povoljne mogućnosti za dejstvo po Rajlovcu, Barama i Doglodima, tj. za kontrolu obje obale Miljacke i Bosne od Stupa do Butile i od Butile do Dvora;
- Igman planina jeste strateška tačkasa koje su muslimanske snage 1.K A BiH efikasno ugrožavali srpske položaje od Krupca i Vojkovića na istoku do Plandišta, Ilidže i Hadžića na zapadu, kao i aerodrom Butmir;

²⁷⁶ Vidi kartu obostranog rasporeda snaga na Sarajevskom ratištu..

- Sa brda Mojnilo i brda Hrasno koja se prostiru celom dužinom prostora od Vraca do Nedarića uspešno se uspostavlja kontrola srpskog dela Sarajeva, a gde su bili položaji SRK. To su: Nedžarići i Dobrinja, Lukavica, Vraca i Grbavica.²⁷⁷

4.71. Kada se uzmu u obzir navedeni argumenti, tada vrlo neuverljivo zvuči tvrdnja koja se ponavlja, u dokumentima Tužilaštva, o tome da su „...Srbi na samom početku rata poseli nadvišavajuće položaje oko Sarajeva odakle su tukli po Sarajevu.“ Istina je sasvim drugačija: Muslimani su poseli najveći broj dominantnih objekata u neposrednoj blizini Sarajeva, odakle su uspešno kontrolisali najveći deo starog grada Sarajeva i položaje koje su posele jedinice SRK na unutrašnjem delu Sarajevskog ratišta, u odbrani sarajevskih opština i sela u kojima su Srbi bili većina.

4.72. Od navedenih nedvišavajućih objekata oko Sarajeva, Muslimani su na samom početku rata zauzeli Mojnilo brdo, Debelo brdo (kasnije su tu došle snage UNPROFOR-a), Čolinu Kapu, Grdonj, Hum i Humsko brdo, Brijesće brdo, Sokolj i Igman. Jedino su Žuč i Orlić koje su snage SRK izgubile krajem 1992. godine, bili takođe dominantni objekti. Taj hendikep dominantnih položaja SRK je nastojao da nadoknadi, ali to nije uspeo do kraja rata. To je i bio razlog što je najveći deo borbenih dejstava SRK tokom celog rata bio u funkciji odbrane nepovoljnih taktičkih pozicija u odnosu na položaje 1.K A BiH. Jedino su snage SRK uspele da poprave taktički položaj na delu fronta u širem rejonu Ilidže - naselje Otesu, u decembru 1992. godine i operacijom „Lukavac 93“, kada su oslobođene teritorije koje je zauzela A BiH u leto 1992. godine.²⁷⁸

4.73. Iako su snage 1.K A BiH u Sarajevu bile u poluokruženju, dubina prostora koji obuhvata urbani deo grada koji su te snage posele omogućavala im je uspešnu primenu manevra po unutrašnjim taktičkim pravcima, čime su u svakom trenutku mogle da osujete namere SRK da na nekom od taktičkih pravaca bitno popravi svoj taktički položaj. Upravo je u tom pogledu SRK bio u izrazito nepovoljnom položaju u odnosu na 1.K A BiH. Put preko Trebevića, tzv. „Put života“ vodio je gotovo uz samu liniju razdvajanja i bio je pod stalnom vatrom muslimanskih snaga iz gotovo svih oružja, a najviše snajpera. Posebno su bili aktivni snajperisti na položajima na Debelom brdu i Čolinoj kapi. Putovanje tom deonikom puta bilo je potpuno neizvesno, a na najugroženijim delovima postavljane su antisnajperske zaveses.

4.74. Ovo stanje najbolje ilustruje borbeni izveštaj kojeg je sredinom 1993. godine komandant 1. sarajevske mehanizovane brigade uputio Komandi SRK. U njemu se ističe da su snajperisti neprijatelja sa Debelog brda prema Grbavici veoma aktivni i da je od njihovog dejstva poginula jedna žena u Zagrebačkoj ulici. Takođe, izveštaj ukazuje i na aktivnost neprijatelja sa Mojnila brda iznad same Lukavice i Dobrinje. Da bi „put života“ učinio bezbednim za saobraćaj, komandant 1. smbr na delu kod motela „Osmice“ - Anđina kuća, podiže zid kombinovane građe od napunjenih džakova i dasaka. Na ovu meru muslimanska vojska uzvraća protivmerom - pali šumu ispod puta prema Trebeviću, očekujući da vetar koji je duvao u smeru puta vatru donese do mesta izvođenja radova i tako onemogućiti podizanje zaštitne maske od snajperskih dejstava i osmatranja.²⁷⁹

4.75. Bez obzira na to kakve su efekte izazivale ove mere i protivmere ratujućih strana, nedvosmisleno se može zaključiti da jedini put kojim su snage SRK mogle izvršiti manevar po spoljnim taktičkim pravcima radi prebacivanja snaga sa jednog dela Sarajevskog ratišta na drugi, nije bio bezbedan.

²⁷⁷ Vidi šire, Radovan Radinović, Ekspertiza za Sarajevo, 2002. Str.70

²⁷⁸ Isto.

²⁷⁹ Prema Radovan Radinović, isto, str 69., Vidi Borbeni izveštaj 1.Smbr Str.pov.br.3-630/2, od 23.06.1993.godine.

4.76. Između dva dela fronta koje su držale srpske snage Ilidže i Dobrinje udaljenje vazdušnom linijom iznosi oko 2,5 kilometara. Preuzimanjem aerodroma Butmir od strane UNPROFOR-a u junu 1992. godine, direktan manevar snagama je bio onemogućen, tako da je i jedinicama VRS suštinski trebao tunel ispod aerodroma. Preko teritorije obilazno oko grada trebalo je putovati i do 120 km. I to je bilo veoma teško i rizično zbog dejstava muslimanskih snaga 1.K A BiH i snajpera na mnogim kritičnim tačkama puta.

4.77. Odnos snaga na Sarajevskom ratištu naglo se promenio na štetu srpske strane pod uticajem više činilaca, a pre svega zbog mera koje je preduzimao UNPROFOR, počev od grupisanja i stavljanja pod kontrolu artiljerijskog, minobacačkog i tenkovskog naoružanja, zatim i izmešanja tog naoružanja na 20 kilometara od centra Sarajeva. Takođe, odnos snaga se menjao na štetu SRK i pod uticajem gubitaka koje je SRK trpeo od dejstva 1.K A BiH, trošenjem resursa i zbog jačanja namenske proizvodnje na muslimanskoj strani i stabilnim snabdevanjem, preko Hrvatske, pre i nakon hrvatsko-muslimanskih sukoba. Oružje i municija čak su krijumčareni i u konvojima humanitarne pomoći, o čemu postoji više dokaza.²⁸⁰

4.78. Ograničenja koja je srpskoj strani na Sarajevskom ratištu nametala međunarodna zajednica, preko UNPROFOR-a, na duže staze su SRK lišavali jedine prednosti u tehnici sa kojom su raspolagali u odnosu na 1.K A BiH. Na taj način direktno je menjan odnos snaga u korist 1.K A BiH i data mu je prednost u ljudskom faktoru. Već od 1994.godine to je bilo vidljivo iz meseca u mesec po broju napada u samom gradu, njegovoj periferiji, i izdvajanju velikih snaga 1.K na drugim delovima ratišta u BiH. Oспорavanje dejstava SRK ide do krajnosti tako što njegova legitimna odbrana proglašava dugoročnim planom terorisanja civilnog stanovništva. Takvo upravljanje ratom ne poznaje savremena istorija. Sarajevsko-romanijskom korpusu je uskraćena jedina prednost koju je imao u odnosu na 1.K A BiH, a to su teško naoružanje i oklopnomehanizovane snage. SRK zbog njegove „prekomerne primene vatre iz oruđa većih kalibara“. Dakle, prva grupisanja oruđa pod kontrolom međunarodnih posmatrača desila su se u prvoj polovini juna 1992. godine,²⁸¹ potom u nekoliko navrata 1993. godine, da bi konačno SRK bio lišen te prednosti nakon masakra na Markalama februara 1994. godine.²⁸² To je bio deo strategije A BiH i muslimanskog političkog rukovodstva.

4.79. Sarajevsko-romanijski korpus je praktično bio prinuđen da dozvoli sprovođenje organizovane logistike snaga neprijatelja, što je bez sumnje i najveći apsurd rata na tom delu strategijskog fronta u BiH. Iako su UNPROFOR, VRS i A BiH, znali da se humanitarna pomoć civilnom stanovništvu koristi i za snabdevanje muslimanske vojske i da se zloupotrebljava za krijumčarenje borbenih i ubojnih sredstava²⁸³, vršen je stalni pritisak na VRS da se ne ometa

²⁸⁰ Lučarević: "Bitka za Sarajevo", izd. Sarajevo, 2000. godine, str.245-247.

²⁸¹ Komandant SRK je prvi put 14.06.1992. godine, od svojih komandanata tražio lokaciju artiljerije, da bi te podatke mogao dostaviti Glavnom štabu VRS, koja je već tada bila u pregovorima sa UNPROFOR -om oko kontrole artiljerije na vatreim položajima. Precizne lokacije vatreim položaja 1. i 2. sarajevske, 1. romanijske i ilidžanske brigade, kao i Sarajevskog puka ARJ i PVO dati su u dokumentu Komande SRK, Str.pov.br. 10/74-65, od 14.06.1992. godine.

²⁸² Sporazum o grupisanju oružja u vreme preuzimanja aerodroma (jun 1992.) i Sporazum Milovanović-Rouz o izmeštanju teškog oružja (iznad 12,7 mm) na daljinu veću od 20 km od centra Sarajeva, tzv. zona isključenja.

²⁸³ Lučarević, isto, str. 246. U jednom od Dnevni izveštaja Ilidžanske brigade navodi se primer zloupotrebe humanitarnih konvoja za krijumčarenje ubojnih sredstava za jedinice 1.K A BiH: "Sinoć oko 20,30 sati na kontrolom punktu u Kasindolskoj ulici zaustavili smo i pregledali konvoj humanitarne pomoći namenjen gradu Sarajevu. Konvoj je sačinjavao 7 kamiona i jedan džip. Prilikom pregleda pronašli smo veću količinu municije za "Broving" i sanitetskog materijala što nije bilo na listi robe koja se prevozi..." Vidi: Dnevni izveštaj Komande Ilidžanske brigade, Str.pov.br. 19/9497, od 09.04.1994.godine.

sloboda kretanja humanitarnih konvoja ka Sarajevu.²⁸⁴ Deo te humanitarne pomoći: odeća, obuća, hrana, lekovi i sredstva za ličnu higijenu i gorivo izuzimala je A BiH, jer joj je to dodeljivano, a ti artikli su činili najveći deo snabdevanja A BiH neborbenim sredstvima. Bilo bi sasvim u skladu sa principima vojne doktrine da je SRK onemogućavao logistiku snaga 1.K A BiH. Medijska kampanja, propaganda muslimanskih snaga o ugroženosti civilnog stanovništva, kao i osuda dela međunarodne javnosti nametnuo je potpuno drugačije principe ratovanja i odnosa sukobljenih strana. SRK nije raspolagao snagama sa kojima bi uspešno pokrio sve operativne potrebe za uspešno držanja fronta u celoj zoni odgovornosti. Širina fronta SRK-a od oko 237 kilometara znatno je prevazilazila mogućnosti korpusa da taj front posedne odgovarajućom gustinom vojnih snaga. To se prevashodno odnosilo na spoljni strateški prsten na prilazima Sarajevu. Najosetljivija mesta na spoljnom strateškom prstenu na Sarajevskom ratištu bila su Nišićka visoravan i pravci koji su od Olova i Breze izvodili ka Semizovcu i Ilijašu, a odatle prema Vogošći i delu grada Sarajeva pod muslimanskom kontrolom, te od Goražda i Prače ka Podgrabu i od Trnova ka Grabu i odatle ka Krupcu i Sarajevu. Na oba ta pravca pretela je opasnost proboja muslimanskih snaga ka Sarajevu, čime bi se odvojila Srpska Hercegovina od centralnog dela RS i ugrozili strateški ciljevi borbe i opstanka srpskog naroda u BiH.²⁸⁵

4.80. Nedostatak ljudstva u odnosu na dužinu fronta SRK je često rešavao usitnjavanjem jedinica, skidanjem snaga najnižeg taktičkog nivoa, sa jednog dela fronta i njihovim upućivanjem na druge delove fronta. To usitnjavanje jedinica je išlo dotle da se komandant korpusa morao ponekada baviti zadacima vodova i četa, što je gotovo nezapamćena praksa u istoriji vojne nauke i prakse.²⁸⁶ Takvo stanje usložavalo je komandovanje u svim borbenim uslovima.

4.81. U aprilu 1994. godine SRK je pristupio formiranju jurišnih bataljona kao manevarskih snaga.²⁸⁷ Obično je od delova dve do tri brigade formiran jedan jurišni bataljon. Nije, međutim, tačna tvrdnja nekih autora, da 1.K A BiH nije raspolagao odgovarajućom podrškom. O tome postoje brojna dokumenta i jedne i druge strane. U ovoj ekspertizi već je pokazano da je 1.K na samom početku rata raspolagao sa brigadnom artiljerijom i minobacačima. Treba, naravno, imati u vidu činjenicu i iskustva svih narodnih vojski da na početku ne mogu imati sve elemente borbene moći razvijenih armija. No, dokument u kojem Komanda OG „Igman“ daje mišljenje Komandi 1.K o nekoj nabavljenoj municiji za haubice, jasno se vidi da njihova artiljerijska podrška uopšte nije bila za potcenjivanje čak ni na početku 1993. godine. Tu se tvrdi sledeće: „Operativna grupa „Igman“ poseduje haubicu 152 M-84 „Nora“ i haubicu 152 D-20...“²⁸⁸ Takođe, pri analizi borbenih dejstava 1.K A BiH, posebno u 1. Mehanizovanoj brigadi a posle 111. slavnoj brigadi A BiH jasno se vidi da je od samog početka rata imala artiljerijski divizion za podršku, mešoviti protivoklopni artiljerijski divizion koji je upotrebljavan za neposrednu vatrenu podršku i dejstvo po jedinicama SRK VRS, koje su branile Vogošću na ključnim položajima i kotama.

²⁸⁴ Primer zloupotrebe vozila UNPROFOR-a za krijumčarenje ubojnih sredstava za muslimansku stranu iznosi Komanda Iliđanske brigade u svom Dnevnom izveštaju. U tački 3. toga izveštaja on kaže: „Pogranična milicija je danas u 12,30 sati, vršeci rutinsku kontrolu jednog transportera UN (Francuski bataljon UNPROFOR-a) pronašla 7 (sedam) sanduka MB mina 82 mm. Nisu imali nikakvih dokumenata kome vuku mine...“ Vidi Dnevni izveštaj br.19/9798, od 1994. godine.

²⁸⁵ Vidi šire, Radinović, R., Ekspertiza o Sarajevskom ratištu, Beograd, 2000, str.73-74

²⁸⁶ Vidi Naređenje Komande SRK Komandi Ilijaške brigade i TG „Olovo“, Str.pov.br.0/224, od 28.02.1994. godine

²⁸⁷ Naređenje komandanta SRK, Str.pov.20/15-1211 od 22.10.1993. godine

²⁸⁸ Komanda OG „Igman“ - mišljenje o nabavljenoj municiji, Pov.br.02-5/11, od 12.03.1993.godine.

4.82. Imajući uvidu činjenicu da su ratujuće strane bile celo vreme rata u neposrednom borbenom dodiru, da su bile na međusobnoj udaljenosti od nekoliko stotina pa do nekoliko desetina metara, te da su linije razdvajanja u urbanim naseljima vodile i duž pojedinih ulica, pa čak i zgrada, tada se vidi da teška tehnika i vatrena podrška nisu mogle ni doći do velikog izražaja. Muslimanske snage su težišno posedale urbani stari deo grada i u tom delu držale su mobilne prenosne i samopokretne borbene sisteme za vatrenu podršku, protivoklopnu borbu i protivvazduhoplovnu odbranu. Tu tehniku je bilo moguće lako i prikriveno razmeštati, premeštati po utvrđenim otpornih tačaka. Može se reći da su snage 1.K A BiH imale savremeniji koncept opremanja ratnom tehnikom od koncepta SRK.

4.83. Način upotrebe snaga 1.K A BiH bio je primereniji urbanom ratovanju nego koncept koji je primenio SRK. SRK je bio prinuđen da primeni isključivo linijski raspored, uz statično držanje položaja, bez taktičke dubine i rezerve. Za razliku od toga, 1.K A BiH je, zbog neuporedivo većih ljudskih resursa, bio je mnogo pokretljiviji i imao je aktivniji front. Na liniji razdvajanja je držao samo posadne snage, a po dubini je držao slobodne manevarske snage koje je koristio za aktivna dejstva i iznenadne udare na jedinice SRK. To im je omogućilo često upadanje u rejon rasporeda jedinica SRK, nanošenje velikih gubitaka i isto tako brzo povlačenje u dubinu zone odbrane. Muslimanska strana je kao primarni cilj zacrtala da spoji snage na spoljnom i unutrašnjem sarajevskom frontu, a srpska da to onemogući. Otuda je SRK morao zatvoriti ceo prostor, jer nije bilo moguće unapred predvideti pravce glavnog udara za proboj muslimanskih snaga iz Sarajeva ka spoljnom prstenu. Vojna i bezbednosna kontrola stanja na Sarajevskom ratištu, u zoni odgovornosti 1.K A BiH u prvoj fazi rata bila je teška jer je u gradu delovalo desetak vrsta oružanih grupa sa paravojnim obeležjima. Svaka od tih grupa je bila uspostavila kontrolu nad jednim delom grada, gde je formirala čak i svoje privatne zatvore u kojima su zatvoreni, mučeni, zlostavljani i zverski ubijani srpski civili.²⁸⁹ Već u prvim godinama rata, te bande su faktički opljačkale grad,²⁹⁰ formirale sopstvene baze za snabdevanje i ilegalno trgovali deficitarnom robom. Te grupe su u potpunosti kontrolisale izlazak civila iz Sarajeva i to veoma skupo naplaćivale. Samo je u jami „Kazani“, na padinama Trebevića, otkriveno oko 200 ubijenih Srba, a potpuna istina još nije poznata jer se ne raspolaže informacijama da je jedan deo leševa zatrpan miniranjem kamena. Na čelu tih naoružanih grupa bili su ljudi sa debelim kriminalnim dosijeima tipa Mušana Topalovića- Caca, Juka Prazina, Ćelo i dr. Mnogi od njih su bili i komandanti vojnih i policijskih jedinica u sastavu MUP-a za Sarajevo i BiH, kao i u sastavu 1.K A BiH. Za neke je lično znao i sa njima često neposredno komandovano Alija Izetbegović, kao što su i Juka Pazina, Caco, Ćelo, itd, a o svemu tome su znali čelnici vojske i policije.²⁹¹

²⁸⁹ Pašalić S.: „Stradanje Srba i srpskih naselja u bivšoj BiH“, str.109-112 i 126-127.

²⁹⁰ Šiber, S.: "Prevare, zablude, istina", str.153.

²⁹¹ Prema Radovan Radinović, Ekspertiza za Sarajevo, 2002. godine, „Caco“ (komandant 10. brigade 1.K A BiH) svima govori da sluša i izvršava naređenja samo Alije Izetbegovića, a ne Sefera Halilovića, a pogotovo komandanta 1. korpusa, ili ikog iz Armije BiH", Šiber, Š., "Prevare, zablude, istina", str.206. Na jednom drugom mestu, na str. 186 svoje knjige, ali drugim povodom (protest generala Moriona zbog dejstva artiljerije 1.K iz blizine komande UNPROFOR-a), Šiber priznaje da je Morion u pravu, tj. da su neki pripadnici 1.K zaista dejstvovali i pretpostavlja da su Jukini, Ćelini ili Topini i da oni neće u „suru“. To znači da su izvan sistema i lanca vojnog komandovanja. A radi se o tri vrlo visoka vojne komandanta. Ako tri komandanta brigade, od kojih je jedan i komandant specijalne brigade, nisu pod vojnom i policijskom kontrolom, blizu smo zaključka da muslimanska vojna i politička vlast nije bila u stanju da kontroliše svoje snage, već se većina njih ponašala kao paravojna i da su te paravojske bile lične garde tih moćnika sa kriminalnim dosijeima i mračnom prošlošću.

Posebnu pažnju u ovoj priči o kriminalnoj prošlosti komandanata brigade 1.K A BiH zaslužuje 4. motorizovanja brigada toga korpusa. Ona je formirana odmah po formiranju A BiH (09.04.1992. godine) i to pod okriljem kriznog štaba opštine Ilidža, sa komandnim mestom u Hrasnici. Brigada je formirana uglavnom od ljudi sa kriminalnom prošlošću, a njena policijska i izviđačko-diverzantska jedinica od okorelih kriminalaca. Komandir

4.84. UNPROFOR je bio izrazito naklonjen muslimanskoj strani, verovatno pod uticajem medijskih manipulacija o Muslimanima kao „žrtvama srpske agresije“. Kao takav, UNPROFOR je direktno uticao na neke odluke koje su bile suprotne ciljevima za koje se borila VRS. Tu spadaju:

- Napad na kolonu Komande 2. vojne oblasti pri izvlačenju iz Sarajeva uz garancije UNPROFOR-a. Te garancije nisu sprečile masakr u Dobrovoljačkoj ulici 03.05.1992. godine. UNPROFOR nije preduzeo adekvatne mere u vezi sa tim zločinom, a ni do danas zločinci nisu privedeni pravdi;
- Kontrola sarajevskog aerodroma od strane UNPROFOR-a omogućila je muslimanskoj strani da koristi taj prostor za manevar snaga i za snabdevanje. Prokopavanjem tunela ispod aerodromske piste, muslimani su te mogućnosti još i povećali ;
- Prekidom operacije „Lukavac 93“, UNPROFOR je prisilio VRS da se povuče sa oslobođenog prostora i vrati skoro na iste položaje iz juna 1993. godine i na taj način prepusti kontrolu prostora na Igmanu, odnosno između Igramana i Bjelašnice.²⁹² Od tada taj prostor postaje oslonac za muslimanske napade na srpske teritorije i za ugrožavanje koridora ka Trnovu i dalje ka Foči i Podrinju. U jednoj od takvih akcija ubijeno je 23 pripadnika VRS, uključujući i 4 medicinske sestre, što je po definiciji ratni zločin.²⁹³ Ni taj zločin nije naterao UNPROFOR da koriguje sopstveno ponašanje. Ovo je drugi flagrantan primer nedoslednosti i nekorektnosti mandata UNPROFOR-a, i zloupotrebe tog mandata od strane A BiH.

Pored pritužbi UNPROFOR nije reagovao protiv snaga 1.K A BiH na prostoru Igmana i Bjelašnice, koje su zloupotrebljavale Sporazum sklopljen između VRS i UNPROFOR -a o prepuštanju prostora između Igmana i Bjelašnice pod kontrolu UNPROFOR -a. Taj deo prostora koji su snage VRS bile oslobodile u toku operacije „Lukovac 93“ po Sporazumu od 13.08.1993. godine stavljen je u status UNPA zone, a to znači da je morao biti ispražnjen od vojnih snaga

te specijalne jedinice policije bio je musliman iz Plava (Crna Gora), prosvetni radnik, poznati muslimanski šovinista, Amir Šabović. Udarni odred te brigade bili su pripadnici HOS-a, obučeni u crne kombinezone i sa crnom trakom oko glave (ustaški simboli). To su bili dobrovoljci iz redova muslimana u ratu u Hrvatskoj, pa su se smatrali pripadnicima Hrvatske vojske. Brigada je imala i svoj mobilni odred koji nije držao položaj, već je bio oslobođen za obavljanje obaveštajno-operativne zadatke: "teror, pljačka, razbojništvo, silovanje". Već 22.04.1992. godine ovi "slobodni strelci" su na opštini Ilidža zaveli strahovladu i apsolutnu kontrolu srpskog stanovništva. Tog 24.04.1992. godine napadnuta je teritorija srpske opštine Ilidža i učinjeni masovni zločini prema civilnom stanovništvu. Na teritoriji pod kontrolom ove brigade - u Hrasnici - formiran je zloglasni logor za Srbe, o kojem je Danilo Dželetović objavio knjigu. Inače, detalje o zločinima te brigade i njenih delova prema srpskom stanovništvu u Hrasnici i bližoj okolini moguće je pronaći u knjizi Danila Dželetovića "Zločin u Hrasnici", koju je izdalo preduzeće "Fopis", Srpsko Sarajevo, 2000. godine, naročito na stranama od 63-87.

Jedan od načina zlostavljanja civilnog stanovništva srpskog porekla od strane komandnog sistema 1.K A BiH je angažovanje civila i zatvorenika za inženjersko uređenje položaja: kopanje rovova, saobraćajnica, adaptacija civilnih objekata za vojne potrebe, kopanje tunela ispod aerodroma, kojeg su šifrovano nazvali "D-B" (a u prevodu Dobrinja-Butmir, jer je spajao ta dva naselja u rejonu aerodroma), tunela na liniji Stupsko brdo - kasarna Nedžarići i dr. Znalo se da su ti ljudi bili vrlo ugroženi kada dođe do međusobne razmene vatre na linijama razdvajanja. U tim slučajevima muslimanska snage bi obično likvidirale deo angažovanih zatvorenika pod izgovorom da su pokušali bekstvo (o tome vidi dokument bez broja od 26.05.1993. godine - Tužilaštvo, na mestu u dokumentaciji označeno sa brojem 305). U Naređenju Str.pov.br.23/1619-1 od 10.09.1993. godine, komandant 102. mtbr 1.K A BiH obaveštava komandanta 4. mtb da će mu u vremenu od 15-21.10. biti na raspolaganju od 150-200 ljudi za radove na uređenju položaja, a komandant 4. motorizovane brigade naređuje da se za uređenje položaja koriste zatvorenici iz Hrasnice. Vidi Naređenje Pov.br.3689/93, od 11.06.1993.godine.

²⁹² Sporazum između UNPROFOR -a i GŠ VRS.

²⁹³ Borbeni izveštaj o stradanju pripadnika VRS iz septembra 1994.godine.

ratujućih strana, osim snaga UNPROFOR -a, koje u načelu nisu bile jedna od sukobljenih strana.²⁹⁴

4.85. UNPROFOR ni muslimanske snage Sporazum za Bjelašnicu i Igman nisu ispoštovale. Muslimanske snage su, po cenu incidenta sa UNPROFOR-om, odlučile da zloupotrebe taj Sporazum i preko UNPA zone napadnu i iznenade jedinice VRS. To se jasno vidi iz dokumenta u kojem komandant 1.K general Karavelić, nalaže sledeći postupak prema snagama UNPROFOR-a:

- sakriti i maskirati dovodenje jedinica i prilaz kroz UNPA zonu;
- u slučaju da budu otkrivene, pokušati da dogovorno razreši spor, ali nastaviti izvršenje zadatka;
- u slučaju da UNPROFOR pokuša silom sprečiti izvršenje zadatka, odgovoriti recipročno.
- Dakle, očito je da je komandant 1.K već bio odlučio da ignoriše svako upozorenje od strane UNPROFOR-a.²⁹⁵ To je očit primer nekorektnog odnosa prema međunarodnim snagama koje su im pre godinu dana omogućile opstanak na Igmanu.
- - UNPROFOR je direktno borbeno delovao protiv SRK, ili se raznim svojim taktičkim postupcima i manevrom postavljao tako da može uticati na efikasnost dejstava jedinica SRK, a u korist 1.K A BiH. Verovatno je to bio izraz slučajnosti a ne namere da se utiče na ishod ratnih dejstava, ali se takvo ponašanje mora registrovati kao jedan od metoda kojim je UNPROFOR uticao na odnos snaga u dinamici ratnih dejstava na Sarajevskom ratištu. Teško je poverovati u slučajnost nekih događaja i delovanja UNPROFOR-a.²⁹⁶

4.86. Imajući u vidu činjenice da je Sarajevo bilo podeljeni grad, te da su linije razdvajanja vodile kroz naselja, duž pojedinih ulica, čak i kroz pojedine zgrade na Grbavici, može se govoriti i o podeljenosti naroda, komšija i porodica, kao posledici urbanog ratovanja. U uslovima tako bliskog borbenog kontakta bilo je relativno jednostavno prirediti manipulacije na osnovu kojih bi se okrivila srpska strana, što se danas pokazuje u najnovijim saznanjima da je činjeno veoma često, po cenu nanošenja gubitaka i svom narodu.

4.87. Muslimanska strana je izuzetno mudro i lukavo, uz naklonost međunarodne zajednice i svetskih medija, svoju drugu izrazitu prednost u opštem odnosu snaga pronašla i u snajperskim dejstvima. U uslovima urbanog ratovanja, kakvo je bilo na Sarajevskom ratištu, snajperska dejstva su bila daleko efikasnija od bilo koje i kakve artiljerije ili minobacača. Moglo bi se reći, jedinice 1.K A BiH su pored prednosti u živoj sili imale prednost i u snajperima a dejstvo artiljerije iz grada ka periferiji to niko nije hteo da prikaže u medijima jer su Srbi unapred bili krivi po inerciji prvih slika građanskog rata.

4.88. Šta više, muslimanska strana je većinu dejstava sopstvenih snajpera po Sarajevu, pa i po onom njegovom delu koji je upravo ta strana kontrolisala, pripisala Srbima, odnosno SRK, pa je tako postizala dvostruki efekat: (1) dodatno je proizvodila medijski i politički pritisak na SRK da

²⁹⁴ Vidi šire, Radovan Radinović, Ekspertiza za Sarajevo, 2002. Str.80-81

²⁹⁵ Dopuna zapovesti za napad komandanta OG-1, Str.pov.br.3/727-2-1, od 07.09.1994.godine.

²⁹⁶ U svom Dnevnom izveštaju, komandant Ilidžanske brigade izveštava da su snage UNPROFOR -a sa dva tenka i dva oklopna transportera blokirale ulice u zoni odgovornosti 1. bataljona (Nedarići) i time u potpunosti odvojile taktičke položaje jedinica brigade između Nedarića i Ilidže, čime je onemogućen svaki borbeni uticaj komande brigade na stanje na frontu u Nedžarićima, što je inače bila najslabija tačka na celom operativnom rasporedu SRK u Sarajevu. Vidi: "Dnevni izveštaj Ilidžanske brigade", Str.pov.br. 19/8855, od 02.02.1994.godine, tačka 8.

odustane od legitimnih ciljeva participacije u kontroli Sarajeva, i (2) svakodnevno je A BiH razvijala propagandu kako SRK sprovodi terorisanje civila granatiranjem i snajperskim delovanjem. Doista je teško poverovati da UNPROFOR za svo vreme rata nije uspeo da prozre taj lukavi plan 1.K A BiH i pored savremenih osmatračkih sredstava sa zemlje i iz vazduha. Ipak medijska propaganda A BiH dovela je do satanizacije VRS na Sarajevskom ratištu i do podizanja optužnica protiv političkih i vojnih rukovodilaca.

4.89. Jedinice SRK na položajima oko Sarajeva pretrpele su ogromne gubitke, daleko iznad gubitaka koji bi bili primereni dosta niskom nivou borbenih dejstava na Sarajevskom ratištu. Ilustracije radi, samo je 2. sarajevska pešadijska brigada za dve godine rata, izgubila svakog četvrtog borca.²⁹⁷ Ti gubici bili su posledica snajperskih dejstava muslimanskih snaga i suzdržavanja srpskih snaga da adekvatno odgovore. Takođe treba imati na umu da su muslimanska snajperska gnezda po pravilu bila u stambenim zgradama ili u potkrovljima privatnih kuća. Svako vatreno dejstvo po takvim vatrenim tačkama proglašavano je za vatreno dejstvo po civilnim ciljevima. Takav nemoral i perfidije su osnova smišljene kampanje na kojoj se gradio „oreol Sarajeva grada pod opsadom i grada mučenika“.

4.90. U pogledu enormnih gubitaka u ljudstvu, još drastičnijim se može smatrati slučaj 213. čete prvog bataljona u Nedžarićima (Ilidžanska brigada). Komandant brigade je izvestio Komandu SRK da je stanje na tom položaju veoma teško, jer su samo za dva meseca izgubili 92 čoveka.²⁹⁸ Ako se zna da su čete tih bataljona brojale oko 90 ljudi, a ponekad i manje, ispada da je za dva meseca gotovo kompletan sastav čete morao biti popunjen novim borcima. Ne treba posebno naglašavati kakav poražavajući uticaj na stanje borbenog morala izazivaju toliki gubici. Ta činjenica je indikativna i za još jednu veoma bitnu karakteristiku borbenih dejstava na sarajevskom ratištu, a to je intenzitet dejstava. Nema sumnje da je toliko veliki broj izbačenih iz stroja na strani te brigade, odnosno tog njenog 1. bataljona pouzdan indikator da je odgovarajuća jedinica 1.K A BiH koja je držala položaje nasuprot tom bataljonu u Nedžarićima raspolagala odgovarajućim borbenim i vatrenim resursima pomoću kojih je ona bila u stanju da nanese tako velike gubitke. Odbrana je i na jednoj i na drugoj strani bila odsudna, jer bi radikalno pomeranje linije fronta i na jednoj i na drugoj strani dovelo do bitnog pogoršanja taktičkog položaja sukobljenih strana. Većina nanetih gubitaka posledica je delovanja muslimanskih snajpera sa solitera Studentskog naselja i solitera na Vojničkom polju. Osnovano je sumnjati da su pored jedinica na liniji fronta povremeno angažovani snajperisti pripadnici specijalne jedinice muslimanske državne bezbednosti „Ševe“.

4.91. Prema izvorima VRS, SRK je na Sarajevskom ratištu, u vremenu od 04.04.1992. godine do 31.12.1995. godine izgubio 2.333 borca i starešina a 128 pripadnika korpusa se vodi kao nestali, a i taj broj se može pridodati broju poginulih.²⁹⁹ Toliki gubici jesu pokazatelj dinamike borbe i primene snajpera i masovne vatre iz pešadijskog oružja, od strane jedinica 1.K A BiH. Sa druge strane, teško da bi, u kontekstu tako velikih gubitaka, bilo moguće podupreti tvrdnju Optužbe da je svoje glavne borbene resurse SRK usmeravao na civilne ciljeve i to da bi ih terorisao. Verovatnija bi bila teza da su glavni resursi SRK bili usmereni na vojne ciljeve u Sarajevu da bi ih onemogućili da nanose tolike gubitke, a pošto su ti ciljevi bili izmešani sa civilnim, civilne žrtve su neminovna kolateralna šteta prihvaćenog koncepta ratovanja u Sarajevu od strane 1. korpusa A BiH. Svi ključni događaji u Sarajevu jesu zloupotreba civilnih objekata kroz

²⁹⁷ U svojoj Zapovesti za napad komandant 1.K A BiH je procenio da je 2.Spbr u dotadašnjim borbama izgubila 25% ljudi i 50% materijalno-tehničkih sredstava. Vidi: dokument Str.pov. bez broja, od 05.12.1994. godine.

²⁹⁸ Vidi: Dnevni izveštaj Komande Ilidžanske brigade, Str.pov.br. 19/8841, od 31.01.1994. godine.

²⁹⁹ Dr Tonči Puša: Transkript izjave istražitelju Tužilaštva Haškog tribunala.

posjedanje položaja i način dejstva od strane jedinica 1.K A BiH. Kada se uporede stvarni gubici na Sarajevskom ratištu onda se očigledno vidi neodrživost tvrdnje o terorisanju civila granatiranjem i snajperskim dejstvima.

4. Glavne operacije na Sarajevskom ratištu i njihova osnovna obeležja

4.92. Operacije u Sarajevu, često su jednostrano i u funkciji medijske kampanje označavane kao opsada ili blokada Sarajeva, sa namerom da se i na taj način korišćenjem neprimerenih termina unapred Srbi osude za primenu necivilizovanih i neprimerenih metoda vojnog delovanja iz "srednjeg veka", kada su realizovane opsade gradova i kada je patilo i civilno stanovništvo, u osvajačkim pohodima. U suštini sva ta propaganda i medijska slika ne odgovara stvarnim činjenicama. Od deset opština grada Sarajeva četiri su bile pod kontrolom A R BiH, a šest pod kontrolom VRS. Nisu opštine u celosti kontrolisane prema administrativnoj podeli nego su pojedine bile podeljene linijama fronta uglavnom prema etničkom principu. To je pravi dokaz da se od početka rata u BiH radi o podeljenom gradu Sarajevu. Tendenciozno se tvrdilo radi medijske kampanje i lažne predstave za međunarodnu javnost, da su „opsadu“ sprovodile jedinice JNA, a kasnije VRS nad celim gradom Sarajevom. U blokadi je bio muslimanski i srpski deo Sarajeva, s tim da je muslimanski deo grada obuhvatao veći deo urbanog grada Sarajeva.

4.93. Na taj način stiže se utisak kao da su u gradu Sarajevu živeli samo Muslimani, a da je jedinice JNA, a potom VRS neko tu doveo kao agresore da sprovode „opsadu“, koja je trajala je od 5. aprila 1992. do zvaničnog potpisivanja Dejtonskog sporazuma 14. Decembra 1995. godine. Samo predratno multietničko Sarajevo je nažalost odmah sa početkom rata podeljeno po etničkoj liniji na deo pod kontrolom Muslimana i deo pod kontrolom Srba, koji je nazvan Srpsko Sarajevo, a potom Istočno Sarajevo. Prema izveštaju ekspertske komisije Ujedinjenih nacija iz 1994, blizu 10.000 ljudi je ubijeno ili nestalo, uključujući preko 1.500 dece. Prema Istraživačko dokumentacionom centru na teritoriji Sarajeva je po dosadašnjim podacima, život izgubilo 13.972 osoba, od čega 8.407 vojnika i 5.565 civila. Broj stanovnika je opao na 334.663 odnosno na 64% od predratnog broja stanovnika. Prema istraživanju Instituta za istraživanje srpskih stradanja u XX veku objavljenom u knjizi „Knjiga mrtvih Srba Sarajeva postradalih 1992-1995.“ u Sarajevu je u periodu od 1992. do 1995. stradalo 6.628 Srba. Institut za istraživanje srpskih stradanja u XX veku je nakon štampanja knjige 2005. objavio rezultate novih istraživanja u kome se navodi da je u Sarajevu stradalo ukupno 8.225 Srba. Zato se stradanje Srba u delu Sarajeva pod muslimanskom kontrolom poredi sa stradanjem Muslimana u Srebrenici. Stradanje Srba u Sarajevu desilo se u medijskoj tišini i u dužem vremenskom period. Do danas nisu otkriveni posmrtni ostaci mnogih stradalih niti je neko odgovarao za te masovne zločine. Bezuspešno se i danas traga za oko 3.300 ubijenih kojima se ne zna grobno mesto.

4.94. U ovom delu izveštaja radi sagledavanja celine oružanih sukoba na Sarajevskom ratištu date su osnovne informacije o ključnim operacijama koje su izvodile u podeljenom gradu Sarajevu snage 1.K A BiH i SRK VRS u sadejstvu sa drugim operativnim sastavima.

4.95. **Operacija „Koverta“** izvedena je sa ciljem proboja muslimanskih snaga iz Sarajeva tokom leta 1992. godine. Cilj operacije je bio da se 1. K A BiH spoji sa snagama u centralnoj Bosni i da širokim frontom proširi teritorije, protera srpsko stanovništvo prvenstveno iz opština Vogošća i Ilijaš, te da te dve opštine uključi u muslimanski deo grada Sarajeva. U tom smislu preduzeta su intenzivna ofanzivna dejstva na širokom frontu a posebno su bila usmerena ka Vogošći, radi zauzimanja kote 850 i Golog brda. Glavni štab A R BiH je odmah nakon neuspeha operacije "JUG-92" počeo planirati i pripremati novu, do tada najveću i najambiciozniju vojnu

operaciju u cilju deblokade Sarajeva, pod nazivom "Koverta".³⁰⁰ Zamisao operacije bila je, u suštini, varijacija na već isprobane, zamisli napada jedinica A BiH sa unutrašnje i spoljne strane prstena u podeljenom gradu Sarajevu. Pripreme za operaciju počele su početkom oktobra 1992. godine. U organizacijskim smislu najprije su formirane taktičke grupe Igman i Visoko, a zatim manevarske brigade na području Konjica i Jablanice. Krajem novembra 1992. godine taktičke grupe Igman i Visoko su preimenovane u operativne grupe u funkciji deblokade Sarajeva. Za tu operaciju bile su predviđene snage i iz svih drugih korpusa A R BiH osim 5. korpusa. VRS je raspolagala informacijama o pripremama A R BiH za veliku operaciju deblokade Sarajeva. Borbene aktivnosti preduzete početkom oktobra na području Dogloda, Azića, Otesa i Brijčšća, kao i ofanzivna dejstva na širem području Igmana i Trnova, imale su za cilj sprečavanje priprema i izvođenja ove operacije. Kako su pripreme operacije odmicala, povećavao se i nivo poznavanja njenog sadržaja i stepena priprema od strane VRS. Naređena dejstva jedinicama SRK preduzeta su s ciljem da se prvenstveno onemogući deblokada Sarajeva, a zatim stvore uslovi za ovladavanje Otesom, Kobiljom Glavom i Ugorskim.

4.96. Prvobitni plan operacije za jedinice 1. korpusa formulisan je već krajem oktobra 1992. godine. Zamisao se sastojala u obuhvatnom manevru združenih sastava s fronta i jedinica sa spoljne strane, pri čemu su glavne snage trebale biti angažovane na pravcu Hrenovica - Podgrab - Ravna planina, a pomoćne snage na pravcima Kijevo - Gornji Kotorac i Dvor - Reljevo. Do početka operacije došlo je do niza promjena, kako u rasporedu snaga, tako i u korekcijama pravaca napada, posebno na pravcu napada glavnih snaga.

4.97. I dok su se pripreme snaga A R BiH sporo odvijale, a planovi menjali i usložnjavali, protivudar su izvele snage VRS. Napad ukupnim snagama jačine dva bataljona ojačana sa 4 tenka i nekoliko oklopnih transportera, podržan snažnom artiljerijom SRK, počeo je 1. decembra 1992. godine. Srpske snage su imale dobar početni uspeh i prodrle u Sokolje.³⁰¹ Pod svakodnevnim napadima, odbrana A R BiH na Otesu je 4. decembra popustila. Time je odbrana Sarajeva dovedena u najkritičniju situaciju nakon maja 1992. godine. U takvoj situaciji, Štab Vrhovne komande OS R BiH izdao je naređenje jedinicama da otpočnu dejstva po planu "KOVERTA"

4.98. Snage za podršku jedinica na glavnom pravcu napada 1.K izvodile su sledeće jedinice: Oklopni bataljon, sa dva tenka, haubički artiljerijski divizion (had) i mešoviti protiooklopni artiljerijski divizion (mpoad). Kao vreme za početak napada određen je 5. decembar u 05.00 sati. Gusta jutarnja magla, koja je bila od koristi jedinicama u fazi podilaženja, onemogućavala je efikasno dejstvo tenkova i protiooklopnih oruđa jedinica A BiH. Čekao se trenutak u kada će vidljivost omogućiti upotrebu sredstava vatrene podrške. Napad je počeo u 7:00 sati vatrom tenkova, protiooklopnih topova i minobacača po linijama VRS.³⁰² I ovo je dokaz da jedinice 1. K A BiH u samom gradu Sarajevu pod njihovom kontrolom imale su i često koristile sredstva vatrene podrške.

³⁰⁰ Operacija je nosila kodni naziv "KOVERTA" i o tome svjedoči veliki broj sačuvanih dokumenata u Arhivi A R BiH.

²⁵⁴ A A R BiH, Komanda 1. korpusa, Dnevni borbeni izvještaj, Str. pov. broj 1226,01.12.1992.

A A R BiH, Komanda 1. korpusa, Razvoj b/d na Otesu u vremenu od 01-04. 12. 1992. godine, Izvještaj, Str. pov.

³⁰² Arhiv A R BiH, Komanda 1. mbr, Dnevni borbeni izvještaj, Pov. broj 01-132/92,06.12.1992.

4.99. U borbama narednih dana 1. mehanizovan brigada A BiH je 9. decembra ujutro nastavila napredovanje, i oko 10,30 izašli na kotu 850.³⁰³ Oslobađanje kote 850 predstavljalo je veliki uspjeh 1. mehanizovane brigade. Za ostvarenje bližeg zadatka definisanog zapovješću komandanta brigade, trebalo je još izaći na Golo brdo, na kojem su se snage VRS konsolidovale i pružale snažan otpor. Otpor snaga VRS bio krajnje uporan i žestok, i snage 1. mehanizovane brigade poslije izlaska na kotu 850 su neprekidno trpjele žestoku vatru iz svih vrsta naoružanja iz pravca Golog brda. Snage A R BiH koje su napadale na pravcu Vogošće, posebno 1. mbr, do 16. decembra su svoje uspehe platile velikim brojem poginulih i ranjenih. Za to vreme vršeno je uređivanje dostignute linije odbrane, opravak pristupnih puteva, izvlačenje i raspoređivanje artiljerijskih oruđa na nove položaje.

4.100. U narednih nekoliko dana snage Vogošćanske brigade VRS pretvorile su Mujkića-brdo u pravu tvrđavu, na koju je bila oslonjena poslednja odbrana Vogošće. Tog 28. decembra 1992. iz pravca Visokog, snage 7. muslimanske brigade zauzele su kotu Višegrad i delom snaga ušle u selo Gornja Bioča, čime su bila otvorena vrata za zauzimanje Ilijaša. Ni jedna od ove dve prilike nije realizovana i snage A R BiH su s obe strane vraćene na polazne položaje uz velike gubitke u živoj sili. Početkom februara 1993. godine na Zuč je izašao i predsjednik krnjeg Predsjedništva Republike Bosne i Hercegovine Alija Izetbegović, da, obilaskom linija i razgovorom sa borcima, oda priznanje za njihovu odanost u borbi i za napore koje su podneli.

4.101. **Masakri na Markalama** su dva značajna događaja koja su u medijima a time i u međunarodnoj javnosti uticali na karakter rata i na odnos prema stranama u sukobu. Masakr nad sarajevskim civilima za koje se tvrdi su počinjeni minobacačkim napadima tokom rata u BiH. Prvi masakr desio se 5. februara 1994. Kada je ubijeno 68 ljudi, a ranjeno 144. Drugi napad se desio 28. avgusta 1995. kada je ubijeno 37 a ranjeno oko 90 ljudi. Taj poslednji napad bio je povod za vazdušne udare NATO-a na Republiku Srpsku, koji će zajedno sa agresijom HV, nakon operacije Oluja i progona Srba iz Republike Srpske Krajine, dovesti do egzodusa srpskog naroda a potom i do Dejtonskog mirovnog sporazuma i kraja rata u Bosni i Hercegovini.

4.102. Prema sudskim presudama za oba slučaja je odgovorna Vojska Republike Srpske, a prema izveštaju nezavisne komisije iz 1995. godine, ne postoje jasni dokazi za to ko je odgovoran kod prvog napada na pijacu Markale, što je potvrdio lično i Jasuši Akaši, izaslanik generalnog sekretara UN za Balkan. Zbog toga mnogi eksperti smatraju da su muslimanske snage inscenirale, bolje rečeno izvele oba napada kako bi izazvale NATO bombardovanje Republike Srpske, umanjile njene operativne sposobnosti u završnim operacijama. Nekadašnji specijalni izaslanik UN Jasuši Akaši izjavio je 2011. godine da je još uvek nejasno ko je počinio zločin na pijaci Markale 1994. godine. Jasuši Akaši je u vezi sa događajima na Markalama 1995. godine osnovao Odbor Ujedinjenih naroda od pet stručnjaka iz pet različitih zemalja, koji je na osnovu podataka utvrdio da je granata mogla biti ispaljena sa lokacije pod kontrolom Armije RBiH ili Vojske Republike Srpske. Tako da je prema istraživanjima UN slučaj ostao nerazjašnjen.

4.103. Prema izveštaju BBC novinara Džima Fiša, prvi masakr na pijaci Markale se desio između 12.10 i 12.15 sati, kada je minobacačka mina kalibra 120 milimetara udarila u prepunu pijacu Markale. Spasilačke jedinice i osoblje UN odmah su pritekli u pomoć brojim žrtvama. Većina zapadnih medija su odmah unapred, bez istrage naveli Srbe kao izvršioce tog monstruoznog zločina. To se i uklapalo u opšti kontekst odnosa prema VRS i RS. Muslimanska

³⁰³ A R BiH, Komanda 1. mbr, Dnevni borbeni izvještaj, Pov. broj 01-136/92,09.12.1992; Baza podataka sudskih dokumenata: Komanda Vogošćanske brigade, Izvještaj o stanju, Str. pov. broj 109/92,10.12. 1992. <http://icr.icn.org>.

vlast i predstavnici i Republike Srpske počeli su međusobno da se optužuju za ovaj incident. Kontroverze oko ovog događaja počele su kada je prvobitni izvještaj UNPROFOR-a naveo da je mina ispaljena sa pozicije pod kontrolom Muslimana.

4.104. Tadašnji komandant UNPROFOR-a, general Majkl Rouz je nakon incidenta izjavio da ne može da se utvrdi odakle je mina ispaljena. Kasniji i temeljitiji izvještaj UNPROFOR-a je otkrio grešku u prvobitnim nalazima. Organizacija ujedinjenih nacija je zaključila da je bilo nemoguće odrediti sa koje strane je mina ispaljena.³⁰⁴ Veliko je pitanje da li je minobacačka mina ispaljena uopšte iz minobacača ili je bila pripremljena kao eksplozivna naprava koja je daljinski aktivirana po scenariju, kao i u slučaju atentata koji je pripreman za generala Sefera Halilovića od strane jedinice specijalne namene “Ševa”, koja je bila pod komandom organa bezbednosti GŠ A R BiH. I taj zločin kada je poginula generalova supruga i njen brat, zvanične vlasti BiH pripisale su granatiranju od strane VRS, jer su Srbi bili već odavno prikazani kao “zli momci” koji su spremni da počinju svaki zločin. Takav medijski status Srba, Muslimani su dosta uspešno koristili i to im je bilo najjače oružje u toku celog građanskog rata. Dokazano je da nije u pitanju granata sa srpskih položaja nego daljinski aktiviran projektil koji nije ispoljio energiju udara projektila na osnovu ubrzanja i mase, *nego je samo ispoljen efekat eksplozije*. Republika Srpska je isti dan od UNPROFORA-a zatražila osnivanje istražnog tima u kome bi bili zastupljeni pripadnici VRS i A R BiH. Međutim, ovaj predlog je odbijen.³⁰⁵ U januaru 2003. godine, u procesu protiv generala Stanislava Galića, Haški tribunal je zaključio da je su masakr počinile snage Vojske Republike Srpske.

4.105. Drugi masakr se desio 18 meseci kasnije, oko 11 sati, 28. avgusta 1995. godine. Ovog puta broj žrtava bio je manji — 37 mrtvih i 90 ranjenih. Srpski politički vrh je kao i u incidentu iz 1994. godine, negirao bilo kakvu odgovornost i optužio snage A BiH da gađaju vlastiti narod, kako bi izazvali međunarodnu zajednicu i omogućili intervenciju.³⁰⁶ Za ovaj incident, dokazi su za UNPROFOR bili sasvim jasni i u poverljivom izvještaju nedugo nakon incidenta, zaključeno je da su projektili ispaljeni sa položaja VRS. Januara 2004. godine, tužioci u slučaju protiv Stanislava Galića, generala VRS, komandanta Sarajevsko-romanijskog korpusa, pred Međunarodnim krivičnim sudom za zločine počinjene na tlu bivše Jugoslavije, predstavili su kao dokaz stručni izvještaj balističkog eksperta Berka Zečevića. Zajedno sa dvojicom kolega, Zečević je u toj ekspertizi otkrio šest mogućih mesta sa kojih je mina mogla biti ispaljena, od kojih su pet bili položaji VRS, a jedno pod kontrolom A R BiH.

4.106. Mesto pod kontrolom A R BiH bilo je vidljivo promatračima UNPROFOR-a, koji su potvrdili da sa tog mesta nije ispaljena nijedna mina. Berko Zečević je dalje objasnio da su se neki delovi projektila mogli proizvoditi samo u dva mesta, a oba su bila pod kontrolom Vojske Republike Srpske. Proizvođač mine nije nikakav dokaz sa čijih položaja je mina ispaljena jer su u tom građanskom ratu često zarobljavane veće količine oruđa i municije, koje su se kasnije koristile u borbenim dejstvima. Tako su sve zaraćene strane u svom arsenalu, kao ratni plan, imale oružje i municiju drugih strana u ratu. Poznato je da su čak oruđa, artiljerijska municija, mine i rakete bile predmet kriminala i trgovine između ratnih profitera svih zaraćenih strana. Istražujući pravac minobacačkog projektila od 120 mm, Berko Zečević je utvrdio kako je on ispaljen sa srpskih položaja na području sela Mrkovići, severoistočno od starog grada.³⁰⁷ Može

³⁰⁴ Steven L. Burg, Paul S. Shoup "The war in Bosnia-Herzegovina: ethnic conflict and international intervention", strana 166-167.

³⁰⁵ „Nekad bilo: Markale“ (na sr). Radio-televizija Republike Srpske. 6. 11. 2011. Pristupljeno 7. 11. 2011.

³⁰⁶ Patrick Moore, "Serbs deny involvement in shelling", Omri Daily Digest

³⁰⁷ Steven L. Burg, Paul S.

se reći da naknadno veštačenje pa ni jedan drugi dokaz ne mogu sa sigurnošću opredeliti poziciju sa koje je mina ispaljena. Legitimna je sumnja da li je mina uopšte ispaljena ili je samo dobro pripremljena i bila deo eksplozivne naprave koja je daljinski aktivirana.

4.107. Mediji i političari u RS odlučno su negirali rezultate veštačenja Berka Zečevića i smatraju to delom opšte medijske propaganda u političke svrhe. Pantelija Ćurguz, predsednik Boračke organizacije RS, optužio je Zečevića da je bio umešan u ove incidente, dok je dr Radovan Karadžić, bivši predsednik RS, zatražio izuzeće Zečevića zbog pristrasnosti. Tadašnji komandant UNPROFOR-a, general Majkl Rouz nakon incidenta je izjavio da ne može da se utvrdi odakle je granata ispaljena. Ruski pukovnik Andrej Demurenko je odmah posle eksplozije mine na pijaci Markale u Sarajevu, u tadašnjoj Republici BiH, izjavio da su Srbi neopravdano bili optuženi samo zato da bi to bio povod da ih napadne NATO.³⁰⁸ Pukovnik Demurenko, koji je bio načelnik štaba jednog sektora snaga UN u Sarajevu i komandant ruskog bataljona, sačuvao je kompletnu dokumentaciju koja se odnosi na Markale. Pročitao je dva izveštaja, od kojih je jedan napisao jedan francuski oficir, dok je autor drugog izveštaja bio oficir za koga Demurenko nije mogao da odredi da li je bio Musliman ili Hrvat.

4.108. Pukovnik navodi da je u tim izveštajima bio izračunat ugao dolaska projektila i padni ugao leta projektila. Svim boljim poznavacima balistike leta mina i artiljerijskih projektila jasno je da je prezentovano veštačenje eksperta Berka Zečevića je dosta uprošćeno i nepouzđano. Ono teži da po svaku cenu opravda početnu medijsku istinu koja je unapred imala svrhu i cilj diskreditacije VRS i RS u funkciji ostvarenja političkih ciljeva Muslimana u ratu u BiH. Ko može poverovati u objektivnost proračunskog određivanja mogućih položaja minobacača naknadno, sa veoma sumnjivim početnim podacima. Jednostavno to je netačan pristup jer postoji mnoštvo putanja koje sa različitim punjenjem imaju drugačije padne uglove a time i broj alternativa potencijalnih položaja se povećava. Potpuno pouzdana ekspertiza je skoro nemoguća, jer elementi mesta eksplozije ne daju pouzdane ulazne parametre za rekonstrukciju trajektorije projektila, a time ni mesta oruđa. Legitimno je za istraživanje postaviti i hipotezu da je mina ili ojačana eksplozivna naprava, čiji je sastavni deo minobacačka mina 120 mm, pripremljena i daljinski aktivirana, na sličan način kao što su izvršeni mnogi atentati na Sarejvskom ratištu, pa i na suprugu generala Sefera Halilovića i njenog brata. Obrazloženja koja daje general Sefer Halilović, inače artiljerijski oficir, za atentat sasvim su logična jer počivaju na dobrom poznavanju struke, balistike leta projektila i trajektorije njegove putanje.³⁰⁹

4.109. Sigurno je da RS i VRS nisu imale nikakav cilj da učine ovakav zločin nad civilnim stanovništvom. Taj interes su verovatno imali drugi učesnici rata u BiH, jer im je zločin bio povod za sve strahote rata koje su se desile nakon Srebrenice i Markala, u završnim operacijama. VRS, a posebno GŠ VRS nisu nikada ni mogli zamisliti zločin koji je počinjen na Markalama protiv nedužnog naroda. Sigurno je da se takav zločin ne može argumentovano i na bazi pouzdanih dokaza pripisati generalu Ratku Mladiću niti VRS, jer se takav zločin nikada ne bi desio sa njegovim znanjem. To mu ne bi dozvolio profesionalizam i moralni vojnički kodeks i čast po kojoj je bio poznat u JNA, VRS i kod protivnika. Mnogo je dokaza, u pisanoj i elektronskoj formi, koji govore o humanom odnosu generala Mladića prema civilima i zarobljenicima u ratu u BiH. Zločini paravojnih grupa na početku rata i monstruozni zločin u Srebrenici, pokušavaju se dovesti u kontekst komandne odgovornosti generala Mladića, kao da ih je on planirao i naređivao ili da je znao za njih. Sve je to daleko od istine, ali je optužbe koje

³⁰⁸ Сербы не причастны к взрыву на сараевском рынке. Руск.ру. 9. 7. 2007. Приступљено 19. 1. 2013.

³⁰⁹ Sumnje u odgovornost za zločin na Markalama iskazao je i general Luis Mekenzi.

su duže vreme medijski zloupotrebljavane i postale tzv. istine po osnovu velikog broja ponavljanja neistina, teško opovrgnuti.

4.110. Od 9. do 11. avgusta u švedskom gradu Degerfors održana je konferencija pod nazivom „Nordijski razgovori o miru“. Na skupu je učestvovalo više organizacija i mirovnih aktivista iz Švedske, Norveške i Danske, među njima i organizacija Justicija Paks Veritas sa sedištem u Stockholmu, koja se bavi pitanjima vezanim za konflikte u bivšoj Jugoslaviji. Tokom trodnevne konferencije održano je niz zanimljivih predavanja, između ostalog i o legitimiranju vojnih intervencija SAD i NATO pakta preko doktrine R2P (Responsibility to protect – Obaveza zaštite). Jedan od govornika na skupu nordijskih mirovnih aktivista bio je i profesor Ola Tunander sa Instituta za mirovne studije u Oslu (Peace Research Institute Oslo). Tokom predavanja „Poslije Libije – Sirija i stalne članice Savjeta bezbjednosti UN“ Tunander je upoređivao propagandu iz Libije i Sirije sa onom iz rata u bivšoj jugoslovenskoj republici Bosni i Hercegovini. Norveški profesor, sa bliskim vezama u NATO paktu, ispričao je u vezi granatiranja sarajevske pijace Markale, za koje su okrivljeni Srbi, da mu je više izvora predstavnik kriznog štaba NATO-a, predsjedavajući u vojnom komitetu NATO-a Vigleik Eide, te kasniji norveški ministri odbrane i spoljnih poslova saopštio da je zaključak istrage NATO pakta bio da je za bombardovanje bila odgovorna „bosanska strana“, kako je nazvao muslimanske snage pod kontrolom Alije Izetbegovića. Kada se uzme u obzir i navedeno svedočenje svedoka KW-586 nedvosmisleno je da je ovaj događaj režiran od strane rukovodstva BiH.

4.111. Svi su rekli da je zaključak NATO bio da se radilo o “bošnjačkom napadu” na vlastito stanovništvo, ali ovo nikad nije saopšteno javno. A izgleda da je uobičajeno da se, na primjer, uoči odluka u Ujedinjenim Nacijama, izvode takozvane „false flag operacije“, dakle prevare napadom na vlastito stanovništvo, da bi se na taj način legitimirala vojna intervencija“. Za granatiranje sarajevske pijace Markale Haški tribunal osudio je srpskog generala Stanislava Galića, dok se taj ratni zločin nalazi i na optužnicama u procesima protiv bivšeg predsjednika Republike Srpske dr Radovana Karadžića i komandanta Vojske Republike Srpske generala Ratka Mladića. „Nordijski mirovni razgovori“ održani su po prvi put prošle godine, takođe u Degerforsu.³¹⁰ Iznete informacije su samo još jedna argumentacija osnovane sumnje za dosadašnja pristrasna veštačenja koja nisu počivala na činjenicama. Nažalost ta veštačenja su bila osnova za izricanje presuda u Haškom tribunal. Sigurno je da je NATO jedini imao opremu kojom su se mogli registrovati podaci o tome da li je mina ispaljena sa položaja VRS ili A BiH. Pošto se ne navodi ni u ovom izveštaju da je mina ispaljena sa položaja A BiH nego da su odgovorne Izetbegovićeve snage osnovana je pretpostavka da su minobacačke mine bile deo eksplozivnih naprava, koje su bile ojačane kako bi izazvale razorne ubitačne efekte, koje trenutno fugasna mina 120 mm ne može ostvariti ni teorijski, niti u laboratorijskim uslovima. Takođe, zbog nedostatka parčadi minobacačke mine postavlja se još veća sumnja u samu napravu, njen karakter i efekte dejstva. Sigurno je da tu napravu nisu izradile, niti su mogle uneti jedinice VRS preko linije fronta.

4.112. Direktna posledica ovih zločina na Markalama bilo je NATO bombardovanje RS. NATO je optužio Vojsku Republike Srpske, a Markale uzeo kao povod za otvorenu podršku snaga hrvatsko-muslimanske koalicije u završnim operacijama, pod imenom „Operacija namerna sila“ (*Operation Deliberate Force*). Tim operacijama potpuno je proterano srpsko stanovništvo sa teritorije Republike Srpske Krajine, kao i srpsko stanovništvo iz zapadnih i jugozapadnih delova Bosne i Hercegovine. Republika Srpska je delimično okupirana i vojnički poražena u dve veće

³¹⁰ Izveštaj NATO: Za Markale krive Izetbegovićeve snage, Intermagazin.rs od 19.08.2013., Justicija Paks Veritas, Stockholm 18. 08. 2013.godine

operacije, na zapadnom delu BiH, koje je izvela HV, HVO i A R BiH uz potpunu obaveštajnu, medijsku i vazduhoplovnu podršku NATO. Republika Srpska bila je prinuđena da potpiše mir u kome je izgubila više od 20 odsto svoje dotadašnje teritorije.

4.113. Deblokada Sarajeva ili Operacija T bila je vojna operacija 1.K A BiH sa ciljem odbacivanja snaga SRK VRS od muslimanskog dela Sarajeva. Operacija je posle mnogih najavljivanja počela 15. juna 1995. godine, uz angažovanje i delova 3., 4. i 7. korpusa A BiH. Posle dvonedeljnih borbi snage A BiH su bile poražene i prinuđene zbog ogromnih gubitaka da obustave ofanzivu. Po izvorima A BiH pred operaciju odnos snaga je bio na strani muslimanskih snaga:

- A BiH — vojnici/oficiri: 46.163, topovi: 43, minobacači: 406, tenkovi: 19,
- VRS — vojnici/oficiri: 17.500, topovi: 41, minobacači: 132, tenkovi: 24.³¹¹

4.114. Nakon izvršenih priprema, A BiH je operaciju izvela masivnim napadom na tri pravca. Glavni napad je bio pravcem Visoko-Paljevo-Rajlovac, jedinicama 7. korpusa a drugi glavni pravac Golo brdo-Hadžići-Mostarsko raskršće, snagama 4. korpusa. Pomoćni pravci napada su bili Igman-Trnovo, snage 1.K A BiH, i Nišićka visoravan-Ravni i Nabožić-Semizovac, snagama 3. korpusa. Početni uspesi su omogućili A BiH da zauzme Čemersku i prekine komunikaciju Semizovac-Srednje i skoro potpuno zaokruži deo snaga SRK oko Sarajeva. Drugi napad prema istoku i jugu je bio takođe imao početni uspeh. A BiH je brzo zauzela Debelo brdo. Manji napadi oko Sarajeva su malo napredovali ali VRS je stabilno držala položaje.

4.115. Uprkos početnim uspesima napredovanje A BiH je počelo da se zaustavlja već od 16. juna, kada je počela da ojačava odbrana VRS. Između 17. i 22. juna, Sarajevsko-romanijski Korpus i Hercegovački Korpus VRS su prešli u kontranapad u sva tri pravca protiv A BiH. VRS je potpuno zaustavila napad A BiH i povratila veći deo izgubljene teritorije. To je omogućilo da VRS dovede elitne jedinice MUP-a i krene u kontranapad. U zapadnom pravcu VRS je zauzela Stup. Oko Trnova, elitne jedinice VRS su naterale 14. diviziju A BiH na povlačenje. Na severu, specijalci VRS su porazili A R BiH i povratili Čemersku 22. juna. Do 28. juna, uzdrmana velikim gubicima u ljudstvu i teritoriji, sarajevska vlada je prekinula operaciju zbog gubitaka. Prema zvaničnim podacima gubici A BiH su bili 404 poginula i 1386 ranjenih. Takvi gubici argumentuju tvrdnju da su procene A BiH bile površne i da je zbog toga dolazilo do nepotrebnih i povišenih gubitaka u završnom periodu rata.

5. Komandna nadležnost generala Ratka Mladića za događaje na Sarajevskom ratištu

4.116. Borbena dejstva na Sarajevskom ratištu su specifična po mnogim karakteristikama, od kojih pojedina dejstva i ratne perfidije jesu jedinstvene u istoriji ratne veštine. Ta jedinstvenost se ogleda prvenstveno u pripremi i izvođenju „kompromitujućih dejstava“ muslimanskih snaga A BiH prema svom narodu, a u funkciji ostvarenja strateških vojnih i političkih ciljeva. Ta dejstva su bila deo jedinstvenog strategijskog plana muslimanskog rukovodstva u Sarajevu u funkciji kompromitovanja borbe srpskog naroda i njihovog medijskog prikazivanja u svetskoj javnosti kao strane u sukobu koja granatiranjem, snajperskim dejstvima i opsadom teroriše civilno stanovništvo u gradu Sarajevu. Brojnim manipulacijama i ratnim perfidijama stvarani su propagandni efekti kojima je diskreditovana borba SRK VRS na Sarajevskom ratištu. To je sve osmišljena muslimanska strategija koja je poprimila takve razmere da je ceo borbeni poduhvat SRK kvalifikovan kao opsada grada, a potom u Optužnici tačka 7, pod (1) utvrđen kao

³¹¹ „Pečat (politički magazin): Velika ofanziva Armije RBiH na šire područje sarajevsko-romanijske regije (od 30,40 do 40,23 min)“ (na sr). Radio-televizija Republike Srpske. 14. 6. 2012. Pristupljeno 15. 6. 2012.

postojanje sveobuhvatnog udruženog zločinačkog poduhvata sa ciljem „širenje terora među civilnim stanovništvom Sarajeva provođenjem kampanje snajperskog delovanja i granatiranja..“. Na osnovu činjenice da je Sarajevo, posle Beograda, bio najveći srpski grad, Srbi iz BiH su polagali legitimno pravo na opstanak i očuvaje svojih domova, delove grada i gradskih opština u kojima su bili većina. Sarajevo nije bilo kao grad pod muslimanskom kontrolom. To je bio podeljeni grad, tako da je ovaj deo optužnice suštinski sporan i nije odgovarao stvarnom stanju. Kao što su Muslimani teško živeli i bili izloženi vatri jedinica SRK u delu starog dela grada Sarajeva pod kontrolom A BiH, isto tako su i Srbi u Srpskom Sarajevu bili izloženi stradanju od dejstava jedinica 1.K A BiH, na Ilidži, Grbavici, Vogošći, Hadžićima itd., gde je živelo oko 170.000 Srba.

4.117. Još davno pre ratnog sukoba, pa čak i u periodu Otomanske vladavine, Sarajevo je etnički bilo podeljeno, odnosno znalo se gde i u kom delu grada koji narod većinski živi. Nastankom krize, a potom rata te granice su postale vidljive i obeležene linijom fronta etničkih vojski pa je tako Sarajevo postalo podeljeni grad. Ni po toj osnovi se ne može osporavati legitimitet vojnog prisustva VRS na Sarajevskom ratištu, tim pre što su linije odbrane postavili sami stanovnici homogenih naselja, a VRS ih je nasledila i postali su deo nje. Jedinice VRS koje su obavljale taj zadatak bile su sastavljene od istih onih stanovnika, koji su kao teritorijalna odbrana uspostavili te linije, samo što su sada postali vojska.

4.118. Vojnom prisustvu srpske strane na Sarajevskom ratištu, i to na granicama prostora kojeg su Srbi smatrali svojim etničkim prostorom, legitimitet je davalo enormno vojno prisustvo 1.K A BiH, tako da je u urbanom delu grada, prema muslimanskim izvorima tokom rata bilo 10-15 brigada, sa oko 50.000 vojnika i oko 10.000 policajaca i specijalnih snaga raznih namena. Te snage bile su razmeštane po civilnim objektima i izmešane sa civilnim stanovništvom, tako da je u gradu razlikovanje civila i vojnika, odnosno civilnih i vojnih objekata, bilo praktično nemoguće. Vojna dejstva VRS po tim ciljevima su bila potpuno legitimna. Uravnoteženost i proporcionalnost vatrenih dejstava može se najbolje prosuđivati preko strukture gubitaka na Sarajevskom ratištu. Najistaknutije tačke u neposrednom okruženju urbanog dela grada držale su snage 1.K A BiH, pa se može reći da su, pored brojne nadmoći, te snage bile u značajnoj operativnoj prednosti nad snagama SRK VRS. VRS je, na drugoj strani, imala prednost u većim kalibrima oruđa za podršku.³¹²

4.119. Danas je već jasno na osnovu činjenica da Sarajevo nije bilo opsednuti, već podeljeni grad, pri čemu je oko 60 odsto grada pripadalo Muslimanima, a 40 odsto Srbima. Sarajevo nije bilo zatvoreni grad, već su putevi ka muslimanskom delu gradu i iz grada Sarajeva, kao i sarajevski aerodrom u skoro čitavom periodu rata bili otvoreni. Do leta 1993. godine ispod aerodroma je, na pravcu Dobrinja-Butmir, bio prokopan tunel, kroz koji su muslimanske snage A BiH manevrisale iz grada ka Igmanu, a preko njega i ka drugim ratištima u BiH. Jedino apsolutno zatvoreni deo Sarajeva bilo je uže gradsko jezgro i to zatvoreno od strane muslimanske vojske i policije koje preostalom živom srpskom stanovništvu nisu dozvoljavale da izađe iz grada i dočepa se teritorije pod kontrolom srpskih vojnih snaga. U tom zatočeništvu stradali su mnogi, prinudno mobilisani, odvođeni na linije fronta da kopaju rovove.

4.120. Sarajevo jeste bilo blokiran grad, ali u vojnom smislu te sintagme, VRS nije dozvoljavala masovni izlazak jedinica 1.K A BiH, jer bi te snage, ako bi se pojavile na bilo kom delu ratišta u BiH značajno uticale na tok i ishod rata. Blokiranje vojnih snaga u Sarajevu bila je u funkciji odbrane srpskog dela grada Sarajeva. Takva blokada vojnih snaga je potpuno legitimna vojna radnja, koju su sprovodile i jedinice 1.K A BiH prema srpskim delovima grada. Ovu tezu su

³¹² Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002.

izneli i neki oficiri UN, navodeći da je srpska vojna politika u Sarajevu bila strategija vezivanja, zadržavanja ili blokiranja velikih vojnih snaga neprijatelja.

4.121. Kao što je to već rečeno, muslimanske snage su masovno i nekontrolisano zloupotrebljavale civilne objekte u vojne svrhe. Iz tih objekata i iz njihove neposredne blizine se stalno deinstvovalo, što je izazivalo gubitke i uzvratna dejstva jedinica VRS. Ta dejstva, iako su u načelu potpuno legitimna, izvođena su sa kružne operativne osnove, većinom iz borbenog rasporeda nižih taktičkih jedinica. Na frontu od preko 230 kilometara³¹³ i u uslovima potpuno izmešanih linija razdvajanja u urbanom delu grada, vatru nisu mogli kontrolisati viši nivoi komandovanja ni taktičkog ni operativnog, a da se i ne govori da tu kontrolu nije mogao uspostaviti general Ratko Mladić, koji je veći deo vremena proveo na drugim ratištima u BiH, pružajući neposrednu podršku potčinjenim komandama. Dejstva artiljerije i snajperska dejstva na Sarajevskom ratištu bila su deo oružane borbe i primenjivale su ih sve zaraćene strane. Zbog medijske kampanje i dezinformacija stiče se utisak kao da muslimanske snage nisu imale artiljeriju u svom delu grada i da nisu sprovodile snajperisanja civila i vojnika. To je lažan utisak koji ne odgovara istini. Puno je materijalnih dokaza koji govore o inferiornosti A BiH u artiljeriji, ali govore o značajnoj prednosti u snajperima i u broju vojnika. Dejstva jedinica SRK VRS nisu bila planirano usmerena na civilno stanovništvo niti su bila u funkciji terorisanja stanovništva. Takvi propusti su bili mogući na taktičkom nivou, ali ne kao namera nego kao kolateralna šteta koja je nastajala zbog toga što su jedinice 1.K A BiH zauzimale borbeni raspored u civilnim objektima, čak često neposredno i uz sanitetske objekte i u okviru bolnica, o čemu su date informacije u ovom Izveštaju.

4.122. Što se tiče dejstva artiljerije radilo se o međusobnoj razmeni vatrenih udara ili masivnih pešadijskih napada kojima su muslimanske snage težile da probiju vojnu blokadu i izađu u slobodni prostor i spoje se sa ostalim snagama A BiH. O borbenim mogućnostima 12. divizije 1. K A BiH najbolje govori akt Fikreta Prevljaka, „Prijedlog odabranih ciljeva za uništenje...“ od 26.06. 1995. godine.³¹⁴ Snajperska dejstva su poseban sadržaj medijske kampanje i manipulacija. Muslimanske snage su bile u izrazitoj prednosti nad srpskim snagama u tom sadržaju borbenih dejstava. One su imale brojnije i modernije snajpere, imale su snajperske jedinice kao moćnu manevarsku snagu za urbano ratovanje. U tome su prednjačile specijalne vojne i policijske jedinice, kao i zloglasna formacija „Ševe“, koja je sejala smrt u delovima grada i prema ličnostima u skladu sa procenom političkih i bezbednosnih struktura muslimanskog rukovodstva u Sarajevu. U izboru snajperskih položaja na nadvišavajućim kotama i visokim zgradama, muslimani su bili u velikoj prednosti. Od snajperskih dejstava vitalno su bili ugroženi neki delovi grada, bez kojih je opstanak VRS na Sarajevskom ratištu bio nemoguć. Da bi se zaštitila od snajperskih dejstava sa muslimanske strane, VRS je postavljala antisnajperske zastore i maske. U takvom odnosu snaga potpuno neuverljivo zvuči povika i propaganda da su snajperska dejstva jedinica SRK bila u funkciji terorisanja civila. SRK prema gradu nije imao ni toliko snajpera, niti tako kvalitetnih, da bi njihov učinak proizveo teror nad civilnim stanovništvom.

4.123. Razlikovanje žrtve od snajperske vatre od žrtve od obične streljačke vatre u tim okolnostima je bilo praktično nemoguće, tako da je diskutabilno reći koliko je civila u zahvatu fronta stradalo od pešadijske, a koliko od snajperske vatre. Ovim se ne tvrdi da niko od civila nije stradao od vatre snajperiste sa položaja VRS, već da efekti toga nisu, niti su mogli biti terorisanje civila. No, razlikovanje civila od vojnika na sarajevskom ratištu bilo je veoma teško.

³¹³ Unutrašnji prsten u početku je bio dužine 42 kilometra, a do kraja rata A BiH ga je, ofanzivnim borbenim dejstvima, povećavala na 64 km. Spoljni prostor je uglavnom bio dužine od oko 200 km.

³¹⁴ Komanda 12. divizije, str.pov. br. 02/2-7-10, od 26. 06. 1995. (1D01042)

Ne samo da su strane televizijske kompanije prikazivale civile u borbenim aktivnostima³¹⁵, nego i general A BiH potvrđuje da je „... oko 75% pripadnika oružanih snaga prvu godinu rata provelo u civilnoj odeći i obući...“³¹⁶, pa je distinkcija između civila i boraca nemoguća, a mogućnost prikazivanja boraca kao civilnih žrtava neograničena.

4.124. Muslimanska operacija za deblokadu Sarajeva koju su oni šifrovano nazvali „Jug“ krajem jula 1992. godine pod komandom majora bivše JNA, a potom komandanta TG Igman Mirsada Čatića, muslimanske snage su zauzele Trnovo i prevoj Rogoj i na taj način odvojile Hercegovinu od Sarajevsko-romanijskog prostora. Deo snaga HK i SRK doživeo je iznenađenje i pretrpeo velike gubitke. Odnos prema zarobljenicima je bio ponižavajući uz teror, prinudu, batinanje i streljanje, što je delimično zabeleženo u video materijalu. U zonu odgovornosti korpusa moglo se ući isključivo komunikacijom koja je vodila iz Podrinja ka Romanijskom platou i to pravcem Karakaj-Caparde-Vlasenica. A upravo u rejonu Capardi muslimani su vršili česte masakre nad putnicima, te se može reći da je i taj jedini pravac bio krajnje rizičan za saobraćaj. Sve te zasede i podmukle akcije i perfidije samo su usložavale odnose između Muslimana i Srba i sve dublje ih gurale u kaos građanskog rata u kome su zverstva nečovečnog odnosa i stradanja bila zagarantovana u spirali nasilja, mržnje i osвете.

4.125. U to vreme muslimani su držali dolinu Drine od Foče do Zvornika, sa srpskim enklavama u Višegradu, Rudom i Cajniče, te prostore prema Kladnju i Olovu. Južni front SRK je bio krajnje razvučen i ugrožen, jer su muslimanske snage držale južne padine Jahorine i komunikaciju Krupac (ulaz u Sarajevsku kotlinu južno od Vojkovića)-Kijevo-Trnovo. Sledio je njihov brzi prodor ka Palama i platou Romanije. Istočni front ka Goraždu je bio nepovezan, jer su Muslimani držali planinu Gosinu, a srpski front u dolini Prače držali su teritorijalni odredi za koje se nije znalo kojoj združenoj taktičkoj jedinici pripadaju i u čijem su lancu komandovanja. Front prema Žepi držale su snage pod direktnom komandom GŠ VRS i snage Rogatičke brigade.

4.126. Dva krupna operativna problema sa kojima se na početku suočile jedinice SRK bila su: zaustavljanje muslimanske operacije „Jug“, odnosno povezivanje elemenata operativnog rasporeda u jedinstvenu operativnu zonu korpusa i uvezivanje svih združenih taktičkih jedinica u jedinstven sistem komandovanja. Sukob oko Sarajeva bio je do te mere internacionalizovan da se više ništa nije moglo učiniti bez direktnog mešanja dela međunarodne zajednice. Jedinice SRK već su bile satanizovane i okvalifikovane kao agresor, a Muslimani i njihove oružane snage kao žrtve agresije. Masakr u ulici Vase Miskina (27.05.1992.) u Sarajevu i bez preterano preciznog istraživanja proglašen je srpskom krivicom. To je bio povod neviđene kampanje protiv Srba i njihove matične države, a Savet bezbednosti UN je SR Jugoslaviji uveo veoma rigorozne sankcije. Praktično, od tada je prema Srbima svaka akcija i svako nasilje bilo dozvoljeno.³¹⁷

4.127. Aerodrom Butmir predat je u nadležnost UNPROFOR-a.³¹⁸ Upravo je taj sporazum od 14.06.1992. godine, višestruko uticao na poboljšanje operativnog položaja muslimanskih snaga u Sarajevu. Kao njegova posledica, usledio je pad Trnova i Rogoja i obezbeđivanje bolje operativne pozicije 1.K A BiH. Razume se, zauzimanje Trnova je bilo praćeno neviđenim zločinima nad srpskim civilima (uključujući ubistvo pravoslavnog sveštenika i paljenje crkve u

³¹⁵ Jeremy Bowen, T 10206-10214, Dokazni predmeti D00940 i D00941.

³¹⁶ Jovan Divjak: „Neposredovanje adekvatne uniforme, obuće i druge intendantske opreme. Oko 75% pripadnika oružanih snaga prvu je godinu rata provelo u civilnoj odeći i obući, u farmerkama i tenisicama, a neke sam mladiće na položajima nalazio i u šimikama“, u „Rat u Hrvatskoj i Bosni i Hercegovini“, p. 189, grupa autora, izdavači Naklada Jesenski i Turk DANI, The Bosnian Institute-London, Zagreb-Sarajevo 1999. (P18421)

³¹⁷ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002.

³¹⁸ Sporazum o predaji aerodroma na kontrolu UNPROFOR-a, od 14.06.1992. godine.

Trnovu). Upravo neposredno nakon toga sporazuma Muslimani su zauzeli Mojnilo i kasnije (decembra 1992.) bitno popravljaju svoj operativni položaj na objektu Žuč i Orlić koji su bili ključni objekti za front prema Vogošći. Taj gubitak Mojnila i kasnije Žuči nikada više nije bio nadoknađen.

4.128. Veoma su interesantne opservacije koje je dao penzionisani general A BiH Jovan Divjak o specifičnostima komandovanja jedinicama A BiH, o sprezi vrha politike, kriminala i odnosa prema Srbima u muslimanskom delu grada. Na pitanje novinara: u spomenutom intervjuu „Svijetu“, izjavili ste: „U prvih pet meseci rata stradalo je, koliko ja znam, oko 800 Srba, koji su ubijeni bez suđenja i bez ikakvog razloga, jednostavno eliminisani“. Možete li nam reći nešto konkretno o tome i o stradanju sarajevskih Srba uopšte, uključujući i slučaj Kazani? Ovih dana, objavljena je i informacija o 400 logora za Srbe u BiH od kojih je 88 bilo na sarajevskom području. General A BiH Jovan Divjak rekao je: „Pokušao sam da raskrinkam taj odnos prema Srbima u julu 1992. godine kada sam Behiretu Šljivić uputio da se obrati novinama, jer joj je nestao muž Srbin. Ona je za novine rekla da joj se suprug bio u Desetoj brdskoj jedinici Mušana Topalovića Cace, da je ubijen na Kazanima ili tačnije zapaljen. To je objavljeno. Svaki put kad sam imao neki podatak zvanično sam pokušavao da reagujem preko štaba čiji sam član bio. Početkom januara 1993. godine, imao sam spisak 90 imena ne samo Srba, nego i Hrvata i Bošnjaka, koji su ubijeni prvih dana sukoba. Polemike o broju ne znam, ali imam nagoveštaj da je 1996. godine u iskopavanjima grobnice na Kazanima pronađeno 26 ili 27 tela, plus jedna glava bez tela... Skretao sam pažnju na probleme zatvorenika. Postojali su logori u restoranu „Sunce“ na Dobrinji, u Hrasnici, silosu u Tarčinu i Čelebiću kod Konjica. Insistirao sam da se ova dva poslednja prebace u Zenicu, jer je tamo pravi zatvor. Na to se niko nije obazirao. Za sve to je znao Alija Izetbegović. Ništa se nije moglo desiti izvan njegove odgovornosti. Zatvor „Sunce“ je formalno zatvoren, u stvari je promenio prostor. Svaka jedinica na sarajevskom ratištu imala je po dvojicu - trojicu Srba koje su držali za razmenu ukoliko zatreba. I o tome sam obavestavao Izetbegovića i tražio da to spreči. Ta brigada je bila u sastavu Prvog korpusa Armije BiH, kojom je komandovao Mustafa Hajrulahović - Talijan. Dugo sam upozoravao na problem Cace, Čele i još nekih koji su se slično ponašali. Zajedno sa kolegama zahtevao sam da to pitanje reši Alija Izetbegović. Znate, Caco je mogao kod njega da uđe kad god je hteo, kao i Čelo. Punih godinu i po dana pet komandanata jedinica na Starom gradu bili su ljudi koji nisu imali ni dana vojne škole. Dvojica čak nisu ni služila vojni rok jer su mentalno retardirani. Alija je imao više poverenja u njih nego u školovane oficire.... Moj stariji sin Želimir je u maju 1992. godine ranjen u obe noge, jer je jedno vojno vozilo Armije BiH pozdravio sa tri prsta - seća se Jovan Divjak. Bio je kod mene, malo popio.“³¹⁹

4.129. Srbi u Sarajevu, što se tiče međunarodne javnosti, bili su zaboravljeni kao narod, kao da ne postoje i ako su činili trećinu stanovništva i živeli u sličnim uslovima na Sarajevskom ratištu kao Hrvati i Muslimani. Posebno su u teškom položaju bili Srbi koji su ostali u muslimanskom delu Sarajeva. Već su bili otvoreni brojni logori za Srbe u urbanom delu Sarajeva³²⁰ u kojem su srpski civili podvrgavani svakovrsnom mučenju i ponižavanju. Brojne međunarodne institucije u Sarajevu tim povodom nisu mogle da preduzmu odgovarajuće mere jer su zločini prikrivani do današnjih dana. Ne može da se prenese javnosti istina ni danas da se i dalje bezuspešno traga za oko 3.300 pobijenih i nestalih Srba. RS za ta mučenja i pogrome i za takvo stanje nije imala koga da obavesti jer su unapred bile utvrđene uloge „žrtve“ i „dželata“ u Sarajevu. Tek danas se pojedine tajne stradanja Srba u muslimanskom delu Sarajeva saznaju. Nove informacije neće i ne

³¹⁹ Jovan Divjak, penzionisani general Armije BiH, Intervju sa Dušanom Stojakovićem, Večernje novosti, 22.02.2003. godine

³²⁰ Dželević: „Stradanja Srba“, deo o logorima za Srbe.

moгу promeniti medijsku sliku o ratu u Sarajevu, ali mogu doprineti objektivnosti istorijske istine. Tako su nastajale negativne posledice u smislu širenja uverenje, kod Srba, da je i UNPROFOR pristrasan. Istovremeno je jačala mržnja prema muslimanskim zlikovcima koji su nekažnjeno i uz znanje vojnih, policijskih i političkih lidera vršili te masovne zločine.³²¹ Sarajevo je već bilo podeljen grad i na tu činjenicu, sve i da je hteo niko nije mogao značajno uticati.

4.130. General Ratko Mladić, kao komandant GŠ VRS, bio je pretpostavljen komandantu SRK. To ne znači da je mogao da utiče na događaje na taktičkom nivou fronta na Sarajevskom ratištu dugom oko 240 kilometara, koji je uglavnom bio nepromenljiv ali veoma aktivan u vatrenom dejstvu u zahvatu linije rovova. Optužbe generala Mladića za snajpersko delovanje i granatiranje nije moguće zasnivati na validnoj argumentaciji, jer su se odluke o vatrenom dejstvu često donosile od strane komandira posluge, komandira odeljenja, komandira vodova i četa, a veoma retko komandanata bataljona i brigada. Komanda SRK je aktima komandovanja sprečila samovolju u otvaranju vatre, posebno artiljerijske i minobacačke, ali nije mogla da zabrani legitimnu vojnu radnju u smislu vatrene odgovora na dejstvo jedinica protivnika. U lancu neposrednog komandovanja SRK bile su neposredno potčinjene združene taktičke jedinice (brigade), samostalni bataljoni, jedinice za podršku i obezbeđenje, prištapske jedinice - sve se odnosi na jedinice koje su bile neposredno potčinjene komandi korpusa. Komande potčinjenih jedinica i komanda SRK bile su razmeštene na relativno uređenim prostorima koja se u vojnoj doktrini nazivaju komandnim mestima. Svaka od potčinjenih jedinica i komanda korpusa imali su svoje osnovno, istureno i pozadinsko komandno mesto. Posednuta su bila samo osnovno i pozadinsko, a istureno samo po potrebi i sa ograničenim brojem organa za komandovanje. Zbog skromnih tehničkih mogućnosti u sistemu rukovođenja i komandovanja VRS, genral Mladić nije imao informacije u realnom vremenu o stanju borbenih dejstava na taktičkom nivou, pa često i na operativnom nivou.

4.131. Osnovno komandno mesto SRK (OKM) bilo je uređeno na Palama, ali svo vreme rata ta komanda je ostala u Lukavici na IKM. Zato ne treba da čudi što se u nekim dokumentima kao OKM spominju Pale, a kao IKM Lukavica. Na Palama je, međutim, bilo razmešteno pozadinsko komandno mesto (PKM) SRK, sa mogućnošću da po potrebi preuzme ulogu osnovnog komandnog mesta, kako je to inače doktrinarno bilo predviđeno. Kasarna u Lukavici gde je svo vreme rata boravila i funkcionisala Komanda SRK bila je toliko blizu borbenim položajima jedinica 1.K A BiH da je bila u dometu svih oružja sa kojima je muslimanska vojska raspolagala, uključujući i masovno pešadijsko oružje.³²² Nema mnogo sličnih primera u istoriji ratne veštine da je komanda korpusa faktički bila razmeštena u zahvatu borbenih položaja četa prve linije. Obično su komande tako visokog nivoa razmeštene u operativnu dubinu i na bezbednoj udaljenosti. Ta činjenica sama za sebe govori o atipičnosti građanskog rata u BiH.

4.132. Ne samo da je komandno mesto korpusa bilo moguće vatrom ugroziti iz svih oružja i oruđa sa kojima je raspolagala muslimanska vojska, nego je svakodnevno pretela indirektna opasnost da ono padne u ruke jedinicama koje su se nalazile na položajima neposredno u blizini

³²¹ Munib Alibabić: „Bosna u kandžama KOS-a“, Sarajevo, 1996. godine, str. 68.

Šta je rađeno po Sarajevu, uz prećutni blagoslov policije, evo kako kasnije piše jedan od najpoznatijih sarajevskih policajaca Munib Alibabić Munja: „...Kako se ne upitati zašto su bivši KOS-ovci (pripadnici Kontraobaveštajne službe JNA – R.R.) ili čelnici policije nisu energično suprotstavili raznim paravojnim i parapolijskim grupama koji su pljačkali, blokirali grad, kidnapirali, nepropisno odvodili, ljudi nestajali, organizirali paljevine kuća i imanja u ime nekih „viših interesa“. Oformljeni privatni zatvori, ljudi kidnapovani, mučeni...“.

³²² Majkl Rouz: „Misija u Bosni“, str. 65.

Lukavice. Takvi položaji su, recimo, bili na Mojmilu koje je izrazito nadvišavalo prostor na kojem se nalazilo komandno mesto SRK³²³.

4.133. Komanda korpusa je primala vojna dokumenta od GŠ kao pretpostavljene komande i slala ih izvodno po potrebi ka svojim potčinjenim komandama³²⁴. Akta za komandovanje primana od GŠ VRS bila su osnova za komandovanje na operativnom nivou, a u skladu sa borbenom situacijom. Mesečna, tromesečna, polugodišnja i godišnja referisanja i analize borbene gotovosti bila su sastavni deo metodologije rukovođenja i komandovanja u SRK, kao što je to bila praksa i u drugim korpusima VRS. Na tim kolektivnim oblicima rada potčinjeni komandanti i nosioci pojedinih resora izlagali su sopstvena iskustva, isticali slabosti i propuste i davali predloge za unapređenje rada. Komandant korpusa je u svojoj završnoj reči davao osvrte na pojedina zapažanja i predloge i izdavao zadatke. Na osnovu završne reči i zaključaka komandanta, Štab korpusa (NŠ i njegov pomoćnik za operativne poslove) sačinjavali su plan realizacije tih zadataka, sa konkretizacijom aktivnosti, njihovih nosilaca i rokova za izvršenje³²⁵.

4.134. U doktrinarnom pogledu, sistem rukovođenja i komandovanja u SRK i njegovo funkcionisanje bili su u svemu u skladu sa principima koje je predviđala važeća vojna doktrina u VRS. Eventualno iskakanje i poremećaji u tom sistemu, bili su posledica delovanja eksternih i internih činilaca i okolnosti na koje komandant SRK ili nije uopšte mogao uticati ili se taj uticaj nije mogao ostvariti na visokom stepenu efikasnosti, zbog specifičnosti velikog fronta i dinamike vatretnih dejstava. Taktički nivo komandovanja bio je značajno opterećen tehnološkom zastarelošću sredstava veze i veoma malim brojem profesionalnih oficira komandira i komandanata.

4.135. Optužnica pod b. paragraf 14 do 18, ističe „Zločini počinjeni s ciljem širenja terora među civilnim stanovništvom Sarajeva sprovođenjem kampanje snajperskog djelovanja i granatiranja,“ za te događaje čini odgovornim generala Ratka Mladića sa drugim civilnim i vojnim rukovodiocima i drugim ličnostima iz RS i VRS. Pri tome se stalno ističu dve vrste vojnih radnji: (1) opsada Sarajeva, i (2) artiljerijska i snajperska dejstva protiv civilnog stanovništva i objekata - uključujući opšta kulturna dobra i verske objekte. U tom smislu Izveštaj se bavi sa ova obadva problema koji su naneli VRS strategijske posledice medijskim širenjem neistina i sprovođenjem zločina muslimanskih formacija prema svom narodu, kako bi se ti događaji prikazali kao teror srpske strane na Sarajevskom ratištu. Takav pristup, kao deo političke i vojne strategije muslimanskog rukovodstva i A BiH dao je očekivane rezultate jer se veći deo međunarodne javnosti odnosio i određivao prema ratu u BiH na osnovu informacija koje su prenošene preko uticajnih svetskih medija. Zato se osnovano može danas sa puno argumentacije reći da su Muslimani u BiH dobili u potpunosti medijski rat, čije se posledice i danas reflektuju na međunacionalne odnose u BiH.

5.1. Sarajevo nije bilo opsednuti nego podeljeni grad

4.136. Ranije je u ovom Izveštaju istaknuto, argumentovano i obrazloženo da Sarajevo nije bilo opsednuti niti opkoljeni grad, već podeljeni grad. Snage SRK su posele onaj deo teritorije

³²³ Ilustrujući položaj KM SRK, general Rouz piše: „... Bio je veliki mrak kada smo stigli i sneg se belasao na terenu. Linija fronta je prolazila na oko 300 metara od glavnog ulaza u kasarnu. Gins (pratilac) mi je posle sastanka ispričao da je sedeći ispred zgrade uz naša vozila posmatrao napad muslimana koji su se približavali na oko 40 metara...“, str. 65

³²⁴ Uputstvo za rad štabova u miru i ratu i „Teorija ratne veštine“ – poglavlje „Rukovođenje i komandovanje“, Beograd, 1998. godine, str. 375.

³²⁵ Analiza borbene gotovosti SRK za 1992. i 1993. godinu.

Sarajeva u kome je većinski živelo srpsko stanovništvo. Na ivicama toga prostora su organizovali odsudnu odbranu, i to držanjem položaja živom silom. Ako je i bilo planiranja artiljerijskih vatri, njihove lokacije su birane u rejonima i pravcima odakle se očekivalo dejstvo ili napad pešadijskih snaga 1.K A BiH, u čemu je 1.K bio u izrazitoj prednosti nad SRK. Pozicioniranje jedinica SRK na položajima na kojima su se našli u okviru sarajevskog ratišta nije proisteklo iz prethodne strateške i operativne vizije da bi se stvorili uslovi za blokadu i opsedanje Sarajeva, kako to inače sugerise optužnica,³²⁶ već iz srpske percepcije etničkih teritorija na tom prostoru i etničkog prava na vojnu i političku kontrolu te teritorije.

4.137. Sarajevo je bilo vojno posednuti grad, odnosno prema terminologiji međunarodnog ratnog prava, branjeni grad.³²⁷ Kada bi se prihvatila inače netačna tvrdnja Optužnice, da je VRS oružana dejstva bila usmerila na grad kao celinu, odnosno na grad kao takav, te činjenica da je Sarajevo bilo branjeni, onda je polazište sasvim drugačije i jer se uočava legitimnost vojnih dejstava u podeljenom, obostrano branjenom gradu.³²⁸ Optužnica polazi od pogrešnih pretpostavki koje nisu u skladu sa realnošću, tvrdeći da je VRS svoja dejstva usmerila na grad Sarajevo. To implicira jednu drugu, u osnovi isto tako netačnu tezu, a to je da je grad Sarajevo bio sav pod kontrolom Muslimana i da je VRS u ofanzivnim dejstvima stigla nadomak grada i da u grad nije mogla ući pa je uspostavila njegovu „opsadu“. A već je ranije u ovoj studiji argumentovano da je znatan deo gradskih opština Sarajeva od početka rata kontrolisala VRS kao deo srpske etničke teritorije, pa otuda nije bilo nikakve potrebe da se njena dejstva usmeravaju prema tom delu Sarajeva. Prema srpskom delu Sarajeva, svoja vojna dejstva su usmeravale snage 1.K A BiH i drugih korpusa A BiH koji su dejstvovali na spoljnom strategijskom prstenu.

4.138. Pozicija branjenog grada pravno legitimise vojna dejstva i u podeljenom gradu. S obzirom na činjenicu da su vojne snage 1.K A BiH vojno kontrolisale veći deo urbanog dela Sarajeva, te s obzirom na činjenicu da je muslimanska strana celo Sarajevo smatrala svojim gradom, ona je srpskoj strani na svaki način nastojala da ospori legitimno pravo na posedovanje bilo kojeg dela Sarajeva. 1.K A BiH je imao opredeljenje da vojnički porazi snage SRK u Sarajevu i na njegovim prilazima. O tome inače govore brojna grafička i tekstualna dokumenta iz kojih se vide planovi za izvođenje ofanzivnih operacija kako iz urbanog dela ka spoljnim ivicama, tako i sa spoljnog fronta ka urbanom delu grada. Posebno su u tom pogledu ilustrativne karte napadnih dejstava sa kojih se vidi da su brigade 1.K A BiH urbane delove grada koristile kao prostorne i operativne oslonce za izvođenje ofanzivnih dejstava prema onim delovima sarajevskog ratišta koji su bili pod kontrolom SRK. To praktično znači da je prostor grada Sarajeva bio vojnički aktivan. Prvi korpus A R BiH je iz grada i prema gradu planirao i izvodio vojna dejstva, a suštinski o civilnom stanovništvu nije ni vodio brigu, a bio je obavezan. Za pravnu i doktrinarnu ocenu legitimnosti protivdejstava snaga SRK potpuno je irelevantno ko je prvi otpočeo i ko se prvi našao na nekom od položaja u ili oko Sarajeva.³²⁹ U vatrenom smislu aktivnom liniju fronta držale su obadve ratujuće strane.

³²⁶ Optužnica, str.7. paragraf 14 do18.

³²⁷ Završni izveštaj komisije veštaka osnovane u skladu sa Rezolucijom Saveta Bezbednosti 780, s/1944/674, poglavlje VI, Komandna odgovornost, str. 28, paragraf 71.

³²⁸ Propisi o primeni prava međunarodnog ratnog prava u oružanim snagama SFRJ, izd.SSNO, Beograd, 1988, str. 55, paragraf 77. i 81.

³²⁹ Vidi šire, Radovan Radinović, Sarajevsko ratište, Ekspertiza za generala Stanislava Galića, 2002.

4.139. Po svim principima vojne i pravne doktrine, Sarajevo nije bilo nebranjeni grad, nego branjen odgovarajućim rasporedom vojnih snaga iznutra i spolja.³³⁰ U Sarajevo, tj. u onaj deo koji su pod kontrolom držale muslimanske snage, SRK nije mogao ući bez borbe ili bez opasnih gubitaka. Sarajevo je iza linije fronta bio branjen grad i kao takav predstavljao je legitimni objekat bombardovanja i svih metoda ratovanja koji nisu izričito zabranjeni odredbama međunarodnog ratnog i humanitarnog prava. Muslimani su, u delu grada koji su držali pod kontrolom, imali i raspoređene i razmeštene elemente svog operativnog i borbenog poretka koji su grad Sarajevo definisali kao vojno branjeni grad, a što je borbeno dejstva SRK prema urbanom delu grada učinilo legitimnim³³¹.

4.140. Saglasno uslovima na ratištu muslimanska strana je preduzimala stalne aktivnosti na kupovini oružja i opreme i na kontinuiranom podizanju operativnih sposobnosti 1.K A BiH. „Nakon potpisivanja vašingtonskog sporazuma, putevi snabdijevanja Armije R BiH preko Hrvatske su bili otvoreni i tokom ljeta stanje se osjetno popravilo. Pitanje objedinjavanja rukovođenja i komandovanja na pojedinim pravcima riješeno je sredinom maja. Novom organizacijom snage u gradu Sarajevu ostale su direktno potčinjene Komandi 1. korpusa, a snage van grada objedinjene su u privremene sastave – operativne grupe: OG-1 Pazarić, OG-2 Visoko i OG-3 Vareš. U ovom periodu su izvršene i bitne pripreme za buduća borbeno dejstva, tokom kojih su do sredine jula u svim brigadama 1. korpusa formirani manevarski bataljoni.“

5.2. Dejstva VRS na Sarajevskom ratištu bila su legitimna i iznuđena kao protivdejstva

4.141. U optužnici protiv generala Mladića navodi se da su jedinice VRS sprovodile vojnu strategiju granatiranja i snajperskog delovanja radi ubijanja, sakaćenja, ranjavanja i terorisanja civilnog stanovništva Sarajeva. Granatiranjem i snajperskim djelovanjem „... širio se teror nad civilnim stanovništvom...“³³² Prvo što se može primetiti u odnosu na citiranu tvrdnju iz optužnice jeste to da u vojnoj doktrini ne postoji „...vojna strategija granatiranja i snajperisanja niti širenja terora nad civilnim stanovništvom...“. Radi se samo o primeni dve vrste vatrenih dejstava i to artiljerijskih i snajperskih. Ako se zanemari navedena nepreciznost, mora se primetiti da je u taktici dejstava SRK na Sarajevskom ratištu primenjeno mnogo drugih borbenih postupaka koji ne pripadaju ni pojmu granatiranje ni snajperisanje. Tvrdnja da je izvođena „kampanja snajperskog delovanja i granatiranja“ nije poznata u teoriji ratne veštine. U dokumentima tužilaštva nisu pronađeni podaci koji argumentuju i potvrđuju navode. Artiljerijska dejstva su realizovana kroz neposrednu artiljerisku vatrenu podršku snaga u zahvatu linije fronta. Sprovodili su je sve zaraćene strane, uz neminovno razaranja dela civilnih objekata i stradanje civila na prostoru koji se nalazio u neposrednom dodiru zaraćenih strana. Imjući u vidu podatke

Karta obostranog rasporeda snaga na Sarajevskom ratištu, Prilog broj 11 Vidi se da je u urbanom delu grada bilo raspoređeno od 10-15 brigada 1.K A BiH. (Ovako veliki raspon je dat zato što je organizacija 1.K tokom rata menjana, a pored nominalnih brigada bio je i veći broj samostalnih jedinica brigadnog i bataljonskog nivoa).

³³¹ „...Svaka strana u sukobu može nebranjenim mestom proglasiti svako naseljeno mesto blizu ili u zoni vojnih operacija, pod ovim uslovima:

- da su svi borci, pokretno oružje i pokretna vojna oprema evakuisani;
- da se nepokretne vojne instalacije ili vojni objekti ne koriste za neprijateljstva;
- da vlasti i stanovništvo ne preduzimaju nikakv neprijateljski akt;
- da se ne preduzimaju nikakve akcije za podršku vojnim operacijama.“

Kako muslimanska strana svojom izjavom nije Sarajevo proglasila otvorenim i nebranjenim gradom, niti je u tom smislu bila uopšte spremna da išta preduzme, pa je na taj način užu u urbanom delu grada dovela u poziciju branjenog grada. Time je u načelu dejstva VRS učinila legitimnim, po vojnim objektima i ciljevima i civilnim objektima iz kojih su dejstvom ugrožene sopstvene snage.

³³² Optužnica, str. 7, paragraf 14

o ukupnom stradalom civilnom stanovništvu i razorenim objektima ne može se govoriti o postojanju namere i preduzimanju borbenih radnji i izvođenju artiljerijskih dejstava koja su bila u funkciji nanošenja gubitka civilnom stanovništvu. Naprotiv poredeći civilne gubitke u građanskim ratovima u novijoj istoriji dolazi se do zaključaka da je jedino u ovam građanskom ratu stradalo manje civila nego vojnika. To govori u prilog tvrdnji da komandovanje u VRS pa ni samo delovanje generala Mladića, na Sarajevskom ratištu, nisu bili usmereni na ubijanje civilnog stanovništva, niti na namerno razaranje civilnih objekata.

4.142. U Optužnici se ne vide egzaktni navodi za komandnu odgovornost, nego se radi o opštim konstatacijama koje se mogu pripisati bilo kome i bilo na kojoj dužnosti na Sarajevskom ratištu. Zbog te opštosti i nepreciznosti može se govoriti o tendencioznim elementima Optužnice koji nemaju konkretan izraz. Previđa se činjenicu da je najveći broj tih civila poginuo ili bivao ranjen u vreme razmene vatre između zaraćenih strana na bojištu, tj. u zahvatu položaja bataljona prve linije, odnosno u okviru tzv. taktičke dubine. Ali ti poginuli civili su stradali sa obadve strane fronta. Zabrinjava ta jednostranost kada se već raspoložuje sa znatno objektivnijim podacima gubitaka u građanskom ratu u BiH, pa i na Sarajevskom ratištu. Tu se vidi da je struktura tih gubitaka približno saglasna procentu demografske zastupljenosti Muslimana i Srba u gradu Sarajevu, dok su gubici Hrvata veoma mali. Taktička dubina je načelno 3-5 kilometara, koliko iznosi dubina razmeštanja elemenata borbenog rasporeda bataljona: čete prve i druge linije, bataljonska vatrena grupa, pozadine i komandnog mesta bataljona³³³. U toj tzv. taktičkoj dubini svakodnevno je dolazilo do međusobne razmene vatre velike gustine, zbog masovnog korišćenja automatskog naoružanja koje je proizvodilo sigurno velike posledice po civilno stanovništvo, a ne pripada snajperskom oružju.³³⁴

4.143. Da bi se izvan razumne sumnje, sa procentom veoma male verodostojnosti, uopšte mogla dokazivati tvrdnja Optužnice da su te hiljade poginulih ili unesrećenih civila u Sarajevu na muslimanskoj strani posledica namernog gađanja civilnih objekata, moralo bi se prethodno egzaktno utvrditi da su svi oni stradali van mesta i rejonu koji su izvan taktičke dubine bataljona prve linije, odnosno prvog položaja brigade iz sastava 1.K A BiH. Takav dokaz je apsolutno nemoguće izvesti iz dva vrlo ubedljiva razloga: (1) tu vrstu evidencije tužilaštvo uopšte nije priložilo, niti je istraga uopšte bila usmerena u tom pravcu, i (2) ceo uži deo urbanog dela grada Sarajeva, koji je inače bio pod muslimanskom kontrolom nalazi se u granicama te tzv. taktičke dubine, u okviru borbenog razmeštaja bataljona prvih položaja brigada 1.K A BiH, a ta dubina, kao što je već rečeno, iznosi 3-5 km.³³⁵

4.144. U celom ratu bilo je mnogo manipulacija sa civilnim žrtvama u Sarajevu. Ovim se ne tvrdi da ih nije bilo niti da ih je bilo malo. Želi se ukazati na problem preciznog razgraničenja civilnih žrtava koje su nastale namerom i dela civilnih žrtava koje su posledica oružane borbe u naseljenom delu grada.³³⁶ U građanskim ratovima kakav je bio rat u BiH i njegov deo koji je

³³³ U Naređenju za inženjersko obezbeđenje koje je izdala 2. brdska brigada 1.K A BiH daju se rejonu odbrane njena tri brdska bataljona. Za svaki od bataljona se ističe da je njihov borbeni raspored sastavljen od dva ešalona i to u prvom dve čete, a u drugom jedna četa, bataljonska vatrena grupa i deo za komandovanje. Takođe, po dubini brigade postavljaju se njene prištapske i opslužujuće jedinice. Na osnovu mesta koje zatvaraju u dubini tog taktičkog rasporeda bataljona prvog ešalona brigade, može se zaključiti da ta dubina iznosi oko 3 kilometara urbanog dela grada. Vidi dokument Int.ob.br.12/05-14-8/94, od 04.01.1993. godine.

³³⁴ Vidi šire, Radovan Radinović, Sarajevsko ratište, (Ekspertiza za generala Stanislava Galića), 2002.

³³⁵ Vidi Pravilo „Brigada KoV“, deo o širini i dubini odbrambenih položaja bataljona.

³³⁶ „Jedan od osnovnih problema pravne analize tokom opsade je taj da su se tokom opsade borci i neborbeno stanovništvo smenjivali i frekventno koristeći iste resurse i objekte“, „Završni izveštaj komisije Vutako....“, paragraf 76.

vođen oko Sarajeva i u Sarajevu, upravo posebno taj deo rata, gotovo je nemoguće povući jasnu razliku između civila i vojnika, te vojnih i civilnih ciljeva i objekata. VRS i A BiH u bukvalnom smislu su bile narodne milicije, sa manje ili više izraženim stepenom izgrađenosti vojne organizacije, discipline, odgovornosti i profesionalizma, a u Optužnici se navode elementi odgovornosti, generala Ratka Mladića kao da je iza sebe imao uređen sistem profesionalne vojske. Isti elementi Optužnice na ovaj način bi se mogli dovesti u kontekst odgovornosti vrha vojne organizacije i ličnosti drugih strana u sukobu, A BiH i HVO. Može se čak reći da je u početnom periodu rata VRS pokazivala više vojne organizovanosti nego A R BiH. Ovo zato što je ona imala nešto veći broj profesionalnog komandnog kadra. Još jedna činjenica uverljivo govori u prilog našoj tvrdnji da je u Sarajevu, naročito u prvoj godini rata (tokom 1992. godine), bilo gotovo nemoguće razlikovati civile od vojnika jeste to da A BiH u to vreme i nije imala uniforme, već je bila veoma raznoliko odevena. Uostalom, pukovnik Stjepan Šiber u svojoj već citiranoj knjizi tvrdi da su prve uniforme stigle tek od oktobra 1992. godine. A Šiber je, s obzirom na funkciju koju je imao u GŠ A BiH, sasvim sigurno o tome bio dosta obavešten. Uostalom, na video snimcima koje je odbrani dostavilo Tužilaštvo vide se muslimanski vojnici (1.K A BiH) u civilnoj i vojnoj odeći. Na osnovu toga, moglo bi se reći da je većina žrtava među muškarcima u Sarajevu, sa izuzetkom dece i staraca, istovremeno bila i vojna i civilna.

4.145. Da li je uopšte bilo moguće izbeći civilne žrtve u uslovima u kojima su vođena borbena dejstva na Sarajevskom ratištu? Naše je mišljenje da to nije bilo moguće i da je tu činjenicu ukalkulisala muslimanska strana u svoje planove, očekujući, sasvim ispravno, da to može biti argument plus u njihovoj borbi za osvajanje simpatija svetskog javnog mnjenja. Kada to ne bi bilo tako, teško bi bilo objasniti stalno odbijanje Muslimana da se Sarajevo demilitarizuje.³³⁷ Osim toga, nekoliko iskusnih visokih oficira UN, kao i diplomata i pregovarača najvišeg ranga, potvrdilo je da je muslimanska strana činila sve što je mogla da bi međunarodnu zajednicu, tj. zapadne zemlje i NATO, uvukla u rat na svojoj strani. Muslimanska strana je bila prinuđena da podnosi strahote rata i da barani svoj deo grada isto tako kao što su činili i Srbi sa svojim dalom gada Sarajava. I Muslimani i Srbi su bili svesni da će rat u podeljenom gradu izazivati stradanje civila, pogotovo u građanskom ratu gde su mnogi pod oružijem ponašali se samovoljno i suprotno odredbama Međunarodnog humanitarnog i ratnog prava. U 1. K A BiH nisu dovoljno vodili računa da u zoni odbrane jedinice ograniče boravak civila i preduzmu adekvatne mere njihove zaštite. To je obaveza ratujuće strane koja kontroliše, i u ratište pretvara, područje iz koga nisu evakuisani civili. Svaka strana je dužna da spreči da se civilni objekti i institucije koriste u vojne svrhe.³³⁸

4.146. Svedok KDZ 262, načelnik štaba 1.K A BiH u Sarajevu, potvrdio je da je grad bio isuviše tesan da bi svoja oruđa, jedinice i vojnu infrastrukturu odmakli dovoljno daleko od civila.³³⁹ Isti svedok na narednim stranicama transkripta potvrđuje masovnu upotrebu eminentno

³³⁷ Stjepan Šiber, jedan od pomoćnika Glavnog štaba A BiH je u svojoj knjizi zapisao da su se oni protivili demilitarizaciji jer bi to legalizovalo srpska vojna osvajanja. „Zablude, prevara, istina“ (ID01272)

³³⁸ U „Propisima o primeni humanitarnog prava“ SSNO, Beograd, 1988. godine par. 77. i 81. je precizirao šta se mora činiti da bi se zaštitilo civilno stanovništvo.

³³⁹ T 15189/90, 22 jun 2011: Q. You told us that it wasn't possible to adhere to all the rules of engagement when it came to the evacuation of civilians and infrastructure as well as in positioning headquarters and weapons further away from residential areas; is that right? A. Yes, that's absolutely correct. Since the area of responsibility in the town was a very narrow strip, it was impossible to make sure that military units go about their daily business and engage in combat outside of residential areas. It was impossible because of the lay of the ground and because of the way the area of responsibility ran. Q. Thank you. With your assistance I'd like us to go through the situation as it existed during the time when you were Chief of Staff. Please answer with a yes or no or I don't know to save time. Of course you're quite free to say - to confirm or simply say that that was not the case or that you don't know. Did the 1st Corps have up to 60.000 men in Sarajevo? A. According to the information I had,

civilnih, često kulturnih objekata u vojne svrhe.³⁴⁰ Ne samo da se te odredbe nisu pridržavali komandanti muslimanskih snaga, nego su upravo suprotno, oni svesno podmetali civilno stanovništvo pod vatrene udare VRS, tako što su neograničeno i nekontrolisano zloupotrebljavali civilne objekte i institucije za vojne potrebe, za stalni smeštaj jedinica, štabova, snajperskih gnezda, pozadinskih baza, artiljerijskih oruđa i drugih vatrenih položaja, a iz neposredne blizine dečjih obdaništa, bolnica, ili snaga Ujedinjenih nacija, otvarali vatru i ugrožavali civile na srpskoj strani, kao i položaje i živote vojnika SRK, sve dok ne bi obezbedili vatreni odgovor.³⁴¹ Uklanjanjem privremenih vatrenih tačaka obezbeđivali su da odgovor VRS bude viđen i osuđen kao neizazvan, neproporcionalan, nasumičan, teroristički usmeren prema civilima, ili bilo šta što bi moglo dovesti do strane vojne intervencije. Jasno je da ta taktika ne spada u dozvoljena ratna lukavstva, već predstavlja kršenje međunarodnih normi i zločin protiv sopstvenog civilnog stanovništva.

4.147. Čak i da su želeli da izmeste civile iz rejonu borbenih dejstava, to bi u Sarajevu, na onako veliki broj vojnih formacija koje su dejstvovala u gradu i iz grada i veliku gustinu toga rasporeda u gradu, bilo gotovo nemoguće postići. Ne, ponavljamo, to oni nisu niti nameravali, pa se onda postavlja pitanje ko preuzima rizik za nepotrebno stradanje civila: onaj ko ih zadržava u opasnim zonama i uz to vatreno deluje iz tih zona i navlači na sebe vatru protivnika, ili onaj ko uzvraća na vatru koja ga ugrožava. A da upravo komandanti muslimanskih snaga snose najveći deo odgovornosti za nepotrebne patnje civilnog stanovništva, može se ilustrovati samo na jednom primeru, i to na primeru komandanta Dobrinjske brigade 1. K A BiH, Ismeta Hadžića. Na pitanje odbrane general Galića „zašto nije izmeštao civile iz tzv. opasnih zona gde se izvode borbeni dejstva“, komandant Hadžić je rekao sledeće: (1) stanovništvo nisu imali gde da izmeste, verovatno zato što je ceo prostor bio posednut od strane vojnih snaga i (2) ili da bi bilo kakvo pomeranje stanovništva oslabilo borbeni moral vojske i demotivisalo je za dalju borbu.³⁴²

4.148. Iako najveća odgovornost za stradanje civila u muslimanskom delu Sarajeva leži na vlastima i komandama u muslimanskom delu grada, ni samo civilno stanovništvo se nije pridržavalo neophodnih mera bezbednosti, koje se podrazumevaju u zoni koja je pretvorena u ratište. Tu se misli na nepotrebna kretanja i šetnje, i bilo kakvo grupisanje i zadržavanje u tim ugroženim zonama, gde je odlazak na posao i povratak dovoljan rizik, da o okupljanjima na raznim kulturno-zabavnim i sportskim priredbama, što je praksa neviđena u dosadašnjim ratnim sukobima, itd.³⁴³ i ne govorimo. Ničeg od nabrojanog se nisu pridržavali civili, niti ih je na to prisiljavala vojna komanda na lokalnom i na opštem nivou. Naprotiv, vlasti su podsticale masovna okupljanja, obnovu gradskog saobraćaja tik uz liniju sukoba, i druge oblike izlaganja civila opasnostima, kao da nije upravo ta vlast objavila rat Srbima (12. aprila suštinski, a 20. juna 1992. godine i formalno) i celu BiH i grad Sarajevo pretvorila u ratište. Ilustracije radi, da navedemo reči jednog od UNMO posmatrača koji je u svom mesečnom izveštaju za decembar

that was roughly the figure, around 60.000 soldiers. There are documents specifically listing the head count as per individual units. This is something that I cannot tell you off the top of my head.

³⁴⁰ Ibid, pp 15191-93

³⁴¹ Naređenja komandanta 102. mtbr, str.pov.br. 23/2114-1, od 15.11.1993. (P1D02393); str.pov.br. 23/2244-1, od 1. decembra 1993. (D00679); str.pov.br. 08/13-138, od 26.08.1999., itd.

³⁴² Vidi šire prema, Radovan Radinović, Sarajevsko ratište, 2002.

Transkript svedočenja komandanta Dobrinjske brigade, Ismeta Hadžića, na suđenju generalu Stanislavu Galiću. (1D06018)

³⁴³ Primer fudbalske utakmice boraca jedne muslimanske jedinice na Dobrinji na svega 400 metara od linije fronta, na kojoj su masovno stradali i vojnici i civili.

1992. godine zapisao sledeće: „Kako bilo, nastavlja da me zadivljuje elastičnost Sarajlija. Većina se kreće okolo i obavlja svoje svakodnevne poslove kao da nije rat.“³⁴⁴

4.149. U citatu iz knjige Kerima Lučarevića, jednog od specijalaca rata u Sarajevu, koji je uživao veliko poverenje najviših struktura političke i vojne vlasti u BiH, veoma dobro se ilustruje koliko su starešine 1. K A BiH i policije u Sarajevu zloupotrebljavali civilne objekte u vojne svrhe: „... Sve moje borce postavljam na liniju odbrane Dobrinja 5. Raspoređujem ih po zgradama. Na svakom drugom ulazu je po jedna mitraljeska grupa, snajperista i protivoklopniak. Jednu protivoklopnu grupu šaljem prema Aerodromskom naselju, tamo gde je bila džamija.“³⁴⁵

4.150. Zloupotreba civilnih objekata u vojne svrhe u muslimanskom delu Sarajeva bila je redovna pojava. O zloupotrebi civilnih objekata u vojne svrhe govori najviše jedno pismo – protest, koje je Aliji Izetbegoviću uputio gen. Filip Morion, komandant snaga UNPROFOR-a za BiH, koje je ilustrativno za tvrdnje da je zloupotreba civilnih objekata od strane snaga 1. K A BiH bila masovna i potpuno nekontrolisana pojava.

„Gospodine predsedniče,

Siguran sam da ste svesni da je pucanje iz bolnice protivno Ženevskoj konvenciji. Žao mi je što moram da Vas obavestim da sam pre nekog vremena primio izveštaje da su pokretni minobacači dejstvovali iz susedstva bolnice Koševo. Ovo je, nažalost, potvrđeno i ja imam konkretne dokaze od svedoka koji su potpisali izjavu da se to dogodilo u ponedeljak 11. januara u 14.30 časova. Minobacač od 82 mm je bio postavljen, na zapadnoj strani bolnice Koševo, u dvorištu bolnice. Posada ovog minobacača je ispalila 9 hitaca, koristeći bolnicu kao zaklon. Direktnе posledice ovog zloglasnog i kukavičkog čina je da je nedugo zatim bolnica bila pod vatrom protivavionskog oruđa, artiljerije i minobacača...“³⁴⁶

4.151. Snage A BiH u Sarajevu ignorisale su obavezu o zabrani korišćenja civilnih objekata u vojne svrhe. U tim uslovima nije bilo realno ni očekivati da VRS može da se drži principa selektivnosti dejstva, jer se civilna priroda nekog objekta menja čim se posedne i iz njega ispoljava vatreno dejstvo. Kršenjem zakona i običaja rata, muslimanske snage su izbrisale razliku između vojnih i civilnih objekata, i vojnika i civila u zahvatu fronta. Shodno tome, pogotovo uz praksu samopokretnih ili samohodnih minobacača i drugih oruđa, te zloupotrebe dominantnih stambenih objekata za snajperska i druga vatrena gnezda, gotovo je bilo nemoguće razgraničiti koja dejstva VRS su mogla dobiti epitet legitimnosti, a koje nelegitimnih dejstava. Iz pojedinih borbenih dokumenta i izveštaja jasno se vidi kako je to izgledalo u zahvatu linije fronta. Snajperisti su bili razmešteni na širokom soliteru u Pofalićima, zgradi Elektroprivrede, na Mašinskom fakultetu, na soliterima „Momo i Uzeir“ (Unisove zgrade) na Betonjerki na Ilidži, na neboderima na Vojničkom polju, na krovu škole na Dobrinji 4, na zgradi Građevinskog fakulteta, na Trgu Pere Kosorića, hotelu Bristol, u Fabrici duvana, itd.³⁴⁷ Slično je i sa lokacijama minobacačkih i artiljerijskih položaja, te sa lokacijama logističkih baza i elemenata za komandovanje.³⁴⁸ Radom Umjetničke čete 1.K A BiH, u zahvatu linije fronta, pravljenе su

³⁴⁴ Katler, Zavreni izveštaj za decembar, od 02. januara 1993. godine. (P01429)

³⁴⁵ Kerim Lučarević, „Bitka za Sarajevo“, str. 195. (1D01271)

³⁴⁶ Pismo gen. Moriona Aliji Izetbegoviću. (1D01854)

³⁴⁷ Redovni dnevni borbeni izveštaj Komande 1. romanijske pešadijske brigade, str.pov.br. 247/92, od 18.07.1992. godine.

³⁴⁸ U Izveštaju komande 102. mtbr, 1. K A BiH javlja se da su vatreni položaji PAM 12,7 mm raspoređeni na zgradi „Hladnjača“ i „CENEX“, na pruzi i na studentskim domovima - dokument str.pov.br. 23/2186-1, od 25.

pojedine grupne manifestacije u okviru vojničkih i drugih svečanosti, u funkciji jačanja borbenog morala. Da se kojim slučajem dogodilo da ta umetnička četa ili neki njen deo bude pogođen i da dođe do pogibije, žrtve bi se po inerciji svrstale u civile, a očito je da se tu ne bi radilo o civilima. Još manje bi se radilo o civilima kada se delovi te čete pojavljuju na koncertima i priredbama u okviru vojničkih svečanosti na linijama fronta.³⁴⁹

4.152. Civilne i vojne objekte nije bilo moguće razlikovati iz prostog razloga što su i jedni i drugi koristili iste objekte: stanove, škole, javne ustanove, kulturne i verske objekte, itd.³⁵⁰ Ovo i zato što je borbeni raspored vojske obe ratujuće strane vodio kroz naselja, bukvalno kroz zgrade. U tim zgradama su boravili i živeli i civili i vojnici. U mnogim javnim zgradama su bili razmeštene i civilne i vojne institucije. U stambenim objektima, u školama, poštama, domovina zdravlja, dečijim vrtićima, itd. bili su razmešteni centri veze jedinica 1.K A R BiH, njihova komandna mesta, logističke baze i drugi elementi borbenog poretka jedinica.³⁵¹ Pored bolnica, porodilišta, domova staraca i penzionera, na neboderima sarajevskih firmi, novinskih kuća, hotela i drugih javnih objekata, povremeno su posedani vatreni položaji minobacača i artiljerije, a posebno snajperska gnezda. Kako proceniti u tim okolnostima gde prestaje civilni, a gde počinje vojni objekat i obratno.³⁵²

4.153. Ne samo da se snage 1.K A BiH nisu ustručavale da za razmeštaj snaga, vatreni borbeni položaj koriste civilne objekte i tako ih čine legitimnim vojnim ciljevima protivničke strane, već su one, isto tako napadale civilne objekte u Sarajevu po kontrolom srpske strane. Ta tvrdnja se najbolje argumentuje tačkom 4. Dopune zapovesti komandanta 1.K A BiH. Tu se navodi sledeće: „2... neutralisati neprijatelja na p/k, stvaranjem panike među četnicima i civilima preći u napad na pravcu Stupsko brdo-kasarna u Nedžarićima-Teološki fakultet i Vojničko polje-Lukavička cesta i na pravcu Dobrinja 5-Osnovna škola Aleksa Šantić i Dobrinja-Aerodromsko naselje...“³⁵³ Na 7 (sedam) strana detaljno se razrađuje ova odluka u vidu preciznih zadataka jedinicama. S obzirom na temu kojom se ovde bavimo, ovaj dokumenat pokazuje: (1) da je

novembra 1993. godine. Podaci o tim vojnim ciljevima sadrže se u brojnim drugim dokumentima ove i ostalih brigada (1D05567)

³⁴⁹ Prema Radovan Radinović, Sarajevsko ratište, 2002. „...Juče u toku dana 3. klasa boraca 4.mtbr dala je svečanu obavezu i povodom toga bila je prigodna svečanost u kojoj je učestvovala naša popularna pjevačica Hanka Paldum, pripadnica Umjetničke čete 1. korpusa...“ . Redovni borbeni izveštaj Komande OG „Igman“, Str.pov.br. 03-06/20, od 08.03.1993. godine.

³⁵⁰ Stariji UMNO posmatrač Katler, u jednom od svojih izveštaja o stanju u Sarajevu, kada je reč o ponašanju civila, ističe sledeće: „Kako bilo, nastavlja da me zadivljuje elastičnost Sarajeva. Većina se kreće oko i obavlja svoje svakodnevne poslove kao da nije rat...“ Vidi: Katler, „Završni mesečni izveštaj za decembar“, od 02.01.1993. godine, dokument Tužilaštva, str. 00479724, paragraf 8.

³⁵¹ U rečenom smislu, ilustrativan je jedan operativni izveštaj Komande 4.MAP-a dostavljen Komandi SRK. U tom izveštaju komandant MAP-a tvrdi da su snage 1.K dejsstvovale minobacačima iz grada i to tačno navodi lokacije sa kojih su dejsstvovale: ASTRO, Građevinsko preduzeće „BOSNA“, ulica Blagoja Parovića i druga mesta iz užeg gradskog područja. Komandant MAP-a dalje kaže da je na ta dejsstva odgovoreno sa vatrenih položaja iz Crepoljskog i Gradišta i to iz haubica 155 i 122 milimetara. U tim dejsstvima je utrošeno 28 (12+16) granata. Vidi Operativni izveštaj Komande MAP-a Str.pov.br. 1127/10, od 03.10.1992. godine, paragraf 1 i 2.

³⁵² Vidi šire prema, Radovan Radinović, Sarajevsko ratište, 2002. Za ponašanje muslimanskih snaga u Sarajevu i njihov odnos prema obavezi distanciranja vojnih od civilnih objekata, vrlo je ilustrativan podatak koji je sadržan u izjavi Viktora Bezručanka, načelnika Sektora UNPROFOR -a za planiranje vojnih operacija u Sarajevu, koji je na toj dužnosti proveo vreme od jula 1992. do jula 1993. godine. Bezručenko kaže da je rutinskom kontrolom inspekcije zgrade UN (PTT inženjering u Sarajevu) utvrđeno da su prostori ispod razmeštaja UN pretvorili u fabriku municije. To znači da je štab UNPROFOR-a sedeo na legitimnoj vojnoj meti. Vidi dokument Tužilaštva ICTY Sarajevo, str. 02098332.

³⁵³ Dopuna Zapovesti komandanta 1.K, Str.pov.br. 05/7-466-4, od 08.12.1993. godine, naročito T-2, 4, 5.2, 6, 14. i 15; Zapovest za odbranu Komande 1.K, Str.pov.br. 05/7-466, od 25.10.1993. godine.

Komanda 1.K A BiH kao objekte, odnosno kao ciljeve dejstva svojih snaga odredila i civile u Nedžarićima, Dobrinji i Lukavici, i (2) da su za elemente borbenog rasporeda naznačili i civilne objekte bez ikakvih ograničenja u smislu zaštite civila da ne bi postali legitimni ciljevi dejstava protivnika koji se ovom zapovješću čini objektom napada. Sasvim je bilo za očekivati da ovakva i slična naređenja i ponašanja koja iz civilnih objekata djeluju protiv srpskih civila izazovu protivdejstva SRK, bez osvrta na princip proporcionalnosti i selektivnosti, koje u datim okolnostima nije bilo moguće primeniti. Samo sarajevsko ratište i linija fronta između civilnih objekata onemogućavala je potpunu selektivnost u pogledu posjedanja elemenata borbenog rasporeda i dejstva po vojnim ciljevima u zoni ili u civilnim objektima. To se posebno odnosi na mitraljeska i snajperska gnezda u civilnim zgradama.

4.154. Iz stavova u Zapovesti za odbranu komandanta 102.mtbr A BiH jasno se vidi koliki broj civilnih objekata je posjednut regulisanjem borbenog rasporeda i linija odbrane: „...102.mtbr organizuje odsudnu odbranu u zoni „Cetrotrans“ isključivo - Dom penzionera-tvornica „Zora“-„ŠIPAD“...“ (tačka 2. ove Zapovesti). U tački 5. daju se zadaci bataljonima, a u sklopu toga njihovi rejon odbrane, komandna mesta i drugi elementi borbenog rasporeda. Za 1. motorizovani bataljon, zona uključuje objekte Piličarnik i Vatrogasni dom, Bataljonska vatrena grupa se razmešta u okviru preduzeća „Vranica“, a Istureno komandno mesto u objektu „Sava Kranj“ na Stupu. 2. motorizovani bataljon je raspoređen u dva rejona: prvi: Piličarnik, tramvajska pruga, kafana „LAV“, a drugi: aerodromska cesta, Gušića hale, groblje, Stupsko brdo. Bataljonska vatrena grupa u rejonu groblja Stupsko brdo, KM u objektu „PLINARA“, IKM u objektu „LAV“; 3. mtb organizuje odbranu u rejonu tramvajska pruga, aerodromska cesta i po dubini Stupska petlja. Njegova vatrena grupa se postavlja na vatrene položaje u rejon Latičke ulice, a KM u objektu osnovne škole „Pavle Goranin“; 4. mtb organizuje odbranu u rejonu Gušića hala-Dom penzionera-po dubini tvornica „Zora“. Težište protivoklopne borbe ovaj bataljon ima na pravcu: kafana „Monaliza“-hemijska čistionica i Crvena kuća-Dom penzionera. Razume se, na tom pravcu su razmeštene i protivoklopna sredstva. KM bataljona je u objektu Osnovne škole „Petar Đokić“, a IKM u kafani „Lipa“.³⁵⁴ Nema ovde nikakvih vojnih objekata u strogo namenskom pogledu, već se radi o klasičnoj zloupotrebi civilnih objekata i infrastrukture u vojne svrhe. Takvo rešenje je moguće, ali tek pošto se civili izmeste na bezbedne lokacije. U protivnom, rizik civilnih gubitaka na sebe preuzima onaj ko tu zloupotrebu vrši, a to su vojni komandanti 1.K A BiH. Da li je uopšte u takvoj situaciji moguće primeniti princip selektivnosti dejstava i orijentisati se isključivo na vojne ciljeve kada su ti vojni ciljevi usred naselja i u javnim objektima koje koriste civili.

4.155. 1.K A R BiH je u potpunosti ignorisao obavezu zaštite civila, tj. zabranu da svoje vojne efektivne štite tako što će ih sklanjati, maskirati i raspoređivati u civilnom okruženju. „Armija BiH je raširila svoje jedinice po celom ratu.... Teško naoružanje nije bilo ukopano na fiksnim položajima, nego je bilo sakriveno po zonama i menjalo je položaj kako bi izbeglo protivartiljerijska dejstva SRK. U tom smislu, jedinice 1.K Armije BiH, bez ikakvih ustezanja koristile su civilne objekte i resurse za vojne potrebe, i to je sasvim razumljivo kada se ima u vidu tip i narodni karakter vojske, karakter građanskog rata i milicijski oblik vojne organizacije i za uređivanje rejona i položaja odbrane u naseljenim mestima i posebno u urbanim delovima grada. Nije razumljivo, međutim, to što se osporava legitimnost dejstava jedinicama VRS po vojnim ciljevima raspoređenim u civilnim objektima u zahvatu linije fronta. U istoj situaciji, kao i muslimanske nalazile su se jedinice VRS na Grbavici, Ilidži, Vogošći, Ilijašu, Rajlovcu, Vojkovićima, Hadžićima i Lukavici. Cela civilna infrastruktura sistema veza u muslimanskom i

³⁵⁴ Vidi Zapovest za odbranu Komande 102.mtbr, Str.pov.br. 23/2244-1 od 01.12.1993. godine - dokument Tužilaštva 02056445-0205-6452.

srpskom delu Sarajeva bila je stavljena u funkciju vojnih potreba, kao centri veze za KM i IKM korpusa i brigada.³⁵⁵ Gotovo da i nema dokumenata 1.K A BiH i njenim potčinjenim jedinicama u kojima se izričito ne tvrdi da su te jedinice za raspored sopstvenih operativnih, logističkih i komandnih elemenata koristile civilne javne ili privatne objekte kao što su: proizvodne ili magacinske hale i prostori, dečja obdaništa, osnovne škole, domovi penzionera, kafići, hoteli, moteli, hladnjače, pošte, pa čak i bolnice.³⁵⁶

4.156. Bezbednosni režim, koji je uobičajen u naseljenim mestima, sistem komandovanja 1.K, GŠ i Vrhovna komanda A BiH uopšte nisu poštovali. Jasno je da ni u ratu vojska ne može preuzeti potpunu odgovornost za bezbednosni režim u gradu, jer su se time težišno trebale baviti i policija i civilna vlast, vojni komandanti i komandiri su morali preuzeti odgovornost za poštovanje toga režima u okviru tzv. taktičke dubine, koliko god je to moguće. U tim rejonima i zonama mora se ograničiti sloboda kretanja civila i njihova zaštita.³⁵⁷ Tako bi radile profesionalne vojske. Međutim, ako se želi objektivno oceniti situacija trba shvatiti da su ti vojnici i jedinice bili deo tog istog naroda u gradu i u zahvatu fronta. Verovatno je to i bio razlog za većinu vojnika i starešina VRS i A BiH da uporno brane liniju fronta jer suštinski nije bilo rezervnih položaja iza njihovih kuća. Mnogi Muslimani i Srbi su tako položili živote u odbrani svojih kuća, stambenih zgrada, kvartova i gradskih opština.

4.157. U takvom kontekstu ratne zbilje, civilne žrtve i razaranja civilnih objekata su nezaobilazne kolateralne štete, za koju ništa manje nisu krivi oni koji su je priželjkivali zato što ništa nisu činili da do nje ne dođe, od onih koji su tu kolateralnu štetu proizveli kao izvršioci.³⁵⁸

³⁵⁵ Naređenje za vezu Komande 102.mtbr, Op.br. 02/4-22, od 02.02.1994. godine i Naređenje za vezu Komande 1.mbr, Str.pov.br. 01-52, od 27.01.1993. godine.

³⁵⁶ Na primer: Naređenje Komande 102. mtbr, Str.pov.br. 23/2114-1, od 15.11.93.; Naređenje Str.pov.br. 23/22-44-1, od 01.12.93; Naređenje Str.pov.br. 23/2038-2, od 19.11.93; Naređenje Str-ov.br. 23/1686, od 18.09.93; Zapovest Pov.br. 23/2-559, od 17.10.93; Naređenje za inženjersko obezbeđenje Str.pov.br. 23/2244-5, od 01.12.93; Naređenje Str.pov.br. 23/2334-1, od 12.12.93; Naređenje Pov.br. 23/1-385, od 30.03.93; Naređenje Str.pov.br. 23/14-1618, od 24.05.93; Naređenje Str.pov.br. 23/2053-1, od 09.11.93; Borbeni izveštaj Komandi 1.K A BiH, Str.pov.br. 752-1, od 11.04.93; Naređenje za inženjersko obezbeđenje, int.ob.br. 12/05-14-8/99, od 04.01.93; Zapovest Komande 102.mtbr za napad, Op.br. 02/4-16, od 01.02.1994. godine; Naređenje Komande 102.mtbr za upotrebu artiljerije u odbrani, Op.br. 02/4-19, od 01.02.1994. godine; Naređenje Op.br. 12/02-56-18, od 31.07.1994. godine; Naređenje o transformaciji 1.mtbr, Str.pov.br. 03-1-1-87/99, od 06.09.1994. godine, itd.

Pored gore navedenih petnaestak dokumenata o korišćenju civilnih objekata za baziranje i vatreno dejstvo od strane jedinica 1.K A BiH, moglo bi se navoditi još bezbroj. No, valjda je i ovoliko dovoljno da se bez dileme dokaže da je u Sarajevu bilo nemoguće odvojiti vojne od civilnih objekata, a to znači da nije bilo moguće primeniti ni princip selektivnosti dejstava.

³⁵⁷ U citiranim dokumentima u prethodnoj fusnoti mogu se naći brojni primeri izbora vatrene položaja za artiljeriju i minobacače jedinica 1.K A BiH na civilnim lokacijama i u blizini civilnih objekata. Sa tih lokacija, odnosno vatrene položaja, otvorena je artiljerijska i minobacačka vatra po položajima VRS i naseljima pod srpskom kontrolom. Evo samo nekih od tih lokacija: Lukavica, Grbavica, Ilidža, Nedžarići, Rajlovac, Dobrinja, Pazarić, Hadžići. U okviru tih naselja, u dole citiranim dokumentima nalaze se brojni pojedinačni objekti koji su bili izloženi dejstvu muslimanske vatre, a imaju civilnu namenu. O tome videti dokumente 1.K A BiH: Borbeni izveštaj 101.mtbr, Str.pov.br. 03-1/52-3, od 08.01.94; Str.pov.br. 03-1/52- 31, od 05.02.94; Str.pov.br. 01/1409, od 12.01.1993; Pov.br. 01/1517, od 18.01.1993; br. 01/1648, od 24.01.93; br. 01/17.07, od 27.01.93; Pov.br. 01/1895, od 05.02.93; Pov.br. 01/1946, od 07.02.93. Ova dokumenta navode se samo kao ilustracija provociranja srpske artiljerije da uzvati na ova dejstva i to verovatno još snažnije i sa većim razornim posledicama koje je trebalo da zabeleže domaći i inostrani mediji i međunarodni vojni i civilni posmatrači. Vidi šire, Radovan Radinović, Sarajevsko ratište-ekspertiza za generala Stanislava Galića, 2002.

³⁵⁸ "Potpuna demilitarizacija Sarajeva je podrazumevala i povlačenje svih muslimanskih vojnika iz grada... posebno su se tome protivile neke ekstremne vode iz SDA, kojima je malo značilo što granate padaju na glave njihovog naroda, jer su to koristili da bi nagovorili SAD da stupi u rat na njihovoj strani, što je bio deo njihove tzv lukave strategije..." Rouz, "Misija mira", str.62.

Slične tvrdnje iznosi i Viktor Bezručenko u svojoj izjavi koju je dao istražiteljima Tužilaštva. On kaže da je Teritorijalna odbrana BiH svoje vatrene položaje birala na mestima koja su se nalazila u blizini položaja UN. Sa tih položaja su otvarali vatru na srpske položaje, nastojeći da na taj način izazovu protivdejstva srpske strane, u čemu su skoro uvek uspevali. U jednom takvom granatiranju, muslimanska strana je pogodila radar ukrajinskog kontingenta UNPROFOR-a. Tom prilikom je poginuo jedan ukrajinski vojnik.³⁵⁹ U jednom drugom granatiranju Ukrajinskog bataljona UNPROFOR-a bilo je ranjeno 8 ukrajinskih vojnika. U to granatiranje su izveli pripadnici 1.K A BiH, tvrdi Viktor Bezručenko.³⁶⁰

4.158. Narušavanjem bezbednosnog režima u zonama intenzivnih borbenih dejstava i međusobna razmena vatre bila je glavni uzrok narušavanja jednog od bitnih principa prava oružanog sukoba, a to je princip distinkcije. Taj princip obavezuje vojne komandante da svoje operacije usmeravaju isključivo prema vojnim ciljevima i vojnim objektima i da do mere do koje je to moguće, izbegnu prouzrokovanje gubitaka civila ili štete na civilnim objektima. U građanskom ratu u kojem nema jasne razlike između vojnika i civila, u kojem se čak ni prema spoljnom izgledu ne razlikuju te dve kategorije, kada borave na istim mestima i civili i vojnici, kada koriste iste objekte, stanuju u civilnim objektima, apsolutno je nemoguće ispoštovati princip selektivnosti vatrenih dejstava. To nije mogla ni VRS u Sarajevu, a to nije mogla ostvariti ni A BiH. Problem objektivnosti optužnice stoji i u tome što snage 1. K A BiH kao da nisu ni dejstvovala po srpskom delu Sarajeva i kao da civili u tom delu grada nisu ginuli. To je neshvatljivo i neobjektivno u pogledu pravde i pravičnosti, koja bi trebala da uvažava fakta i činjenice.

4.159. Princip proporcionalnosti dejstava veoma je bitan u ratu i oružanim sukobima sa aspekta humanizacije odnosa, kodeksa profesije i sa aspekta opšteg i vojnog morala. Smisao i intencija toga principa je da se izbegne nanošenje suvišnih patnji svima koji su na suprotnoj ratujućoj strani involvirani u sukob, bilo da su civili ili vojnici. Poziv na poštovanje tog principa je večni stav etike ratovanja. U njemu se sukobljavaju i sučeljavaju, dva međusobno suprotstavljena principa ratovanja: princip vojničke efikasnosti i princip humanosti. Prvi princip nalaže vojnim komandantima da se za najkraće vreme, maksimalnim učinkom i uz minimalne vlastite gubitke, ostvaruju ratni, odnosno borbeni zadaci. Drugi princip nameće viteško ponašanje prema neprijatelju, uzdržavanje od aktivnosti koje neprijatelju nanose dodatne patnje i kada je on već neutralisan i onesposobljen za dalji efikasni otpor. Nigde u vojnoj doktrini i vojnoj teoriji ovaj autor nije naišao na pouzdana uputstva, pa ni na sugestije kako u praksi doći do kriterijuma protivdejstva na način i u obimu koji ne bi narušavao princip proporcionalnog uzvraćanja. Shodno rečenom, u vojnoj struci nema pouzdanih ekspertskih oslonaca za pravno tumačenje ovoga kriterijuma niti za utvrđivanje stepena inkriminacije ratnih dejstava i borbenih postupaka pozivom na kriterijum proporcionalnosti. A u nedostatku čvrstih ekspertskih oslonaca pribegava se arbitramom prosuđivanju i zaključivanju.³⁶¹

4.160. U pogledu primene principa proporcionalnosti uzvratnih vatrenih udara sa položaja VRS prema položajima 1.K A BiH mora se imati u vidu činjenica da su snage 1.K veoma vešto menjale položaje, da su svoja vatrena sredstva montirali na vozila i tako ih učinile veoma sposobnim za manevar u taktičkim okvirima i da su kao takva bila veoma otporna na

³⁵⁹ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002, str.99-102

³⁶⁰ Vidi Dokument Tužilaštva, ICTY Sarajevo, str.02098332.

³⁶¹ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002, str.104-105

neutralisanje. Taman kada se misli da je neki cilj koji je prethodno bio aktivan pokriven odgovarajućom vatrom, cilj se gubi i ponovo pojavljuje na nekom drugom mestu.

4.161. Ako se još uz to dogodi da se poklopi i neki objekat gde su boravili civili ili javni objekat odakle je prethodno dejstvovalo sredstvo protivnika, eto povoda i razloga da se u pomoć poziva princip proporcionalnosti vojnih dejstava. I sami eksperti i posmatrači UN su u svojim izveštajima priznavali da su muslimani veoma vešto koristili ceo grad za manevar svojim sredstvima i da se pri tom nisu ni libili i da kao vatrene položaje ili zaklone i skloništa koristi civilne objekte. U istom smislu se može razumeti protesno pismo gen. F. Moriona A. Izetbegoviću u kojem ga upozorava na kršenje odredaba Ženevskih konvencija na taj način što se dvorište Koševske bolnice koristi za razmeštaj i dejstvo minobacača 82 mm odakle je ispaljeno 9 mina i to je izazvalo protivdejstvo VRS po krugu bolnice.³⁶²

4.162. Navedenu tvrdnju iz Optužnice ozbiljno dovodi u pitanje upravo „Završni izveštaj...“ koji je u ovom radu već više puta citiran, i to onaj njegov deo koji glasi: „Što se tiče uništavanja kulturnih dobara, postoje neki dokazi koji sugerišu da su snage A BiH postavile oružja ili direktno na ili u blizini ovih građevina.“³⁶³ Sličnu tvrdnju iznosi i Kerim Lučarević „Doktor“ u svojoj knjizi „Bitka za Sarajevo“. Tamo on kaže da su još na samom početku ratnih dejstava muslimanske snage svoja snajperska gnezda postavila u sobama hotela „Bristol“,³⁶⁴ odakle su gađali po ciljevima na strani protivnika. Zloupotrebivši civilni objekat za vojne potrebe, tj. za vatreno dejstvo, izazivali su protivdejstvo jedinica SRK. Dejstvo tenkovske granate je izazvalo požar u hotelu. Veoma je teško oceniti da li je SRK poštovao princip proporcionalnosti uvek u protivdejstvima, ali je sigurno da se ta dejstva ne mogu ili nije ih opravdano dovoditi u kontekst odgovornosti generala Ratka Mladića, imajući u vidu nemogućnost neposrednog prisustva niti odlučivanja o tim dejstvima, kada su ista opredeljena borbenom situacijom na taktičkom nivou. Zar rušenje ili razaranje objekta sa kojeg dejstvuje protivničko vatreno sredstvo i nanosi gubitke, može biti dovedeno u pitanje sa stanovišta legitimnosti i proporcionalnosti. Uvažavamo činjenicu da je značaj nekog javnog i kulturnog dobra neuporedivo veći od minobacača 82 mm ili snajperskog gnezda koje je locirano ili u tom objektu ili u njegovoj blizini, ali se isto tako mora uvažiti i činjenica da je obaveza i protivnika i mehanizma UN bila da se ne dozvoli korišćenje civilnih objekata u vojne svrhe. U protivnom, teško je očekivati da će objekat ostati nenapadnut iz koga se ubijaju vojnici na liniji fronta. Svakoј ozbiljnoj vojsci ljudski život je veoma bitan i preduzima niz mera da gubici budu minimalni. Stvar je ekspertskih procenjivanja posebne vrste vojnih specijalista šta je u tim slučajevima princip proporcionalnosti i kako u praksi obezbediti njegovu primenu. Ovim se ne tvrdi da su sva dejstva VRS na sarajevskom ratištu bila u skladu sa principom proporcionalnosti već samo ističe problem utvrđivanja mere te proporcionalnosti i metode pre nego do protivdejstva dođe.³⁶⁵

5.3. *Snajperska dejstva na Sarajevskom ratištu*

4.163. U snajperskom oružju i snajperskim dejstvima, snage 1.K A BiH bile su u izrazitoj prednosti nad snagama SRK. U prilog tome mogu se navesti sledeći argumenti: (1) na samom početku rata Muslimani su izvukli - iz fabrike „Zrak“ preko 500 snajpera³⁶⁶ i podelili ih svojim jedinicama u Sarajevu; (2) Sarajevo je pre rata bilo streljački centar bivše Jugoslavije, što je

³⁶² Pismo br. 00479801 od 19.01.1993. godine.

³⁶³ Završni izveštaj, paragraf 45.

³⁶⁴ Lučarević, K.: „Bitka za Sarajevo“, izd. TZU Sarajevo, 2000. godine, str. 137.

³⁶⁵ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002.

³⁶⁶ Šiber, S.: „Prevare, zablude, istina“, str.78.

omogućilo muslimanskoj vojsci i paravojsci da se popuni profesionalnim strelcima;³⁶⁷ (3) fabrika optike za snajpere „Zrak“ u Sarajevu je svo vreme rata proizvodila za potrebe Armije BiH; (4) sve do kraja 1994. godine VRS nije raspolagala snajperskom puškom 12,7 mm, dok su muslimani takvom snajperskom puškom raspolagali znatno ranije;³⁶⁸ (5) većina visokih zgrada u urbanom delu grada bila je pod kontrolom 1.K A BiH. Odatle je, kao i sa okolnih brda i dominantnih objekata koji su navedeni u ovoj ekspertizi, snajperska vatra bila veoma efikasna. Nema ni jednog oficira VRS sa kojima su istražitelji i tužilaštvo obavili razgovor, niti međunarodnog posmatrača ili zvaničnika UN i UNPROFOR-a koji nije ukazao na masovnu i efikasnu upotrebu snajpera od strane muslimanske vojske u Sarajevu.³⁶⁹ Snajperi su bili glavni izvor opasnosti za pripadnike SRK na Grbavici, Vracama, Dobrinji, Ilidži, Rajlovcu, posebno Nedžarićima, gde je front bio blizak kao u Staljingradskoj bici.³⁷⁰

4.164. Snajperska dejstva na Sarajevskom ratištu su medijskom manipulacijom pripisana VRS kao način na koji je SRK terorisao civilno stanovništvo. Ta teza je podupirana režiranim povremenim zločinima specijalne jedinice Ševe i drugih snajperskih jedinica 1. K A BiH. Da bi se VRS optužila za terorisanje civila snajperisanjem onda bi bilo nužno da se u dokumentima Tužilaštva vide informacije kojima se može pouzdano odgovoriti na sledeća pitanja: (1) Koliki je broj ubijenih civila iz snajperskog oružja?; (2) Na osnovu kojih i kakvih dokaza se utvrdilo da je taj broj žrtava zaista nastao kao posledica snajperskih dejstava?, i (3) Da li se na lokalitetima sa kojih je mogla biti pogođena svaka od žrtava doista i nalazio snajperista iz neke jedinice SRK? Uvidom u dokumenta i svedočenja, teško da bi se mogao izvesti pouzdan zaključak da se zaista radi o gubicima civila koji su nanešeni dejstvom iz snajpera. Ne osporava se ovim stavom da li je neka žrtva pogođena ili nije i sl., nego od kakvog je projektila stradala, snajperskog ili bilo kojeg drugog projektila iz streljačkog oružja. Nema podataka o takvoj vrsti ekspertize i informacija. Takođe, ne može se utvrditi od čijeg je snajpera žrtva stradala ili bila ranjena - od sopstvenih ili snajperista VRS.³⁷¹

4.165. U borbenim dokumentima koje su komande brigada upućivale komandi SRK, najčešće spominjani javni objekti - visoke zgrade na čijim krovovima i spratovima su bili razmešteni snajperski položaji i mitraljeska gnezda 1.K A BiH bili su: zgrada Izvršnog veća BiH, zgrada Skupštine BiH, kasarna „Maršal Tito“, široki soliter u Pofalićima, zgrada elektroprivrede „Loris“, Mašinski fakultet, soliteri Moma i Uzeir, Betonjerka na Ilidži, neboderi na Vojničkom polju, škola na Dobrinji 4, zgrada Građevinskog fakulteta u ulici Stjepana Tomića, Hladnjača na Stupu i mnoge druge visoke zgrade u Sarajevskim naseljima pod kontrolom 1.K A BiH. Veoma je ilustrativan primer zgrade Građevinskog fakulteta, koja je korištena kao kasarna. U njenom dvorištu su bili razmešteni vatreni i borbeni sistemi - jedna „Praga“ i nekoliko oklopnih vozila. Kako se u tim okolnostima taj ambijent može smatrati civilnim kompleksom, a protivdejstva artiljerije SRK kao granatiranje civilnih objekata kao srpski deo plana terorisanja civila? Pozicija i raspored borbenih sredstva bili su legitimni vojni cilj.

³⁶⁷ „Ševe“, vidi izvor- svedočenje sa suđenja u Sarajevu.

³⁶⁸ „...2.mtbr izvršava zadatke na pravcu Brežice i Ozrenske ulice, angažovani su snajperisti 2. mtb i jedinice MUP-a. Uključeni su snajperi 12,7 mm“. Vidi: Borbeni izveštaj 101. mtbr Komandi 1.K A BiH, Str.pov.br.02-2/82-298, od 25.12.1993.godine, dokument Tužilaštva 02056861.

³⁶⁹ Vidi šire, Radovan Radinović, Ekspertiza za Sarajevo, 2002. Str.81

³⁷⁰ Isto.,str.84

³⁷¹ Već je dokazana činjenica da su grupe za likvidaciju u Sarajevu dejstvovale i protiv sopstvenog naroda - vidi svedočenje u slučaju grupe „ŠEVE“.

4.166. O snajperskim dejstvima u zahvatu linije fronta i perfidnim podvalama muslimanske strane sam po sebi govori i odgovor Jovana Divjaka, generala u penziji A BiH. „U čitavom ratu u Banja Luci je bilo više od 20.000 Bošnjaka, koji nisu imali nikakvih problema. Ali to ova strana neće da govori. Svakodnevno u Federaciji čitamo o masovnim grobnicama Bošnjaka, ali retko da su davali da su i Srbi završavali u takvim grobnicama. Srbi još neće da prikažu masovne grobnice u Srebrenici i slično. U junu ili julu 1994. godine ubijeno je iz snajpera ovde na Grbavici, koju su tada držali Srbi, dvoje dece od 12 - 13 godina. Tri dana je Armija BiH pobijala da to može da se desi. I Alija je rekao da je to nemoguće, da bi kasnije priznao da je bilo i da je to uradio neki ludak. Da se vratim na tog Bošnjaka u Vojsci RS, on je ostao, kao i ja, sa svojim narodom komšijama i ne zameram mu, ali isto tako on je ovde omrznut zovu ga izdajnikom muslimanskog naroda. Alija Izetbegović je kao veliki vernik uverio sebe da je božiji izaslanik. Mislio je da ga je svevišnji poslao na zemlju.“³⁷²

4.167. Takođe treba imati u vidu da pored visokih zgrada 1. K A BiH je pod svojom kontrolom imao najviše pogodnih prostornih tačaka za razmeštaj snajperskih položaja. To su: nadvisujući objekti oko Sarajeva, kao što su Žuč, Hum, Grdonj, Velika i Mala Čolina kapa, Debelo brdo, Mojnilo, Orlić, Briješko brdo, Sokolje, sa kojih je efikasno pokriva liniju fronta i sve ključne tačke srpske odbrane u naseljima koja su činila srpski deo Sarajeva.³⁷³ Većina iskaza od žrtava snajperisanja odnosi se na percepciju svedoka koji su bili na licu mesta, bilo da se radi o običnim građanima ili o posmatračima UN. No, poznata je činjenica da je običnom vojniku gotovo nemoguće razlikovati snajperski hitac, od običnog puščanog, automatskog ili mitraljeskog hica pojedinačno ispaljenog, a ne rafalno.³⁷⁴

4.168. Većina civilnih žrtava u Sarajevu nastupila je verovatno kao posledica međusobne razmene streljačke vatre na linijama dodira, ili u taktičkoj dubini jer je taj prostor bio zasićen gustom vatrom iz automatskog pešadijskog naoružanja. Sve vojske sveta u svojim formacijama imaju snajperiste kao posebno obučene, selektirane i opremljene borce i strelce. Najpre, primarnom selekcijom mora se odabrati borac koji je u stanju da preko optičkog nišana osmotri cilj, i da vidi uživo susret njegovog hica i mete, odnosno da uživo vidi da je on prouzrokovao smrt njemu nepoznatog lica. A to može samo ličnost odgovarajućeg mentalnog sklopa, i te ličnosti se regrutuju u postupku rigorozne selekcije i klasifikacije regrutnog kontingenta mladića stasalih za profesionalni vojni poziv, ili za služenje vojnog roka. Potom, snajperista mora biti obučen za izbor i uređenje položaja, uključujući i noćno gađanje. Takođe snajperista bi trebao da ima veliku psihičku stabilnost, samostalnost u delovanju i donošenju odluka i odgovornost da svoju sposobnost ne zloupotrebi prema civilnom stanovništvu. Većina profesionalnih vojnika snajperista je takva, ali u građanskom ratu mnoge vojničke norme se krše i ne vrede. Tako je bilo i u ratu u BiH. Puno je kriminalaca i psihički labilnih osoba uzelo živote nedužnih na obe strane linije fronta. Kada se analizira uloga snajperisanja i snajperskog oružja u strukturi vojne moći sukobljenih strana na Sarajevskom ratištu, tada se dolazi do zaključka da je 1. K A BiH bio u tom pogledu u izrazitoj prednosti u odnosu na SRK. Evo nekoliko ilustracija u tom smeru.

³⁷² Jovan Divjak, penzionisani general Armije BiH, Intervju sa Dušanom Stojakovićem, Večernje novosti, 22.02.2003.

³⁷³ O snajperskim dejstvima sa raznih objekata u gradu govori se u Borbenim izveštajima: 1. smbr, str.pov.br. 1-1145, od 14.12.92., str.pov.br. 1152, ista godina (14.12.92.) (1D06002), Ilidžanska brigada, str.pov.br. 19/8841, od 31. januara 1994 (1D06003); 1. sarajevsko mehanizovana brigada, str.pov.br. 3-8461/4, od 21.07.1994. itd. Na osnovu toga odakle su dejstvovala, teško se može održati tvrdnja da je to bio miran kraj naseljen civilima, već se očito radi o vojno vrlo aktivnom delu Sarajeva, pa je i protivdejstvo po tom delu Sarajeva bilo sasvim legitimno.

³⁷⁴ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002., str. 110-115

4.169. Od ranije je istaknuto da je 1. K A BiH u svom posedu imao najviše pogodnih prostornih tačaka za razmeštaj snajperskih položaja. To su: nadvisujući objekti oko Sarajeva, kao što su Žuč, Hum, Grdonj, Velika i Mala Čolina kapa, Debelo brdo i Mojnilo, Orlić, Briješko brdo, Sokolje. Potom, najveći broj visokih građevina - javnih zgrada i solitera, te stambenih zgrada sa kojih je efikasno pokrivaio svaki deo grada, uključujući i sva srpska naselja koja su činila srpski deo Sarajeva.³⁷⁵ Odnos snaga u elementu snajperskih oružja po broju i kvalitetu, te snajperskih jedinica, bio je izrazito u korist 1. K A BiH. Na samom početku rata, Štab Teritorijalne odbrane BiH (kasnije prerastao u Štab Vrhovne komande A BiH) je iz fabrike „ZRAK“ podelio muslimanskim snagama 540 snajpera.³⁷⁶ U to vreme SRK nije imao ni polovinu od te količine, jer je više od polovine njegovih brigada bilo nanovo formirano u statusu lakih brigada, koje u svom formacijskom sastavu nisu imale snajperiste. Pored brojnosti, 1. K A BiH je raspolagao i sa kvalitetnijim snajperskim oružjem. Sve do kraja 1994. godine jedinice SRK nisu u svom sastavu imale snajpere 12,7 mm, a jedinice 1. K A BiH su ih imale znatno ranije.³⁷⁷

4.170. Snage 1. K A BiH su raspolagale ne samo sa snajperima i snajperistima, nego i sa snajperskim jedinicama, što nije bio slučaj sa jedinicama SRK. Osim naredbe da se organizuje kurs za obuku pojedinaca za snajperiste, ovaj autor nije naišao ni na jedan operativni dokument VRS: zapovest, naređenje, borbeni izveštaj i sl., na osnovu kojeg bi se zaključilo da je SRK raspolagao sa snajperskim jedinicama. Jedini izuzetak od ovoga pravila bila je Ilijaška brigada kod koje je, u samo jednom dokumentu, utvrđeno da se spominje odeljenje od šest snajperista. Za razliku od SRK, 1. K A BiH je emitovao više dokumenata iz kojih se vidi da je on raspolagao sa snajperskim jedinicama. Tako na primer komandant 1. K A BiH je 11. decembra 1993. godine naredio ukрупnjavanje snajperskih formacija i stvaranje manevarskih (pokretnih) snajperskih jedinica pod direktnom komandom komandanta korpusa.³⁷⁸ U jednom borbenom izveštaju komanda 102. mtbr (borbeni raspored je imala frontom okrenuta ka Stupu i Nedžarićima) izveštava komandu 1. K A BiH „... snajperisti su odradili svoj redovni posao...“³⁷⁹ Ista ta komanda, ali u jednom drugom izveštaju ističe sledeće: „... formiranjem i obukom ojačanog odeljenja snajperista u svim motorizovanim bataljonima i njihovim aktivnim angažovanjem na liniji cele zone odgovornosti stvara nesigurnost i nameće psihozu straha i neizvesnosti kod agresorskih vojnika“.³⁸⁰ To znači da je svaki bataljon u brigadama 1. K A BiH imao snajpersko odeljenje, a to nije mala snaga u toj vrsti specifične streljačke vatre. Za urbano ratovanje komandant bataljona je imao moćnu manevarsku snagu, jer je manevar vatrom u tim uslovima bio mnogo značajniji od manevra snagama.³⁸¹ Komandant 1. mtbr naređuje svojim potčinjenima da se od snajperista 1, 2. i 3. bataljona formira snajperski vod, i da se on smesti u školu „Blagoje Parović“.³⁸² Može se navoditi puno primera koji ukazuju na obim snaga i snajperskih sredstava u A BiH, a zaključak uvek bi bio isti, a to je da su jedinice 1. K A BiH bile izrazito nadmoćne u

³⁷⁵ Isto.

³⁷⁶ Stjepan Šiber, Prevare, zablude, istina, str. 78. (1D01272)

³⁷⁷ Borbeni izveštaj 101. mtb 1.K A BiH, str.pov.br. 02-2/82-298, od 25.12.93. godine, piše: „2. motorizovani bataljon izvršava zadatke na pravcu Brežica-Ozrenska ulica (Grbavica). Angažovani su snajperisti 2. mtb i jedinice MUP-a. Uključeni su snajperi 12,7 mm.“ (1D01837)

³⁷⁸ Naređenje za upućivanje snajperista u komandu 1.K A BiH, str.pov.br. 23/23-18-2, od 11. decembra 1993. godine.

Borbeni izveštaj komande 102. mtbr, str.pov.br. 01/1946, od 07. februara 1993. godine.

³⁷⁹ Borbeni izveštaj komande 102. mtbr, str.pov.br. 01/1946, od 07. februara 1993. godine.

³⁸⁰ Izveštaj komandi 102. mtbr, pov.br. 05/6-19, od 26.01.1994. godine. (1D20070)

³⁸¹ Vidi šire, Radovan Radinović, Sarajevsko ratište, Ekspertiza za generala Stanislava Galića, 2002.

³⁸² Naređenje komandanta 1. mtbr za formiranje snajperskog voda, str.pov.br. 01-444, od 02. oktobra 1993. godine. (1D05566)

svim elementima borbene moći, koje se odnosi na snajpere i snajperska dejstva, u odnosu na snage SRK VRS. S tim u vezi postavlja se ozbiljno pitanje da li je SRK uopšte bio u stanju da uz pomoć snajperskih dejstava bar donekle neutrališe protivničke snajpere, a ne da li je bio u stanju da pomoću snajpera planira i izvrši teror nad civilnim stanovništvom. Uostalom, terorisanje civila je bila specijalnost muslimanskih snaga, o čemu uverljivo svedoči ugledni novinar i reditelj Veljko Kojović u svojim kazivanjima u knjizi: „Krvava košulja sarajevska“. Kojović kaže da su na kontrolnim punktovima, kada naiđe neki Srbin, pripadnici muslimanskih snaga koje su vršile kontrolu na početku rata, ispravu te osobe podizali iznad glave, dajući znak snajperistima da je cilj markiran. Nakon nekoliko desetina metara, taj bi nesretnik bio ubijen.³⁸³

4.171. Snajperska dejstva 1. K A BiH su za SRK predstavljala veliki bezbednosni problem po vojsku i civilno stanovništvo. Sva srpska naselja u Sarajevu bila su izložena dejstvu snajperske vatre. Posebno je bio ugrožen punkt Kasindol-Lukavica-Zlatište-Trebević i dalje ka Hreši i Radavi. To je bio jedini put za manevar SRK sa Trebevića, Grbavice, Lukavice i Dobrinje ka Vogošći i Rajlovcu nakon što je VRS predala UNPROFOR-u aerodrom Sarajevo juna 1992. godine. Taj putni pravac je bio pod stalnim dejstvom muslimanskih snajperista sa Mojmila, Debelog brda, Čoline kape i visokih zgrada u užem centru Sarajeva. To je bio razlog da se od strane komande SRK naredi da se na delu prostora, koji je bio stalno pod snajperskom vatrom, postave antisnajperske maske.³⁸⁴ Za te radove bila je odgovorna komanda 1. sarajevske mehanizovane brigade. U svim srpskim naseljima u gradu Sarajevu: Grbavici, Dobrinji, Nedžarićima, Lukavici, Gornjem Kotorcu, Ilidži, Rajlovcu, Vogošći, Ilijašu, pale su brojne civilne srpske žrtve.³⁸⁵

4.172. Završavajući deo izlaganja, koji se odnosi na snajperska delovanja VRS, nameće se zaključak da je snajperskih dejstava bilo, ali na obe strane, i to muslimanskoj strani daleko više i daleko efikasnije, i usmerenije protiv civila. Ta sukobljena strana je bila u prednosti u pogledu broja i kvaliteta snajperskog oružja, u pogledu broja snajperista i snajperskih jedinica, i u pogledu broja i lokacije pogodnih snajperskih položaja. Da bi kako-tako ublažila posledice snajperskih dejstava muslimanskih snaga po položajima VRS i po srpskim naseljima u Sarajevu, komanda SRK je na najugroženija mesta podizala tzv. snajperske maske i pregrade, pa su, na primer, skoro sve ulice na Grbavici imale zidane ili viseće, platnene prepreke, bez kojih deca ne bi mogla ići u školu. Svako ko je posetio ovo naselje, zapazio je te brojne zastore i podzide. Srpska strana je imala interes da često preko UNPROFOR-u traži i ishoduje antisnajperske sporazume, koje, nažalost, muslimanska strana redovno nije poštovala. Jedinice SRK na Sarajevskom ratištu su ka urbanom delu grada imale okrenute samo deo snaga ekvivalenta oko 4-5 bataljona. Ako se zna da je u odeljenjima nekih od tih bataljona, po formaciji, bilo najviše 1-2 snajperista, tada neuverljivo zvuči tvrdnja Optužnice da je snajperisanje bilo u funkciji plana ubijanja što više civila i terorisanja civilnog stanovništva. Ovde se radi o zameni teza: gubitke civilnog stanovništva, nastale u međusobnoj razmeni vatre na linijama razdvajanja, muslimanska strana je UNPROFOR-u i posmatračima UNMO prijavljivala kao žrtve snajperskog dejstva. A koliki je udeo tih gubitaka u ukupnim gubicima koji su proglašeni posledicama snajperske vatre SRK, to niti je neko ekspertski utvrdio, niti je to bilo moguće ekspertski utvrditi, tim pre što su mnogi borci Armije BiH poginuli u civilnim odelima, njihove porodice kod dodele „sertifikata“ tretirane kao porodice poginulih boraca, a u medijima prikazivani kao civilne žrtve. Svedok KDZ

³⁸³ Radovan Radinović, Isto.

³⁸⁴ Naređenje str.pov.br. 20/15-388, od 25.07.1994. godine. (1D06015)

³⁸⁵ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002., str.112-114.

193³⁸⁶ opisao je kako su dvostruko tretirani poginuli: za potrebe optuživanja Srba kao civili, a od strane Ministarstva odbrane kao poginuli borci.

4.173. Brojni su izveštaji potčinjenih jedinica iz kojih se jednostavno može zaključiti da su minobacačka i snajperska dejstva protivničke strane - 1.K A BiH po položajima jedinica SRK i po naseljima pod srpskom kontrolom bile redovna pojava.³⁸⁷ Snajperska dejstva bila su sadržaj borbenih dejstava sve tri zaraćene strane na Sarajevskom ratištu i može se i treba podvesti pod kategoriju legitimnih dejstava iz nekoliko razloga: (1) ta vrsta dejstava nije zabranjena odredbama međunarodnog ratnog i humanitarnog prava; (2) deo snajperskih dejstava jedinica VRS i A BiH bio je međusobno uslovljen kroz dejstva i protivdejstva i (3) u istoriji ratne veštine uvek su snajperska dejstva bila bitan sadržaj borbenih dejstava u gradovima i na utvrđenim linijama fronta.

4.174. Odnos snajperskih snaga na Sarajevskom ratištu ne argumentuje tvrdnje i zaključak da su snage VRS stalnim snajperisanjem planski i sistemski terorizale civile u Sarajevu. Neoboriva je činjenica da su u toj vrsti oružja, u toj vojnoevidencionoj specijalnosti snage 1.K A BiH u odnosu na SRK bile u znatnoj prednosti. Takav zaključak se izvodi na osnovu niza činjenica i podataka, koje su opisane kroz podatke o organizaciji, obuci i delovanju tih jedinica.³⁸⁸ Jedinice 1.K A BiH raspolagale su kvalitetnijim vojnim snajperskim naoružanjem u odnosu na jedinice SRK, isto onako kako su bile u prednosti nad SRK u tzv. civilnim snajperima, tj. snajperima sa kojima su raspolagale razne streljačke sekcije u Sarajevu i lovačkim naoružanjem. Naime, jedinice SRK su tek krajem 1994. godine, dobile nešto snajpera 12,7 mm koji su u stanju da gađaju ciljeve na daljinama do 2.000 metara. Taj snajper je 1.K A BiH imao znatno ranije, zbog čega je on bio u ozbiljnoj prednosti nad SRK.³⁸⁹

4.175. Gotovo da ni tamo nema borbenog izveštaja iz kojeg se ne bi moglo zaključiti da je protivnička (tj. Srpska) strana borbeno aktivna. Kada se stvari tako sagledaju, bilo bi potpuno razumno izvesti ovih nekoliko zaključaka: (1) obe zaraćene strane su na položajima u Sarajevu bile borbeno i vatreno aktivne; (2) razmena pešadijske vatre na linijama razdvajanja bila je svakodnevna pojava; (3) radi se o veoma malom broju gubitaka od snajpera, i (4) najveći broj tzv. snajperskih gubitaka u stvari je posledica dejstva masovne rafalne pešadijske vatre u okviru svakodnevnih aktivnosti na linijama fronta sarajevskog fronta.

³⁸⁶ Eset Muračević, TR p. 12780, 2. mart 2011.

³⁸⁷ Vidi: Dnevni izveštaji 1.Smbr Str.pov.br.1-1145, od 14.12.1992. i Str.pov.br. 1152 istog dana; Dnevni izveštaj Ilidžanske brigade Str.pov.br. 19/8841, od 31.01.1994, tačka 1, stav 1; Borbeni izveštaj Komande 1.smbr Str.pov.br. 3-846/4, od 21.07.1993; 3-625/1, od 08.06.1993; Str.pov. 3-325/3, od 06.05.1993; Str.pov. 3-626/2, od 19.06.1993. i brojni drugi izveštaji ove i svih drugih brigada SRK. U tim izveštajima se govori o neprijateljskom dejstvu po civilnim kućama, njihovom paljenju i uništavanju, o gađanju ambulante na Vracama (Str.pov.br. 3-625/1, od 08.06.1993.) itd. Može se reći da nema ni govora o tome da se radi o mirnim civilnim krajevima, već o krajevima sa kojih se dejstvuje po srpskim naseljima. Mesta sa kojih se dejstvuje su gotovo u svakom delu grada ili njegove ivice, kao što su: Debelo brdo, Mojmiro, Sokolja, Brijesće, Kobilja glava, Bistrik, Donji Kotarac, Sokolović Kolonija, itd. Nakon takvih borbenih i vatrene aktivnosti snaga 1.K, bilo je normalno očekivati uzvratne vatrene udare po tim prostorima, što je zasigurno izazivalo brojne posledice i po civilno stanovništvo. No, tu se ne može raditi o terorisanju i namernom dejstvu po civilnim objektima kako se tvrdi u Optužnici, već o protivdejstvu, što je legitimni postupak vojnog delovanja.

³⁸⁸ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002., str.110-111

³⁸⁹ Tvrdnju argumentuje podatak iz jednog Borbenog izveštaja Komande 101.mtbr iz decembra 1993. godine. Tu se tvrdi sledeće: 2. motorizovani bataljon (101.mtbr) izvršava zadatke na pravcu Brežice i Ozrenska ulica (Grbavica). Angažovani su snajperisti 2.mtb i jedinice MUP. Uključeni su snajperi 12.7 mm. Vidi: Borbeni izveštaj Komande 101.mtbr, Str.pov.br. 02-2/82-298, od 25.12.1993. godine.

4.176. Postavlja se ozbiljno pitanje da li su i svi borci na frontu koji su posedovali snajpersko oružje u jedinicama SRK mogli imati status snajperista kao posebne vojnoevidencione specijalnosti. Naime, u odgovarajućoj pravilskoj i doktrinarnoj dokumentaciji je propisano kako se stiče status snajperiste i kada se strelac izdiže na rang snajperiste kao posebnog oblika specijalističke obuke najboljih strelaca.³⁹⁰ Takođe, u toj dokumentaciji su propisani kriterijumi izbora i osposobljavanja snajperista, njihovog redovnog kondiciranja putem metodičkih dnevno-noćnih gađanja, i sl.

4.177. Ako se dosledno uvaži uloga snajpera i snajperskih dejstava u okviru vatrenog sistema jedinica prve borbene linije, onda bi ta tvrdnja o snajperisanju kao programiranom terorisanju civilnog stanovništva u Sarajevu bila još manje održiva. Naime, snajperisti su prevashodno namenjeni za dejstvo po ciljevima koji bitno mogu uticati na tok i ishod sukoba na određenom taktičkom položaju. To su protivnički komandanti i starešine visokog ranga, osmatračići, oficiri za navođenje, posade na vatreim položajima u zahvatu prvih položaja, odnosno prvih linija, vezisti u neposrednom borbenom dodiru i druge veoma važne vojne ličnosti. Verovatnije je da su civilne žrtve bile većinom posledica razmene pešadijske vatre ili njenog nekontrolisanog otvaranja sa položaja u zahvatu fronta.

4.178. Naređenje za snajperska dejstva u potpunosti razvejava svaku sumnju u pogledu strateške vizije snajperskih dejstava u sklopu vojne doktrine VRS, koju je zagovarao sistem komandovanja u SRK na Sarajevskom ratištu.³⁹¹ U tom naređenju je strogo ukazano da priprema snajperista sadrži: izbor rejona i položaja za raspored snajperista, mesto, vreme i način njihovog dejstva, način kontrole toga dejstva i izveštavanje o posledicama, uključujući i utrošak municije, te da je ta priprema u isključivoj nadležnosti komandanata brigada. Shodno rečenom, eventualna snajperska vatra sa položaja SRK se jedino može svrstati u pojedinačno ili dejstvo grupe u okviru odeljenja.³⁹² Posledice koje svedoci i Optužnica navode kao posledice snajperisanja, nisu ništa drugo do posledica dejstva automatske streljačke vatre u zahvatu fronta na Sarajevskom ratištu. Postojanje snajperskih dejstava na sve tri zaraćene strane ne može biti potpora Optužnice koja u dobroj meri počiva na muslimanskoj medijskoj propagandi. Danas se već zna pouzdano da su optužbe izrečene na račun jedinica VRS u suštini izvele specijalne jedinice i snajperisti A BiH kako bi se Srbi optužili kao nehumana strana u ratu. O tome je više rečeno u opisu snajperskih dejstava i organizacije i izvođenja zločina specijalne jedinice „Ševe“. Po tome su bili poznati i Crni Labudovi i mnoge druge izviđačke i specijalne jedinice.

4.179. Zbog snajperskih dejstva jedinica 1.K A BiH, SRK VRS je morao da izrađuju različite barijere. To se posebno vidi iz naređenja, koje je verovatno usledilo nakon jednog drugog naređenja³⁹³ u kome se nalaže postavljanje zaštitnih maski na put Kasindol-Lukavica-Zlatište. Radi se o putu koji spaja snage SRK na prostoru Lukavice, preko Trebevića, sa Vogošćom i Ilidžom, Hadžićima. To je bila jedina komunikacija kuda je išao dotur i evakuacija i manevar snaga SRK sa jednog do drugog dela strategijskog fronta na Sarajevskom ratištu. Figurativno, to je bio „Put života“. Muslimanske snage su taj put stalno napadale snajperskim dejstvima i to sa Mojmila (na delu Kasindol-Lukavica), sa Debelog brda na delu Vranjače-Palež i sa Čoline kape na deonici od Knjeginca prema Trebeviću.

³⁹⁰ Plan i program obuke, Pravilo „Poluautomatska snajperska puška 7,9 mm M-76“, izd.SSNO, Beograd.

³⁹¹ Vidi Naređenje od 29.07.1994. godine.

³⁹² Vojni ekspert Tužilaštva, Ričard Filips, u svedočenju je izneo podatak da su brigade SRK imale snajperske vodove. Taj podatak nije empirijski potvrđen. Takvi vodovi nisu evidentirani u organizaciji i formaciji brigada, a nisu ni kao ad hoc formacije pronađene u brigadama, odnosno u njihovim borbenim izveštajima i naređenjima. Jedinu izuzetak je Ilijaška brigada kod koje je u jednom dokumentu utvrđeno odeljenje od 6 (šest) snajperista.

³⁹³ Naređenje, Str.pov.br. 20/15-388 od 25.7.1994. godine.

4.180. Za antisnajperska dejstva upotrebom sopstvene snajperske vatre, vatre oklopnih jedinica, artiljerijske i minobacačke vatre po uočenim gnezdima, jedinice SRK su imale sasvim dovoljno razloga. Da je to tačno, može se ilustrovati uvidom u nekoliko dokumenata jedinica 1.K A BiH. Na osnovu jednog naređenja Komande 1.K A BiH (Str.pov.br. 23/2318-2, od 11.12.1993.) o ukрупnjavanju snajperskih sastava i stvaranju manevarskih snajperskih jedinica pod neposrednom komandom komandanta 1.K, komandant 102.mtbr naređuje komandantima svoja 4 bataljona i komandiru izviđačko-diverzantske čete da odmah otkomanduju po jednog svog snajperistu i sa oružjem pošalju u Komandu korpusa.³⁹⁴ Dvadesetak dana posle tog naređenja, komandant 102.mtbr naređuje svojim bataljonima da u vremenu od 01.01. do 10.01.1994. godine iz svakog bataljona izdvoje po 15 vojnika i sa njima realizuju program obuke za snajperiste. Takođe je naredio da se teoretska obuka izvrši u Osnovnoj školi „Pavle Goranin“, a praktična obuka na terenu u organizaciji komande bataljona. Sasvim je izvesno da se ta praktična obuka izvodila na živim ciljevima i to na strani SRK i po srpskim civilnim ciljevima.³⁹⁵ U Borbenom izveštaju iz februara 1993. godine Komanda 102.mtbr izveštava Komandu 1.K da je artiljerija dejstvovala po Nedžarićima i Lukavici, a za to vreme „...snajperisti su odrađivali svoj redovni posao...“. Postavlja se doista pitanje, a šta je to redovni posao snajperista, osim skidanja srpskih ciljeva.³⁹⁶ Organ za moral Komande 102.mtbr izveštava Komandu 1. korpusa, tj. njen Sektor za moral, da se „...formiranjem i obukom ojačanog odeljenja snajperista u svim motorizovanim bataljonima i njihovim aktivnim angažovanjem na liniji cijele zone odgovornosti stvara nesigurnost i nameće psihoza straha i neizvesnosti kod agresorskih vojnika.“³⁹⁷

4.181. Izveštaj Komande 1. motorizovanog bataljona 101.mtbr slikovito potvrđuje tezu da su muslimanske snage imale i stalno izgrađivale kapacitete za omasovljenje broja snajpera na celoj liniji sarajevskog fronta. Borci 1. čete toga bataljona, u ulozi snajperista, primetili neprijateljske vojnike u rejonu Trapare i na njih ispalili 15 komada metaka.³⁹⁸ U proteklih 7 dana naša 3 snajperista su non stop na zadatku i deluju skoro na svim linijama odbrane u našem gradu...“³⁹⁹ Iz suštine izveštaja očigledno se radi o „slobodnim strelcima“ koje niko nije neposredno kontrolisao i da su imali potpunu samostalnost.

4.182. U dokumentima Tužilaštvo iz nekoliko dokumenata se jasno vidi da je Komanda 1.K vrlo ozbiljno računala sa snajperskim dejstvima u sklopu svih svojih borbenih aktivnosti. U tim dokumentima se nalaze podaci o izboru, obuci, raspoređivanju snajperista, insistira se na njihovoj celodnevnoj i celonoćnoj aktivnosti itd.⁴⁰⁰ Na osnovu analize borbenih dokumenata može se izvesti pouzdan zaključak da je sistem komandovanja 1.K A BiH veoma vodio računa o snajperskim jedinicama, kao elementima borbenog rasporeda, počev od komande korpusa do bataljona. Tako na primer Komanda 1. motorizovane brigade naređuje svojim potčinjenim da se od snajperista 1, 2. i 3. bataljona formira snajperski vod i da se on smesti u bivšu školu „Blagoje Parović“ - preko puta kompanije „CENEX“.⁴⁰¹ To je istovremeno dokaz o zloupotrebi civilnih

³⁹⁴ Naređenje za upućivanje snajperista u Komandu 1. korpusa, Str.pov.br. 23/23-18-2, od 11.12.1993. godine.

³⁹⁵ Naređenje za obuku snajperista, Str.pov.br. 23/245-1, od 28.12.1993. godine.

³⁹⁶ Borbeni izveštaj, Pov.br. 01/1946, od 07.02.1993. godine.

³⁹⁷ Komanda 102.mtbr – Organ za moral: Izveštaj o stanju borbenog morala, Pov.br. 05/6-19, od 26.01.1994. godine.

³⁹⁸ Borbeni izveštaj Komande 1.mtbr Komandi 101.mtbr, Poverljivo, bez broja, od 19.08.1993. godine.

³⁹⁹ Borbeni izveštaj Komande IDG Komandi 101.mtbr, br. 12/23-2047-11/93, od 27.12.1993. godine.

⁴⁰⁰ „Snajpere koje poseduju brigade staviti u stalnu i neprekidnu funkciju u svim vremenskim uslovima kada je to moguće. Oruđa opremljena noćnim nišanom moraju biti u funkciji 24 sata“ - Komanda 2.mtbr. Str.pov.br. 03/01-33-07/93, od 05.03.1993. godine.

⁴⁰¹ Naređenje komandanta 1.mtbr za formiranje snajperskog voda, str.pov.br. 01-444, od 02.10.1993. godine

objekta, kao što su škole. Komanda 3. motorizovanog bataljona 2. motorizovane brigade isto tako izveštava svoga komandanta brigade da je proteklog dana u njegovoj zoni odgovornosti dejstvovalo snajpersko odeljenje od 9 snajperista.⁴⁰² Svih devet imena je u dokumentu navedeno. To je u suštini snajpersko odeljenje toga bataljona. Po toj analogiji brigade su verovatno imale snajperski vod, a u korpusu su formirani privremeni sastavi po ukazanoj potrebi. Takođe treba imati u vidu da su u zoni 1.K A BiH dejstvovali Ševe, kao specijalna formacija državne bezbednosti koja je sejala smrt na liniji fronta, prvenstveno u naseljenom delu grada Sarajeva. Sveukupno to su bili veliki potencijali kojima SRK VRS nije mogao da parira. Otud i čuđenje kako se za približno proporcionalno snajpersko delovanje na Sarajevskom ratištu, general Mladić optužuje za teror u kome ni na koji način nije učestvovao.

5.4. Granatiranje kao terorisanje civila ili legitimno vojno dejstvo?

4.183. Treba poći od činjenica da nije sporna tvrdnja koju sadrže gotovo sva prateća dokumenta koja idu uz Optužnicu, a to je da je SRK na Sarajevskom ratištu bio nadmoćan u artiljerijskim oruđima većeg dometa. Dejstvom artiljerije za podršku SRK je mogao da dejstvuje po bilo kom cilju u urbanom delu Sarajeva. Apsolutno je neprihvatljiva tvrdnja koju sadrži Optužnica i dokumenta koja je prate da je SRK artiljerijsku vatru koristio za terorisanje civila u Sarajevu. Artiljerijska vatra jedinica SRK je u ogromnom procentu bila iznuđena napadnim dejstvima jedinica 1.K A BiH, a ne nikakvom terorisanju civila.⁴⁰³ To izazivanje protivdejstava artiljerije SRK muslimanske snage su činile vrlo lukavo i vrlo često, upravo da prinude dejstvo srpske artiljerije, kako bi to medijski promovisale u funkciji diskreditovanja borbe srpskog naroda u BiH. U tome su bili veoma vešti i uspešni. Mnoge istine se postepeno tek afirmišu, ali veoma teško iz više razloga. Ta medijska propaganda bila je sadržaj političke strategije Muslimana u BiH.

4.184. Minobacačka i artiljerijska dejstva, pa i ona malog dometa kao što su prenosni bacači granata (ručni i reaktivni bacači, trombloni i dr.) snage 1.K A BiH imale su ugrađene na prikolicama i karoserijama motornih vozila, na železničkim vagonima, u neposrednoj blizini civilnih objekata ili u objektima opšte civilne namene - bolnice, porodilišta, dečja obdaništa, objekti PTT, medijske kuće, hoteli itd. Mitraljeska i snajperska gnezda bila su raspoređena na prozorima, krovovima, terasama i sl. stambenih i drugih zgrada.⁴⁰⁴ Pokretne vatrene položaje muslimanske snage su koristile da bi otvorile vatru ili po srpskim položajima ili po srpskim naseljima. Nakon toga sledila bi vatra iz artiljerijskih oruđa sa vatrenih položaja jedinica SRK,

⁴⁰² Izveštaj komandanta 3.mtb/2.mtbr, bez broja, od 12.11.1993. godine.

⁴⁰³ Da je artiljerija SRK upotrebljavana pretežno za neutralisanje protivničke artiljerije i minobacača, ali i drugih utvrđenih i zaklonjenih ciljeva, plastično ilustruje Naređenje Komande SRK o formiranju artiljerijskih izviđačkih grupa. U tački 3. tog naređenja stoji da je njihov osnovni zadatak prikupljanje podataka o važnim duboko zaklonjenim ciljevima u prvom redu o elementima borbenog rasporeda artiljerije neprijatelja.

⁴⁰⁴ Kerim Lučarević u svojoj knjizi „Bitka za Sarajevo“ kaže da su snajperisti 1.K A BiH bili postavljeni u hotelu „Bristol“, vidi, navedeno delo, izd. Sarajevo, str. 137. Na strani 155, iste te knjige, taj specijalac i komandir specijalne jedinice 1.K A BiH u Sarajevu, prilikom deblokade Dobrinje (naselje u Sarajevu koje je bilo podeljeno na srpski i muslimanski deo), kaže: „...Nema druge: sve moje borbe postavljam na liniju odbrane Dobrinje 5. Raspoređujem ih po zgradama. Na svakom drugom ulazu je po jedna mitraljeska grupa, snajperista i protivoklopniak. Jednu protivoklopnu grupu šaljem prema Aerodromskom naselju, tamo gde je bila džamija“ Postavlja se pitanje da li je tog 17.06.1992. godine na Dobrinji bilo moguće primeniti princip selektivnosti dejstava, tj. poštediti civilne objekte. Naravno, da to nije bilo moguće. Tu se postavlja i pitanje i kako je taj opšte važeći princip u tim okolnostima uopšte moguće primeniti. Svaki takav objekat, bez obzira kakva mu bila osnovna i primarna namena – za vojsku ili za civile – je legitiman vojni cilj. Vatreno dejstvo po takvim objektima od strane VRS, odnosno SRK, ne može se okvalifikovati kao dejstvo po civilnim objektima i ciljevima, a još manje kao plansko terorisanje civila, kako to tvrdi Optužnica protiv generala Ratka Mladića.

pri čemu, naravno, dolazi i do civilnih žrtava. Te situacije su bile prava poslastica za medije, da podupru onu njihovu od ranije stvorenu negativnu sliku o Srbima i njihovoj vojsci.⁴⁰⁵

4.185. Brojni su borbeni izveštaji brigada i samostalnih pukova SRK koji sadrže informacije o dejstvima neprijateljske artiljerije i minobacača po srpskim naseljima ili srpskim položajima, te o odgovorima jedinica SRK na ta dejstva:

„1. U vatrenoj zoni jedinice neprijatelj je ispoljavao dejstva iz streljačkog naoružanja i minobacača po položajima srpskih jedinica SRK-a po rejonima Žuč, Poljine i Zmajevac. Karakteristično je da je neprijatelj dejstvovao sa minobacačima iz grada (ASTRO, GP „BOSNA“, ul. Blagoja Parovića).

2. ... Na dejstvo neprijatelja odgovoreno je sa položaja na Crepoljskom i Gradištu iz h-155 mm, pri čemu je utrošeno:

- projektila za h-155 mm 12 kom
- projektila za h-122 mm 16 kom“⁴⁰⁶

4.186. Uvažavajući informacije iz izveštaja vidljivo je da artiljerija iz Crepoljskog, gde je verovatno bio vatreni položaj jedne od korpusnih artiljerijskih grupa, upotrebljena za neutralisanje dejstava neprijateljskih minobacača. Utrošak municije nije po tabličnim normama ni za neutralisanje sa minimalnim procentom od 5 odsto.⁴⁰⁷ Prema poziciji, označeni vatreni položaji tih minobacača 1.K A BiH je u gradskoj zoni između civilnih objekata. Očekivati je da je artiljerija SRK u ispoljenom protivdejstvu po otkrivenim vatretnim položajima minobacača u urbanom delu grada, prouzrokovala rušenja i razaranja i dela civilnih objekata, a možda i civilne žrtve, jer nema artiljerije u svetu koja bi to u istim okolnostima mogla da izbegne. U jednom izveštaju Ilidžanske brigade, još je jače istaknuto dejstvo artiljerije 1.K A BiH po srpskim civilnim ciljevima i naseljima: „... Neprijatelj je danas u toku dana u vremenu od 14.00 časova intenzivno vršio granatiranje šireg rejonu Ilidže. Glavni ciljevi neprijatelja bili su razni strateški objekti kao što su: trafo stanica na Vrelu Bosne, bolnica u Blažuju, te civilni objekti i naselja...“⁴⁰⁸ Nije, dakle, dejstvo po civilnim objektima „privilegija“ srpske strane, već je to radila i muslimanska, verovatno u istoj nameri i pretpostavljajući da se u rejonu civilnih objekata nalaze i vojni ciljevi.

4.187. Autor ove ekspertize nije naišao ni na jedan dokument iz fondova VRS, posebno ne iz Komande SRK ili njenih potčinjenih brigada da je neko direktno naređivao razaranja ili paljenje kuća stanovnika muslimanske veroispovesti. To se, pak, ne bi moglo reći za muslimanska borbeni dokumenta, odnosno za dokumenta jedinica 1.K A BiH. Naprotiv, u jednom od naređenja izričito je naloženo sledeće: „Sa jednim odjeljenjem izvršiti uništenje i paljenje svih kuća iznad pruge desno od Anđine kuće - lijevo od kuće gdje su bili položaji LIMA 33A...“⁴⁰⁹ Većina tih kuća i danas je van funkcije i nisu obnovljena. U građanskom ratu, a naročito u borbenim dejstvima u gradovima, gde se linije sukoba protežu kroz ulice i zgrade, praktično nemoguće je utvrditi gde prestaju civilni, a počinju vojni objekti i obratno u samom zahvatu prvih linija i položaja.

⁴⁰⁵ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002., str.121

⁴⁰⁶ Vidi: Operativni izveštaj Komande 4.map-a, Str.pov.br. 1127/10, od 03.10.1992. godine

⁴⁰⁷ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002., str.122

⁴⁰⁸ Vidi: Dnevni izveštaj Komande Ilidžanske brigade, Str.pov.br. 19/4109-1, od 13.12.1992. godine.

⁴⁰⁹ Naređenje Komande 3. motorizovane brigade, Str.pov.br. 23/1-284, od 24.03.1993. godine.

4.188. Ništa rečitije ne govori o tome kako su muslimani uništavali srpska naselja u Sarajevu i kako su na taj način izazivali protivdejstvo srpske artiljerije, kao što to čini sam Kerim Lučarević u svojoj knjizi „Bitka za Sarajevo“. Zato ćemo, uz neophodna skraćivanja, citirati jedno od mesta u toj knjizi: „...Čekali smo ponoć. Postavili smo „sove“. „Sova“ vidi u mraku na udaljenosti od 150 metara. Kao da je dan. Da su četnici (srpski vojnici branioci Dobrinje, uglavnom meštani) znali šta imamo, ne bi ništa ni pokušali. Ali, poslije ponoći, prema leševima (poginuli u prethodnoj borbi), puzajući, po dvojica četnika kreću sa više strana. Moji „sovisti“ djelovali su bešumno i precizno. Četnici su likvidirani bez buke, u potpunoj tišini (sa prigušivačima na SP.) (...) Tako do u kasno noću ... livada je bila puna mrtvih četnika. Tek poslije četiri dana, dozvolili smo da izvuku svoje poginule (...). Ispred naše zgrade, na čijim su spratovima bili moji borci, na udaljenosti od pedeset metara, bilo je stotinu kuća u kojima su bili četnici. Najveća uporišta su im bila u četiri veće kuće (...). Ramiz Salčin je sa topom bio spreman na Mojmilu. Sve kuće su bile ispod njegovog „ZIS-a“. Memko je bio na balkonu naše zgrade, pa ga je mogao „navoditi“. Nismo mogli pogriješiti. Memko je vezom navodio Ramiza, koji je pogađao kuću po kuću, u kojima su bili četnici. Oni su u strahu iskakali kroz prozor, nadomak zgrada u kojima su bili moji borci. Oni nisu mogli promašiti (...). Ovo se ponavljalo ceo dan. Memko je „navodio“, a Ramiz je pogađao kuće u kojima su bili četnici. Ramiz je čak jednom granatom iz „ZIS-a“ srušio tri kuće. Kao da je na vežbalištu. Onda su na red došle one četiri velike kuće sa mitraljeskim gnezdom.“⁴¹⁰ Svaki komentar ovim rečima i postupanju je skoro nepotreban, a radi se o junu 1992. godine. Mržnja i želja za ubijanjem protivnika su neverovatni. To su reči mržnje i stavovi muslimanskog specijalca koji je i kod vojske i kod policije, ali i kod državnog rukovodstva u muslimanskom delu Sarajeva uživao vrlo visok ugled. O tome je inače moguće pronaći više navoda u knjigama Stjepana Šibera i Hasana Efendića, koji su Lučareviću bili jedno vreme pretpostavljene starešine.

4.189. Da je tačna tvrdnja da su muslimanske snage vrlo često, bez ikakvih povoda, u smislu vatri sa srpskih položaja, dejstvovale po srpskim naseljima, odnosno po delovima Sarajeva pod srpskom kontrolom, govore i podaci više redovnih i vanrednih borbenih izveštaja. Tako u izveštaju od 23.12.1992. godine,⁴¹¹ komandant SRK izveštava Glavni štab VRS da je tog dana neprijatelj dejstvovao po Hadžićima sa 110 granata, po Rajlovcu sa 50, po Ilidži sa 60, po Vogošći sa 120 i po Ilijašu sa 70 granata. Reklo bi se da već tada krajem te prve ratne godine muslimanske snage imaju dovoljno i oruđa i municije. Od tih dejstava poginulo je 4, a ranjeno 3 civila. Materijalna šteta na civilnim objektima bila je velika. Ovoliki broj ispaljenih projektila sasvim je dovoljan da proizvede, odnosno izazove protivdejstva artiljerije VRS, do čega je verovatno i došlo. U jednom drugom izveštaju, komanda SRK izveštava pretpostavljenu komandu (GŠ VRS) o kršenju primirja od strane muslimanskih snaga i njihovom artiljerijskom i minobacačkom dejstvu po civilnim ciljevima i objektima.⁴¹² U vremenu od 31.08.1993. godine, kada je stupilo na snagu jedno od primirja koja su na sarajevskom ratištu često sklapana i još češće narušavana, muslimanske snage su ispoljile: po Dobrinji 53 granate, po Grbavici 101, Lukavici 41, po Vojkovićima 44, po Rajlovcu 250, Vogošći 280, Ilidži 135, Hadžićima 179, MZ Koričina 190, Ilijašu 108, na Hadžiće 45 granata i minobacačkih mina. Samo u vremenu u kojem je moralo biti poštovano sklopljeno primirje, muslimanske snage su ispalile oko 1.426 projektila, usmratile 24, a teže ranile 37 i lakše 25 lica. Sve su to bila civilna lica.⁴¹³

⁴¹⁰ Vidi: Lučarević, str. 157-158.

⁴¹¹ Vidi: Redovni borbeni izveštaj, Str.pov.br. 10/74-780, od 23.12.1992. godine.

⁴¹² Izveštaj o povredi primirja, 05.11.1993. godine, Str.pov.br. 20/15-1274.

⁴¹³ Izveštaj o povredi primirja, 05.11.1993. godine, Str.pov.br. 20/15-1274.

4.190. U izveštaju, o povredi primirja, SRK navodi da su muslimanske snage u vremenu od 05.11. do 06.12.1993. godine po civilnim objektima u Srpskom Sarajevu ispalile oko 224 projektila.⁴¹⁴ U posebno teškom položaju je bila Rajlovačka brigada, i celo naselje Rajlovac, i to iz tri osnovna razloga: (1) taktički položaj brigade je bio vrlo nepovoljan jer se nalazio ispod nadvišujućih objekata Sokolje i Briješće, odakle je bila konstantno izložena intenzivnim dejstvima muslimanskih minobacačkih i snajperskih dejstava; (2) brigada je bila organičenih borbenih mogućnosti, uz stalni pritisak da se popuna ljudstvom sužava zbog potrebe za kvalifikovanim radnom snagom; (3) kapaciteti namenske proizvodnje u Rajlovcu za muslimansku stranu su bili atraktivni, pa je i zato pritisak njenih snaga prema Rajlovačkoj brigadi bio stalan. To je dovodilo do pada morala i do velikog zamora ljudi. Dejstva muslimanskih snaga prema Rajlovcu su bila veoma intenzivna i vremenski neprekidna tokom celog dana i noći. Taj intenzitet vrlo uverljivo ilustruju dnevni gubici za 27.01.1993. godine. Samo tog dana Rajlovačka brigada je imala 11 poginulih i 21-og ranjenog borca.⁴¹⁵ Ovaj primer najbolje ilustruje iskazanu tvrdnju da su muslimanske snage 1.K A BiH kada god su mogle koristile priliku da dejstvom artiljerije i minobacača nanesu jedinicama SRK što veće gubitke, bez obzira na civilne žrtve koje su se dešavale kao posledica tih dejstava. SRK je tako imao često uverljive razloge da sopstvenom artiljerijom uzvрати po minobacačkim i artiljerijskim položajima 1.K A BiH. Zato se takva iznuđena dejstva ne mogu kvalifikovati kao namerno i plansko terorisanje civilnog stanovništva u muslimanskom delu Sarajeva,⁴¹⁶ već samo kao protivdejstvo, što je i prema principima vojne doktrine i ratnog prava sasvim legitimni način dejstva. Svaka vojska u svetu bi na ovakve zločine odgovorila na primeren način.

4.191. U borbenom izveštaju Ilijaške brigade, komandant brigade izveštava Komandu SRK da je od 16.30 časova 02.12.1992. godine, do vremena pripremanja izveštaja (oko 18.00 časova istog dana) po položajima brigade ispaljeno 17 projektila, a po civilnim ciljevima 21 granata.⁴¹⁷ U smislu takvog muslimanskog delovanja drastičniji je slučaj sa Igmanskom brigadom SRK. Ta brigada je dana 17.01.1993. godine izvestila Komandu SRK da je tog dana, u roku od 5 časova, samo na položaj jednog njenog (Hadžićkog) bataljona palo preko 50 mina kalibra 120 mm.⁴¹⁸

4.192. Pojedine jedinice za vatrenu podršku 1.K A BiH su deo sredstava držale u tunelima u blizini Koševa, odnosno Sportskog centra „Zetra“. Iz tunela su povremeno po potrebi izvlačili ta sredstva, otvarali vatru po položajima SRK u rejonu Radava, Mrkovići, ka Grbavici (Jevrejskog groblje) i Trebeviću, a potom bi se brzo vraćali u tunel i štitili snage od dejstva artiljerije SRK.⁴¹⁹

⁴¹⁴ Izveštaj o povredi primirja, 07.12.1993. godine, Str.pov.br. 20/15-1306.

⁴¹⁵ Komanda Rajlovačke brigade, Borbeni izveštaj Komandi SRK, Str.pov.br. 423-220, od 28.01.1993. godine, paragraf 1.1. i 1.3.

⁴¹⁶ U Redovnom borbenom izveštaju Igmanske brigade komandant brigade izveštava Komandu SRK o sledećem: „U 16.15 došlo je do jačeg granatiranja samog centra grada Hadžića na koji je upućeno 7 projektila kalibra 120 mm. Gađani su samo civilni objekti i tom prilikom došlo je do ranjavanja 5 građanskih lica od kojih su 2 devojčice. Granatiranje je izvršeno iz pravca Ormanja na šta je adekvatno uzvraćeno.“ Dakle, očito je da se u ovom slučaju radi o dejstvu minobacača 1.K A BiH i protivdejstvu jedinice SRK. Vidi: Redovni borbeni izveštaj Igmanske brigade, Str.pov.br. 01/3-529, od 13.01.1994. godine.

⁴¹⁷ Borbeni izveštaj Ilijaške brigade, Str.pov.br. 02/913-46 od 02.12.1992. godine.

⁴¹⁸ Borbeni izveštaj Igmanske brigade, Pov.br. 01/3-27 od 17.01.1993. godine. Slične podatke sadrže i Borbeni izveštaji ostalih brigada: Rajlovačke, Str.pov.br. 423-219 od 27.01.1993. godine; Ilidžanske, Str.pov.br. 19/4109-1 od 13.12.1992. godine; 1.Smbr, Str.pov.br. 2-12 od 18.12.1992. godine i dr. I ovaj broj dokumenata sasvim uverljivo ilustruje tezu ovog autora da je najveći deo vatrene dejstva obe strane znak da se radi o veoma aktivnom frontu uspostavljenom u rejonu grada i da se tu ne može raditi o pukom terorisanju civila.

⁴¹⁹ Rouz, „Misija u Bosni“, str. 94: „... Pretila je opasnost da i Srbi i Muslimani pogaze sporazum s aerodroma u Sarajevu (09.02.1994.). Ponekad smo noću slušali tenkovsku i minobacačku vatru iz oruđa koja su muslimani krili u tunelu iza „Rezidencije“, kojima su tukli srpske položaje na Jevrejskom grobu...“

Postoje neka dokumenta 1.K A BiH iz kojih se može zaključiti da su jedinice toga korpusa vrlo vešto krile svoje minobacače od Posmatračke misije UN. Tako se u jednom od tih dokumenata nalazi i ovaj citat: „...U 14.15 MB 120, 82 i 60 sklonjeni sa položaja naredbom dežurnog oficira brigade. Danas u 16.15 UNPROFOR došao da obide i utvrdi da nema slučajno MB jer pretpostavljaju da je sinoć dejstvovao iz Butmira.“⁴²⁰ Radi se o dokumentu jednog od bataljona 4.mtbr koja je držala položaje od Hrasnice na krajnjem jugoistoku, preko Donjeg Kotorca i Butmira, do Glavogodine i Vrela Bosne na severozapadu. Iz konteksta ovog dokumenta nije teško uočiti da su minobacači iz rejona Butmira dejstvovali negde po položajima VRS - verovatno na Ilidži, Hadžićima ili Dobrinji.⁴²¹

4.193. Tvrdnju da su artiljerija i minobacači 1.K A BiH u Sarajevu bili aktivni i često provocirali snage na frontu SRK, pa kao takvi izazivali protivdejstva artiljerije SRK, govore i brojni izveštaji UMNO posmatrača: Katlera,⁴²² Mola,⁴²³ Kukola⁴²⁴ i drugih. U svim ili gotovo svim tim izveštajima su sadržani podaci o obostranim granatiranjima protivničkih teritorija, pa se teško može održati tvrdnja Optužnice da su Srbi oko Sarajeva granatirali grad u okviru njihove dugoročne i planske „strategije terorisanja civila“.

4.194. Intenzivnija primena dejstva artiljerije većih kalibara i dometa, SRK je koristio samo kada je bio prinuđen, kako bi osujetio proboj fronta na Sarajevskom ratištu ka njegovom unutrašnjem prstenu, zato što je uvek bio inferioran u odnosu snaga pešadije. Uvek kada su snage 1.K A BiH krenule u proboj i pokušaj njihovog spajanja sa snagama na spoljnom prstenu Sarajevskog fronta, dolazilo je do realizacije planiranih artiljerijskih vatri.⁴²⁵ Kod toga gotovo po pravilu dolazilo je do velikih gubitaka u jedinicama 1.K A BiH, uz neminovne civilne žrtve i razaranja. Smatramo da se ni ova vrsta artiljerijskih dejstava ne može kvalifikovati kao artiljerijsko terorisanje civila zato što se i tu radi o izazvanom protivdejstvu i kao takvom o legitimnom načinu upotrebe snaga. Artiljerijska i minobacačka vatra jedinica SRK korištena je i u formi preventivnih vatrenih udara po koncentracijama neprijateljskih snaga.⁴²⁶

4.195. UNPROFOR je nastojao i uspevao, da SRK umanju prednost koju je imao u odnosu na 1.K A BiH u teškom oružju, pre svega artiljeriji većih kalibara. To je otpočelo juna 1992. godine

⁴²⁰ Dnevni borbeni izveštaj Komandi 4.mtb, za dan 08/09.06.1994. godine, dokument Tužilaštva br. 02057521.

⁴²¹ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002., str.128

⁴²² U izveštaju Katlera br. 276, na str. 3, paragraf 2, stoji da je sa položaja SRK 05.12.1992. godine ispaljeno 606 granata i minobacačkih mina, a sa položaja 1.K A BiH 98 granata i mina.

⁴²³ UMNO posmatrač Mol je u svom izveštaju za 20.10.1992. godine zapisao da je registrovano da su sa položaja SRK ispaljene 52, a sa položaja 1.K A BiH 26 artiljerijske granate i minobacačke mine. Vidi dokument Tužilaštva br. 160, st. R0006722, paragraf 1.

⁴²⁴ Posmatrač UMNO Kukola u svom izveštaju za 26 - 28.07.1993. godine informiše da je SRK za ta dva dana ispalio 2.562 granata i mina i da su najugroženiji bili Golo brdo, Kobilja Glava i Žuč. Ovde se očito radi o istaknutim vojnim položajima 1.K A BiH, a ne o civilnim objektima, iako se ne može tvrditi da nije bilo civilnih žrtava i da nije bilo dejstava i po objektima u kojima nije bilo vojnih ciljeva, a SRK ih je smatrao vojnim. Kukola u tom delu svog izveštaja daje i podatak da su tog dana dve minobacačke mine udarile u srpsku bolnicu, te da je tom prilikom jedan doktor ubijen, a jedna bolničarka ranjena. Takođe, u izveštaju istog posmatrača za 28.07.1993. godine se tvrdi da je tokom večeri 28.07.1993. godine bilo značajnog granatiranja srpskih oblasti od strane jedinice 1.K A BiH. Tako, na primer, te večeri je samo na Ilidžu palo 64 projektila, od čega je ranjeno 7 civila - vidi Kukola, dokument 179 (Tužilaštvo), st. 1, paragraf 3.

⁴²⁵ U jednom od Naređenja dat je plan artiljerijskih vatri artiljerijskih jedinica: 4.map, BRAG-a 1.Smbr. U dokumentu su date precizne koordinate svake vatre i signal kojim se realizacija tih planiranih vatri odobrava – vidi Naređenje Str.pov.br. 20/15-16 od 04.01.1993. godine.

⁴²⁶ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002., str.130

- gotovo na samom početku rata, kada je sklopljen sporazum sa UNPROFOR-om o grupisanju i stavljanju pod kontrolu artiljerije i minobacača u širem rejonu aerodroma Sarajevo,⁴²⁷ potom Sporazum o kontroli artiljerije na celom sarajevskom ratištu,⁴²⁸ te konačno Sporazum o izmeštanju svih kalibara iznad 12,7 milimetara na daljini od 20 kilometara, računajući od Marijin Dvora, koji je uzet kao centar gradskog jezgra Sarajeva.⁴²⁹ Naređenje komande SRK je potpisao general Manojlo Milovanović, načelnik GŠ VRS, i to na osnovu sporazuma kojeg su prethodno potpisali Radovan Karadžić i Jazuši Akaši.⁴³⁰ Na osnovu tih sporazuma i saglasnosti koju su postigli gen. Milovanović u ime VRS i general Rouz u ime UNPROFOR-a, gen. Subiru je gen. Galiću uputio Dopis u kojem mu nalaže da se na 9 lokacija oko Sarajeva izvuče i razmesti svo oružje kalibra iznad 12,7 milimetara i da se na tim lokacijama to oružje stavi pod potpunu kontrolu UNPROFOR-a. Takođe, general Subiru u tom dopisu preti komandi SRK da će svako oružje koje se posle 21.02.1994. godine nađe van kontrole UNPROFOR-a biti meta aviona NATO.⁴³¹

4.196. Da se ne može raditi o smišljenom i planskom terorisanju civilnog stanovništva Sarajeva, uverljivo govore brojna dokumenta u kojima komanda SRK svojim potčinjenim jedinicama strogo propisuje metodologiju upotrebe artiljerijskih i minobacačkih oruđa i isto tako strogo zabranjuje gađanje tri vrste ciljeva: (1) UNPROFOR-a; (2) civilnih ciljeva i urbanog dela grada Sarajeva; (3) humanitarnih konvoja. U SRK bile su na snazi višestepene političke i vojne zabrane dejstva po Sarajevu. Najpre, to je zabrana predsednika Vlade Republike Srpske i državnih i vojnih rukovodilaca, tako da je za otvaranje vatre u smislu odobravanja otvaranja bilo neophodno odobrenje komandant SRK.⁴³² Naređenjima iz juna (04.06. i 12.06.) 1993. godine upozoravaju se potčinjene starešine da se bez odobrenja ne otvara vatra po urbanim delovima Sarajeva. Komandant SRK nalaže potčinjenima da prema prekršiocima preduzmu rigorozne mere, smene sa dužnosti, udaljavanje iz jedinice, uključujući i upućivanje na sudsku i krivičnu odgovornost.⁴³³

4.197. Jedno od naređenja Komande SRK, koje je jula 1993. godine potpisao zamenik komandanta se izričito odnosi na regulisanje upotrebe artiljerije. Nije to jedino naređenje koje se bavi tom tematikom, već ih je mnogo, a neka su u ovoj ekspertizi već citirana, a neka će biti navedena naknadno. Ovo se posebno apostrofira zato što ne ostavlja nikakve dileme u pogledu stava i opredeljenja Komande SRK i njegovog komandanta generala Galića, o upotrebi artiljerije i metodologiji odobravanja te upotrebe. U Naređenju se kaže:

⁴²⁷ Dokument Komande SRK, Str.pov.br. 10/74-65 od 14.06.1992. godine. U tom dokumentu komandant SRK dostavlja GŠ VRS izveštaj o lokacijama VP artiljerije na jugozapadnom delu Sarajevskog ratišta, u kontekstu bezbednosti aerodroma, nakon sporazuma o njegovom ustupanju UNPROFOR -u.

Na osnovu sporazuma kojeg je sklopio pukovnik M. Živanović, načelnik artiljerije GŠ VRS, sa Ričardom Grejom, oficirom UNPROFOR-a, te gore navedenog izveštaja o lokacijama artiljerijskih vatrenih položaja, pukovnik Živanović odlučuje da se otvori 7 posmatračkih punktova na vatrikim položajima artiljerije SRK: u s. Vojkovići, Vrelo Bosne, Blažanj, Bojnik, Rajlovac, kasarna „Slaviša Vajner Čiča“ i s. Uzdojnica. Posmatračke služba trajaće neprekidno 24 sata.

⁴²⁸ Vidi Sporazum o stavljanju artiljerije pod nadzor UNPROFOR-a.

⁴²⁹ Naređenje GŠ VRS Str.pov.br. 20/19-311 od 18.02.1994. godine. Ovo naređenje je nastupilo nakon masakra na Markalama, za šta je neopravdano okrivljena srpska strana.

⁴³⁰ Vidi Šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002., str.131

⁴³¹ Lokacije za kontrolu artiljerije i minobacača: kasarna Lukavica, Grbavica, Bajino brdo, Hreša, Krivoglavci, Osijek, Ilidža, Hadžići, Poljine. Vidi: Dopis generala Subirua generalu Galiću o kontroli oružja oko Sarajeva, od 19.02.1994.godine.

⁴³² Naređenje Str.pov.br. 20/15-642 od 22.05.1993. godine.

⁴³³ Naređenje Str.pov.br. 20/15-720 od 12.06.1993. godine.

„U cilju koordinirane upotrebe artiljerije, postupiti po sledećem:

- vatru otvarati po uočenim ciljevima van grada - gradskog jezgra Sarajeva;
- pre otvaranja vatre obavezno obavestiti OC Komande SRK;
- odmah izvestiti o efektima dejstva artiljerije;
- OC je dužan izvestiti ostale jedinice da dejstvuje naša artiljerija sa određenih VP po ciljevima neprijatelja koji je prethodno uočen.

Ove mere primeniti odmah.“⁴³⁴

U narednom paragrafu Komanda korpusa obaveštava svoje potčinjene da je mehanizam međusobnog obaveštavanja o dejstvu sopstvene artiljerije neophodan i zato što se događalo da dejstvuje neprijateljska artiljerija, a snage SRK - njegove artiljerijske jedinice koje su namenjene za kontrabiranje (protivartiljerijska borba), ostanu neaktivne, misleći da se radi o dejstvu sopstvenih snaga.⁴³⁵

4.198. Ako je tačno, a iz citiranih i još velikog broja necitiranih dokumenata to nedvosmisleno sledi, da su snage SRK svo vreme rata imale izričitu zabranu dejstva iz artiljerije i minobacača po urbanom delu Sarajeva pod muslimanskom kontrolom, tada je potpuno neodrživa teza optužnice da je granatiranje bilo sastavni deo strategije terorisanja civila. Granatiranja koja su odabrana kao egzemplari terorisanja civila - red za humanitarnu pomoć na Dobrinji, fudbalska utakmica na Dobrinji i pijaca Markale - svojevrsno su svedočenje o apriorističkim konstrukcijama o navodnoj strategiji terorisanja civilnog stanovništva u muslimanskom delu Sarajeva. Mada će o svim tim „granatiranjima“ izreći svoj sud specijalizovani eksperti, ovde se mogu i moraju istaći nekoliko zapažanja opštevojnog karaktera, do kojih je ovaj autor došao višekratnim ličnim uvidom na samom mestu događaja.

4.199. Nelogičnost upotrebe minobacača i artiljerije, sa stanovišta taktike upotrebe, sastoji se i u tome da u tim granatiranjima nema istovremenog dejstva iz više oruđa, kako se to inače praktikuje u svim vojskama sveta i u svim ratovima do sada vođenim, uz učešće ovog tipa oruđa. Najveći broj gađanja ovom vrstom oruđa se vrši baterijskim ili vodnim, vatrama. U incidentima koji su poprimali razmere masakra, kao što su „Markale 1 i Markale 2“. Pre bilo kakve istrage, krivica je bila unapred adresirana prema SRK VRS. Srpsko negiranje poznatih zločina u Sarajevu koji su se desili granatiranjem ili postavljanjem eksplozivnih naprava u muslimanskom delu Sarajeva. General Rouz, glavnokomandujući UNPROFOR-a za BiH i njegov tim imao je sve mogućnosti da se slučaj objektivno istraži. Glavni štab VRS je tražio formiranje mešovite komisije, što UNPROFOR nije prihvatio.⁴³⁶ General Majkl Rouz je direktno okrivio muslimansku stranu za taj masakr, a da ni on ni niko drugi njegovog okruženja tu prvobitnu izjavu nije demantovao. To znači da istraga nije van ikakve sumnje utvrdila ko je kriv za masakr. Kada se zna da su dva granatiranja sa najtežim posledicama (fudbalski teren na Dobrinji i pijaca na Markalama) potpuno pristrasno i netačno ocenjena od strane eksperata koji bi morali biti nezavisni, tada se sasvim razložno može posumnjati i u brojne druge dokaze sličnih eksperata na osnovu čijih se nalaza i iskonstruisao stav koji je iznesen u optužnici da su snage SRK granatiranje koristili kao sastavni deo strategije terorisanja civila. Svi naši nalazi tu tvrdnju

⁴³⁴ Naređenje Komande SRK, Str.pov.br. 20/15-799, od 05.07.1993. godine.

⁴³⁵ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002., str.133

⁴³⁶ Pismo – obraćanje generala Milovanovića Komandi UNPROFOR-a br. 09/20-941 od 05.02.1994. godine i Saopštenje generala Milovanovića u ime GŠ VRS, dokument br. 10/24-48, od 05.02.1994. godine

dovode u pitanje.⁴³⁷ Novija saznanja kao i izjave izvršilaca zločina na Sudu za ratne zločine u BiH, potvrdile su da ubistvo supruge generala A BiH Sefera Halilovića i njenog brata nisu izvršile artiljerijske jedinice SRK VRS, nego specijalna jedinica državne bezbednosti BiH pod nazivom „Ševe“. Pored niza atentata i zločina koje je počinila ta jedinica, opravdana je sumnja da su Markale 1, Markale 2 i fudbalski teren na Dobrinji scenario te zločinačke organizacije koja je pripremala i izvodila masovna ubistava i zločine pod komandom samog političkog vrha i delova bezbednosnih struktura (državne bezbednosti i vojne bezbednosti). Dobro je što istina postepeno izlazi na videlo, ali nije dobro niti moralno što su mnogi osuđeni ili im se i danas sudi zbog podmetnutih monstruoznih zločina, koji su bili osnova medijske satanizacije i osude VRS, generala Ratka Mladića i srpskog naroda uopšte.

4.200. U tim tzv. Prekidima vatre, snage SRK su trpele najveće gubitke. To je dovelo do frustracija na svim nivoima odlučivanja, a posebno kod vojnika. Primera radi, samo je u periodu od 12.11.1992. godine do 27.04.1994. godine bilo ukupno pet vremenski dužih primirja, uz mnoštvo kratkotrajnih prekida vatre tokom celog rata. Bolje reći, pod uticajem UNPROFOR-a ratujuće strane su se saglasile na ta primirja. Tih pet primirja, snage 1.K A BiH narušile su ukupno 782 puta. U jednom od svojih borbenih izveštaja upućenih GŠ VRS, Komanda SRK izveštava da muslimanska strana nije ispoštovala primirje sklopljeno 31.08.1993. godine, već su njene snage za tri meseca - septembar, oktobar i novembar - ispalile po srpskom delu Sarajeva 1.426 granata i mina. Tom prilikom je poginulo 24 vojnika, teže ranjeno 37, a lakše 251.⁴³⁸ Šta reći na verolomstvo i posledice koje su nastajale nepoštovanjem tih primirja. Ovde se radi o potpuno nepotrebnim i sa strane SRK potpuno neizazvanim gubicima, do kojih je došlo u vreme dogovorenih prekida neprijateljstava. Poštovanje primirja trebalo je da obezbedi onaj ko je te pregovore organizovao i vodio, a to je UNPROFOR. Ako već nije imao snaga da primora 1.K da poštuje ono što je potpisano, prema njemu je trebalo primeniti sankcije. Da je UNPROFOR tako postupao i sukobljene strane bi sa više odgovornosti poštovala obaveze koje iz tih dogovora proističu. Ponašanje UNPROFOR-a ne samo da je rušilo sopstveni kredibilitet kod srpske strane, već je ozbiljno ugrožavalo i kredibilitet sistema komandovanja SRK VRS prema srpskoj javnosti, a naročito prema nižim nivoima komandovanja i prema borcima. VRS je pristajala na svoju štetu da uradi mnoge stvari samo da se smanji medijski pritisak i konstrukcija laži koje su plasirane u medijima da SRK granatiranjem i snajperskim delovanjem teroriše civile.

4.201. Paravojne formacije su bile jedna od ozbiljnih smetnji efikasnom funkcionisanju komandovanja SRK na Sarajevskom ratištu i u VRS. Već novembra 1992. godine u svom redovnom borbenom izveštaju GŠ VRS, komandant SRK upozorava pretpostavljenu komandu na problem paravojski na teritoriji opština Ilijaš, Vogošća, Ilidža i Rajlovac. U tom izveštaju posebno apostrofira opštinu Ilidža i Vogošću i ističe: „U opštinama Ilidža i Vogošće grupa srpskih dobrovoljaca od oko 80-tak ljudi (Bokanovi četnici) koji su došli po pozivu predsednika opštine Ilidža su van kontrole Ilidžanske lake pešadijske brigade. U pojedinim slučajevima ne ustručavaju se da blokiraju kasarnu ili da izazivaju nered sa jasnom političkom pozadinom SRK.⁴³⁹ Da bi sprečio samovolju svih paravojski i njihovu spregu sa lokalnim političarima, komandant SRK je izdao naređenje o stavljanju pod kontrolu vojnih komandi svih paravojski ili o njihovom raspuštanju i proterivanju, ako se suprotstave.⁴⁴⁰ To formalno stavljanje pod komandu dela paravojnih jedinica nije rešilo problem niti je sprečilo u potpunosti njihovu samovolju. Kao

⁴³⁷ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002., str.130-138

⁴³⁸ Komanda SRK, Borbeni izveštaj, Str.pov.br. 20/15-1274, od 05.11.1993. godine.

⁴³⁹ Redovni borbeni izveštaj Komande SRK, Str.pov.br. 10/74-559, od 03.11.1992. godine.

⁴⁴⁰ Naređenje o raspuštanju paravojnih formacija.

glavni organizator paravojnih formacija ističe se komandant Blažuske (kasnije Igmanske) brigade, major Dunjić. U brigadu je uveo neke paravojne jedinice i specijalne odrede, snabdevao ih naoružanjem i municijom, izvukao svu borbenu tehniku iz TRZ Hadžići. Sve je to učinio potpuno neovlašteno i bez znanja i odobrenja Komande korpusa. Da bi sanirala stanje, Komanda korpusa šalje dva oficira iz Sektora za moral, a samo 5 dana nakon toga (13.12.1992. godine) formira istureno komandno mesto na tom prostoru na čelu sa načelnikom Štaba SRK, pukovnikom Marčetićem. Kao odgovor na ove sanacione mere, opštinski politički moćnici donose odluku da uhapsu komandante Rajlovačke i Vogošćanske brigade. Takođe, uz neviđeno maltretiranje uhapšena su dva oficira iz Sektora za moral Komande SRK, pukovnik Kosovac i potpukovnik Maljković.⁴⁴¹ Uhapšen je bio i maltretiran pukovnik Marčetić, zamenik komandanta SRK. Izvršilac svih tih nedela bio je major Dunjić, komandant Blažuske brigade.⁴⁴²

4.202. Deo paravojnih organizacija i njihovi čelnici su svojim delovanjem narušavali odnose SRK VRS i UNPROFOR-u tako što su, ili neovlašteno dejstvovali prema njihovom operativnom rasporedu ili pojedincima i objektima, ili su plenili i otimali njihovu opremu i imovinu. Najmarkantniji primer te vrste dogodio se na prostoru - zoni odgovornosti TG „VOGOŠĆA“. Glavni štab VRS je od SRK imperativno zahtevao da se prema lokalnom komandantu paravojne jedinice preduzmu energične mere: da se zabrani upotreba svih simbola koji nisu predviđeni normativima za uređenje odnosa u VRS, da se njegova jedinica dovede u red i da se spreči njegovo destruktivno delovanje prema UNPROFOR-u.⁴⁴³ Komanda korpusa je odmah reagovala i odlučila da protiv komandanta paravojne jedinice pokrene krivični postupak pred nadležnim sudom.⁴⁴⁴

4.203. Ovakvi postupci, u kojima su pojedini nedisciplinovani oficiri služili kao eksponenti lokalnih političkih moćnika, ozbiljno su narušavali efikasnost sistema operativnog komandovanja u SRK i VRS. To se posebno ispoljavalo nakon većih operacija ili operacija većeg značaja, kao što je bila Srebrenica. Njihova nedela i samovolja pripisivana je kao namera i odluka čak NG VRS generala Mladića. Formalno komandant je uvek odgovoran, ali treba imati u vidu da NG VRS nije bio u mogućnosti da uvek sprovede svoju volju i nameru, zbog malog broja profesionalnih oficira na taktičkom nivou komandovanja. To je realnost građanskog rata koji je daleko bezobzirniji i krvoločniji od klasičnih međudržavnih ratova.

6. PARCIJALNI ZAKLJUČCI

4.204. Dejstva VRS na Sarajevskom ratištu su tokom celog rata dobila najviši stepen osporavanja i osude, znatno viši od svih drugih u ratu u BiH. Nigde kao na Sarajevskom ratištu se ne dodiruju politička i vojna strategija u domenu ciljeva rata i nigde kao na Sarajevskom ratištu mehanizam UN nije tako rigorozno isprobao sve svoje metode delovanja u uslovima građanskog rata i uličnih borbi, za čiju prirodu nije uvek bilo dovoljno razumevanja, posebno u odnosu na činjenicu da se i sa jedne, i sa druge strane radilo o domaćem naoružanom stanovništvu, a ne o nekim vojskama, koje su u Sarajevo stigle sa strane. To nerazumevanje je dovelo do različitog tretmana strana u sukobu, pre svega na štetu Srba, koji su od strane

⁴⁴¹ Vidi šire, Radovan Radinović, Sarajevsko ratište (Ekspertiza generala Stanislava Galića), 2002., str.148-153

⁴⁴² Prema Radovan Radinović, Isto, Vidi: Dokument „Vanredna informacija“ Komande SRK Glavnom štabu VRS o stanju morala, Str.pov.br. 12/25-71, od 16.12.1992. godine.

⁴⁴³ Naređenje zamenika komandanta SRK Komandi TG „VOGOŠĆA“, Str.pov.br. 20/15-982, od 27.08.1993. godine.

⁴⁴⁴ Izveštaj Komande SRK Glavnog štaba VRS o merama za slučaj Vaske, Str.pov.br. 20/15-983, od 27.08.1993. godine.

Muslimana i njihovih vlasti prikazivani kao agresor. Hrvati su na isti način prikazivani kao agresori. To je izraz politike muslimanskog rukovodstva koje je želelo unitarnu državu sa dominacijom Muslimana u svakom pogledu.

4.205. Medijske manipulacije muslimanskih vlasti u BiH bile su veoma uspešne i nanele su nenadoknadivu štetu Srbima i Hrvatima, jer su ti konstitutivni narodi prikazani kao agresorske strane. Ta je zabluda trajala kraće ili duže, ali svakako nije doprinosila uravnoteženom tretmanu strana u ratu u BiH, od strane međunarodne zajednice. Sarajevo nikada nije bio opsednut niti okružen grad, nego podeljen, poluokružen i međusobno blokiran grad, a od leta 1993. godine manevar snagama 1.K A BiH bio je potpun, što je vidljivo iz mnoštva dokumenta A BiH⁴⁴⁵ i komandi brigada.⁴⁴⁶ Na glavnim prilazima Sarajevu - od Trebevića, Trnova, Pazarića i Visokog, sa manjim ili većim problemima i incidentima funkcionisali su tzv. „plavi putevi“, a tim putevima je snabdevan grad humanitarnom pomoći, koja je stalno pristizala. Poznati su inače i primeri zloupotrebe konvoja humanitarnog pomoći za dotur naoružanja i vojne opreme.^{447 448 449}

4.206. Kao komandant GŠ VRS general Mladić se tereti u Optužnici za dve vrste nedozvoljenih radnji: (1) nelegitimnu opsadu Sarajeva, i (2) plansko terorisanje civila u Sarajevu putem neselektivnog granatiranja i snajperisanja, čime su nanošene patnje civilnom stanovništvu. Analiza je pokazala da su sporni mnogi elementi Optužnice i da ne počivaju na pouzdanim argumentima. Sarajevo nije bilo opsednuto, već podeljeni grad. Ta podela je definisana kao jedan od 6 (šest) strateških ciljeva RS, prihvaćenih na Sednici Skupštine u Banja Luci od 12.05.1992. godine. Podela Sarajeva je proistekla iz stava Skupštine da i jedna i druga strana imaju istorijsko i nacionalno pravo da Sarajevo smatraju svojim glavnim gradom. Na osnovu tako definisanog političkog strateškog cilja, podela Sarajeva na njegov srpski i muslimanski deo je sasvim legitimni vojni cilj, pri čemu je svaka ratujuća strana imala legitimno pravo da vojnički posedne deo grada gde je njihov narod bio većinski.

4.207. Podela Sarajeva na srpski i muslimanski deo je izvršena tokom prvih postavljanja barikada (marta 1992. godine) nastavljena je u prvim mesecima rata u BiH. Jedina promene u toj podeli su se dešavale u funkciji poboljšanja taktičkih položaja strana u sukobu. U tom kontekstu, muslimanska strana je osvojila Orlić i Žuč 1992. godine i tako stekla odlučujuću operativnu prednost na severozapadnom i zapadnom delu sarajevskog fronta, a SRK je osvajanjem Otesa unekoliko skratio i ispravio liniju fronta u rejonu Ilidže. Sve druge linije podele Sarajeva - na Grbavici, Dobrinji, Nedžarićima, padinama Trebevića, na Igmanu i prema Vogošći, Rajlovcu, Ilidži, Hrasnici i Vojkovićima su ostale skoro nepromenjene.

4.208. Sarajevo nije bilo ni opsednuto ni blokiran grad. Blokada se odnosila samo na njegov muslimanski deo, tačnije deo pod muslimanskom kontrolom. Blokada se odnosila na

⁴⁴⁵ Naređenje komandanta 1.K A BiH o provođenju jednog bataljona iz Sarajeva, preko aerodroma i upućivanje na Igman, br. 02/876-1, od 14.06.1993. godine.

⁴⁴⁶ Naređenje komandanta 5. motorizovane brigade 1.K A BiH o organizaciji saobraćaja kroz objekat „D“-„B“ i Dobrinja-Butmir, str.pov.br. 4365/93, od 02. jula 1993. godine.

⁴⁴⁷ Dnevni operativni izveštaj Ilidžanske brigade od 12. februara 1994. godine, br. 19/9798, i za 09. april 1994. godine, str.pov.br. 79/9497

⁴⁴⁸ Rusmir Mahmućehajić, Rat u Hrvatskoj i Bosni i Hercegovini, p. 348 (P18421)

⁴⁴⁹ Pismo GŠ VRS šefovima humanitarnih organizacija, april 1993. (1D06019)

⁴⁵⁰ Zahtev S. Halilovića za boce za kisik, ERN 01817453, od 29. 11. 1992. (1D20708)

⁴⁵¹ Primedba R. Delića Muhamedu Lemešu da „municija zveketa“ u bocama. (1D06005)

⁴⁵² (1D03803)

muslimansku vojsku - Armiju BiH u Sarajevu koja je nastojala da osvoji celo Sarajevo i da se te snage kao slobodne pojave na drugim delovima ratištima u BiH. VRS nije mogla da dozvoli deblokadu muslimanskog dela Sarajeva jer bi na taj način izgubila srpski deo Sarajeva, a time bi izgubila i rat. Da rat ne bi bio izgubljen, SRK je izabrao vojnu blokadu snaga u muslimanskom delu Sarajeva, a blokada kao takva je sasvim legitiman vojni metod. To je pokazala praksa u istorije ratne veštine. Sam komandant snaga UNPROFOR-a za BiH, general ser Majkl Rouz je govorio da Sarajevo nije bio opsednut grad.⁴⁵³ U najvećem delu vremena muslimanska strana u Sarajevu je sve što joj je bilo potrebno za civilni život nesmetano dobijala preko srpske teritorije. Srpska strana je osim humanitarnog, nudila i mogućnosti za komercijalni saobraćaj, a postoje dokazi međunarodnih snaga, da su Srbi bili zainteresovani za nesmetano snabdevanje grada vodom, strujom i gasom, kao i dokazi da je muslimanska strana medijski manipulirala patnjom svojih građana u funkciji pridobijanja međunarodne podrške za ostvarivanje političkih ciljeva.

4.209. U Sarajevu i na Sarajevskom ratištu funkcionisao je razgranati sistem UN: UNPROFOR, posmatračka misija UN i EU, razni vidovi diplomatsko-konzularnih misija, povremeni obilasci tela i predstavnika UN i GS UN, humanitarne organizacije i MKCK, itd. Taj mehanizam je namerno i namenski zloupotrebljen na štetu VRS. Ovo je bila posledica „proklamovane i unapred zadate istine da su Muslimani žrtve, a Srbi agresori“ i da je pravedno onemogućiti Srbe u navodnom pohodu na Sarajevo. Tako je UNPROFOR izdejstvovao prvo kontrolu nad aerodromom, da bi pri tom bio veoma blagonaklon prema potrebi 1.K A BiH i komunikaciji njegovih snaga između Igmana i Sarajeva, preko, a potom i ispod aerodroma Butmir. Čak puno je dokaza o radu UNPROFOR u humanitarnim konvojima kada je krijumčario oružje i ubojni materijal za 1.K. Ne može se tvrditi da je to bio generalni plan UNPROFOR-a, ali je to bilo toliko učestalo, da se teško može smatrati slučajnošću i delovanjem pojedinaca. O pristrasnosti UNPROFOR-a govori i prepuštanje prostora između Igmana i Bjelašnice, kojeg je po Sporazumu iz avgusta 1993. godine, nakon operacije „Lukavac 93“, preuzeo pod svoju kontrolu 1. K A BiH, au proleće 1994. godine nastavio izvođenje ofanzivni dejstava prema SRK i HK VRS.

4.210. Blokada grada se isključivo odnosila na sprečavanje spajanja muslimanskih snaga 1.K A BiH sa spoljnog fronta sa snagama unutar gradskog jezgra, odnosno sprečavanje izlaska vojnih snaga i ulaska novih vojnih snaga u gradsko jezgro Sarajeva. Dakle, blokada se odnosi na obrazac vojnog delovanja narodne vojske, kakva je bila VRS, koja nije „došla sa strane“ da opsedne grad, nego je bila deo tog naroda i branila je svoja naselja i gradske opštine u kojima su Srbi bili većina.

4.211. Na Sarajevskom ratištu, u njegovom urbanom delu se tokom celog ratnog perioda baziralo i borbeno delovalo od 12-15 brigada A BiH.⁴⁵⁴ Ovaj broj varira zato što je tokom reorganizacije dolazilo do ukрупnjavanja snaga i do promene zona odgovornosti. Svaka brigada je imala u proseku od 80-120 vojnih grupnih ciljeva. Broj ciljeva je zavisio od vrste brigade, te od toga da li je njen ceo borbeni raspored bio u gradu ili se neki deo nalazio i izvan užeg gradskog jezgra. Na osnovu tako izvršenog proračuna, ispada da je u užem gradskom području Sarajeva bilo ukupno oko 2.200 legitimnih vojnih ciljeva. Oni su bili locirani u delovima grada gde su bile zone odgovornosti brigada i samostalnih bataljona, odnosno tamo gde su bili elementi korpusne organizacije, delovi GŠ A BiH i Vrhovne komande. Otuda je kvalifikacija veoma realna i argumentovana da je celo Sarajevo, njegov muslimanski i srpski deo, bio jedan veliki vojni ratni poligon koji je vezao snage dva ojačana korpusa sa velikim vojnim efektivama

⁴⁵³ Vidi gen. Majkl Rouz, „Misija u Bosni“, str. 40-41. (1D06021)

⁴⁵⁴ Lokacije u gradu gde su bazirale brigade i čitavi elementi Operativnog rasporeda 1. K A BiH najbolje se vide iz dokumenata 1. korpusa A BiH str.pov.br. 05/281-1 od 13.04.1993. godine. (D00496)

u ljudstvu i ubojnim sredstvima. Pravo je čudo da nisu nastale veće posledice na malom prostoru gde se svakog dana za tri i po godine sukobljavalo 60 do 80.000 vojnika.

4.212. Kada se imaju u vidu navedene činjenice o broju, rasporedu i gustini vojnih ciljeva unutar užeg gradskog područja, tada se sasvim logično nameće pitanje na kakvim se argumentima zasnivaju tvrdnje da su granatiranja i snajperisanja bila isključivo u funkciji terorisanja civila, od strane VRS i da je za to odgovoran general Ratko Mladić. Pa i površnom analizom se vidi da takve postavke Optužnice nisu argumentovane i neodržive su. Optužnica polazi od medijskih manipulacija muslimanske strane, kao da su potvrđene istine. Na mnoštvu primera potvrđeno je da je to nedopustivo i ne odslikava stvarnu situaciju ratne zbilje koja se odigrala. Izvesno je da ta tvrdnja ignoriše činjenicu da je Sarajevo bio podeljeni grad i da je u njemu vođen rat, da su se na njegovim delovima rasporedile vojne snage ratujućih strana Muslimana i Srba i da su njihove vojske jedna na drugu otvarale vatru, i na tu vatru uzvraćale.

4.213. O obostranom otvaranju artiljerijske i minobacačke vatre govore i Izveštaji UNMO posmatrača, za koje se inače u principu ne bi moglo reći da su bili naklonjeni srpskoj strani. Naprotiv, ali se i iz njihovih izveštaja ne bi mogla izvesti tvrdnja da su granatiranja VRS bila namenjena terorisanju civila, već se pre tu radilo o međusobnim razmenama svih vrsta vatrenih dejstava. U tom pogledu su ilustrativni izveštaji Katlera, Mola i Kukola. U izveštaju Katlera je upisano da je sa položaja VRS 5. decembra 1992. godine ispaljeno 606 projektila, a sa položaja 1. K A BiH 98 projektila.⁴⁵⁵ Posmatrač Mol je u svom izveštaju od 20. oktobra 1992. godine tvrdio da je SRK ispalio 52 projektila, a 1. K A BiH 26.⁴⁵⁶ Posmatrač UNMO Kukola, u izveštaju od 28. jula 1993. godine tvrdi da je SRK za dva dana ispalio 2.562 projektila,⁴⁵⁷ a na Srpsku Ilidžu je palo 64 projektila. Iako su mesta gađana međusobno na velikoj udaljenosti, pa se zato može smatrati da se ne radi o međusobnom vatenom udaru istih suprostavljenih strana, ipak je ovaj izveštaj posmatrača ilustrativan za tvrdnju da granatiranje nije bilo u funkciji terorisanja civila. To se lako može zaključiti, ako se dalje pogleda ovaj izveštaj, u kojem se kaže da je gro tih projektila ispaljivano po objektima Golo brdo, Kobilja glava i Žuč. A to su bili nadvišujući objekti severno i južno od urbanog dela grada koje su držale muslimanske snage A BiH, i koji nisu bili naseljeni, pa se može sa dosta izvesnosti tvrditi da dejstvo artiljerije nije bilo usmereno na civilno stanovništvo niti na terorisanje civila.

4.214. Snajperisanje je, pored granatiranja, od strane Optužnice okvalifikovano kao nelegitimno dejstvo namenjeno namernom terorisanju civilnog stanovništva u Sarajevu.⁴⁵⁸ Može se smatrati da je većina civilnih žrtava u Sarajevu nastupila kao posledica međusobne razmene streljačke vatre na linijama dodira, ili u taktičkoj dubini (oko 1,5-2 kilometra od linija fronta), a ti gubici su tendenciozno od strane muslimanskih medija u funkciji propagande prikazivani kao posledica snajperskog delovanja „četnika“ sa brda. Netačna je i predrasudna tvrdnja da su snajperska dejstva a priori nelegitimna. Sve vojske sveta u svojim formacijama imaju snajperiste kao posebno obučene, selektirane i opremljene borce i strelce. Kada se analizira uloga snajperisanja i snajperskog oružja u strukturi vojne moći sukobljenih strana na Sarajevskom ratištu, tada se dolazi do zaključka da je 1. K A BiH bio u tom pogledu u izrazitoj prednosti u odnosu na SRK.⁴⁵⁹

⁴⁵⁵ Izveštaj Katlera, br. 276, od 05. decembra 1992., str. 3, par. 2.

⁴⁵⁶ Izveštaj UNMO posmatrača Mola, br. 160, str. 1, par 1, od 20. oktobra 1992. godine. (1D06016)

⁴⁵⁷ Izveštaj UNMO posmatrača Kukole, br. dokumenta 179, str. 1, par. 3, od 28.07.1993. (1D06012)

⁴⁵⁸ Optužnica, deo o snajperisanju kao terorisanju civila.

⁴⁵⁹ O snajperskim dejstvima sa raznih objekata u gradu govori se u Borbenim izveštajima: 1. smbr, str.pov.br. 1-1145, od 14.12.92., str.pov.br. 1152, ista godina (14.12.92.) (1D06002), Ilidžanska brigada, str.pov.br. 19/8841,

4.215. Netačna je tvrdnja da su sve dominantne kote na Sarajevskom ratištu bile u posedu VRS, odnosno SRK, što mu je omogućavalo da sa bezbedne distance granatira grad i teroriše civile. Analiza položaja i kota na ratištu daje sasvim drugačiji rezultat. Istina je bitno drugačija: na severnom, istočnom i jugoistočnom delu Sarajevskog ratišta u širem prostornom smislu, jedinice SRK su imale dominantni položaj prema istočnoj polovini urbanog dela Sarajeva. Na jugu, jugozapadu, zapadu i severozapadu Sarajevskog ratišta, dominantni položaj su imale snage 1.K A BiH. Sa tih položaja su u potpunosti, vatrom iz svih oružja i oruđa, držali zapadnu polovinu urbanog dela Sarajeva, od zamišljene linije Grbavica-Koševo, uključujući i naselja Grbavica i Koševo koja pripadaju samom gradskom jezgru. Takođe, sa tih svojih dominantnih kota i položaja 1.K A BiH je u potpunosti kontrolisao sva prigradska naselja koja su bila pod vlašću RS i pod operativnom kontrolom VRS. To su Vogošća, Ilijaš, Rajlovac, Ilidža, deo Hrasnice, Hadžići, deo Dobrinje, Vojkovići i Lukavica. UNPROFOR je svo vreme rata nastojao da balansira odnos snaga na štetu SRK VRS i da ga liši svoje jedine borbene prednosti, a to je artiljerija većih kalibara i oklopno-mehanizovane jedinice.⁴⁶⁰

4.216. 1.K A BiH je u odnosu na SRK imao izrazito povoljan odnos snaga u ljudstvu i lakom pešadijskom naoružanju; korpus je raspolagao kvalitetnim pešadijskim naoružanjem, lakim protivoklopnim sredstvima, minobacačima i snajperima. Urbani ambijent mu je omogućavao da snage i sredstva razmesti prikriveno i da prikriveno dejstvuje, stalno menjajući vatrene položaje. Na taj način je istovremeno postizano dva cilja: (1) čuvao je sredstva od uništenja; (2) izazivao je protivdejstvo snaga SRK po položajima 1. K A BiH, što je izazvalo slučajne civilne gubitke i oštećenja materijalnih dobara, kao i neviđenu medijsku satanizaciju Srba.⁴⁶¹ U ovoj analizi je obrazloženo da je upotreba artiljerije imala legitimno uporište u nizu operativnih razloga, i to: u činjenici da je u gradu bazirala A BiH i iz njegovog urbanog dela dejstvovala svim raspoloživim vrstama vatre - artiljerijskom, minobacačkom, pešadijskom. U dokumentima koja se uz ovu ekspertizu uvedena, uverljivo je dokazano da su snage 1.K A BiH svoje elemente borbenog poretka raspoređivale i upotrebljavale iz javnih i privatnih objekata, čime su svi ti objekti zakonomerno postali legitimni vojni ciljevi.⁴⁶² Na osnovu toga, može se pouzdano pretpostaviti da je artiljerijska i minobacačka vatra sa vatrene položaja SRK upotrebljavana kao odgovor na dejstvo A BiH, tj. kao protivdejstvo, i zato što Sarajevo nije proglašeno ni otvorenim ni nebranjenim gradom, što bi jedino moglo a priori da delegitimiše svako vojno, pa i artiljerijsko dejstvo SRK prema gradu. Da se radi o legitimnim vojnim ciljevima 1.K A BiH u urbanom delu Sarajeva, govore i svedočenja mnogih stranih posmatrača.

4.217. Dejstva artiljerije SRK preduzimana su i bila usmeravana prema legitimnim vojnim ciljevima protivnika razmeštenim i dejstvujućim sa vatrene položaja u delu Sarajeva pod kontrolom 1. K A BiH. Oni događaji koji su specifikovani u Optužnici, a koji su doveli do stradanja i jednog broja civila, pored vojnika, nisu događaji u kojima bi bila potvrđena dejstva srpskih vojnih snaga, a pogotovo ne da su ti događaji izazvani namernim gađanjima civila. Takav zaključak se osporava brojnim dokazima, pa i mišljenjima eksperata UN i odbrane. Tačno je da je SRK bio u značajnoj prednosti nad 1.K A BiH u teškom naoružanju. No, ta prednost je u znatnoj meri balansirana celim nizom postupaka UNPROFOR-a i UNMO posmatrača, ali i sve

od 31. januara 1994 (1D06003); 1. sarajevsko mehanizovana brigada, str.pov.br. 3-8461/4, od 21.07.1994. itd. Na osnovu toga odakle su dejstvovala, teško se može održati tvrdnja da je to bio miran kraj naseljen civilima, već se očito radi o vojno vrlo aktivnom delu Sarajeva, pa je i protivdejstvo po tom delu Sarajeva bilo sasvim legitimno.

⁴⁶⁰ Vidi šire, Radovan Radinović, Sarajevsko ratište, Ekspertiza za generala Stanislava Galića, 2002.

⁴⁶¹ Vidi šire, Radovan Radinović, Sarajevsko ratište, Ekspertiza za odbranu generala Stanislava Galića, 2002.

⁴⁶² Vidi Prilog 11 Karta obostranog rasporeda na Sarajevskom ratištu

boljom opremljenošću A BiH kvalitetnim artiljerijskim, minobacačkim i snajperskim naoružanjem. Na drugoj strani, urbano ratovanje kojem se bolje prilagodio 1.K A BiH nego SRK, lišilo je SRK dobrog dela te evidentne vojnotehnoške prednosti.

4.218. Empirijski podaci govore u prilog tvrdnji da je 1.K bio u značajnoj prednosti u sposobnosti snajperskog delovanja od SRK. Svo vreme rata fabrika „Zrak“ je proizvodila tu vrstu opreme, a na samom početku rata, po priznanju zvaničnika A BiH (Šiber), A BiH je podelila preko 500 snajpera, što je znatno iznad broja kojim je u to vreme mogao raspolagati SRK. 1.K A BiH je već krajem 1993. godine raspolagao kvalitetnijim snajperima (12,7 mm) od onih koje je posedovao SRK. Taj elemenat borbenog rasporeda bio je veoma ubojit u uslovima urbanog ratovanja kakvi su vladali na Sarajevskom ratištu. Najveći deo visokogradnje i nadvišujućih položaja oko užeg gradskog jezgra bio je u rukama 1.K A BiH, pa su i njegove mogućnosti izbora pogodnih položaja za razmeštaj i dejstvo snajperista bile mnogo povoljnije od mogućnosti SRK. Jedini iole pouzdani metod odbrane od tih snajpera bila su antisnajperska dejstva sopstvenim snajperima, artiljerijom i minobacačima.

4.219. Uvidom u većinu dokumenata zaraćenih strana i stranih posmatrača lako se uveriti da su stradanja civila i na jednoj i na drugoj strani posledica potpune sraslosti vojnog i civilnog poretka, u čemu je inače prednjačila muslimanska strana, jer je ona posedala daleko gušće naseljeni i urbanizovaniji deo Sarajeva, a ništa nije preduzela u smislu zaštite civila. U tim okolnostima civilne žrtve se moraju smatrati kolateralnom štetom urbanog ratovanja. Ovo, razume se, kada je reč o stradalim od dejstava sa vatrenih položaja vojske, a ne ubijenih u zatvorima i logorima kakvih je u Sarajevu i njegovoj okolini, na muslimanskoj strani, bilo previše. Inače, brojna su dokumenta i zapisi o zločinima protiv srpskih civila u Sarajevu, Tarčinu i drugim mestima pod muslimanskom kontrolom. Još se ispituju lokacije masovnih grobnica od kojih su neka mesta monstruozno odabrana, kao što je gradska deponija u muslimanskom delu Sarajeva, gde su pronađeni i prvi pogubljeni od kojih su mnogi prvo spaljeni. Spaljivanje Srba pobijenih u Sarajevu potvrdili su na suđenju i pripadnici zloglasne jedinice „Ševe“. Nakon fijaska prve Komisije, porodice ubijenih i nestalih sarajevskih Srba traže i dalje formiranje nove komisije, koja bi istražila sudbinu 3.300 ubijenih srpskih civila. Zadatak ove komisije trebalo bi da bude i rasvetljavanje istine o zatočeništvu više od 3.000 Srba u 126 sarajevskih logora. Logori smrti, tamnovanje, mučenje, ubijanje... reči su koje ilustruju stradanje Srba u ratnom Sarajevu. Istina je i nakon dve decenije strogo čuvana tajna u ovom gradu. Zbog hiljada sarajevskih Srba, o čijoj se sudbini ni do danas ništa ne zna, porodice stradalih traže da se formira nova Komisija za stradanje Srba u Sarajevu. Da li će ovaj put Sarajevo otvoriti svoje mračne odaje? Ili će, kao i do sada, potpomognuto pravosuđem, graditi kult žrtve?⁴⁶³

4.220. Perfidijama i zločinima, u muslimanskom delu Sarajeva, koje su konstruisane u funkciji medijske kampanje, radi pridobijanja međunarodne podrške, u funkciji ostvarivanja političkih ciljeva Muslimana u BiH, nije bilo kraja. Te laži dešavale su se kontinuirano u kriznim periodima rata kada je A BiH bila u krizi i nije bila u mogućnosti da ostvari političke ciljeve vojnim putem. Pored Merkala-1 i Markala-2 činjeni su monstruozni zločini kroz pojedinačna ubistva nedužnih građana. Tako je u režiji vrha muslimanske vlasti ubijeno dvoje mladih Sarajlija, Admira i Boško. Njima je namerno u skladu sa scenariom zločina, ponuđena prilika da napuste Sarajevo 19. maja 1993. godine. Nakon dogovora, preko „kriminalnih krugova i zajedničkih prijatelja“, sa obe strane, krenuli su oko 17 sati preko Vrbanja mosta ka Grbavici. Prvo je na mostu smrtno pogođen Boško, a zatim je ranjena i Admira, koja je izdahnula desetak minuta kasnije grleći mrtvog momka. Njihova tela su ostala celu sedmicu na mostu, kada su uz

⁴⁶³ Branka Kusmuk, RTRS, 25.10.2013.

pomoć Radnog voda izvučena na Grbavicu, deo Sarajeva pod kontrolom VRS. Snage UN su odbile pomoći u izvlačenju tela, dok su se Srbi i Muslimani međusobno optuživali za smrt mladog para. Sahranjeni su u Lukavici na Srpskom vojničkom groblju, a tela su 1996. godine po želji Admirinih roditelja prenesena na groblje Lav u Sarajevu. Kako nisu urađene obdukcije tela niti je vođena istraga, pravac iz koga je pucano i ubice su ostale na dugo vremena nepoznate,⁴⁶⁴ sve dok sticajem okolnosti nije došlo do raspleta situacije i opovrgavanja muslimanske medijske istine koja je VRS optuživala za taj monstruozni zločin.

4.221. Taj zločin je potresao međunarodnu javnost. Pripisan je Srbima i veoma negativno uticao na opštu sliku o Srbima u ratu u BiH i ciljevima njihove borbe. Danas kada se pokazalo da je reč o isceniranom zločinu koji su pripremili i izveli pripadnici jedinice muslimanske državne bezbednosti „Ševe“, po nalogu samog muslimananskog političkog vrha radi medijskog i međunarodnog kompromitovanja RS i VRS kao zločinačke organizacije na Sarajevskom ratištu, nije se još ništa suštinski promenilo. Po navici i inerciji i dalje se terete politički i vojni rukovodioci Republike Srpske, a medijska šteta naneta srpskom narodu nemoguće je da se nadoknadi niti promeni. Ta priča o „srpskom zločinačkom delovanju“ odmah je puštena u svetske medije. I u vezi s tim zločinom Herenda je u iskazu bio precizan te je naveo da je devojkicu i mladića ubio Dragan Božić, pripadnik „Ševe“, hicima iz snajpera. Čak je Herenda kazao i mesto odakle ih je Božić sačekao i ubio. Bivši operativac bošnjačke tajne službe AID Edin Garaplija rekao je to još je 23. aprila 2002. godine tužiocima Kantona Sarajevo, a iskaze znatno kasnije objavljuje sarajevski „Dnevni avaz“. Garaplija je svedočio kako su „Ševe“, odnosno Nedžad Herenda, koji je neko vreme bio i vođa grupe, sa pripadnikom „Ševa“ Draganom Šošićem na Vrbanja mostu likvidirao mladi par Boška Brkića i Admiru Ismić, što su mediji proglasili za smrt sarajevskog Romea i Julije koji su zverski ubili pripadnici VRS sa Grbavice. Sve je to urađeno radi diskreditovanja VRS i njenog prikazivanja kao zločinačke organizacije koja snajperisanjem i granatiranjem teroriše civilno stanovništvo. Medijima je plasirano da su ubijeni sa srpske strane. Herenda je bio precizan i rekao da su se on i Dragan nalazili na prostoru bivše zgrade „Steleksa“, odnosno Elektrotehničkog fakulteta. Zamaskirani, sa te pozicije gađali su ih na mostu kad su mladić i devojkica pokušali da pređu na stranu Republike Srpske. Herenda je priznao da je bilo i „snajperisanja“ po snagama francuskog UNPROFORA-a, te da je francuskog vojnika sa zgrade Izvršnog veća ubio po nalogu, gađajući kroz prolaz između Muzeja i zgrade Izvršnog vijeća, stvarajući privid da je pucano sa Grbavice od strane VRS. Srpski mediji su tada javljali da su Admiru i Boško ubijeni iz snajpera sa nekadašnje zgrade Izvršnog veća, ali istina nije interesovala sarajevske i svetske medije kojima je trebalo da optuže VRS.

4.222. U maju 1992. godine likvidirano je i 12 zatvorenika koji su dovedeni u Dom milicije, a među kojima je bilo i osam rezervista JNA. Herenda je rekao da je dobio nalog da likvidira tu grupu. Na moje pitanje zašto je to uradio, on je rekao: „Pa šta, to su bili četnici.“ Onda mi je precizirao da je taj dan likvidirano ukupno 12 ljudi, osam rezervnih pripadnika JNA i četiri civila, među kojima je bila i jedna žena. Rekao je da ih je postrojio ispred Doma milicije i pucao iz puškomitraljeza. Herenda je zatim svakom od njih ispalio metak u glavu. Po nalogu šefova, drugi pripadnici koji su se tu našli odveli su leševe na Darivu i spalili ih. To je izjava Garaplije i to je samo deo svedočenja iskazan javnosti. Detalji su u znatno većoj meri prisutni Haškom tribunal i nadamo se da će to imati uticaja u procesu utvrđivanju objektivnih činjenica odgovornosti za zločine u Sarajevu koji su neopravdano pripisivani srpskom narodu, VRS i generalu Mladiću kao komandantu Glavnog štaba. „Prema njegovim rečima, „Ševe“ su pored

⁴⁶⁴ Edin Garaplija, bivši agent tajne policije AID u intervjuu „Slobodnoj Dalmaciji“ optužio je bošnjačku specijalnu jedinicu „Ševe“, za ubistvo mladog para.

selektivnih meta, vežbale i pucajući sa sarajevskih zgrada i kota po Grbavici, delu grada koji su u ratu kontrolisali Srbi. Herenda je priznao da je gađao „babe u crnini“, jer je znao da se tako ne nose Bošnjakinje. Tada sam ga pitao ko je stajao iza tih naredbi, on je uvek na prvom mestu navodio drugog čoveka AID-a Nedžada Ugljena. Zatim mi je rekao da su s aktivnostima „Ševa“ bili upoznati visoki policijski zvaničnici Bakir Alispahić, Asim Dautbašić, Enver Mujezinović, pa čak i vojna struktura, odnosno generali Fikret Muslimović i Jusuf Jašarević, kao šef vojne bezbednosti - istakao je Garaplija.⁴⁶⁵ Babe u crnom bile su srpkinje koje su odevene u crno jer su žalile nekog bliskog ubijenog ili preminulog. U jednom periodu gađane su trudnice da se više ne bi rađali „četnici“. Monstruozna dela i zločini ne mogu se razumeti i objasniti zdravim razumom. Nakon svega osnovano je sumnjati da pored eksplozivne naprave koja je bila namenjena za atentat na generala Sefera Halilovića, nakon njegove smene sa dužnosti, eksplozivne naprave i masovne likvidacije civila na Markalama-1 i Markalama-2 jesu delo ovih zločinaca. Na to upućuju i najnovija saznanja koja su indukovana veštačenjem. U izjavama na elektronskim medijima, kao što je razgovor na Radio televiziji Republike Srpske, Edin Garaplija 15.03.2013. godine jasno ističe da su „Ševe“ bile u suštini teroristička paravojna i paradržavna organizacija iza kojih je stajao sam muslimanski politički i državni vrh.

4.223. Dejtonski sporazum doneo je mir, prekinuo stradanja i rat ali su patnje naroda ostale velike i za života mnogih savremenika nezaboravne. „Otišlo je srpsko stanovništvo, mnogi uplakani, a najveći broj njih se skrasio u regionu Sarajevskog okruga pod administracijom RS, odnosno u Lukavicu i na Palama. Ostali su produžili u Banju Luku, Bijeljinu, Bratunac..., a manji broj i prema Srbiji. Ako se danas sabere broj srpskog stanovništva u Lukavici, delu Dobrinje, Palama i okolnim naseljima, vidi se da je to stanovništvo dobrim delom pomeren iz grada u te dijelove sarajevske okoline.“⁴⁶⁶

4.224. Nema ni jednog akta među brojnim dokumentima, koji je GŠ VRS verifikovao ili izradio, pod komandom generala Ratka Mladića, a da su isti usmereni na izvršenje ratnih zločina nad civilnim stanovništvom ili vojnicima A BiH u Sarajevu. Međutim, medijskom kampanjom generalu Mladiću su, kao po pravilu, pripisivani svi zločini i krivična dela koja su se dešavala na Sarajevskom ratištu. Sa stanovišta vojne doktrine, imajući u vidu sve relevantne činjenice koje se uzimaju pri izradi vojno-stručne analize, u radnjama generala Mladića, ne postoji namera niti saučesništvo u pripremanju i izvršenju terorisanja civilnog stanovništva u gradu Sarajevu. U početnoj fazi građanskog rata u Sarajevu i BiH kada su se u procesu odvajanja naroda, naselja i opština posebno na Sarajevskom ratištu činila masovna ubistva, progoni, nasilje, zarobljavanje i ubistva general Mladić je bio prinuđen da sa još neorganizovanom vojskom srpskog naroda pokuša da ga zaštiti od protivnika koji je u Sarajevu bio znatno brojniji. Pri tome general Mladić je morao i da izdaje na početku rata naređenja o upotrebi artiljerije na Sarajevskom ratištu kojima bi odvratio muslimanske snage da čine teror nad Srbima u Pofalićima i Buća potoku. U tom vremenu upravo je stradalo puno civila od muslimanskih paravojnih jedinica. Mnogima se ni danas nezna mesto pogibije niti mesto ukopa.

4.225. Kada se sve to dovede u kontekst nesporno utvrđenih činjenica o kojima je u ovom Izveštaju bilo govora, a to je da se u dokumentaciji sa kojom je ovaj autor raspolagao, kao sa analitičkom podlogom, ne može pronaći ni jedan dokumenat u kojem general Ratko Mladić od svojih potčinjenih traži da se artiljerijom i snajperima dejstvuje po civilnim ciljevima, niti dokumenta u kojima se potčinjeni na to podstiču, mora se zaključiti da je u potpunosti sporna tvrdnja Optužnice da je general Mladić odgovoran za brojna granatiranja i snajperisanja

⁴⁶⁵ 28. mart 2012. Večernje novosti

⁴⁶⁶ KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.90

muslimanskog dela Sarajeva i terorisanje civila. Sarajevsko ratište jeste operativna kategorija i pojam i skoro sva pitanja rata i operacija utvrđivali su komandanti korpusa sa potčinjenim komandantima brigada, bataljona i samostalnih jedinica. Artiljerijska i snajperska dejstva jesu u nadležnosti taktičkog nivoa i nije ih primereno dovoditi u kontekst odgovornosti NGŠ VRS. Ono što je analiza pokazala jeste nesporno da ne postoji ni jedna direktna veza između funkcije komandovanja generala Ratka Mladića, kao komandanta GŠ VRS, i konkretnih događaja na Sarajevskom ratištu. Uvek kada je bilo pitanje prekida vatre, primirja i Sporazuma general Ratko Mladić je iskazivao spremnost na saradnju i uticao na komandu SRK da se poštuju ta primirja, te da se sprovodi kontrola teškog naoružanja, da bi se to pretežno završavalo na štetu srpskih interesa, o čemu je izneto dosta činjenica i argumentacije. Delovanje UNPROFOR-a na Sarajevskom ratištu muslimanska strana je iskoristila kao direktnu pomoć u funkciji promene odnosa snaga i oslobađanja dela snaga 1. K A BiH za upućivanje na druga ratišta u BiH. Novi dokazi o podmuklim i podmetnutim zločinima muslimanskih specijalnih snaga bacaju novo svetlo istine o objektivizaciji oružanih sukoba na Sarajevskom ratištu. To je bitno radi istorije, a i radi pravednog odnosa prema optuženim za ratne zločine.

V Deo

SREBRENICA KAO SIMBOL MASOVNOG ZLOČINA U RATU U BOSNI I HERCEGOVINI

5.0. Odbrana Ratka Mladića nakon više godina medijske satanizacije, unapred izrečenih osuda i presuda za mnoga zla koja su se desila u građanskom ratu u BiH je težak i skoro nemoguć poduhvat. To saznanje opterećivalo je i mene, kao vojnog eksperta, jer pri analizi primarnih vojnih činjenica koje se mogu dovesti u vezu sa ulogom i komandnom odgovornošću u događajima iz jula 1995. godine, došlo se do saznanja koja ne odgovaraju „unapred datim istinama“, koje su medijskom propagandom u dužem vremenu plasirane u međunarodnoj javnosti. U medijima i delu međunarodne javnosti sva krivica za masovna streljanja i zločine nad zarobljenim Muslimanima u Srebrenici pripisivana je uglavnom generalu Mladiću. Analizom dokumenata i informacija istina je znatno drugačija. Učinjen je pokušaj da se u ovom delu Izveštaja iznesu što objektivniji nalazi sa argumentacijom, koja potiče iz međunarodnih i muslimanskih izvora o operaciji i događanjima nakon vojne operacije za Srebrenicu, poznate pod nazivom „Krivaja 95“.⁴⁶⁷

5.1. Nakon proučavanja Optužnice, koju je protiv generala Ratka Mladića podiglo Tužilaštvo Međunarodnog suda za krivična dela u bivšoj Jugoslaviji shvatio sam da se optuženom na teret stavljaju najteža krivična dela proizašla iz „...svesnog udruživanja i učešća u udruženom zločinačkom poduhvatu“, zajedno sa drugim pripadnicima VRS i MUP-a RS. Tako udruženi, a u skladu sa državnom politikom i organizacijom, u Optužnici se tvrdi, da su preduzeli široki i sistematizovani napad na pripadnike bošnjačkog naroda na širem području BiH, a posebno u zaštićenoj zoni UN Srebrenica sa ciljem da trajno i prisilno premesti ukupno bošnjačko civilno stanovništvo iz ove enklave, te da uhvate, zatvore, prisilno premeste, po kratkom postupku pogube i zakopaju vojno sposobni muškarci iz Srebreničke enklave i tako istrebi bošnjački narod.

5.2. Iz izveštaja i uz odabir i analizu relevantnih vojnih činjenica, pitanja i problema, neophodno je istaći da nije uobičajeno da se Komandantu GŠ VRS, koji nije komandovao neposredno snagama u operaciji i koji nije imao efektivnu kontrolu nad jedinicama na taktičkom nivou

⁴⁶⁷ Autor ovoga Izveštaja se prema događajima nastalim nakon operacije „Krivaja 95“ odnosi sa dosta rezerve jer su još mnoge informacije nedostupne o učesnicima koji su doveli do zločina. Do sada se sva odgovornost uglavnom pripisuje VRS i njenim komandantima, komandirima i vojnicima. Ta odgovornost nije sporna, u generalnom smislu, ali ona ne bi trebalo da je institucionalna nego personalna. Prisutne su i krajnosti i namera da se i svi poginuli u borbama oko Srebrenice i na pravcu proboja prikažu kao žrtve masovnog streljanja. Radi istine i pravde prema mrtvima i živima neophodno je doći do podataka koji odslikavaju realnost tih ratnih dana. Presude koje ne uvažavaju tu realnost mogu postati samo izvor novih raskola i nerazumevanja. Od ukupnog broja stradalih vojnika i civila u Srebrenici i na putu proboja svega za oko polovinu postoje podaci da su ubijeni nakon zarobljavanja, što znači da su sve ostale žrtve nastale u toku borbi na putu proboja 28. divizije A BiH. Ove činjenice se ne iznose sa ciljem umanjavanja zločina nad zarobljenim, nego radi objektivne istine. Takođe, u mnogim muslimanskim i srpskim izvorima se ističu sumnje u objektivnost ukupnog broja stradalih i iznose različita zapažanja, gde se raspon broja gubitaka kreće od 6.500 do 8.000 ljudi. Prisutni su i elementi politizacije ukupnog zločina, pri čemu se teži na svaki način povećavati broj stradalih, tako da su i stradali u toku rata u Srebrenici prebacivani i sahranjivani u Spomen groblju u Potočarima. Sve te informacije izazivaju osećaj postojanja političke namere u muslimanskim krugovima da se nečuvene i stradalih u ratu ujedno prikažu kao „žrtve genocida“ koji je izvršila VRS. Svakom je više, danas u svetu jasno, ko uvažava činjenice, da se genocid nije desio u Srebrenici niti su postojale te namere. Desio se zločin prema delu zarobljenih vojnika i civila koji su bili deo kolone koja se probijala ka teritoriji pod kontrolom muslimanskih snaga 2. Korpusa A BiH.

nakon operacije, niti je imao pouzdane informacije o zločinima koje su počinile odmetničke osvetničke grupe i paravojne grupe u toku i nakon operacije. General Mladić jeste bio jedno vreme u zoni operacije i neposredno izdao usmeno nekoliko naredjenja i učestvovao u pregovorima sa predstavnicima 28. divizije o polaganju oružja radi sprečavanja daljih stradanja. To jeste legitiman i poželjan vojnički pristup, da se ostvari cilj operacije uz što manje žrtava. Međutim, sve je urađeno drugačije i uzrokovalo dalju nepotrebnu eskalaciju sukoba u fazi proboja, što je dovelo do masovnih zločina.

5.3. Dela koja se stavljaju na teret generalu Mladiću zahtevaju analizu operacije „Krivaja 95“ i njene direktne i indirektne posledice, kao i mesto i ulogu u procesu priprema, izvođenja pa do sagledavanja lanca komandovanja. Posebno je bilo bitno poći od uzroka i povoda njenog planiranja, preko tokova i ishoda te operacije, da bi se osloncem na dokazane činjenice i argumente moglo zaključiti da li su teške posledice, koje su nastale tokom i nakon operacije „Krivaja 95“ uopšte bile moguće da se preduprede ili spreče od strane generala Mladića? Pri stvaranju uzroka i povoda za napade na Srebrenicu i Žepu, znalo se da postoji kritičan potencijal za zločine i osvetu nad pripadnicima 28. divizije i da u pokušaju proboja iz okruženja stradanja i zločini bili su zagaranovani, te da ih niko ne može sprečiti. Te dve ključne odrednice uslovile su izvršenje zločina, nakon operacije.

5.4. Nakon sagledavanja vojne dimenzije operacije od 02.07.1995. do 17.07.1995. godine, posebna pažnja je poklonjena probou kolone iz Srebrenice ka Tuzli, kao i sagledavanju okolnosti koje su dovele do iseljavanja civilnog stanovništva, i zarobljavanja pripadnika 28. divizije i njoj priključenih vojno sposobnih muškaraca. Teško je bilo doći do pouzdanih informacija o toku informacija u lancu komandovanja počev od zarobljavanja pripadnika kolone, prevoženja u objekte u zoni odbrane Zvorničke brigade pa do likvidacije i sahranjivanja u grobnice. Na aktivnosti oko masovnog streljanja zarobljenika vidljivo je da komandovanje na strategijskom, pa ni na operativnom nivou nije imalo pravovremene informacije i da je o tome tek naknadno saznalo samo neke nepotpune informacije. Takođe teško je razumeti kako je političko i vojno rukovodstvo RS odobrilo izvođenje operacije i da nije na vreme razumelo strategijsku zamku koja je smišljeno pripremljena radi kompromitovanja ciljeva borbe Srba u građanskom ratu u BiH. Kada se sagledaju sva ta krupna pitanja moguće je objektivnije govoriti o tome da li postoji komandna odgovornost generala Ratka Mladića za zločine koji su se desili ili su se ti zločini desili po nečijem drugom planu uz korišćenje etničke mržnje, ogromnog osvetničkog potencijala, delovanja plaćenika po preporukama onih koji su upravljali ratom u BiH i kojima je tragedija u Srebrenici bila potrebna za etničko čišćenje i progon Srba iz Republike Srpske Krajine i sa prostora zapadnog dela Republike Srpske.

5.5. Za izradu ove ekspertize Odbrana generala Ratka Mladića mi je stavila na raspolaganje obimnu dokumentaciju: (1) Operativna dokumenta, pre svega VRS u kojoj su sadržane vojne činjenice koje sa strane VRS bacaju dovoljno svetla na događaje u periodu pripreme i izvođenja operacije. Problem pričinjava nedostatak podataka o tretiranju ratnih zarobljenika i postupanju prema njima u objektima, u zoni odbrane Zvorničke brigade. Od tada je operativna, vojna dokumentacija sve oskudnija; (2) Obimna dokumentacija se odnosi na svedočenje brojnih učesnika u događajima; (3) Više Izveštaja vojnih eksperata koji su radili ekspertize za predmete vezane za Srebrenicu.⁴⁶⁸

5.6. Ozbiljan nedostatak u činjeničnom i pouzdanom zaključivanju vezan je za nedostatak izvorne dokumentacije muslimanskih oružanih formacija Armije BiH. Kada bi se raspolagalo i

⁴⁶⁸ Vidi šire, Radovan Radinović, Ekspertiza za Srebrenicu, 2002.

sa tim dokumentima onda bi se podaci mogli ukrštati, kao i viđenja sukobljenih strana jer se radi o dvostranom procesu, a ponašanje učesnika i odluke su međusobno uslovljene.

1. Osnovna geografska, demografska, istorijska i geostrateška obeležja Srednjeg Podrinja

5.7. Kada se uzmu osnovni podaci u najširem geografskom smislu Srednje Podrinje obuhvata opštine Bratunac, Srebrenicu, Miliće, Šekoviće, Vlasenicu i Zvornik. Ipak, s obzirom na vojno-politička, prostorno-geografska i demografska, te administrativno-politička zbivanja i promene neposredno posle rata, u njegovom toku i nakon njegovog završetka, pojam Srednjeg Podrinja se može uslovno za potrebe ove analize svesti na opštine Bratunac i Srebrenicu koje postoje od ranije, a dodaju mu se novoformirane opštine Milići i Skelani. Navedene četiri opštine se prostiru na oko 1.520 km², što iznosi oko 3% ukupne teritorije BiH. Shodno rezultatima popisa stanovništva iz 1991. godine, na prostoru ovih opština živelo je oko 80.000 stanovnika, ili oko 1,8% ukupnog srpskog stanovništva. Po nacionalnoj pripadnosti, distribucija stanovništva bila je sledeća: Srbi 28.500 ili 35,6%, a Muslimani 49.500 (61,9%). Druge etničke grupe bile su zastupljene sa neznatnim brojem stanovnika, pa se ti podaci mogu izostaviti iz ove analize. Nacionalna struktura stanovništva je bitno različita od opštine do opštine. Tako na primer, u Srebrenici su Srbi činili 25% stanovništva, a u Milićima čak 90%.⁴⁶⁹

5.8. Imajući u vidu potrebe ove vrste analize, veoma je bitno sagledati stanje u pogledu nacionalnog identiteta seoskih i gradskih naselja. U opštinama Bratunac, Srebrenica i Skelani, tamo gde su Muslimani bili demografska većina, bilo je 29 čisto srpskih, 37 čisto muslimanskih i 64 sela mešovitog sastava. Ovde je reč o velikim selima sa brojnim zaseocima koja imaju svoja posebna imena, zbog čega se kasnije u analizi može pojaviti znatno veći broj sela od ovih 120 koliko su navedena u prethodnoj rečenici. Sva sela u opštini Milići bila su čisto srpska sela. Neki indikatori upućuju na izvesna podozrenja u pogledu verodostojnosti demografskih podataka saopštenih nakon statističke obrade rezultata popisa iz 1991. godine. Tako je utvrđeno da je na zajedničke višestranačke izbore u Srebrenici 1990. godine izašlo više birača srpske nacionalnosti nego što je nepunu godinu dana kasnije u popisu stanovništva utvrđeno da ima ukupno srpskog stanovništva. Drugi razlog za sumnju je i činjenica da organi BiH podatke o popisu stanovništva nisu dostavili Jugoslovenskom statističkom zavodu kako je bilo predviđeno, pa nije obavljena odgovarajuća državna verifikacija tih rezultata popisa. I pored opravdanih sumnji u rezultate popisa stanovništva 1991. godine u opštinama Srednjeg Podrinja, ipak se za ovu analizu može zaključiti da su u opštinama Bratunac, Srebrenica i Skelani većinsko stanovništvo činili Muslimani, a u Milićima Srbi. U građanskom ratu u BiH u pojedinim regionima nacionalna većinska zastupljenost nije bila garancija da će ti prostori ostati pod kontrolom sopstvenih oružanih snaga. Tako su i Srbi izgubili ogromne prostore, četiri opštine, u zapadnoj Bosni u kojima su oni bili u apsolutnoj većini, sa više od 92% (Drvar, Grahovo, Petrovac i Glamoč).⁴⁷⁰

5.9. Prema katastarskim podacima o vlasništvu nad zemljom, stiče se bitno drugačija slika u odnosu na demografsku strukturu. Naime, srpski zemljišni posed je u obrnutoj srazmeri sa brojem stanovnika po nacionalnoj pripadnosti. To je razumljivo ako se zna da su Muslimani i od ranije, a pogotovo nakon tri stradanja nad Srbima u ovom veku i tri srpska egzodusa (1914, 1941-1945 i 1991-1995) bili većina u gradovima, a Srbi u seoskim naseljima. Smanjenjem srpskog stanovništva u ova tri genocida, još se u oštrijoj formi ispoljavao taj nesklad između njihovog učešća u ukupnom stanovništvu Srebrenice i Bratunca i vlasništva nad zemljom u tim opštinama (Prilog broj 14 i 15). Najveće stradanje Srba u Podrinju desilo se za vreme fašističke

⁴⁶⁹ Radovan Radinović, Vojna ekspertiza za Srebrenicu, Beograd, 2010., str.8-10

⁴⁷⁰ Isto, str.11

tvorevine NDH, kada je u ustaškim ofanzivama u kojima su učestvovala težišno muslimanske jedinice stradalo preko šest hiljada civila.⁴⁷¹ To stradanje bilo je izvor straha i nesigurnosti srpskog naroda na početku rata, tako da je neodrživ stav u Optužnici paragraf 13 (d) da je general Mladić radio na trajnom uklanjanju bosanskih Muslimana i bosanskih Hrvata „...širenjem, podsticanjem i/ili omogućavanjem širenja propaganda među bosanskim Srbima, u nameri da se u njima izazove strah i mržnja prema bosanskim Muslimanima i bosanskim Hrvatima...“. Istorija je nažalost obiljem činjenica odslikala međunacionalne i verske odnose i sukobe Srba, Muslimana i Hrvata koji su najviše bili opterećeni muslimanskim bahatim odnosom i nasiljem prema Srbima i Hrvatima za vreme Otomanske imperije. U Prvom i Drugom svetskom ratu ti odnosi su još više poremećeni masovnim zločinima na Srbima za vreme fašističke tvorevine NDH. Mržnja iz tih vremena postala je latentna konstanta međunacionalnih odnosa i nepoverenja. Zato je neopravdano pripisivati nešto generalu Mladiću što je istorijski neodrživo i nije izraz njegove moći niti namere. Međunacionalni odnosi u BiH bili su poremećeni i pre dolaska generala Mladića u tu republiku bivše SFRJ. Katastarske knjige od vremena Austrougarske do danas, i pored silnih nastojanja da se stanje promeni pokazuje da su Srbi vlasnici nad 52% zemljišta, a Muslimani na oko 29%. Preostalih oko 19% pripada državi. Za ovaj deo analize veoma je indikativan podatak o selu Zedanjsko u opštini Srebrenica. To selo je u vreme Drugog svetskog rata imalo podjednak broj Muslimana i Srba. U ratu su Muslimani u ustaškim jedinicama iz tog sela i najbliže okolne pobili svo srpsko stanovništvo. Od tada je to selo naseljeno isključivo Muslimanima ali je zemljište i⁴⁷² dalje vođeno kao katastarsko vlasništvo pobijenih Srba. Takvih sela je u BiH bilo veoma mnogo.

5.10. Podrinja nije imalo niti ima danas isti geopolitički i strateški značaj za sva tri konstitutivna naroda u građanskom ratu u BiH. Može se reći da Srednje Podrinje ima veliki značaj za sve tri strane. Muslimanska geopolitička strategija je počivala na dominaciji nad druga dva konstitutivna naroda, centralizaciji vlasti i nedeljivoj BiH. Bez Podrinja nema ništa od celovitosti BiH niti njenog unitarnog državnog projekta. Vladanjem Podrinjem za muslimansku geopolitičku strategiju imalo je daleko širi regionalni značaj, što nije predmet ove analize. Podrinje jeste, u komunikacijskom smislu, gravitaciono jezgro celog područja, preko kog su išli važni koridori u svim pravcima. Za hrvatsku geopolitičku strategiju Podrinje ima značaj, ne kao izdvojeni geopolitički prostor, već kao granični prostor u viziji Hrvatske u njenim „prirodnim geopolitičkim granicama“ sa Srbijom. Za te ciljeve Hrvatska je svo vreme neposredno uključena u rat u BiH, sa namerom da suzbije srpske interese i proširi prostor koji bi bio pod neposrednijim hrvatskim uticajem.

5.11. Podrinje ima izuzetan strateški značaj za Srbe u RS. Dok Muslimani i Hrvati i bez Podrinja mogu ostvariti svoje minimalne geopolitičke i strateške aspiracije, dotle Srbi u BiH bez Podrinja nisu mogli ostvariti ni minimalni strateški cilj, a to je očuvanje bilo kakvog političkog identiteta Srba u BiH. Za slučaj da su bili oterani iz Podrinja, kakvi su inače bili muslimanski strateški planovi, Srbi u BiH bi se morali zadovoljiti tzv. enklavama, bez jedinstvene teritorije, bez oslonca na teritoriju Republike Srbije što su inače Hrvati obezbeđivali osvajanjem srpskih etničkih teritorija u Bosanskoj Krajini (1995. godine). Sve srpske enklave u BiH našle bi se u dubokom okruženju muslimana i Hrvata, izložene stalnim udarima i pritiscima bile bi osuđene na demografsko prажnjenje i nestanak sa tih prostora. Druga faza bi bila unitarna BiH, bolje rečeno muslimanska BiH pod hrvatskim kulturnim, bezbednosnim i svakim drugim uticajem. Očigledan primer za to je tzv. bošnjački jezik koji ne postoji suštinski, nego predstavlja

⁴⁷¹ Pokolj i stradanje u Starom Brodu i Miloševićima, u okolini Višegrada, trajalo je od 22. marta do maja 1942. godine, kada je ubijeno oko 6.150 civila.

⁴⁷² Radovan Radinović, Vojna ekspertiza za Srebrenicu, Beograd, 2010., str. 5-9.

deo srpskog jezika. Pod političkim uticajem u tom jeziku su na silu ubačeni mnogi termini iz hrvatskog jezika. Ta vrsta podređenosti i dominacije jeste deo nametanja jedne kulturne paradigme, koja istorijski ne pripada Muslimanima, čiji su biološki koreni u srpskom narodu.⁴⁷³

5.12. Uvažavajući izuzetan geostrategijski i državopolitički značaj Podrinja i za Muslimane i za Srbe, postaje razumljivo otkuda takva njihova oštra konfrontiranost odnosno sukobljenost njihovih političkih i vojnih strategija. Dana 20. aprila 1992. godine u Potočarima je postavljena prva zaseda lokalnim Srbima i tada je poginulo šest Srba, a četvoro ih je ranjeno.⁴⁷⁴ Dana 7. na 8. maj 1992. godine, snage bosanskih Muslimana su ponovo osvojile obližnji grad Srebrenicu, ubivši tom prilikom nekoliko bosanskih Srba, uključujući navodno i Gorana Zekića, poslanika u skupštini SR BiH.⁴⁷⁵ Usprkos brojnom stanju i vođstvu TO-a, bosanski Muslimani meštani koji su delovali iz Srebrenice počeli su da izvode niz iznenadnih udara i napada, što je dovelo do značajnog broja žrtava sa srpske strane, naročito među seoskim ali i opštinskim komandantima odbrane.⁴⁷⁶ Do kraja maja 1992. godine, bosanski Muslimani su uspešno organizovali i izveli brojne zasede.⁴⁷⁷ U prvoj polovini 1993. godine, sve do uspostavljanja „zaštićenih zona“ UN, Srbi su nastojali da povrate deo izgubljenih pozicija u Podrinju, a Muslimani da ih održe i u povoljnom raspletu cele situacije u BiH da odlučujuće ovladaju Podrinjem.⁴⁷⁸

5.13. Kao posledica potpunog egzodusa srpskog naroda koja završava januara 1993. godine padom Skelana i Kravice, u potpunosti je ugašen svaki oblik srpskog života i trajanja u Srednjem Podrinju. Ovo se odnosi na ceo prostor od Žepске stene na jugu i jugoistoku do Drinjače na severozapadu i severu. Jedini izuzetak od tog etničkog čišćenja bio je grad Bratunac. Umesto multietničkog života, kakav je decenijama postojao, posle Drugog svetskog rata, u Srednjem Podrinju je počeo život sa svim atributima islamskog fundamentalizma. Centralno mesto oko koga se sve dešavalo bila je Srebrenica, pod komandom Nasera Orića. Stanje u kojem u Srednjem Podrinju nije bilo srpskog stanovništva, tj. stanje potpune kontrole Srednjeg Podrinja od strane muslimana, za srpsku političku i vojnu strategiju bilo je apsolutno neprihvatljivo.

5.14. Da ne bi bili iskompromitovani osnovni strateški ciljevi borbe srpskog naroda u BiH, a to su očuvanje političke samostalnosti i fizički opstanak u toj bivšoj jugoslovenskoj republici, srpski politički i vojni vrh u BiH je morao doneti strategijsku odluku da se stanje u Srednjem Podrinju bitno popravi. Radi toga je novembra meseca 1992. godine formiran Drinski korpus Vojske Republike Srpske sa sedištem u Han-Pijesku, a potom u Vlasenici. Njegova zona odgovornosti se uglavnom poklapala sa regijom Srednjeg Podrinja, sa izvesnim proširenjem i izvan tih granica.

5.15. Komanda korpusa je 15.02.1993. godine, gotovo godinu dana od početka etničkog čišćenja koje su radikalno preduzeli Muslimani u Srednjem Podrinju, preduzela napadna borbena dejstva na tri taktička pravca: od Zvornika ka jugu, od Višegrada ka severu, od Ljubovije ka zapadu. Istovremeno, snage korpusa su organizovale čvrstu odbranu na svim pravcima koji od

⁴⁷³ Radovan Radinović, Vojna ekspertiza za Srebrenicu, Beograd, 2000., str.14

⁴⁷⁴ Prilike u Bosni i Hercegovini pre početka rata i prilike na teritoriji opštine Bratunac, (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 1992-1999, Vidi str. 7.

⁴⁷⁵ Ibid. Vidi str. 6.

⁴⁷⁶ Prilike u Bosni i Hercegovini pre početka rata i prilike na teritoriji opštine Bratunac, stranica 7. Dana 26. maja 1992., komandant odbrambenog područja Kravica je teško ranjen. Dana 29. maja 1992., ubijen je sekretar bratunačkog MUP-a. Dana 31. maja, zamenik komandanta odbrambenog štaba TO u Kravici je ubijen iz zasede blizu Glogove.

⁴⁷⁷ Richard J. Butler, Iskaz o vojnim događanjima u Srebrenici (revizija) - operacija „Krivaja 95“, 2002., str.15

⁴⁷⁸ Vidi šire, Radovan Radinović, Vojna ekspertiza za Srebrenicu, Beograd, 2010.

sarajevske regije u širem smislu izlaze na prostor Srednjeg Podrinja, te na pravcima koji izvode iz šireg rejona Tuzle ka Srednjem Podrinju. U snažnom naletu jedinica korpusa koje su bile popunjene pretežno borcima rođenim u Srednjem Podrinju, veoma brzo je postignut odlučujući borbeni uspeh. Već u aprilu 1993. godine bilo je vrlo izgledno da će Srebrenica biti oslobođena. Elan i borbeni moral srpskih boraca bio je tako visok jer se radilo o njihovim selima i o zgarištima njihovih domova. Veliki broj vojnika u toku operacije oslobađao je svoja sela, nailazio na zgarišta, kao i leševe svojih najbližih.⁴⁷⁹

5.16. Velika koncentracija muslimanskog stanovništva, vojske i policije u Srebrenici znatno je prevazilazila mogućnosti grada da zadovolji elementarne materijalne i duhovne potrebe ljudi u tim ratnim vremenima. Već u samom početku proleća 1993. godine (april) Srebrenica je poprimila oblik enklave. Drinski korpus je imao i snage i odlučnosti da oslobodi Srebrenicu, ali mu to nije dozvolila Vrhovna komanda VRS iz nekoliko razloga: (1.) međunarodna zajednica oličena u UNPROFOR-u i njegovim istaknutim vojnim komandantima je po svaku cenu želela da to spreči i (2.) teško bi bilo sprečiti osvetu boraca koji su na putu od Drine do Srebrenice skupljali unakažene posmrtno ostatke svojih najbližih i gledali zgarišta vekovnih staništa njihovih predaka.⁴⁸⁰ Mržnja je bila ogromna, a želja za osvetom još veća.

5.17. Mišljenje predsednika muslimanskog dela BiH veoma slikovito prikazuje genezu problema od 1993. do jula 1995. godine. „U aprilu 1993. godine, kada je Srebrenica bila pred padom, postojala je opcija o preseljenju stanovništva na slobodnu teritoriju, ali se od toga odustalo. U najnovijem izveštaju Ujedinjenih nacija o Srebrenici izjavili ste da sa ove distance smatrate greškom što tada nije preseljeno stanovništvo. Zašto se odustalo od plana preseljenja? To je bio rezultat savjetovanja sa lokalnim političkim i vojnim rukovodstvom Srebrenice. Oni su verovali da se mogu odbraniti. Meni se činilo da je situacija u slučaju masovnog neprijateljskog napada neodrživa i bio sam za evakuaciju, ali nisam insistirao. Koliko se sjećam, ni vojnici nisu bili za evakuaciju.“⁴⁸¹ Indikativno je da su čak ugovarana mesta preseljenja između političkih i nacionalnih vođa Muslimana i Srba. U istom izveštaju stoji i o razgovorima sa srpskom stranom o razmjeni Srebrenice i Žepe za Vogošću i Ilijaš. Takođe su mi Srebreničani, koji su novembra 1993. godine učestvovali na Bošnjačkom saboru u Sarajevu, pričali kako ste ih Vi i tada informisali da Karadžić predlaže razmjenu Srebrenice i Žepe za Vogošću i Ilijaš i tražili njihovo mišljenje. Molio bih Vas da objasnite o čemu se radilo? Istina je to što govorite ali radilo se samo o Srebrenici. Karadžić je u Ženevi ponudio zamjenu Srebrenice za Vogošću. Ja sam o tome razgovarao sa predstavnicima Srebrenice na prvom Bošnjačkom saboru u Sarajevu. Oni su to odbili i ja sam prihvatio njihov stav.⁴⁸²

5.18. Imajući u vidu te negativne efekte i posledice, Vrhovna komanda VRS je ispravno procenjivala da je strategijski sasvim dovoljno uspostaviti efikasnu kontrolu pretežnog dela prostora Srednjeg Podrinja i da nema potrebe ulaziti ni u kakve rizike koji bi nastupili u slučaj

⁴⁷⁹ Radovan Radinović, Vojna ekspertiza za Srebrenicu, Beograd, 2000., str.15

⁴⁸⁰ Isto, str.16

⁴⁸¹ Intervju Šefka Hodžića sa predsednikom Alijom Izetbegovićem, Stradanje Srebreničana – najveća nesreća u našim životima (Predsjednik Alija Izetbegović mi je decembra 1999. i januara 2000. godine odgovorio na veliki broj pitanja o odbrani i padu Srebrenice i Žepe. Ovaj razgovor do sada nisam objavio i to je jedini intervju predsjednika Izetbegovića za koji javnost ne zna. Naime, predsjednik Izetbegović i ja smo se dogovorili da intervju objavim u knjizi. S obzirom na to da sam ovaj intervju već uvrstio u rukopis knjige, odlučio sam se da u ovom broju Koraka, koji dobija novu fizionomiju, iz rukopisa knjige, ekskluzivno objavim upravo dijelove tog razgovora s predsjednikom Izetbegovićem).

KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str. 16

⁴⁸² KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str. 16

potpunog oslobađanja grada Srebrenice sa neposrednim okruženjem. Bilo je najvažnije da se onemogući dalje korišćenje Srebrenice kao operacijske osnovice za dejstva muslimanske vojske ka Drini i ka Podromaniji. To je bio osnovni razlog što je tolerisana nediplomatska i prozirna igra Filipa Moriona, generala UNPROFOR-a, oko Srebrenice, sračunata na to da se onemogući snagama Drinskog korpusa VRS da uđu u Srebrenicu. Od tada Srebrenica faktički postaje enklava unutar teritorije Republike Srpske, a formalno će to postati nakon usvajanja rezolucije Saveta Bezbednosti UN. Savet Bezbednosti UN, svojom rezolucijom br. 819 od 16.04.1993. godine proglasio je grad Srebrenicu i njegovu okolinu zaštićenom zonom UN.

5.19. Sporazum je sklopljen 08. maja 1993. godine između generala Ratka Mladića i generala Sefera Halilovića, u prisustvu generala Filipa Moriona, komandanta snaga UN u BiH.⁴⁸³ Suštinski deo toga dokumenta je demilitarizacija, bez koje nema zaštićene zone. A u tom pogledu Sporazum je predvideo sledeće:

- Svaka vojna i paravojna jedinica će se morati ili povući iz demilitarizovane zone ili položiti (predati) svoje naoružanje. Municija, mine, eksploziv i borbeni sredstva u demilitarizovanoj zoni biće predana (položena) UNPROFOR-u.⁴⁸⁴
- Licima koja nisu borci i koja se nalaze u, ili žele ući u demilitarizovanu zonu, osim pripadnika UNPROFOR-a, ne dozvoljava se posedovanje bilo kakvog naoružanja, municije ili eksploziva, već će to oduzimati UNPROFOR.⁴⁸⁵
- Borcima neće biti dozvoljeno da uđu ili budu u demilitarizovanoj zoni.

5.20. Prema „Dopunskom protokolu“ iz Ženevske konvencije od 12. avgusta 1949. godine,⁴⁸⁶ glava V – „Mesta i zone pod posebnom zaštitom“, u članu 60 precizirano je da se zone koje se stavljaju pod posebni režim zaštite moraju demilitarizovati. U tom članu, a s obzirom na status demilitarizovane zone, zabranjuje se stranama u sukobu da proširuju svoje vojne operacije na zone za koje su se sporazumele da se demilitarizuju. Da bi neka zona stekla status demilitarizovane shodno članu 60 Dopunskog protokola, ona treba da ispuni sledeće uslove: 1) da se iz zone evakuišu svi borci, pokretna oružja i pokretna vojna imovina; 2) da se za akte neprijateljstva ne smeju koristiti nikakve nepokretne vojne instalacije ili ustanove; 3) da vlasti i stanovništvo ne smeju preduzimati nikakve akte neprijateljstva prema drugoj strani u sukobu niti prema bilo kom u ili izvan enklave; 4) da mora prestati svaka aktivnost vezana za vojne napore. Po tački 7, člana 60 ovog protokola predviđa se da, ako jedna strana u sukobu učini materijalnu povredu prethodno navedenih odredaba, odnosno uslova, da će draga strana u sukobu biti oslobođena svojih obaveza iz sporazuma kojim se zoni daje status demilitarizovane.⁴⁸⁷

5.21. Uvažavajući rezoluciju Saveta Bezbednosti o proglašenju Srebrenice i Žepe za zaštićene zone UN, potpisani su Sporazumi o demilitarizaciji između najviših vojnih komandanata sukobljenih strana: Generala Ratka Mladića i Generala Sefera Halilovića. Prvi sporazum od 18.04.1993. godine bio je nedovoljno precizan, pa je potpisan novi između istih komandanata 8. maja 1993. godine.⁴⁸⁸ Ovaj novi sporazum je postignut uz prisustvo francuskog Generala Filipa Moriona, komandanta zaštitnih snaga UN za BiH. Sporazum se u preambuli poziva na „Dodatni protokol“ Ženevskoj konvenciji i na već citirani član 60 toga protokola. To znači da se sve

⁴⁸³ Sporazum o demilitarizaciji teritorije Srebrenica i Žepa od 08.05.1993. godine (D00135)

⁴⁸⁴ Sporazum, odeljak 2, d. 3. (D00135)

⁴⁸⁵ Sporazum, odeljak 2, čl. 5. (D00135)

⁴⁸⁶ Vidi dopunske protokole, glava V, član 60

⁴⁸⁷ Radovan Radinović, Vojna ekspertiza za Srebrenicu, Beograd, 2000., str.16-17.

⁴⁸⁸ Tekst sporazuma o demilitarizaciji Srebrenice

obaveze i uslovi koje moraju ispuniti sukobljene strane, a što je predviđeno u pomenutom članu, odnose i na ovaj sporazum. U sporazumu stoji sledeće: 1) svaka vojna ili paravojna jedinica će se morati povući iz demilitarizovne zone ili će morati predati svoje oružje. To važi i za municiju, mine, eksploziv i uopšte za sva ubojna sredstva; 2) ni jednom borcu neće se dozvoliti da poseduje oružje, municiju ili eksploziv, ako želi da uđe u zonu ili ako se u zoni već nalazi, osim pripadnicima UNPROFOR-a; 3) borcima neće biti dozvoljeno da ulaze ili da budu u demilitarizovanoj zoni.⁴⁸⁹

5.22. Zna se danas da nije ispoštovan Sporazum i sve njegove bitne odredbe koje su, saglasno članu 60 Dodatnog protokola, trebale da obezbede da Srebrenica faktički bude demilitarizovana zona, bez vojnih aktivnosti i bez aktivnih boraca. Nesporo je da je to tačno i to tvrdi i Generalni sekretar UN u izveštaju od 15. novembra 1999. godine.⁴⁹⁰ U tački 60 i 61 tog izveštaja, Generalni sekretar tvrdi sledeće: (1) Halilović je shvatio da sporazum pokriva samo urbani deo, odnosno uže gradsko područje Srebrenice, a da se ne odnosi na ruralni deo regije; (2) Halilović je naredio Bošnjacima u Srebrenici da ne predaju korisno oružje i municiju. Generalni sekretar dalje kaže: „...Bošnjaci su, prema tome, predali preko 300 oružja, od kojeg veliki broj nije bio upotrebljiv, takođe su predali mali broj teškog oružja i to ono za koje nije bilo municije. Veliki broj lakog naoružanja uklonjen je u područja izvan grada.“ Isto to tvrdi i Sefer Halilović u svojoj knjizi „Lukava strategija“. Na strani 129 i sam Halilović - potpisnik i pregovarač - o demilitarizaciji kaže: „Vratio sam se u štab i poslao naređenje u Srebrenicu i Žepu da ne smiju nijedan ispravan komad oružja predati, niti i jedan čitav metak“. Komandant GŠ A BiH uz saglasnost Vrhovne komande i Predsednika BiH, odmah šalje naređenje kako da se potpisani sporazum, koji de facto spašava Muslimane, opstruira i izigra, a istovremeno NŠ VRS general Milovanović istog dana kada je potpisan sporazum šalje naređenje komandantu DK u kojem precizno reguliše kako da se potpisani sporazum u potpunosti ispoštuje. Ova dva naređenja, dijametralno suprotna, dva visoka oficira VRS i A BiH govore o tome kako su se zaraćene strane ponašale u tom trenutku, a i u toku čitavog rata.⁴⁹¹

5.23. Borbena dokumenta muslimanskog porekla nose informacije, izjave i činjenice koje govore o tome da je Srebrenica u vojnom smislu bila veoma aktivna celo vreme rata, počev od uspostavljanja režima zaštićene zone do jula 1995. godine, odnosno da srebrenička zaštićena zona nije bila demilitarizovana. Iz muslimanske dokumentacije može se sagledati kakve su sve borbene aktivnosti u enklavi i iz enklave izvodili Muslimani uključujući ubacivanje naoružanja i municije kopnom i iz vazdušnog prostora (helikopterima) kao i podsticanje tih aktivnosti od strane Vrhovne komande BiH i 2.K A BiH. Sve su to znali i vojnici i starešine holandskog bataljona u Srebrenici, kao i komandanti i vojni rukovodioci u komandi UNPROFOR-a za BiH. Neaktivnošću i nepreduzimanje adekvatnih mera podsticali su oružane aktivnosti muslimanskih jedinica iz tzv. zaštićene zone prema srpskim vojnicima i civilima. Muslimani su to shvatili kao podršku njihovim vojnim dejstvima iz zaštićene zone, što je bilo potpuno suprotno i rezolucijama Saveta Bezbednosti i postignutom sporazumu o demilitarizaciji Srebrenice. Ta činjenica da UNPROFOR nije sprečio vojne aktivnosti muslimana iz Srebrenice bila je presudna za pokretanje operacije „Srebrenica“ jula 1995. godine. Nameće se logično pitanje ko je i koliki stvarni krivac za ono što se desilo u Srebrenici jula 1995. godine?

5.24. Analizom muslimanskih izjava, monografija i sl. Može se videti kakav su odnos imali prema sporazumima i svom okruženju. „Bilo je veoma teško organizovati zajedničku logističku

⁴⁸⁹ Radovan Radinović, Vojna ekspertiza za Srebrenicu, Beograd, 2000., str. 16-17

⁴⁹⁰ Izveštaj Generalnog sekretara UN, tačka 60 i 61

⁴⁹¹ Radovan Radinović, Isto.str. 17

podršku, jer je svaka mjesna zajednica imala svoju logistiku i hranila svoju vojsku. Pokušavali smo se dogovoriti da prilikom oslobađanja nekog srpskog sela, sav ratni plijen ide u zajedničke magacine, pa da se onda dijeli na ravne dijelove, ali je odmah nakon oslobađanja sela, u ta sela upadao narod, pa je onda svako sebi nosio šta je htio. Zbog ovog se odustalo od daljeg pokušaja formiranja zajedničke logistike. Na spiskovima koji se nalaze kod Srba navedeno je da su neki naši ljudi učestvovali u zločinima protiv Srba, a ja sam utvrdio da na istim ima ljudi koji nisu nikad ni bili pripadnici ARBiH, pa tako nisu ni mogli učestvovati u zločinima. Tako, na spiskovima ima jedna učiteljica koja je starija, Kraljević mislim da je Esma, koja sigurno nije mogla da učestvuje u izvršenju zločina. Na tom spisku je još Sinanović Rešid, za kojeg takođe znam da nije nikad bio pripadnik ARBiH. Ja sam taj četnički spisak vidio u četničkim novinama koje su kružile po Srebrenici.“⁴⁹²

5.25. Sa velikom pouzdanošću može se tvrditi da su sve aktivnosti unutar Srebrenice i Žepe bile suprotne obavezama koje su proistekle iz Sporazuma o zaštićenim zonama, jer se u njima ne mogu obavljati nikakve vojne aktivnosti, niti u njih mogu unositi, ili iz njih iznositi oružje i municija. Od samog početka izbegnuta je predaja naoružanja i vojne opreme, već je zaštićena zona i u bukvalnom smislu štitila muslimansku vojsku od protivdejstva VRS za vreme brojnih borbenih dejstava koje je ta vojska iz zaštićene zone preduzimala protiv VRS, iza linije dodira. Ambasador Akashi je u svom intervjuu pred Parlamentom Francuske jasno izneo dokaze da „zaštićene zone“ nisu u stvari bile to, već baze A BiH.⁴⁹³

5.26. Srebrenica i njena okolina stalno su bile poprište sukoba različitih klanova, često i oko plena koji su uzimali iz poharanih srpskih sela i krajeva. „U Srebrenici je bila vrlo teška moralno-politička situacija. Povremeno je nestajalo hrane, a nedostatak soli bila je svakodnevica. Kao posljedica stalne ugroženosti i specifičnog sindroma zatvorenog grada, u Srebrenici je bilo nervoze, svađa, uzajamnih optuživanja, tuče, pa i ubistava. Nasera Orića smo pozvali da utvrdimo o čemu se radi. Priče o tome šta se događalo bile su onda, a i danas su, protivrječne. Mi ovamo u okruženju, oni tamo u okruženju. Teško smo mogli doći do istine. Valjalo bi saslušati desetine ljudi, suočavati ih. Sve je to bilo nemoguće. Delićeva i Alispahićeva pisma su govorila o tome.“⁴⁹⁴

5.27. U dokumentu Sektora za moral 2. korpusa A BiH (Tuzla), str. pov. od 7.03.1994. godine daje se pregled jedinica i ustanova muslimanske vojske u Srebrenici, njihove periodične organizacijsko-formacijske promene, tj. dovođenje, organizovanje i naoružavanje novih i preformiranje već postojećih jedinica. Ta aktivnost ukazuje na činjenicu da su se na očigled UNPROFOR-a, uprkos stavu Sporazuma o demilitarizaciji, u Srebrenici kretale, dakle, nalazile naoružane formacije muslimanske vojske, iako je to bilo zabranjeno svima osim vojnicima UNPROFOR-a. Takođe, u navedenom dokumentu detaljno se daju sve vojne akcije koje je

⁴⁹² Izjava zastupnika komandanta 28. divizije Ramiz Bećirović organima bezbednosti 2.K ABiH, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.23

⁴⁹³ Interview of Mr Yasushi Akashi, Nat. Assembly (Thursday 26. April 2001.) The alleged „safe areas“. The term „safe area“ is quite unfortunate. As pointed out by many observers, it is an imperfect concept. Dr Boutros- Ghali, UN Secretary-General continuously reminded the Security Council that the essential conditions for implementing such a concept were never met. The Security Council never provided an unequivocal response to this, despite its reports in March, May and December 1994 and May 1995. A safe area cannot be secure unless the parties to the conflict are in agreement with regard to its existence. An agreement on the demilitarisation of the area in question and a clear border are especially necessary. However, the Bosnian Government often took advantage of the six designated safe areas - Sarajevo, Tuzla, Srebrenica, Zepa, Gorazde and Bihac - as places in which to rest its troops or equip and train them, and from which to organise attacks on the Serb forces, much more than as areas of relative safety for the civilian population.“ (1D06007)

⁴⁹⁴ KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.18

muslimanska vojska izvela od januara 1992. do marta 1994. godine, tj. u vreme najžešćeg etničkog čišćenja Srednjeg Podrinja i proterivanja Srba i nakon uspostavljanja zaštićene zone. Razume se, u dokumentu se te operacije nazivaju oslobađajućim dejstvima od agresora, a agresori su niko drugi do srpski seljaci i stanovnici sela Podravanje, Ratkovići, Sase, Kravice i dr.

5.28. U naređenju Štaba vrhovne komande OS BiH komandi 2. korpusa (Tuzla) od 1. januara 1994. godine⁴⁹⁵, više od pola godine od demilitarizacije Srebrenice, nalaže se formiranje 8. Operativne grupe „Srebrenica“ sastava pet brigada i jedan samostalni bataljon, navodi se njihovo precizno numerisanje i naziv. Naređenje je potpisao magistar Stjepan Šiber, pukovnik tehničke službe bivše JNA, u to vreme zamenik komandanta Štaba vrhovne komande OS BiH. Kako je bilo moguće držati tolike snage u zaštićenoj zoni, u kojoj nije smelo biti nikakvih naoružanih lica sem vojnika UNPROFOR-a.⁴⁹⁶

5.29. U toku 6.10.1994. godine, komandant 8. Operativne grupe Srebrenica komandantima brigada izdaje naređenje o formiranju izviđačkih grupa⁴⁹⁷ radi upućivanja na teritoriju pod kontrolom VRS i izviđanja situacije izvan zone. To je očigledan primer kršenja režima zaštićene i demilitarizovane zone. O svemu tome znala je pretpostavljena komanda. Tako komandant 8. Operativne grupe Srebrenica izveštava⁴⁹⁸ komandanta 2. korpusa o stanju morala i kaže da su u okviru plana za ofanzivna dejstva izvršili detaljno izviđanje terena. U istom tom izveštaju se obaveštava pretpostavljena komanda da je moral boraca u Srebrenici poslednjih dana naročito ojačao kada su saznali da je u Srebrenicu iz Tuzle dotureno novo naoružanje i vojna oprema. Sve te aktivnosti iz izvora A BiH govore same po sebi da jedinice 28. divizije nisu poštovale režim zaštićenih zona Srebrenice i Žepe. U intervju Alije Izetbegovića vide se njegovi utisci o operaciji za Srebrenicu nakon nekoliko godina. „Srbi su napali Srebrenicu 6. jula, ali iz dokumenata se vidi da je naš Generalštab i 9. jula procenjivao da stanje nije tako alarmantno kako javljaju Komanda 28. divizije i predsjednik Suljić. Prema dokumentima i Vi ste energične poteze počeli da vučete, takođe, 9. jula ujutro. Zašto se kasnilo tri dana u reakciji na napade četnika na Srebrenicu? Koliko se sjećam napadi prvih dana ličili su na sve one ranije upade sa ograničenim dejstvom. Tek 8. ili 9. jula moglo se zaključiti da se radi o masovnom napadu. U pitanju je bio i nedostatak pouzdanih informacija i opravdano očekivanje da međunarodna zajednica neće dozvoliti da snage UNPROFOR-a budu pregažene. Sa druge strane, više smo očekivali od same odbrane Srebrenice jer je raspolagala sa značajnim protivtenkovskim naoružanjem, između ostalog sa skoro 300 projektila RPG i desetak „Crvenih strijela“, sasvim dovoljno da se tenkovski napad zaustavi. Koliko znam, u općoj panici ova sredstva nisu upotrijebljena ili nisu adekvatno upotrijebljena.“⁴⁹⁹

5.30. U Planu napada samostalnog bataljona „Srebrenica“ od 7.11.1994. godine⁵⁰⁰, daje se detaljan opis i uputstvo ko će, kako, gde i sa čime zauzeti pojedine kote i istaknute objekte oko Srebrenice. U zapovesti komandanta 283. Istočno-bosanske lake brigade od 7.11.1994. godine,⁵⁰¹ izlaže se plan ubacivanja ojačane pešadijske čete u pozadinu jedinica VRS radi

⁴⁹⁵ Naređenje ŠVKOS BiH od 1.01.1994. godine

⁴⁹⁶ Radovan Radinović, Vojna ekspertiza za Srebrenicu, Beograd, 2000., str.19.

⁴⁹⁷ Naređenje komandanta 8. OG Srebrenica od 06.10.1994. godine

⁴⁹⁸ Izveštaj komandanta 8. OG komandantu 05.07.1994. god. 2 Jc ABiH o stanju morala

⁴⁹⁹ Intervju Alije Izetbegovića, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.18

⁵⁰⁰ Plan kontrole bataljona Srebrenica od 07.11.1994. godine

⁵⁰¹ Zapovest komandanta 283.lpbr od 07.11.1994. godine

zauzimanja važnih punktova za planirana naredna ofanzivna dejstva. Ti objekti i punktovi se navode precizno, kao i ceo plan. Plan, pored tekstualnog dela, sadrži i skice planiranih ofanzivnih dejstava. Ove aktivnosti su očigledan primer nedopustivog kršenja režima zaštićene zone. Prvog novembra 1994. godine komandant 8. Operativne grupe izveštava komandanta 2. korpusa i načelnika Štaba Armije BiH⁵⁰² da nije mogao da izvrši dobijeni zadatak koji se sastojao u tome da ka Kladnju pošalje grupu boraca koja treba da preuzme oružje i opremu koje je iz Tuzle upućeno u Srebrenicu. U tom aktu komandant 8. Operativne grupe moli da „Čiko“ ubrzano radi na ubacivanju municije za Srebrenicu. Ovo nameće zaključak da je na pravcu Tuzla-Srebrenica bila uhodana organizacija ilegalnog dotura oružja, da se time bavilo konkretno lice ili grupa pod šifrovanim nazivom „Čiko“ i da se to radilo potpuno otvoreno, bez ikakvog straha od eventualnih kaznenih mera UNPROFOR-a zbog kršenja režima zaštićene zone. Komandant 8. Operativne grupe, dana 7.01.1995. godine, naređuje popunu 283. Brigade i to putem prekomande po stotinu vojnika iz drugih brigada. Ta brigada je označena kao manevarska i u funkciji je priprema za ofanzivna dejstva iz zaštićene zone. Komandant 28. pešadijske divizije pre otpočinjanja operacije „Srebrenica“, 22.05.1995. godine, naređuje svojim potčinjenim brigadama i samostalnim bataljonima da pokrenu diverzantske akcije u pozadini fronta jedinica VRS. Sve je to bio deo scenarija za nastavak zločina nad srpskim narodom u okolini Srebrenice i Žepe, koji će isprovocirati VRS da uzvрати napadnom operacijom na tzv. zaštićene zone. U izveštaju 28.06.1995. godine, kada je striktno trebalo poštovati režim zaštićene zone, 28. pešadijska divizija saopštava pretpostavljenoj komandi (2.K A BiH) da je 283. brigada ubacila 9 diverzantskih grupa radi izvođenja diverzija u pozadini VRS. Komandant se hvali da je u tim akcijama ubijeno 40 „četnika“.⁵⁰³

5.31. Puno je i drugih pisanih i elektronskih izvora koji argumentuju tvrdnju da muslimanske jedinice u Srebrenici i Žepi nisu poštovale režim zaštićene zone i da su oni, uz izričito ili prećutno odobravanje UNPRPFOR-a konstantno narušavali režim propisan rezolucijama Saveta Bezbednosti i postignuti sporazum zaraćenih strana. „Što se tiče šverca robe sa četnicima, u dva navrata su privedena dva ili tri lica iz Dugog Polja, čija imena ne znam, ali znam da su bili pritvarani i da im je roba oduzimana. U jednom slučaju je lično komandant Orić intervenisao na vatrenoj liniji u Buljimu, jer se ranije znalo da će biti šverca robe, pa su tom prilikom likvidirana tri ili četiri četnika i zaplijenjena roba.“⁵⁰⁴ Takođe u izjavama zamenika komandanta divizije vidi se i odnos prema demilitarizaciji Srebrenice i prema Sporazumu o zaštićenim zonama. „Nakon što smo dobili ona dva ugovora o demilitarizaciji Srebrenice, trebalo je da se potpuno razoružamo. Jedva smo uspjeli da obezbjedimo nešto oružja starijeg i pokvarenog da se preda UNPROFOR-u, a ostalo su borci sakrivali kod kuća. Običaj je bio da borci kod sebe drže naoružanje i samo iznimno se predaje na liniji drugim borcima. Nikad se nije dozvoljavalo da oružje bude na jednom mjestu grupisano. Teško naoružanje je predato UNPROFOR-u i, koliko se mogu sjetiti, predato je: dva tenka T-55, haubica 105 mm, top B-1 76 mm, dva PA topa 20/3 i 20/4, jedan i oklopni transporter, koji je bio neispravan, na njemu su bila dva bestrajna topa 82 mm, mali VBR kojeg smo zarobili od četnika i mislim da je skinut sa aviona, jedan MB 120 mm i nekoliko MB 82 mm, koji su uglavnom bili nekompletni, bez lafeta i dr. Prilikom našeg proboja, teško naoružanje je ostalo, a pješadijsko smo ponijeli u proboj. Nakon predaje naoružanja UNPROFOR-u, mi smo u 1994. godini i u 1995. godini dobijali nešto MTS ubacivanjem preko linija odbrane i zone odgovornosti 2. korpusa. Meni je pričao Kasim Suljić,

⁵⁰² Izveštaj komandanta 8. OG od 1.11.1994. godine

⁵⁰³ Radovan Radinović, Vojna ekspertiza za Srebrenicu, Beograd, 2000., str.19-20.

⁵⁰⁴ Izjava zastupnika komandanta 28. divizije Ramiz Bećirović organima bezbednosti 2.K ABiH

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koji se sada nalazi u komandi divizije u Tuzli, da je prebacivanje MTS vršeno u saradnji sa tadašnjim komandantom OG Muratović Hasanom i Generalštabom. U ovoj organizaciji je došlo dvadesetak zolja, manja količina bombi i manja količina municije za puške 7,62, čuo sam da je sredstva ponijelo prema nama 40 ljudi, ali nam sve nije dopremljeno, nego je dio tih sredstava zakopan negdje oko Kamenice. Zakopana je municija, a koliko ja znam tom prilikom nije bilo sredstava veze, niti nekih protivoklopnih sredstava. S obzirom da je Kasim bio lično prisutan kod prijema tih sredstava, on bi mogao znati detalje. Ja ne znam da je bilo još slučajeva prebacivanja MTS na ovaj način sem ovog jednog slučaja, jer je poslije toga, na naš zahtjev, došlo do ubacivanja MTS putem helikoptera.“⁵⁰⁵

5.32. Razume se, postoje i brojni dokazi u dokumentima sa kojima raspolaže VRS o tome da je muslimanska strana potpuno ignorisala režim zaštićene zone u Srebrenici, te da je iz te zone na teritoriju pod kontrolom VRS preduzimala vojne operacije nanoseći joj ozbiljne gubitke. Evo nekoliko ilustrativnih primera u tom smislu. Sva ta dokumenta proučavana su i korišćena kod formulisanja zaključaka i ocena u ovoj ekspertizi. Komandant Drinskog korpusa VRS, dana 27.07.1993. godine, nakon demilitarizacije dostavlja pretpostavljenoj komandi spisak zarobljenih muslimanskih vojnika.⁵⁰⁶ Od tog broja, njih sedam je zarobljeno posle proglašenja zaštićene zone. Ova činjenica govori o tome da je tzv. zaštićena zona i dalje bila vojnički veoma aktivna.

5.33. Komanda Bratunačke brigade 13.05.1995. godine, dostavila je Izvršnom odboru skupštine opštine Bratunac spisak boraca brigade čije su kuće spalili muslimani Srebrenice⁵⁰⁷. Među njima je znatan broj onih koje su spaljene tokom 1994. godine i u prvoj polovini 1995. godine. Te paljevine su vršene tako što nije poštovan režim demilitarizovane zone, već su muslimani iz Srebrenice preduzimali ofanzivne diverzantske akcije. Na stranu činjenica što se radi o borbenim radnjama zabranjenim po Ženevskim konvencijama, ali to je dokazivalo da se ni muslimani ni UNPROFOR nisu pridržavali dogovorenog i potpisanog sporazuma. Ista ova komanda (Bratunačka brigada) svojoj pretpostavljenoj komandi dostavlja spisak poginulih boraca brigade⁵⁰⁸ od 18.04.1992. do 25.09.1995. godine. Na spisku se nalazi 35 boraca koji su poginuli pre otpočinjanja srebreničke operacije jula 1995. godine, a posle proglašenja demilitarizovane zone Srebrenice. To znači da režim zaštićene zone nije funkcionisao. Ako je to tako, a očigledno jeste, šta su onda snage UNPROFOR-a tu radile. Da li su one tu bile da obezbede poštovanje donete Rezolucije Saveta bezbednosti UN i potpisanog sporazuma zaraćenih snaga ili da obezbede slobodu manevra i bazu za muslimanske snage, kako je bilo u praksi. Prva Zvornička pešadijska brigada je dana 25.09.1995. godine dostavila komandi Drinskog korpusa spisak od 281 poginulog borca. Svi ti borci poginuli su od marta do maja 1995. godine. Najveći broj ih je poginuo na Visokoj glavici koja se geografski nalazi izvan zaštićene zone, ali nemali broj i na položajima i objektima oko zaštićene zone. Ta činjenica govori da režim zaštićene zone uopšte nije funkcionisao.⁵⁰⁹

5.34. „Iz Komande 2. korpusa i iz Generalštaba došla je naredba da se diverzantskim akcijama privuče pažnja neprijatelja na taj način da se izvrši izviđanje neprijatelja po dubini, kako bi se pomogla akcija deblokade Sarajeva. Ja sam odredio nekoliko grupa koje su imale zadatak da

⁵⁰⁵ Izjava zastupnika komandanta 28. divizije Ramiz Bećirović organima bezbednosti 2.K ABiH, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.24

⁵⁰⁶ Spisak zarobljenih vojnika u Izveštaju komande DK od 27.07.1993. godine

⁵⁰⁷ Spisak boraca Bratunačke brigade čije su kuće spaljene od strane muslimana - Izveštaj od 13.05.1995. godine dostavljen Izvršnom odboru Opštine Bratunac

⁵⁰⁸ Spisak poginulih boraca Bratunačke brigade

⁵⁰⁹ Radovan Radinović, Vojna ekspertiza za Srebrenicu, Beograd, 2000., str.21

izviđaju i da djeluju samo ako moraju, a sve grupe su izvršile zadatak izviđanja bez borbenog djelovanja i svi su se vratili. Jedna grupa je išla u pravcu Kraglji voda sa zadatkom da borbeno djeluje i oni su tada uništili jedno vozilo i tri vojnika su ubili. Jedna grupa je ubačena u prostor Rupnog brda, koja je također borbeno djelovala i ubila četiri četnika. To je sve bilo poslije mog povratka u Srebrenicu, znači u junu 1995. godine. Dao sam zadatak da svi izviđačko-diverzantski vodovi sa prostora Žepe uđu u pravcu Han Pogleda, Han Pijeska i Sokoca na komunikaciju Han Pijeska-Vlasenica. Po odluci komandanta 285. br. formirano je devet grupa koji su izvršavali ove zadatke. Ove grupe su borbeno djelovale i uništile su oko 60 četnika, a jedna grupa je ušla u s. Višnjica i zapalila nekoliko kuća.“⁵¹⁰

5.35. Izveštaji komandi brigada koji su u proleće 1995. godine išli ka komandi Drinskog korpusa VRS, kao i izjava NŠ 28. divizije A BiH govore o intenzivnim borbenim aktivnostima 28. divizije i drugih jedinica A BiH iz zaštićene zone Srebrenice, kao i ostalih zaštićenih zona Žepa i Goražde. Radilo se o diverzantsko - terorističkim aktivnostima, odnosno ubacivanju izviđačkih grupa, pa čak i brigada (Goražde 14.06.1995. godine) i postavljanju zaseda u dubini teritorije pod kontrolom VRS i daleko izvan zaštićene zone i dr. U jednoj takvoj zasedi, u rejonu sela Osmače poginulo je 5 srpskih policajaca. Ta pogibija se desila 24.06.1995. godine.⁵¹¹

5.36. Kada se sagleda i odnos zaraćenih strana prema zoni zabranjenog leta nad BiH vidljivo je da je i ona zloupotrebljavana u funkciji logistike muslimanskih snaga u Srebrenici i Žepi. Zona zabranjenog leta odnosila se na sve vazduhoplove sve tri zaraćene strane. Muslimanske jedinice taj režim nisu poštovala, a UN i NATO koji je taj režim obezbeđivao, u tome ih nije sprečavao. U jednom takvom nenajavljenom letu VRS je oborila helikopter A BiH iznad Zlovrha, u rejonu Žepe, maja 1995. godine. Pored posade muslimanskog helikoptera poginulo je i sedam vojnika, a više njih je povređeno.

5.37. Veliki je broj zločina koje su počinile muslimanske snage 28. divizije A BiH izvan zaštićenih zona. Dana 27.05.1995. godine diverzantsko-teroristička grupa muslimana postavila je zasedu na teritoriji pod kontrolom VRS u rejonu Podravno. Tom prilikom poginulo je pet boraca VRS koji su prevozili ogrevno drvo za potrebe jedne brigadne baze.⁵¹² Za vreme trajanja režima zaštićene zone, samo je iz Zvorničke brigade, u borbenim dejstvima protiv muslimanskih snaga koje su „iskakale“ iz srebreničke enklave, poginulo 25 boraca, dok se 13 vodi kao nestalo. Gotovo je izvesno da je i tih 13 poginulo ili likvidirano u nekom od Orićevih logora smrti u Srebrenici. Na osnovu navedenih podataka nameće se zaključak da muslimanske jedinice nisu pridržavale režima zaštićene zone, niti su ih u tom smislu kontrolisale niti sprečavale snage UNPROFOR-a. Naprotiv, muslimanske snage iz Srebrenice, uz prećutnu saglasnost snaga UNPROFOR-a su koristile režim zaštićene zone kao bazu odakle su preduzimale ofanzivne akcije prema civilnom stanovništvu u okolnim selima i jedinicama VRS. Nakon tih akcija, jedinice 28. divizije su se povlačili u bezbednu zonu i stavljali se pod zaštitu UNPROFOR-a.⁵¹³ U tim akcijama, a za vreme trajanja režima zaštićene zone, ubijeno je na desetine srpskih vojnika i policajaca, na stotine je ranjeno, osakaćeno ili zarobljeno i odvedeno u brojne privatne zatvore u Srebrenici i oko Srebrenice. Nasuprot tome ponašanje snaga UNPROFOR-a je bilo najblaže rečeno pristrasno. Na svaku proverenu ili neproverenu informaciju dobijenu od muslimanskih snaga odmah su reagovali, tražeći sastanak sa srpskom stranom ili preteći dejstvom avijacije

⁵¹⁰ Izjava zastupnika komandanta 28. divizije Ramiz Bećirović organima bezbednosti 2.K ABiH, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.30

⁵¹¹ Izveštaj o pogibiji policajaca 24.06.1995.godine

⁵¹² Izveštaj o pogibiji boraca koji su prevozili ogrevno drvo 27.05.1995. godine

⁵¹³ Radovan Radinović, Vojna ekspertiza za Srebrenicu, Beograd, 2000., str.22

NATO. Na primedbe srpske strane o provokativnim dejstvima 28. divizije A BiH nisu imali nikakav odgovor. Iz razgovora sa učesnicima sukoba oko Srebrenice stiče se utisak nemogućnosti i nesposobnosti pripadnika UNPROFOR-a da stave muslimanske jedinice pod kontrolu i da se bave njima.

2. Razlozi za izvođenje operacije „Krivaja 95“

5.38. Suštinu i smisao operacije za zauzimanje Srebrenice treba tražiti u činjenicama koje ukazuju na neodrživost tvrdnji da se radi o nelegitimnoj operaciji. A ovu tvrdnju Tužilaštvo zasniva na dva postulata koji ni u jednom sudskom procesu do sada nisu potvrđeni osloncem na nesumnjive vojne činjenice, odnosno osloncem na relevantne stavove vojne teorije i doktrine. Ti postulati su: (1) Operacija „Krivaja 95“ predstavlja napad na zaštićenu zonu Ujedinjenih nacija i (2) Operacija predstavlja „... širok i sistematičan napad na pripadnike bošnjačkog naroda, u skladu sa državnom i organizacionom politikom...“.

5.39. Okolnosti i činjenice, kao i razlozi koji su doveli do proglašenja Srebrenica zaštićenom zonom UN su poznati. Takođe poznato je i šta taj pojam u vojno-stručnom pogledu znači. O tome je pisano u mnogim ekspertskim izveštajima, kao što su izveštaji koje je pripremio vojni ekspert Tužilaštva Ričard Batler,⁵¹⁴ u nekoliko Izveštaja koje je za suđenje u Haškom Tribunalu pripremao prof. dr Radovan Radinović, general-potpukovnik u penziji,⁵¹⁵ načelnik Štaba vrhovne komande Armije BiH general Sefer Halilović⁵¹⁶ i drugi autori i zvaničnici UNPROFOR-a i UN. Zajedničko stanovište svih tih autora, bez obzira što su oni pripadali različitim državama i vojno-političkim opcijama, ogleda se u iskazima da enklava Srebrenice nije ispunjavala kriterijume zaštićene zone UN iz dva osnovna razloga:

- (1) Zato što Srebrenica i okolna sela nisu bila demilitarizovana. Svo vreme na tom prostoru i iz njega nisu u vojničkom smislu bile razoružane i demobilisane jedinice 8. operativne grupe, odnosno kasnije 28. divizije A BiH;
- (2) Svo vreme rata – prema kazivanju samog generala Sefera Halilovića i vojnih zvaničnika UNPROFOR-a – iz te tzv. zaštićene zone snage 28. divizije su se ubacivale kroz punktove UN i borbeni raspored VRS na srpsku teritoriju. Izvođenjem diverzantskih dejstava i gerilskih operacija u dubini nebranjene teritorije na prostoru Republike Srpske, nanosili su ogromne gubitke pre svega civilnom stanovništvu i snagama Drinskog korpusa VRS.

5.40. Veliki problem je indukovano stanjem na terenu i činjenicom da UNPROFOR nije precizirao granice Zaštićene zone, već je samo isturio svoje kontrolne punktove. Ostaje potpuno nejasno zašto te granice nisu precizirane, već je ostavljeno sukobljenim stranama da po sopstvenom viđenju tumače tu liniju razdvajanja na terenu. Muslimanska strana smatrala je da u tu zonu spada grad i okolni deo opštine Srebrenica, a Srpske da tu spada samo grad, kao urbani deo opštine. Imajući u vidu različito shvatanje zaštićene zone i linije razdvajanja pošto su muslimanske snage bile naoružane i operativne i izvan samog gradskog dela Srebrenica i okolnih sela, operacija „Krivaja 95“ se ne može kvalifikovati kao napad na zaštićenu zonu UN. To se

⁵¹⁴ Ričard Batler: „Iskaz o vojnim događajima u Srebrenici – operacija „Krivaja 95“, poglavlje JEDAN, str. 6-7, Tačka 1.2-1.4; „Iskaz o vojnim događajima u Srebrenici – operacija „Krivaja 95“, Revizija str. 13 i 14, Tačka 1.24-1.27; „Izveštaj o komandnoj odgovornosti u Glavnom štabu VRS“, str. 17 i 18, Tačke 3.4-3.6.

⁵¹⁵ Radovan Radinović, Vojna ekspertiza za Srebrenicu, str. 31-35

⁵¹⁶ Sefer Halilović, „Lukava strategija“, Sarajevo, 1997., str. 108.

posebno može uočiti kroz pažljivu analizu operativnih dokumenata za pripremu i izvođenje ove operacije, pre svega Zapovesti komande Drinskog korpusa za aktivna borbena dejstva.⁵¹⁷

5.41. Tri paragrafa Zapovesti komande Drinskog korpusa su od posebne važnosti za odgovor na pitanje da li je operacija „Krivaja 95“ bila napad na Zaštićenu zonu ili legitimna vojna operacija. To su sledeći paragrafi: paragraf u kojem komandant Drinskog korpusa formuliše zadatak svojih snaga u ovoj operaciji, paragraf u kojem komandant izlaže svoju osnovnu zamisao i cilj dejstva-operacije i paragraf u kojem komandant formuliše borbeni raspored snaga korpusa za ovu operaciju, odnosno grupisanje snaga. Zato ove delove dokumenta treba i citirati: Zadatak Drinskog korpusa komandant je formulisao ovako: „... slobodnim snagama izvodi ofanzivna dejstva. U dubini zone DK (Drinskog korpusa) da što pre razdvoji enklave Žepa i Srebrenica i suziti ih na gradsko područje.“⁵¹⁸

5.42. U osnovnoj zamisli za pripremu i izvođenje operacije „Krivaja 95“ komandant Drinskog korpusa ističe da je odlučio „... glavnim snagama DK i dalje izvoditi upornu i aktivnu odbranu, a delom slobodnih snaga napadom što pre razdvojiti enklave Žepa i Srebrenica. U bližem zadatku izbiti na liniju predela-Divljakinje-Banja Guber-Živkovo brdo-Alibegovac-Kak, a u sledećem Gradac-Bojna-Šiljato brdo.“⁵¹⁹ Te navedene linije su izvan enklave i izvan gradskog područja.

5.43. Cilj dejstva i borbeni poredak za operaciju: „Iznenadnim napadom potpuno razdvojiti i suziti enklave Srebrenica i Žepa, popraviti faktički položaj snaga u dubini zone i stvoriti uslove za eliminisanje enklave. Borbeni raspored - snage za aktivnu odbranu na frontu i snage za aktivno dejstvo za presecanje i sužavanje enklava.“⁵²⁰ Iz komandantove odluke vidljivo je da su glavne snage korpusa izvodile odbrambena borbena dejstva, a da je samo deo slobodnih snaga izvodio ofanzivna borbena dejstva i to isključivo radi presecanja prostora između dve enklave u Centralnom Podrinju i sužavanje Srebreničke enklave na njen urbani deo. Tim dejstvima taktičkog nivoa nastojao se smanjiti manevarski prostor za česte upade muslimanskih snaga na srpsku teritoriju i nanošenje gubitaka civilnom stanovništvu i jedinicama VRS.

5.44. Operacija „Krivaja 95“ bila je u vojnom pogledu legitimna jer se u suštini nije radilo o napadu na zaštićenu zonu, saglasne sa Rezolucijom SB o uspostavljanju tih zona i Sporazumom sukobljenih strana iz maja 1993. godine. U Optužnici se navodi da je operacija za Srebrenicu u suštini bila „... široki i sistematičan napad na pripadnike bošnjačkog naroda...“. U vojnom smislu to znači da je Drinski korpus sa drugim snagama VRS, kao cilj napada imao civilno stanovništvo. Tvrdnja nije tačna. Jedinice VRS nisu napale civilno stanovništvo nego jedinice 28. divizije A BiH koje su zaštićenu zonu UN koristile kao sigurnu bazu i izvodile aktivna borbena dejstva i činile zločine nad civilnim stanovništvom. Istovremeno su te snage uništavale imovinu paleći kuće, pomoćne objekte i ostavljale srpski narod u tim selima bez života, a preživele bez uslova za život. U prilog ovoj tvrdnji jeste i sledeći citat „... Poslednjih nekoliko dana posebno su aktivne muslimanske snage iz enklava Žepa i Srebrenica. Ubacuju diverzantsko terorističke grupe (DTG), koje napadaju i pale nezaštićena sela, ubijaju civilno stanovništvo i izdvojene manje jedinice oko enklava Žepa i Srebrenica. Posebno je uporan u spajanju enklava i stvaranju koridora ka Kladnju.“⁵²¹

⁵¹⁷ Dokument Strogo pov.br. 04/156-2, od 02.07.1995. godine.

⁵¹⁸ Isto, str. 2, tačka 2.

⁵¹⁹ Isto, str. 2, tačka 4, stav prvi.

⁵²⁰ Isto, str. 2, Tačka 4, stav drugi i treći.

⁵²¹ Zapovest komande Drinskog korpusa za aktivna borbena dejstva, Str.pov.br. 04/156-2, od 02.07.1995. godine, str. 1, Tačka 1, stav jedan do tri.

5.45. Brojni su primeri vojnih akcija snaga 8. OG, kasnije 28. pešadijske divizije, iz tzv. zaštićene zone Srebrenica o kojima svedoče i dokumenta iz fondova i arhive Armije BiH. Aktivna ofanzivna dejstva i DTD izvođena su svo vreme od uspostavljanja zaštićene zone pa do početka operacije „Krivaja 95“. Suštinski uzroci izvođenja operacije leže u verolomstvu muslimanskih snaga prema postignutom dogovoru i nepoštovanju statusa zaštićene zone. Jedna od poslednjih akcija, koja je verovatno predstavljala pravi okidač za pokretanje operacije za Srebrenicu jeste upad i teror jedne DTG iz sastava 28. divizije u selu Višnjica 26. juna 1995. godine. Tom prilikom je bilo gubitaka civilnog stanovništva i paljenja kuća i drugih civilnih objekata.⁵²² Po mišljenju komandanata muslimanskih snaga ta akcija je bila toliko uspešna da je komanda 2. K A BiH našla za potrebno da čestita 28. diviziji, odnosno njenoj komandi na tako uspešno izvedenoj diverzantskoj akciji.⁵²³

5.46. Postoje brojni materijalni dokazi na osnovu kojih se lako može utvrditi da operacija „Krivaja 95“ nije bila napad na zaštićenu zonu UN, snage UNPROFOR-a, niti napad na muslimansko civilno stanovništvo, nego legitimna i napadna borbena operacija dela jedinica VRS na snage 28. divizije Armije BiH, koje su bile razmeštene u zoni Srebrenice i koje su pod kontrolom držale dominantne zemljišne objekte koji su joj služili kao prostorni oslonci za izvođenje ofanzivnih borbenih dejstava. Da ne bi bile uništene u protivdejstvu snaga Drinskog korpusa VRS, snage 28. divizije su se, nakon uspešno izvedenih akcija, povlačile iza punktova i snaga UNPROFOR-a i tako konstantno zloupotrebljavale i kompromitovale status zaštićene zone. Upozorenja koja je davalo rukovodstvo Republike Srpske i VRS nisu nikada imala nikakvog efekta. To je izazivalo kod srpskog naroda strah, besperspektivnost, a kod lokalnih srpskih boraca kojima su ubijeni najbliži želju za osvetom.

5.47. Da bi bile onemogućene dalje u zloupotrebi zaštićene zone UN u vojne svrhe, te da bi bile osujećene očite namere Armije BiH da prostorno poveže Žepu i Srebrenicu i tako širokim koridorom izbiju u Centralno Podrinje, VRS je izvela operaciju „Krivaja 95“ sa jednim operativnim ciljem da se enklave suze na njihov urbani deo i da se uspostavi vojna kontrola prostora između Žepe i Srebrenice. Nema ni jednog vojnog razloga na osnovu kojeg se može osporiti puni legitimitet cilja ove operacije. Tok izvođenja operacije i promena okolnosti doveli su do toga da se redefiniše početni cilj razdvajanja i sužavanja enklave i da preraste u potpuno ovladavanja enklavama. Počinjeni zločini nisu argumentacija za osporavanje legitimiteta vojnog karaktera operacije. Oni su problem za sebe i potrebe istraživanja odgovornosti izvršilaca zločina, jer ti zločini nisu nastali kao rezultat plana, namere niti komandovanja u toku i posle operacije.

2.1. Vojnostrateški uslovi u kojima je planirana operacija

5.48. Na osnovu parametara razvoja krize i i istrošenosti resursa eksperti su procenjivali da će rat u BiH biti završen do kraja 1995. godine, pristankom zaraćenih strana na mirovni koncept ili nametanjem mira, primenom sile uz odgovarajući mandat Saveta Bezbednosti UN. Sve zaraćene snage su postepeno iscrpele materijalnu i duhovnu energiju i resurse rata. Ni jedna od zaraćenih strana pojedinačno nije imala sposobnosti da nanese vojni poraz i nametne rešenje. Takođe, Muslimani i Hrvati u BiH nisu mogli pobediti VRS, ali su zbog toga angažovane i sve elitne jedinice Hrvatske vojske, kako bi se smanjio procenat teritorije koji je pod kontrolom Srba.

⁵²² Operativni izveštaj komande 28. divizije komande 2. korpusa Tuzla, Str.pov.br.04-114/95, od 30.06.1995., Tačka 3.

⁵²³ Čestitka komande 2.K A BiH komandi 28. divizije za uspešno izvedena diverzantska borbena dejstva, Str.pov.br. 02/1-670/4, od 28.06.1995. godine.

5.49. Priprema vojničkog stanja na terenu ka mirovnom rešenju gde bi proporcije kontrole teritorije bile 51% prema 49% u korist muslimansko-hrvatske koalicije, otpočelo je još 1994. godine. To je prvenstveno realizovano kroz podrška Hrvatskoj i 5.K A BiH u pripremi za osvajanje Republike Srpske Krajine i srpskih teritorija u zapadnom delu BiH, koje su se graničile sa Krajinom. Tu jaku vojnu i političku podršku muslimansko-hrvatskoj koaliciji pružio je prvenstveno NATO.

5.50. Četvoromesečno primirje, od januara do kraja aprila 1995. Godine, bilo je u funkciji pripreme završnih operacija HV, A BiH i HVO za završne operacije koje će postepeno krenuti sa početkom proleća 1995. godine. Privremeni sporazumni prekid neprijateljstava bio je po želji Muslimana i Hrvata, jer im je bio cilj da se pripreme muslimansko-hrvatske koalicione snage za završne operacije protiv Republike Srpske Krajine i VRS u Republici Srpskoj. Obzirom da Republika Hrvatska nije bila potpisnica navedenog primirja, to vreme je iskoristila za realizaciju svojih teritorijalnih pretenzija na glamočkom i grahovskom ratištu približavajući svoje snage ka Kninu. Ofanzivnim borbenim dejstvima uspeła je uzeti deo teritorija RS i važnije topografske objekte, a što im je kasnije poslužilo kao pogodna operativna osnovica za delovanje u više pravaca. To vreme iscrpljivalo Vojsku RS, koja je u to vreme ratovala sa tri vojske, razvučena na ogromnom frontu, sa iscrpljenim ljudskim i materijalnim resursima.

5.51. U celom tom periodu UNPROFOR je blagonaklono gledao na te pripreme hrvatsko-muslimanske koalicije i dosta otvoreno stavio na stranu Muslimana i Hrvata u ratu u BiH. Pri tome na bilo kakvu aktivnost ili grešku UNPROFOR je stalno preteći VRS da će protiv nje upotrebiti vazdušne udare snaga NATO i neposrednu vatrenu podršku snaga za brza dejstva koje su dovedene i razmeštene oko Sarajeva, tokom 1994. godine i u prvoj polovini 1995. godine. Ta podrška muslimanima od strane UNPROFOR-a i NATO-a naročito je bila izražena u enklavama i na Sarajevskom ratištu. Ništa nije preduzimano da bi se onemogućila zloupotreba režima zaštićenih zona, pa je sve to izgledalo kao da su enklave izmišljene samo zato da se Srbima onemogući očuvanje sopstvene teritorije i da se stvore uporišta odakle će muslimanske snage nesmetano napadati VRS i nanositi joj velike gubitke. Te zaštićene zone su vezivale velike snage VRS. Posebno je diskutabilna uloga UNPROFOR-a oko Sarajeva jer se planom izmeštanja artiljerije izmenila ravnoteža snaga i stvorio manevarski prostor za oslobađanje velikih snaga za druga ratišta, o čemu su izneti argumenti pri analizi Sarajevskog ratišta.

5.52. Pored ogromne podrške HV, A BiH i HVO procenjeno je da bez značajnije i neposredne podrške NATO, pre svega Nemačke, SAD i njihovih evropskih saveznika i Turske ne može se ostvariti brza promena situacije na terenu. Zato su otpočeli snažnu kampanju radi pripreme međunarodne javnosti za vojnu intervenciju protiv Republike Srpske. Istovremeno je snažno podržana ofanziva Hrvatske vojske, najpre na Zapadnu Slavoniju (početak maja 1995. godine), a potom i na zapadne delove Republike Srpske, ofanziva na području Glamoča i Grahova, što je moralo biti okvalifikovano kao oružana agresija Hrvatske na BiH. Za uticajne krugove u NATO-u, to je bio brz način promene odnosa snaga u ratu BiH na štetu Vojske Republike Srpske i uopšte na štetu srpskog naroda. To je bilo i u skladu sa suštinom i smislom Splitske deklaracije o zajedničkim oružanim dejstvima NATO, Hrvatske vojske i Armije BiH, protiv VRS.⁵²⁴

5.53. VRS je morala u suštini da bude na celom ratištu u defanzivi. Jedino je pokušavala da izdvoji manje snage, kao rezervu na taktičkom nivou. Snage Drinskog korpusa, i to njegove glavne snage bile su angažovane u odbrani od muslimanske ofanzive na pravcima Tuzla-Zvornik, Kladanj-Vlasenica, Olovo-Sokolac i Goražde-Višegrad. Učestale vojne aktivnosti muslimanskih snaga iz enklava Srebrenica i Žepa i od Goražda ka Srednjem Podrinju pretile su

⁵²⁴ Radovan Radinović, Vojna ekspertiza za Srebrenicu, str. 24

da se enklave spoje, teritorijalno prošire i povežu, a to bi praktično značilo da bi Muslimani nastojali da ovladaju Centralnim Podrinjem. To jeste bilo nerealno izvesti, ali su ipak muslimanske snage 28. divizije A BiH uspevale da vezuju velike snage VRS i stvaraju strah i paniku kod civilnog stanovništva u Podrinju. I pored vojničke nadmoćnosti, u Podrinju VRS je nastojala da probleme rešava mirnim putem, poštovanjem sporazuma. Za to nije bilo sluha niti pozitivnog odgovora od muslimanske strane. „U toku ove krize u Srebrenici, pred napad četnika, od strane UNPROFOR-a je traženo da pregovaramo sa četnicima, a ja sam o tome informisao Komandu Korpusa, Generalštab, Predsjedništvo R BiH i Vladu, ali ni od koga nisam dobio nikakve instrukcije, radi čega nisam ni htio da pregovaram sa četnicima.“⁵²⁵

5.54. Sve više je teško vojnički obrazložiti zašto je izvedena operacija za zauzimanje Srebrenice jer su već bile odmakle pripreme Hrvatske vojske i Armije BiH za agresiju na Republiku Srpsku Krajinu i na jugozapadne delove Republike Srpske? Kao da je Srebrenica bila nažalost iznuđena operacija, koja je nepromišljenim odlukama političkog i vojnog rukovodstva RS rezultirala nesagledivim posledicama po srpski narod. U bratoubilačkom ratu u Srebrenici stradali su pre svega Muslimani, koji istorijski pripadaju srpskom narodu. Neko je imao interes da zločin u Srebrenici bude iskorišćen kao maska pred svetskom javnošću za genocid koji su pripremale Hrvatske oružane snage nad srpskim narodom u Republici Srpskoj Krajini izvođenjem strategijske operacije OLUJA, koja je otpočela 4. avgusta 1995. godine. Poštujući istorijske činjenice pouzdano se može reci da je u julu i avgustu 1995. godine stradao srpski narod islamske i pravoslavne vere. Srbi i Muslimani su ostali sa ogromnom mržnjom da žive jedni pored drugih, dok su jedino ta stradanja u medijskom smislu iskorišćena od strane R. Hrvatske gde za učinjene zločine i za etničko čišćenje oko 220.000 ljudi i za preko 2.300 ubijenih, kao i za materijalna razaranja niko nije odgovarao. Ta operacija se i danas u Hrvatskoj slavi kao državni praznik, a u srpskom narodu se obeležava kao genocid, masovno stradanje i egzodus sa prostora Republike Srpske Krajine, odnosno kao nastavak zločina koji je počinjen od Ustaša u Drugom svetskom ratu u vreme NDH.

5.55. Srebrenica jeste zločin za koji se ni danas pouzdano ne znaju svi nalogodavci niti izvršioci masovnih streljanja. Kao masovno gubilište i stratište Srebrenica je postala simbol zločina u građanskom ratu u BiH pa i celoj bivšoj SFR Jugoslaviji. Tako se za masovno stradanje Srba u Hrvatskoj i u Sarajevu, do današnjih dana nije čulo na pravi način, kao da i nije postojalo. Tako su stvarane pretpostavke o udruženom zločinačkom poduhvatu i masovnim zločinima, od strane političkog i vojnog rukovodstva Srba u BiH. Operacija za zauzimanje Srebrenice nije trebala Srbima. Kada su tri godine trpeli teror u Podrinju od upada snaga 28. divizije i kada je već padala teritorija u zapadnom delu R. Srpske pod kontrolu Hrvatske vojske u zoni 2.KK, nije bilo logično, a niti vojnički opravdano izvoditi operaciju koja je išla na ruku protivniku. Nepromišljenost rukovodstva R. Srpske i VRS, u političkom i vojno-strateškom smislu, jeste evidentna jer se nisu predvidele posledice koje mogu nastati nakon operacije. Kada se saznalo to je već bilo kasno. U tom haosu koji je nastao, osvetničke pa i plaćeničke grupe su činile zverstva i zločine. Komandovanje na taktičkom i operativnom nivou nije vladalo situacijom u pogledu odnosa prema poginulim i zarobljenim. I danas se ne mogu izvoditi pouzdani zaključci koliko je poginulo pripadnika 28. divizije u proboju, a koliko je streljano nakon zarobljavanja. Posto je kolona u toku proboja bila razbijena i u panici, po izjavama preživelih učesnika dolazilo je i do međusobnih borbi i masovnih stradanja. Srebrenica jeste zločin, nastalo u bratoubilačkom ratu, u suštini unutar jednog naroda, između Srba islamske i pravoslavne vere. Ona je posledica osvete i mržnje u građanskom verskom ratu, unutar viševjekovne spirale nasilja. U vrtlogu i haosu jednog

⁵²⁵ Izjava zastupnika komandanta 28. divizije Ramiz Bećirović organima bezbednosti 2.K ABiH, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.36

takvog rata i operacije taktičkog nivoa, komandovanje na operativnom i strategijskom nivou nije moglo da kontroliše situaciju u realnom vremenu na teritoriji.

2.2 Sastav i obostrani raspored snaga pre operacija

5.56. U Srebrenic i Žepi bila je raspoređena 28. pešadijska divizija, koja je bila u sastavu 2. korpusa A BiH sa sedištem u Tuzli. Enklava Srebrenica je zauzimala prostor od oko 280-300 kilometara kvadratnih. U vreme neposredno pred operaciju u gradu je bilo oko 40.000 stanovnika i izbeglica iz drugih naselja i gradova iz Podrinja. Od početka 1992. godine do sredine 1995. godine muslimanske snage u Srebrenici su prošle kroz nekoliko organizacijsko-formacijskog promena. Prvo paravojno organizovanje potiče iz vremena formiranja „Patriotske lige naroda“ kao partijske paravojske stranke SDA Alije Izetbegovića. To je bilo u jesen 1991. godine. Već 20.05.1992. godine u selu Bajramovići formiran je štab Teritorijalne odbrane Srebrenica sa ukupno 9 odreda koji su brojali 4.600 ljudi pod oružjem.⁵²⁶ Drugim formacijskim ustrojtstvom u Srebrenici formiraju se tri brigade i topovska baterija u Potočarima, Sućeskoj i Kragli Vodi, pet samostalnih bataljona: Srebrenica, Skenderović, Biljeg, Osmaće i Luka. Ukupno brojno stanje oko 5.000 naoružanih ljudi. U okviru trećeg formacijskog ustrojstva od 15.12.1992. godine formirana su još 4 samostalna bataljona: Vojevica, Tokoljci, Glogova, Zeleni Jadar. Pored toga formiran je diverzantsko-izviđački vod u selu Bakovcima i artiljerijska baterija. To sve ukupno iznosilo je još 1.800 novih vojnika. Sveukupno broj naoružanih ljudi u i oko Srebrenice bio je narastao na 7.200 ljudi. Početkom 1993. godine došlo je do četvrte organizacijske promene muslimanskih jedinica u rejonu Srebrenica. Četvrtim značajnijim organizacionim promenama formirane su 4 zone. Sve jedinice u zonama stavljene su pod jedinstvenu komandu Štaba Srebrenice, čiji je komandant bio Naser Orić.⁵²⁷

5.57. Tokom marta 1993. godine muslimanske snage gube teritorije prema Vlasenici, Bratuncu i Zvorniku, pa su vojska iz tih zona i deo stanovništva prešli u Srebrenicu. To je uvećalo brojno stanje ljudi pod oružjem u Srebrenici na ukupno oko 10.900 boraca. Od 1. januara 1994. godine sve vojne snage u Srebrenici su svrstane u sastav 8. Operativne grupe „Srebrenica“, a neposredno pred operaciju Srebrenica ta grupa je preimenovana u 28. pešadijsku diviziju. Sa njom je i dalje komandovao Naser Orić i ona je ostala u organizacijsko-formacijskom sastavu 2. K A BiH, sa sedištem u Tuzli. 28. divizija bila je sastavljena od 5 brigada i odgovarajućih prištabskih jedinica i policijskih snaga (Prilog broj 16).

5.58. Nazivi i pravci angažovanja brigada:

- 280. brigada na pravcu Potočari-Srebrenica,
- 281. brigada na pravcu Podgaj-Borovac-Sućeska,
- 282. brigada na pravcu Zeleni Jadar-Bojna-Srebrenica,
- 283. brigada na pravcu Podravno-Bučje-Viogor,
- 284. brigada na pravcu Ravni Buljin-Milačevići-Potočari.

Brdski bataljon i policijske snage bile su raspoređene u Srebrenici, Potočarima i Sućeskoj u ulozi rezerve komandanta 28. pešadijske divizije. Ukupni broj ljudi pod oružjem u Srebrenici i oko nje iznosio je između 12.000 i 13.000 boraca i naoružanih policajaca i raznih drugih vrsta paravojnih jedinica koje su se u to vreme nalazile u Srebrenici.⁵²⁸

⁵²⁶ Izveštaj štaba OS Srebrenice komandi 2. korpusa od 19.09.1993. godine

⁵²⁷ Radovan Radinović, Vojna ekspertiza za Srebrenicu, str. 25-26

⁵²⁸ Isto, str.26

5.59. Operativni položaj muslimanskih snaga bio je dosta specifičan, kako u pogledu komandovanja i logistike, tako i u pogledu činjenja stalnih zločina u bližem okruženju. Odbrana je bila organizovana na kružnoj osnovici i relativno male taktičke dubine, sa dobro uređenim položajima na prednjem kraju. Prostor između enklava Žepa i Srebrenica nije bio posедnut snagama VRS, što je snagama 28. pešadijske divizije omogućavalo da slobodno komuniciraju i manevrišu snagama. Pokušaj proboja snaga 2. korpusa, polovinom juna 1995. godine, sa pravca Tuzle i Kladnja i njihovog spajanja sa snagama 28. pešadijske divizije nije uspeo. U to vreme 28. divizija A BiH imala je izuzetno povoljan ukupan odnos snaga prema delovima Drinskog korpusa koje su kontrolisale pravce koji su vodili ka zaštićenoj zoni. Enklava Srebrenica nalazila se u zoni odgovornosti Drinskog korpusa.

5.60. Drinski korpus VRS (Prilog broj 17) formiran je 1. novembra 1992. godine. To je bio jedan od šest korpusa koliko je ukupno imala VRS. U svom sastavu korpus je imao 8 brigada i to: 1. Zvornička pešadijska brigada, 1. Vlasenička laka pešadijska brigada, 1. Birčanska laka pešadijska brigada, 1. Milićka laka pešadijska brigada, 1. Bratunačka laka pešadijska brigada, 2. Romanijska motorizovana brigada, 1. Podrinjska laka pešadijska brigada, 5. Podrinjska laka pešadijska brigada, jedan mešoviti artiljerijski puk, bataljon vojne policije, inženjerijski bataljon, bataljon veze i samostalni pešadijski bataljon Skelani. Iz naziva brigada može se razumeti da su one bile vezane za određene zone odgovornosti, ali ne presudno. Komanda korpusa je mogla manevrisati sa njima saglasno razvoju operativne situacije i potrebama u operacijskoj zoni. Međutim, iz činjenice da su brigade i niži taktički sastavi bili formirani i popunjeni po teritorijalnom principu, te da se radilo o narodnoj vojsci, proisticala je i nedovoljna taktička i operativna pokretljivost kao bitna karakteristika ustrojstva DK i doktrine njegovog dejstva.⁵²⁹

5.61. U operaciji dela snaga oko Srebrenice angažovane su veoma male snage. Njihov udarni deo činila su u suštini četiri bataljona iz sastava 1. Zpbr., 1. Bpbr. i 2. R.mtbr. Za vezivanje muslimanskih snaga i blokadu prostora i pravaca koji izvode u dubinu zone angažovane su snage DK koje su već bile neposredno zadejstvovane oko enklave Srebrenica (1. Brlpbr, 1. Mlpbr i sam.bat. Skelani). Po veličini snaga vidljivo je da nije planirano potpuno zaposedanje niti zauzimanje zaštićenih zona. Glavne snage DK bile su angažovane na linijama fronta prema drugim enklavama i u odbrani zone odgovornosti korpusa od prodora muslimanskih snaga iz pravca Tuzle, Kladnja i Goražda. Odnos snaga u rejonu Srebrenica bio je krajnje nepovoljan u živoj sili po Drinski korpus i iznosio je oko 2,5:1 u korist 28. pešadijske divizije. Drinski korpus je izvodio dejstva na dva fronta i to: na spoljnom frontu, na pravcima ka Tuzli, Kladnju, Olovu i Goraždu i na unutrašnjem frontu ka Srebrenici i Žepi. Shodno tome, operativni položaj DK bio je veoma nepovoljan.

5.62. U Srebrenici su bazirale i snage UNPROFOR-a, najpre kanadski, a potom holandski bataljon jačine oko 500-600 ljudi, sa 21 oklopnim transporterom i pripadajućim protivavionskim, protioklopnim i pešadijskim naoružanjem. Te snage su se dosta rezervisano odnosile prema VRS. Po tome moglo se pretpostaviti da će se u eventualnom oružanom sukobu staviti na muslimansku stranu. Upravo u eventualnom sukobu pretila im je opasnost od ekstremista iz 28. Divizije A BiH. Muslimanske snage u Srebrenici imale su razrađen plan zauzimanja baze holandskog bataljona u Srebrenici i Potočarima. Taj plan i ta skica razrađeni su još novembra 1994. godine, dakle mnogo pre operacije „Krivaja 95“. Ta činjenica na svoj način svedoči o namerama Muslimana u Srebrenici u pogledu poštovanja režima zaštićene zone i njihovog odnosa prema snagama UN, koje su tu bile raspoređene da bi štatile utvrđeni bezbedonosni poredak po sporazumu koji su zaraćene strane potpisale u proleće 1993. godine. Tu svoju

⁵²⁹ Radovan Radinović, Vojna ekspertiza za Srebrenicu, str. 27

nameru muslimanske snage će i konkretno sprovesti tako što će napasti snage UNPROFOR-a jula 1995. godine, kada je došlo do pogibije jednog pripadnika holandskog bataljona.⁵³⁰

3. Osnovna obeležja i karakter operacije „Krivaja 95“

5.63. Svi događaji i dela koja se stavljaju na teret generalu Ratku Mladiću većim delom su povezani sa operacijom jedinica Vojske Republike Srpske, koja je izvedena u široj zoni Srebrenice, jula 1995. godine, pod nazivom „Krivaja 95“. Zato ova ekspertiza uvažava primarne vojne činjenice, događanja u zoni operacije, kao i suštinu i smisao komandne nadležnosti i odgovornosti generala Mladića za događaje koji mu se stavljaju na teret, a većinom su se desili nakon ulaska jedinica VRS u Srebrenicu.

5.64. Za izvođenje zaključaka o karakteru sukoba oko Srebrenice više informacija daju izjave učesnika događaja koji se pojavljuju u novije vreme. Sigurno je da su te informacije više pouzdane i manje opterećene ratom. Pogotovo su značajne informacije koje su se pojavile o viđenju događaja u Srebrenici i nakon pada grada pod kontrolu DK VRS, od strane zamenika komandanta 28. divizije pukovnika A BiH Ramiza Bećirovića, na osnovu izjave koju je dao 11. avgusta 1995. godine Vojnoj bezbednosti 2.K. Ovo svedočenje prvog čoveka odbrane Srebrenice, dato samo mesec dana posle njenog pada, svojevrsno je, bolje reći, istorijsko svedočenje o sudbonosnim i tragičnim događajima ovog grada.⁵³¹

5.65. U okviru istraživanja karaktera operacije „Krivaja 95“ treba utvrditi da li je to bila operacija velikog zamaha i krupnih razmera, sa radikalnim vojnim ciljem, ili se radi o operaciji sa ograničenim ciljem? U analizi činjenica vrlo je bitno sgledati da li je ta operacija bila blagovremeno planirana ili se radilo o operaciji koja je bila iznuđena a u funkciji sprečavanja zločina iz zaštićenih zona? Na osnovu podataka i odgovora na ova pitanja mogu se izvoditi argumentovani zaključci o tome da li je bilo moguće pretpostaviti teške posledice operacije, koje su nastale izvršenjem zločina, nakon ulaska u Srebrenicu u periodu od 11.07. do 17.07.1995. godine. Prema preliminarnoj analizi dokumenata i informacija nije postojao plan VRS da se iseli civilno stanovništvo i izvrši masovno zarobljavanje pripadnika 28. divizije, a nakon toga i ubijanjem zarobljenih u širem rejonu Zvornika. O tome nije pronađen niti jedan materijalni dokaz niti bilo kakva pouzdana informacija. Imajući u vidu karakter operacije, angažovane snage i cilj operacije nisu se mogle naslutiti tako teške posledice koje su kasnije nastale. Zato se te posledice ne bi mogle smatrati kao unapred planirani zločin, pogotovo ne od strane Glavnog štaba VRS i njegovog komandanta generala Ratka Mladića.

5.66. Borbena dejstva, koja je delom snaga izvodio DK, u zoni Srebrenice jula 1995. godine, u izvornim Operativnim dokumentima korpusa nisu ni označena pojmom „operacija“, nego „aktivna borbena dejstva“. Ovo je zato što je pojam „operacija“, u vojnoj doktrini koja je tada bila na snazi u VRS, podrazumevao angažovanje vojnih snaga najmanje jednog korpusa, a najčešće i jače snage.⁵³² Dakle, operacije izvođe operativni sastavi jednog ili više korpusa, zavisno od toga da li imaju operativni ili strategijski cilj i značaj. Komanda Drinskog korpusa dejstava u zoni Srebrenice nije nazvala operacijom upravo imajući u vidu ograničene snage koje su angažovane, a shodno tome i ograničeni cilj dejstva koji je tim snagama dodeljen. Šta više, ni uz šifrovani naziv „Krivaja 95“ u desnom gornjem uglu dokumenta za ta ofanzivna dejstva nije

⁵³⁰ Isto, str. 28

⁵³¹ Izjava zastupnika komandanta 28. divizije Ramiz Bećirović organima bezbednosti 2.K ABiH,

KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str. 19

⁵³² Vidi pojam „operacija“, Vojni leksikon, izdanje Vojno-izdavački zavod, Beograd, 1981. godine, str. 361.

dodat termin operacija, jer operacija nije ni mogla da bude nego, prema Doktrini VRS, napadno taktičko dejstvo.⁵³³ Termin „operacija“ uz šifrovani naziv „Krivaja 95“ će doći naknadno, jer u Zapadnom poimanju operacija apriori ne određuje veličinu snaga. Imajući u vidu značenje reči operacija na Zapadu da se odnosi na angažovanje snaga bez obzira na veličinu snaga može se reći da je to operacija i da se u tom teorijskom i doktrinarnom kontekstu mogu naći sva potrebna obrazloženja.

5.67. Komandant Drinskog korpusa je za ovu operaciju angažovao tri bataljona i to: jedan ojačani bataljon iz sastava Zvorničke brigade, kojeg je komandant u svom naređenju za marš nazvao Taktička grupa,⁵³⁴ jedan oslabljeni bataljon iz sastava Bratunačke, 2. Romanijske motorizovane brigade i samostalnog bataljona Skelani.⁵³⁵ Ako se tome doda da su Bratunačka i Milička brigada delom svojih snaga samo vezivale za sebe snage 28. divizije, dolazi se do zaključka da je operacija „Krivaja 95“ izvedena snagama ekvivalenta dve brigade. Iz istorije ratne veštine, a i iz aktuelne doktrinarnе literature, načelno je za napadna borbena dejstva potrebno obezbediti odnos snaga najmanje 3:1, a pri napadu na naseljena mesta i veći odnos snaga. To ukazuje da snage VRS nisu bile dovoljne za izvođenje borbenih dejstava operativnog nivoa, a time ni za zauzimanje Srebrenice koju je branilo pet lakih brigada iz sastava 28. divizije. Teško je dati pouzdan i logičan odgovor na pitanje zašto su snage 28. divizije A BiH tako brzo prestale da brane enklavu i da se odluče na proboj? Da li je to posledica kolektivne psihoze života u enklavi ili plod nečije namere, koja je sprovedena linijom komandovanja?

5.68. Imajući u vidu istoriju doktrinarnih znanja i vojne prakse, može se reći da je očigledno da snage Drinskog korpusa VRS u operaciji „Krivaja 95“ nisu bile dovoljne za zauzimanje grada, već samo za sužavanje dela prostora oko enklava, na njihov urbani deo i uspostavljanje kontrole prostora na prilazima Srebrenici i Žepi. Na taj način se nastojao popraviti taktički položaj, kako bi se onemogućilo stalno ubacivanje manjih jedinica i DG iz 28. Divizije A BiH, u pozadinu jedinica DK, koje su bili raspoređene na prilazima enklavi. Shodno rečenom, niko iz VRS, UN, odnosno UNPROFOR-a nije mogao očekivati da će se snage 28. divizije povući iz Srebrenice, da će se civilno stanovništvo takođe povući u Potočare, te da će snage 28. divizije zajedno sa delom vojno sposobnih muškaraca krenuti u nerazumnu avanturu proboja iz okruženja, te da će na tom putu pretrpeti masovne gubitke i stradanja.

5.69. Sve što je bilo planirano da se dogodi u operaciji „Krivaja 95“ jeste da snage DK pomere liniju dodira bliže Srebrenici i da u tom podilaženju ka gradu napreduju ne dublje od deset kilometara, a na nekim pravcima, kao što je na pravcu Bratunac-Potočari i Konjević polje-Jaglići ne prodru ni metra, već da budu aktivne samo u meri koja će obezbediti vezivanje snaga 28. divizije na tim pravcima. Stanovništvo je trebalo da ostane u gradu, da ga ne napušta, a vojska u gradu je trebalo da prestane da vojno dejstvuje i na taj način zloupotrebljava status zaštićene zone. Sve to što je bilo planirano da se vojno učini nije izlazilo iz okvira legitimne vojne operacije, koja je u krajnjem dometu imala za cilj popravljjanje taktičkog položaja jedinica DK VRS na tom delu ratišta.

5.70. Operacija „Krivaja 95“ je u svakom pogledu bila iznuđena i neblagovremeno i kratkotrajno planirana vojna akcija. Otuda se za nju ne bi moglo reći, kao što se to tvrdi u Optužnici, da se radilo o „...širokom i sistematičnom napadu na pripadnike bošnjačkog naroda, u skladu sa državnim i organizacionom politikom...“⁵³⁶ Tvrdnja da se radilo o na brzinu planiranoj

⁵³³ Zapovest DK, Str.pov.br.04/156-2, od 02.07.1995. godine, str. 1.

⁵³⁴ Zapovest za marš komandanta TG 1. Zvorničke pešadijske brigade, Str.pov.br.01-246 od 03.07.1995. godine.

⁵³⁵ Zapovest komande DK za aktivna borbena dejstva, Str.pov.br. 04/156-2, od 02.07.1995. godine, str. 3.

⁵³⁶ Optužnica, KT-RZ 74/08, str. 2, stav drugi.

i iznuđenoj operaciji zasniva se na više činjenica, pre svega na veoma kratkom vremenu priprema, izvođenja i nepripremljenosti jedinica DK VRS na situacije koje su se desile nakon operacije za Srebrenicu. To se pre svega odnosi na pokret civilnog stanovništva u Potočare, u nameri da se iseli i odluka vojnih snaga da izvrši proboj i ne položi oružje.

5.71. Operacije koje su bile deo strateškog plana VRS i koje su objedinjavale dejstva snaga dva i više korpusa, kao što su „Koridor 92“, „Lukavac 93“ i dr. po pravilu planirao je Glavni štab. Kada se radilo o operacijama koje su imale operativni i taktički značaj, uobičajeno je bilo da se traži saglasnost za njihovo planiranje i izvođenje ili da se za to unapred dobije prethodno naređenje ili direktiva ili zapovest komandanta GŠ VRS. Izvesno je da je operaciju „Krivaja 95“ planirao, pripremio i izveo Drinski korpus, sa delom svojih i pridodatih snaga i da su i ideja i izvođenje bili u isključivoj ingerenciji te komande. To nije neuobičajeno, jer se komandantima ostavlja mogućnost da samoinicijativno planiraju i izvode borbena dejstva koja ne narušavaju opšti strateški plan i koncept niti radikalno menjaju situaciju na ratištu, a u skladu su sa opštom zamisli koja je iskazana u direktivi. Sada se sa dosta izvesnosti može pretpostaviti i govoriti o tome da GŠ niti komanda DK VRS nisu očekivale nikakve radikalne posledice te operacije, a naročito ne onakve i one koje su kasnije nastupile, jer one nisu mogle uslediti iz ograničene operacije kakva je bila „Krivaja 95“. Zato se ozbiljno postavlja pitanje i komandne nadležnosti i odgovornosti za događaje koji su se desili većinom mimo linije komandovanja i deo tih aktivnosti isključivo na taktičkom nivou komandovanja.⁵³⁷

5.72. U Zapovesti za aktivna borbena dejstva od 02.07.1995. godine, komanda Drinskog korpusa se poziva na Direktivu VK br. 7⁵³⁸ i Direktivu GŠ VRS 7/1,⁵³⁹ ali se te dve direktive ne mogu smatrati normativnim i doktrinarnim ishodištima za operaciju DK „Krivaja 95“. U direktivi br. 7 Predsednika RS za Drinski korpus su predviđene dve operacije i to: operacija „JADAR“ samo za slučaj da UNPROFOR napusti Srebrenicu i Žepu, u kom slučaju korpus treba da izvede ovu operaciju radi eliminacije snaga 28. divizije i oslobađanja Podrinja, te operacija „ZVIJEZDA“ koja se odnosi na dejstva za Goražde.⁵⁴⁰ Pošto je operacija bila ograničena i po cilju i snagama koje su angažovane izostala je intenzivnija uobičajena komunikacija između Komande DK i GŠ VRS. Ova činjenica još više učvršćuje tezu da se radilo o operaciji veoma ograničenog zamaha sa ograničenim ciljem, iz koje se nisu očekivale nikakve ozbiljne posledice čije bi saniranje zahtevalo angažovanje daleko većih snaga. Istog shvatanja su bile i komande jedinica A BiH. „U jednoj kratkoj depeši komandantu Rasimu Deliću 12. jula 1995. godine blago ste mu prigovorili da se, dok su vođene borbe za odbranu Srebrenice, Armija na ostalim bojištima „pipkavo“ borila. Kao vrhovni komandant, kako ocenjujete pomoć naše armije, s ove strane, braniocima Srebrenice, a kasnije i u njihovom proboju? Da, to je bio moj utisak. Međutim, veliko je pitanje da li se moglo više učiniti. Mislim da je naš veliki hendikep bio nedostatak pouzdanih informacija o snazi i namjerama neprijatelja. UNPROFOR je sigurno imao podatke o koncentraciji četničke vojske, ali i oni su o namjerama mogli samo nagađati. Po njegovom ponašanju moglo se zaključiti da su bili zatečeni. Vidi se to i po neodlučnosti naređenja za zračnu akciju. Avijacija dobija dva različita naređenja u roku od jednog sata. Četnici su ove okolnosti u cjelosti iskoristili.“⁵⁴¹

⁵³⁷ Radovan Radinović, Analiza rukovodne nadležnosti Momira Pelemiša u događajima jula 1995. godine u rejonu Zvornika, 2010., str.11

⁵³⁸ Direktiva br. 7, Predsednik RS, DT br. 2/2-11, od 08.03.1995. godine.

⁵³⁹ Direktiva br. 7/1 Komande GŠ VRS, (RN 00868778-00868785), DT br. 02/2-15, od 31.03.1995. godine.

⁵⁴⁰ Direktiva br. 7, str. 8 (00823173).

⁵⁴¹ Intervju Alije Izetbegovića, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.19

5.73. Može se reći da je iniciranje Komande DK za borbena dejstva ograničenog dometa u zoni Srebrenice, kojima bi se razdvojile enklave i kontrolisalo stanje u tzv. zaštićenim zonama, sadržan u brojnim direktivama i naređenjima GŠ VRS. Jedno od takvih je i Naređenje GŠ od 12.05.1995. godine.⁵⁴² Ipak u tim aktima komandovanja nisu bili determinisani rokovi za planiranje i izvođenje operacije. To je ostavljeno komandi korpusa da ona odluči, saglasno borbenoj situaciji na terenu. Datumi koje smatramo referentnim za početak planiranja i priprema ove operacije su dan ubacivanja DTG iz sastava 28. divizije i njen veliki zločin u srpskom selu Višnjica i dan i datum kada je Drinski korpus brigadama uputio pripremno naređenje za operaciju „Krivaja 95“ i Zapovest za njeno izvođenje.

5.74. Napad DTG 28. divizije A BiH, na srpsko selo Višnjica, bio je povod za planiranje i izvođenje operacije „Krivaja 95“, a pravi uzroci su bili svakodnevni napadi i ispadi muslimanskih snaga iz zaštićenih zona Srebrenica i Žepa, koje su muslimanske snage koristile za baziranje i zaštitu sopstvenih snaga, pod okriljem jedinica UNPROFOR-a. Taj napad je usledio 26.06.1995. godine, a komanda divizije je, od strane komande 2. K A BiH, za tu akciju dobila i pisano naređenje. Na osnovu toga može se zaključiti da planiranje operacije „Krivaja 95“ nije moglo početi pre 26.06.1995. godine, a ni posle 01.07.1995. godine, kada je izvedeno komandantsko izviđanje sa starešinama Drinskog korpusa koji su učestvovali u toj operaciji.⁵⁴³

5.75. Analizom vremena i ključnih događaja dolazi se do zaključka da je najviše moglo biti utrošeno za planiranje ove operacije četiri dana. Ako se zna da planiranje korpusnih operacija traje oko petnaest dana u redovnoj proceduri, onda bi se bez sumnje moglo zaključiti da je operacija „Krivaja 95“ planirana po skraćenoj metodologiji štapskog rada i da je to sve izvedeno na prilično brzu ruku. Iz tih razloga može se konstatovati da je ova operacija neblagovremeno isplanirana, da je taj proces bio skraćen i da se ta operacija može svrstati u grupu tzv. iznuđenih operacija. Imajući u vidu te činjenice može se reći da je ona nije bila prevashodno rezultat sopstvenih planskih i osmišljenih strateških namera, nego izraz preke nužde zbog neprijateljevih aktivnosti.

5.76. Što se tiče vremena koje je komandi korpusa stajalo na raspolaganju za pripremu operacije „Krivaja 95“, a to podrazumeva izbor, dovodenje i razmeštaj snaga, njihovo operativno grupisanje za dejstva, dopunska taktička priprema na samom terenu, organizovanje logističke podrške, situacija je bila još nepovoljnija. To se može zaključiti ako se uzmu u obzir datumi izdavanja pripremnog naređenja, zapovesti za izvođenje operacije i datum kada je operacija otpočela.

5.77. U teoriji i praksi ratne veštine poznate su činjenice da neposredna priprema za izvođenje operacije počinje od dana izdavanja pripremnog naređenja ili nekog drugog oblika, pisanog ili usmenog naredbodavnog akta pretpostavljene komande o predstojećim borbenim dejstvima. Priprema za komandu korpusa traje do dana i datuma kada je potčinjenim komandama izdato borbeno naređenje – Zapovest za napad, odbranu i sl. Pripremno naređenje⁵⁴⁴ za operaciju „Krivaja 95“ komanda Drinskog korpusa je uputila potčinjenim komandama 02.07.1995. godine. Istog tog dana potčinjenim komandama je upućena i Zapovest za aktivna borbena dejstva⁵⁴⁵ oko Srebrenice. Na osnovu ovih podataka može se zaključiti da komanda Drinskog korpusa ili uopšte nije za sebe predvidela nikakve pripremne radnje za izvođenje ove operacije ili su te pripremne radnje trajale samo jedan dan. I u jednom i u drugom slučaju radi se o kratkotrajnim pripremama.

⁵⁴² Naređenje GŠ VRS, Str.pov.br.03/4-887, od 12.05.1995. ERN 0529-6730-0589-6731.

⁵⁴³ Svedočenje V. Pandurovića u svojoj odbrani pred Haškim Tribunalom.

⁵⁴⁴ Pripremno naređenje komande DK, 04/156-1 od 02.07.1995. godine.

⁵⁴⁵ Zapovest za aktivna borbena dejstva, Str.pov.br. 04/156-2 od 02.07.1995. godine.

Po tome se može zaključiti da se radi o operaciji koja je pripremana neuobičajeno kratko vreme, pa se ne može prihvatiti tvrdnja da je to bio široki i sistematičan napad, jer sistematičnost zahteva precizno planiranje i dovoljno dugotrajne pripreme da bi sve varijante razvoja situacije bile operacionalizovane u detaljima te operacije.⁵⁴⁶

5.78. Kada se analizira vreme prijema Zapovesti komande DK za aktivna dejstva, dolazi se do istog zaključka. Zapovest za ofanzivna dejstva dobijena je 02.07.1995. godine, a gotovost za dejstvo je data u 04.00 časova 06.07.1995. godine.⁵⁴⁷ Kada se pođe od pretpostavke da Zapovest nije mogla biti primljena ujutru, već da se desilo tokom dana ili još verovatnije na veče, komandant Zvorničke brigade koji je morao formirati Taktičku grupu, kao privremeni sastav, praktično nije imao ni 24 sata da se pripremi za dejstva, koje treba izvesti van svoje zone odgovornosti, na udaljenosti od nekoliko desetina kilometara.⁵⁴⁸ Svim ostalim jedinicama koje su trebalo da učestvuju u izvođenju borbenih dejstava na raspolaganju je bilo nepuna dva dana i tri noći, što je suviše kratko vreme za ozbiljnije pripreme za dejstvo koje obuhvataju izviđanje prostora i izdavanje zapovesti na terenu i organizaciju sadejstva.

5.79. O karakteru operacije „Krivaja 95“, mogu se iskazati još neka bitna obeležja: (1) po svom zamahu, operativnom cilju kojeg je trebalo ostvariti i ukupno angažovanim snagama, operacija za Srebrenicu bila je taktičkog karaktera i radilo se o ograničenoj operaciji u svakom pogledu. Tako ograničena vojna operacija sama po sebi nije mogla proizvesti velike i strateške posledice kakve su nastupile; (2) U pogledu planiranja i priprema, operacija je bila isplanirana na brzu ruku i po skraćenom metodskom i štabnom postupku rada komandi na operativnom i taktičkom nivou, uz nepostojanje nekih od elementarnih sastavnih delova takvog poduhvata. Takođe, vreme za pripremu operacije bilo je veoma kratko.

4. Iseljavanje civilnog stanovništva iz enklave Srebrenica

5.80. Kada se sagleda ceo kontekst Optužnice, može se zaključiti da se na teret generala Mladića stavlja najveća odgovornost za učešće u zločinima prinudnog iseljavanja civilnog stanovništva Srebrenice na teritoriju pod kontrolom Armije BiH „... da se bosanski Muslimani iz Srebrenice eliminišu ubijanjem srebreničkih muškaraca i dječaka, kao i prisilnim odvođenjem žena, djece i dijela starijih muškaraca iz Srebrenice...“⁵⁴⁹ Iseljavanje civila kao jedna od posledica operacije „Krivaja 95“ spominje se na više mesta, u više dokumenata i u različitim kontekstima. U tom smislu navedeni su u Izveštaju samo neki relevantni izvori i činjenice, koji daju znatno drugačiju sliku o odnosu prema civilnom stanovništvu u Srebrenici od one koja je duže vreme medijskom propagandom prenošena u svet. U tom smislu bitno je uvažiti suštinu nekih akata i izjava, kao što su: Obavijest Predsednika opštine Srebrenica kojim se on obraća Predsedniku predsedništva BiH Aliji Izetbegoviću; Izjava generala Nikolaja, načelnika štaba komande UNPROFOR-a u Sarajevu i sastanci u Bratuncu 11. i 12.07.1995. godine između predstavnika VRS, UNPROFOR-a, a kasnije i Srebreničkog civilnog stanovništva. „Po mom odlasku u kamp UNPROFOR-a u Vezionici u gradu, komandant tog kampa me je obavijestio da je primio ranjenike u svoj kamp, da ima namjeru da ih prebaci u Potočare, a narod je već bio, u većem broju, oko žice. Primijetio sam da vojnici UNPROFOR-a upućuju stanovnike da idu u

⁵⁴⁶ Radovan Radinović, Analiza rukovodne nadležnosti Momira Pelemiša u događajima jula 1995. godine u rejonu Zvornika, 2010., str.12-13

⁵⁴⁷ Zapovest za marš komandanta Zvorničke brigade, Str.pov.br. 01-246, od 03.07.1995. godine.

⁵⁴⁸ Zapovest DK za aktivna b/d, br. 04/156-2, str. 2, Tač. 4.

⁵⁴⁹ Optužnica Tužilaštva protiv generala Ratka Mladića.

Potočare, a kad sam pitao za razloge takvog upućivanja, rečeno mi je da i oni imaju namjeru da se prebace u Potočare.”⁵⁵⁰

5.81. Iseljavanje civilnog stanovništva Srebrenice iz Potočara ka Kladnju i Tuzli izvršeno je 12. i 13.07.1995. godine. Tokom celog rata civili su nastojali da odu iz Srebrenice, ali ih je u tome sprečavala muslimanska centralna vlast iz Sarajeva. Brojni su primeri nesporazuma civila i UNHCR sa vlastima oko evakuacije civila. To nastojanje da napuste Srebrenicu civili su posebno iskazivali u proleće 1995. godine, o čemu svedoči izveštaj muslimanskog vojnog lidera, generala Rasima Delića.⁵⁵¹ Međutim te činjenice nemaju neku težinu jer se nisu verovatno uklapale u stereotipe unapred utvrđene istine i odgovornosti civilnog i vojnog rukovodstva Republike Srpske.

5.82. Iseljavanje civilnog stanovništva u Optužnici i drugim dokumentima tužilaštva dovodi se u kontekst pojedinih rečenica u Direktivi br. 7 koju je potpisao predsednik RS dr Radovan Karadžić „... Svakodnevnom planskim i osmišljenim borbenim aktivnostima stvoriti uslove totalne nesigurnosti, nepodnošljivosti i besperspektivnosti daljeg opstanka i života mještana u Srebrenici i Žepi.”⁵⁵² Kada se na kraju imaju u vidu činjenice da je završetkom operacije „Krivaja 95“ eliminisana Srebrenička enklava, da je civilno stanovništvo iseljeno na teritoriju pod kontrolom Armije BiH, i da je veliki broj pripadnika mešovite kolone 28. divizije koja se nakon pada Srebrenice probijala iz okruženja ka Tuzli, ubijen u zasedama, u borbi, u međusobnoj razmeni vatre, zarobljen i pogubljen, gotovo da se uklapalo da je to deo plana i da je blagovremeno isplanirano i izvedeno, a da je idejna osnova za to bila upravo ta inkriminisana rečenica sadržana u citiranoj Direktivi br. 7. Zaboravljaju se činjenice da je civilno stanovništvo u većem broju znatno pre želelo da napusti enklavu jer u njoj nije videlo perspektivu budućeg života.

5.83. Nije sporno da na Direktivi 7 stoji potpis dr Karadžića, kao što nije sporno da je kao lice koje je radilo na njenom oblikovanju potpisan gen. Radivoje Miletić. Takođe, nije sporno da je propratni akt za distribuciju direktive ka komandama korpusa potpisao načelnik GŠ VRS, general Manojlo Milovanović.⁵⁵³

5.84. Predsednik RS je sa punim poverenjem potpisivao dokumenta koja mu je predlagao GŠ VRS. Direktiva nije izvršni dokument, već se na osnovu nje radi čitav niz izvršnih dokumenata u formi zapovesti, naređenja, planova i sl. što je pružalo mogućnosti da se ispravi ono što nije dobro formulisano u direktivi. Desetak dana nakon njenog izdavanja, pripremljena je i Direktiva Glavnog štaba br. 7/1.⁵⁵⁴ Sama njena numeracija ukazuje na to da se radi o dokumentu koji nastavlja operacionalizaciju Direktive 7. Bitno je ovde uočiti da je Direktiva 7/1 izmenila nekoliko elemenata sadržanih u Direktivi 7, a to je pre svega izostavljanje inkriminisane rečenice iz zadataka Drinskom korpusu.⁵⁵⁵ To znači da nije postojala namera ugrožavanja civila i da se ta formulacija može smatrati nesmotrenim postupkom operativca iz GŠ VRS koji je pisao dokument, te da je taj propust kasnije uočen i otklonjen u novom borbenom dokumentu Direktivi

⁵⁵⁰ Izjava zastupnika komandanta 28. divizije Ramiz Bećirović organima bezbednosti 2.K ABiH,

KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.32

⁵⁵¹ R. Delić, Izveštaj o padu Srebrenice, Srt. Pov br. 1/1-941, 30.07.1996, GS ABiH, Kabinet Komandanta (D01033)

⁵⁵² Direktiva 7, DT br.2/2-11 od 08. marta 1995. godine, tačka 5. (P00838)

⁵⁵³ Propratni akt, br. 02/2-16, od 31.03.1995. godine. (P02247)

⁵⁵⁴ Vidi Direktiva br. 7/1 GŠ VRS, br. 02/2-15, od 31. marta 1995. godine. (P02246)

⁵⁵⁵ Radovan Radinović, Rukovodna nadležnost dr Radovana Karadžića u sistemu strategijskog komandovanja VRS, 2012., str., 141-149

GŠ VRS br. 7/1. Posebno je bitno uočiti da u operaciji nije bilo prisile da se civili isele iz Srebrenice, ali nažalost to je bila redovna pojava u ratu u BiH. Svi su se civili selili kada je njihova vojska napuštala položaje ili nije bila u stanju da odbrani gradove i naseljena mesta. Tako je bilo u Glamoču, Kupresu, Drvaru, Petrovcu, Ključu, Mrkonjić gradu 1995. godine, kada se VRS povlačila.

5.85. Dana 9. jula 1995. godine, general-major Tolimir je prosledio naređenje Glavnog štaba VRS broj 12/46-501/95 komandi Drinskog korpusa, sa uputima da se ono prosledi „lično generalu Gveru i generalu Krstiću“.⁵⁵⁶ Ovim naređenjem je ponovljena podrška predsednika RS nastavku vojnih operacija VRS protiv „zaštićene zone“ i prošireni su ciljevi operacije tako što je u njih uključeno i osvajanje Srebrenice. Tim naređenjem, izdatim u ime predsednika RS, dalje je naloženo da se sa civilima i ratnim zarobljenicima postupa u skladu sa Ženevskim konvencijama iz 1949. godine, te da se uništavanje civilne imovine i stambenih objekata svede na najmanju moguću meru u skladu sa vojnim potrebama.⁵⁵⁷ Iz pomenutog dokumenta vidi se da nisu postojale nikakve namere za zauzimanje Srebrenice, progon civilnog stanovništva niti masovna streljanja i zločine nad civilima i vojnicima 28. divizije A BiH.

5.86. Analizom dokumenta „Obavijest sa Sjednice Predsjedništva“, opštine Srebrenica održanom dana 09.07.1995. godine u 19,00 časova može se videti suština preseka borbene situacije i namera muslimanske strane, njene civilne i vojne vlasti. U tom dokumentu zapisano je sledeće: „Pošto je agresorska vojska ušla u 18,00 sati u gradsko područje iz pravca Zelenog Jadra, a naša vojna komanda u raspadu kao i pripadnici 28. divizije i više nisu u mogućnosti ništa poduzeti na daljnjem sprečavanju agresorskih snaga da uđu u sam grad, vlada kaos i panika, te je na civilnim organima vlasti ostalo poslednji nepopularan korak na spasavanju stanovništva, a isti je da se na nivou državnih organa R BiH pod hitno održi sastanak sa srpskom agresorskom stranom u cilju iznalaženja mogućnosti otvaranja koridora za iseljavanje stanovništva do prve bezbedne teritorije R BiH pod kontrolom međunarodnih faktora. Tražimo hitan odgovor, a najkasnije do 24.00.“⁵⁵⁸ Tu se prvi put govori o namerama da se seli civilno stanovništvo, kao posledica borbenih dejstava, pada Srebrenice i opštih namera civilne vlasti.

5.87. U izjavi generala Nikolaja, koju je dao na suđenju u predmetu Popović i drugi pred Haškim Tribunalom 2007/2008. godine, general je izjavio da su komandantu holandskog bataljona, potpukovniku Karemansu izdali Uputstva i naređenja – telefonom i u pisanoj formi – kako da postupi u novonastaloj situaciji nakon pada Srebrenice i šta da zahteva od generala Mladića na sastanku u Bratuncu 11.07.1995. godine, koji će biti održan u hotelu „Fontana“, oko 22.30 časova. General Nikolaj je tim povodom izjavio sledeće: „Rekli smo (Karemansu) da ostane sa civilnim stanovništvom kako bi on i njegovi ljudi mogli da prate evakuaciju, kako bi se ona izvela po međunarodnim pravilima. Čim smo zaustavili vazdušne napade (a to je bilo 11.07. u 17.00) shvatili smo da iz Srebrenice treba evakuisati civilno stanovništvo... Na dan 11.07. obavestio sam holandskog ministra odbrane o planiranoj evakuaciji i našoj namjeri da koristimo kamione UNPROFOR-a, i on se sa tim složio.“⁵⁵⁹

5.88. Na sastancima u Bratuncu, u hotelu „Fontana“ dana 11.07.1995. godine, a vezano za predaju oružja pripadnika 28. divizije i iseljavanja civilnog stanovništva izneta su gledišta svih učesnika. Analizom tih stavova, koji su sačuvani kao elektronski zapisi i stenogrami, kao i sa

⁵⁵⁶ Naređenje Glavnog štaba VRS-a broj 12/46-501/95.

⁵⁵⁷ Richard J. Butler, Iskaz o vojnim događanjima u Srebrenici (revizija) – operacija „Krivaja 95“, 2002., str.94

⁵⁵⁸ Obavijest sa Sjednice Predsjedništva opštine Srebrenica na ruke Predsjednika Predsjedništva Alije Izetbegovića i komandanta A BiH armijskog generala Rasima Delića, br. 01/95, od 09.07.1995. godine.

⁵⁵⁹ Izjava gen. Nikolaja za suđenje Srebreničkoj grupi vojnih oficira VRS.

njihovim poređenjem sa ekspertskim izveštajima dolazi se u dobroj meri do saglasnosti u pogledu verodostojnosti datih ocena. Gotovo na identičan način kao i gen. Nikolaj, zapisao je i Ričard Batler, vojni ekspert Tužilaštva za suđenja u Hagu. U njegovom Izveštaju ja zapisano sledeće:⁵⁶⁰ „General Mladić se zatim okrenuo prema holandskom komandantu i pitao ga što žele? Potpukovnik Karemans izjavio je da je bio u vezi sa generalom Nikolajem, načelnikom štaba UNPROFOR-a u Sarajevu i da je gubitak enklave opštepoznata činjenica. Potpukovnik Karemans je u ime svojih nadređenih zatražio povlačenje Holandskog bataljona, muslimanskog stanovništva i MFS – jedne međunarodne lekarske nevladine organizacije, koja je radila u enklavi. Kasnije tokom sastanka, general Mladić je pitao da li se preko generala Nikolaja mogu obezbediti autobusi. Potpukovnik Karemans odgovorio je da misli da se to može dogovoriti.“⁵⁶¹

5.89. Ovaj zapis Ričard Batler je, po sopstvenom kazivanju, izveo iz video i audio snimaka sa sastanaka održanih u Bratuncu 11. i 12.07.1995. godine, u hotelu „Fontana“ kojima su prisustvovali: na prvom sastanku, koji je održan posle 20.00 časova ispred VRS bio je general Mladić, general-major Krstić, kao i još neke starešine tog operativnog sastava, a ispred UNPROFOR-a bio je komandant holandskog bataljona, potpukovnik Karemans sa svojim pomoćnikom. Na drugom sastanku, koji je na istom mestu održan istog tog datuma, ali nešto kasnije, oko 23.00, pored navedenih, prisustvovali su i predstavnici muslimanskog civilnog stanovništva, i to na zahtev generala Mladića. Na trećem sastanku, koji je održan u jutarnjim satima 12.07.1995. godine, isto u hotelu „Fontana“ u Bratuncu, prisustvovali su predstavnici VRS na čelu sa generalom Mladićem, predstavnici UNPROFOR-a na čelu sa komandantom holandskog bataljona, potpukovnikom Karemansom i troje ovlašćenih predstavnika muslimanskih civila iz Srebrenice. Pored ovih, sastanku je prisustvovao i Civilni poverenik za Srebrenicu Predsednika Republike Srpske, Miroslav Deronjić.⁵⁶²

5.90. Sledeći citati iz transkripta trećeg sastanka sadrže detalje datih izjava, koje u suštini prezentuju odnos generala prema civilnom stanovništvu i pripadnicima 28. divizije A BiH:

MLADIĆ: Ja želim da vam pomognem... Ali tražim apsolutnu saradnju... civilnog stanovništva, jer je vaša vojska poražena... nema potrebe da ginu vaši, ni vaš muž, ni vaša braća, ni vaše komšije... dovoljno je da kažete šta želite. I sinoć sam rekao gospodinu- možete opstati ili nestati... Za vaš opstanak tražim: da svi vaši muškarci koji su pod oružjem napali da su zločine pravili, a i jesu mnogi, protiv našeg naroda, predaju oružje Vojski Republike Srpske... nakon predaje oružja možete... birati, da ostanete na teritoriji.. ili ako vam to odgovara, da idete tamo gde želite. Koliko god vas izrazi želju, poštovaće se želja svakoga pojedinačnoga stanovnika.⁵⁶³

I dalje:

MLADIĆ: Vi možete, ako je spremno, preostali deo vaše vojske da se razoruža i da se preda oružje mojim oficirima uz prisustvo oficira iz UNPROFOR-a... Da birate da ostanete ili ako želite da odete... Ako želite da odete, izrazite vašu želju na četiri strane sveta... Nakon predaje oružja, kud kaže bilo koji pojedinac, otići će. Zato je potrebno da se obezbedi samo gorivo, ja ću obezbediti vozila. Gorivo ne možete obezbediti vi... možete ga platiti ako imate čim ako ne možete da ga platite, onda UNPROFOR da dotera jedno četiri-pet cisterni

⁵⁶⁰ Izveštaj o vojnim događajima u Srebrenici – Revizija, za operaciju „Krivaja 95“, str. 37, tačka 4.4.

⁵⁶¹ Transkript snimka sastanka u Fontani u 20,30, st. 00874177-00874183, Dokument iz zbirke sa suđena Radovanu Karadžiću.

⁵⁶² Radovan Radinović, Analiza rukovodne nadležnosti Momira Pelelića u događajima jula 1995. godine u rejonu Zvornika, 2010., str.19-20

⁵⁶³ Treći sastanak u hotelu „Fontana“ (transkript video snimka) (dokazni predmet optužbe 49/a), str. 9.

vozila da se popunjavaju kamioni, jer je to veliki broj populacije, i trebalo bi se to... rešiti. U vašem izboru da odete ... na šta ja ne utičem ...meni ne smeta, nevini i nedužni mi ne smetaju, možete birati....⁵⁶⁴

5.91. Kada se sva navedena operativna dokumenta i informacije sagledaju, nameće se više parcijalnih zaključaka: (1) ideja o premeštanju civila iz Srebrenice je primarno pokrenuta od strane civilnih vlasti Srebrenice 4 dana pre sastanka u Bratuncu, pa se ta ideja nikako ne može dovoditi u kontekst namere ili saučesništva generala Mladića; (2) odluku o premeštanju civilnog stanovništva iz Srebrenice donela je komanda UNPROFOR-a u saradnji sa civilnim i vojnim vlastima Srebrenice, odmah nakon obustavljanja vazdušnih napada avijacije NATO po položajima VRS i to tri sata pre otpočinjanja sastanaka u Bratuncu i tu odluku saopštili i komandantu holandskog bataljona koji je bio zadužen da zastupa UNPROFOR na tim sastancima u Bratuncu; (3) iseljavanje kao odluku UNPROFOR-a, dakle UN, Karemans je saopštio generalu Mladiću kao odgovor na pitanje „... šta žele ...“, misleći i na UNPROFOR i na muslimanske civile. Kada je tu odluku čuo, tek tada je Mladić postavio pitanje autobusa i goriva. A naređenje GŠ VRS, komande Drinskog korpusa i Ministarstva odbrane Vlade RS o prikupljanju prevoznih sredstava usledile su tek nakon tog sastanka, a ne nikako pre toga. Da se radilo o planu, nameri ili o odluci GŠ VRS ili civilnih vlasti RS, naređenje za mobilizaciju prevoznih sredstava usledilo bi pre ovih sastanaka, a ne kao njihova posledica.⁵⁶⁵

5.92. Kada se uzmu u obzir sve relevantne činjenice, može reći da je potpuno netačna tvrdnja da je bilo ko na strani VRS ili civilnih vlasti RS odlučio da prinudno iseli civilno stanovništvo Srebrenice. Operativna dokumenta i informacije u njima neosporno dokazuju tvrdnju da vlasti RS nisu imale nameru da iseljavaju civile, već je to dato na slobodnu volju građanima da odluče. Odluka Predsednika RS o imenovanju civilnog poverenika za Srebrenicu nosi dosta informacija koje na pravi način bacaju svetlo na tok događaja i odgovornost u tom procesu. U tom dokumentu Predsednik RS naređuje sledeće: „... Komesar će obezbediti da civilni i vojni organi sve građane koji su učestvovali u borbi protiv Vojske Republike Srpske, tretiraju kao ratne zarobljenike, a civilnom stanovništvu obezbediti slobodan izbor mesta življenja i preseljenja...“⁵⁶⁶ Ovaj dokument izdat je od najvišeg nivoa izvršne vlasti RS i relevantan je iz više razloga, a posebno zato što je omogućavao izbor mesta življenja civilnom stanovništvu, a to znači i mogućnost ostanka u Srebrenici. Ni jedna etnička grupa, ni muslimanska, ni hrvatska, ni srpska – za vreme oružanih sukoba nije ostala da živi u mestu odakle je njena vojska bila prinuđena da napusti prostor. Nije bilo za očekivati ni da ostanu Muslimani u Srebrenici, jer je to bila zakonomerna pojava svih unutrašnjih etničko-verskih ratova kroz noviju političku istoriju sveta, pa i Balkana, ali se mora kao nepobitna činjenica utvrditi to da civilno stanovništvo iz Srebrenice nije prognano već se po sopstvenom izboru iselilo na teritoriju pod muslimanskom kontrolom, makar kakvi i koji razlozi su na taj izbor uticali.

5.93. To je bilo i logično nakon toliko godina krvavog rata jer su to isto učinili i Srbi masovno nakon Dejtonskog sporazuma, kada su napustili vekovna ognjišta i ogromne zemljišne posede u Sarajevskim opštinama koje su pripale Muslimansko Hrvatskoj Federaciji BiH. Čak su i veliki broj sahranjenih u toku rata, po zimi i velikoj hladnoći otkopavali, premeštali i ponovo sahranjivali na prostorima Republike Srpske. To je dokaz ogromne mržnje i nepoverenja, koju su uslovile strahote rata i stradanja u redovima svih zaraćenih strana. To je neshvatljiva mržnja

⁵⁶⁴ Prema Richard J. Butler, Iskaz o vojnim događanjima u Srebrenici (revizija)-operacija „Krivaja 95“, 2002.str.42

⁵⁶⁵ Radovan Radinović, Analiza rukovodne nadležnosti Momira Pelemiša u događajima jula 1995. godine u rejonu Zvornika, 2010., str.20

⁵⁶⁶ Odluka o imenovanju Civilnog poverenika za opštinu Srebrenica, br.01-1350/95, od 11.07.1995. godine.

unutar istog srpskog naroda koji je podeljen verom kroz istoriju, uz stvaranje novih tzv. političkih nacija. Tolika mržnja koja je vladala u građanskom ratu u BiH ne može se racionalno objasniti.

5.94. U kontekstu navođenja činjenice iseljavanja civilnog stanovništva iz Srebrenice bitno je ponoviti tvrdnju koja je već više puta istaknuta, a to je da je operacija „Krivaja 95“ bila takvog zamaha i intenziteta, da se pomeranje civila iz grada uopšte nije ni planiralo niti očekivalo. Iseljavanje civilnog stanovništva postalo je problem kada su to odlučile civilne i vojne vlasti u Srebrenici, uz verovatni dogovor sa vlastima u Sarajevu. Tada se veći deo snaga 28. divizija odvojio od civilnog stanovništva i okupio se u rejonu Jagličići-Šušnjari radi proboja ka Tuzli, odbijajući da preda oružje. „Poslije oko četiri kilometra pređenog puta, sreo sam jednog vojnika iz te brigade, koji me je informisao da se narod iz Sućeske evakuše u pravcu Potočara, te da će se uskoro i komandant 281.br. sa vojskom povući u pravcu Šušnjara. Kontaktirao sam sa komandantom 281. br. motorolom i on mi je potvrdio tu informaciju. Ja sam se vratio u s. Šušnjare i u s. Babuljice sam obezbedio izvor za napajanje. Ovo je selo bilo napušteno, iako se nalazilo u dubini teritorije. Zato sam stigao u s. Šušnjare gdje sam zatekao veći broj vojnika i vojno sposobnih civila. Tu je bio komandant 282. br. Dudić Ibro, za kojeg ne znam šta je bilo s njim, koji me je informisao da se u kući Mustafić (Nije Mustafić nego Ademović) Sidika, nalazi komandant 280., 284. i načelnik SJB. Naredio sam da zaduži starešine svoje brigade da postroji brigadu, utvrdi brojno stanje, naoružanje i broj vojnika bez naoružanja, a da on pođe sa mnom u tu kuću radi daljnjeg dogovora. U međuvremenu u tu kuću su pristigli načelnik opštine i predsjednik opštine, a tu je bio i načelnik Štaba 283. br., predstavnik brdskog bataljona po nadimku „Kezo“ i tu je doneta odluka o probou prema Tuzli.⁵⁶⁷ Poslije tog dogovora, ja sam obavešten da je uspostavljena veza sa Komandom 2. korpusa, naredio sam komandantima da postroje jedinice i formiraju kolonu, a u blizini lokacije „paket veze“ zatekao sam komandanta 281. br, koji je sa sobom imao na okupu dobar dio boraca te brigade. To je sve bilo u noći između 11/12. 07. 1995. godine. Na drugoj strani veze sam imao načelnika Štaba Korpusa, kojem sam saopštio kakva je situacija u Srebrenici i da je Srebrenica faktički pala, a da mi imamo nameru krenuti prema Tuzli. On me je upozorio kakav rizik preuzimamo na sebe, na šta sam mu odgovorio da mi nemamo drugog izbora. Tražio mi je da mu dam pravac kretanja i ja sam mu rekao da ćemo se kretati u pravcu Baljkovice. Taj razgovor smo vodili „paket vezom“. Nije utvrđivano brojno stanje kolone koja je krenula to veče, ali po mojoj procjeni u koloni je bilo između 10.000 i 15.000 ljudi. Ja sam, inače, imao oko 6.000 boraca, ne računajući borce iz Žepe. U koloni nije bilo puno žena, a nisam vidio ni puno djece. Moguće je da je bilo desetak žena“.⁵⁶⁸ U više navrata na sastancima predstavnika VRS, 28. divizije i civilnih vlasti u Srebrenici, kao i predstavnika UNPROFOR-a insistirano je na tome da se preda oružje i da će se svim zarobljenicima garantovati sva prava u skladu sa odredbama međunarodnog ratnog i humanitarnog prava. Na tome je posebno insistirao general Mladić. To je prelomna tačka u operaciji jer pripadnici 28. divizije nisu hteli da prihvate vojnički poraz i da dobiju status zarobljenika, nego su krenuli u neshvatljivu neizvesnost. Proboj iz okruženja jeste legitiman vojnički čin koji je uvek u istoriji ratova rizičan i donosi velike gubitke u ljudstvu. Radilo se o

⁵⁶⁷ Izjava zastupnika komandanta 28. divizije Ramiz Bećirović organima bezbednosti 2.K ABiH, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.33

⁵⁶⁸ Izjava zastupnika komandanta 28. divizije Ramiz Bećirović organima bezbednosti 2.K ABiH, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.35

jedinicama koje su bile već iscrpljene u prethodnim borbama i koje nisu imale ozbiljne izgleda da bez većih posledica izvrše proboj iz okruženja.⁵⁶⁹

5.95. Neprihvatanje vojničkog poraza u borbama oko Srebrenice, kao i odluka o odvajanju vojske i civila dovela je do iseljavanja stanovništva. To su činjenice, a sve ostalo što se navodi kao namera i postojanje plana za progon civila su neutemeljene tvrdnje, koje se ne mogu zasnovati na materijalnim dokazima niti argumentima. Pad Srebrenice nije bio dovoljan u vojničkom smislu. Priznanjem poraza i predajom oružja od strane muslimanskih oružanih formacija 28. divizije sprečio bi se verovatno i zločin nad zarobljenim vojnicima u toku proboja. Ima više indicija koje ukazuju na to da muslimansko vojno i civilno rukovodstvo u Srebrenici, a i u Sarajevu nije dozvoljavalo da se predaju snage 28. divizije. Dovoljno je svestrano analizirati sledeće činjenice koje ukazuju na verovatno namerno izazivanje napadne operacije jedinica VRS i umanjenje odbrambenih sposobnosti 28. divizije:

- izlazak ratnog komandanta Namera Orića iz Srebrenice tri meseca pre operacije;
- intenziviranje ofanzivnih borbenih dejstava i diverzantsko-terorističkih dejstava na srpskoj teritoriji protiv civilnog stanovništva i jedinica VRS;
- odbijanje predaje oružja od strane 28. divizije nakon vojnog poraza.

5.96. Svaka od navedenih činjenica zahteva dodatne komentare jer su upravo one znatno uticale na dramatične događaje, koji su posledica zarobljavanja muslimanskih snaga koje su se probijale iz okruženja i njihovog masovnog streljanja pod nerazjašnjenim okolnostima od strane različitih paravojnih, odmetničkih i osvetničkih grupa.

5. Zarobljavanje pripadnika 28. divizije A BiH, kao posledica operacije „Krivaja 95“

5.97. Nakon ulaska jedinica DK u Srebrenicu, zarobljavanje pripadnika 28. divizije A BiH, jeste jedna od posledica operacije „Krivaja 95“, ali nije njen sastavni deo.⁵⁷⁰ Zarobljavanje je nastalo kao posledica odluke načelnika štaba 28. divizije da se, skoro bez borbe povuče iz Srebrenice i prikupi u rejonu Jaglići-Šušnjari, na desetak kilometara od Srebrenice (Prilog broj 18 i 19). Na taj način vojne vlasti Srebrenice su grad faktički prepustile jedinicama DK VRS, a civilno stanovništvo usmerili ka Potočarima radi stavljanja pod zaštitu holandskog bataljona UN i iseljavanja na teritoriju pod kontrolom A BiH. Zarobljavanje većeg broja vojnika 28. divizije A BiH, u proceni operacije, nisu se očekivala niti u jednoj varijanti razvoja situacije. To se vidi iz osnovnog dokumenta za ovu „operaciju“, a to je Zapovest komande Drinskog korpusa Strogo pov.br. 04/156-2, od 02.07.1995. godine. „Zarobljene i razoružane muslimane smestiti u za to pogodne prostorije, koji se mogu obezbediti sa manjim snagama i odmah izveštavati pretpostavljenu komandu...“⁵⁷¹ Zarobljavanje kao zakonomerna posledica oružanog sukoba, jeste redovna pojava u svim ratovima i sa tog stanovišta ono se ceni kao legitimna vojna radnja. Što se tiče „ratnih zarobljenika u ovom dokumentu“ potčinjenim jedinicama se naređuje sledeće: „Organi bezbednosti i vojne policije odrediće rejone prikupljanja i obezbeđenja ratnih

⁵⁶⁹ Vidi Šire, Radovan Radinović, Analiza rukovodne nadležnosti Momira Pelemiša u događajima jula 1995. godine u rejonu Zvornika, 2010., str.20-21

⁵⁷⁰ Zapovest komande Drinskog korpusa za aktivna borbeno dejstva, Str.pov.br. 04/156-2, od 02.07.1995. godine – posebno deo o bezbednosti, str. 4 i 5.

⁵⁷¹ Naređenje komandanta Drinskog korpusa od 13.07.1995., str. 1, tačke 1, 2. i 3. (P02035)

zarobljenika i ratnog plijena...“⁵⁷² Shodno ovoj Zapovesti i nalogu pretpostavljene komande o izboru mesta za smeštaj ratnih zarobljenika, reagovao je i komandant Bratunačke brigade i svojom zapovešću takođe regulisao rejon prikupljanja ratnih zarobljenika. U tom dokumentu za mesto prikupljanja ratnih zarobljenika određen je rejon Pribičevac,⁵⁷³ desetak kilometara istočno od Srebrenice ka reci Drini. Mesto je skrajnuto od rejona očekivanih borbenih dejstava, pa je kao takvo odgovaralo i uslovima zaštite ratnih zarobljenika od posledica oružanih aktivnosti.

5.98. U Planu referisanja u komandi Bratunačke lake pešadijske brigade dana 03.07.1995. godine,⁵⁷⁴ na sastanku sa potčinjenim komandantima i organima štaba brigade, pomoćnik načelnika štaba brigade za popunu i personalne poslove, major Eškić je u svom izlaganju saopštio da će 11.07.1995. godine deliti medalje i druga priznanja za poginule borce brigade. A kao što je poznato, tog 11.07.1995. godine je Srebrenica pala u ruke VRS, Potočari su puni izbeglog stanovništva, iz Srebrenice, po položajima VRS dejstvuje avijacija NATO, a snagama 28. divizije gubi se svaki trag. Potpuno smo uvereni da komanda Bratunačke brigade ne bi planirala dodelu priznanja porodicama palih boraca, da je očekivala da će 11.07.1995. godine ili bilo kog drugog dana nastupiti ovako teške posledice kako su nastupile nakon pada Srebrenice. Jer, radi se o njenoj zoni odgovornosti. Uostalom, da je naša tvrdnja tačna, govori i činjenica da ta planirana dodela priznanja, tog 11.07.1995. godine nije obavljena, a nije nam poznato da li je i kada ona uopšte održana.⁵⁷⁵

5.99. Vojno sposobni muškarci iz Srebrenice, koji su se od 12.07.1995. godine, kada je otpočeo proboj iz okruženja, stavljeni su u status zarobljenika zato što oni i jesu bili pripadnici 28.divizije A BiH. Mnogi od muškaraca koji su bili u koloni, iako nisu bili naoružani, mogli su biti pripadnici 28. Divizije, jer je A BiH bila narodna vojska, kao i VRS. Isti taj status imaju i svi vojno sposobni muškarci koji su se uputili u toj koloni ka Tuzli, zato što VRS i policijske snage MUP-a koje su angažovane da taj proboj spreče nisu unapred mogle znati u šumi i vrletima ispresecanog zemljišta ko je vojnik, a ko civil. Nisu postojali vidni spoljašnji znaci na osnovu kojih bi se to na daljini moglo utvrditi u takvim uslovima zemljišta i vremenskih uslova sumraka i noći. Kolona u probodu iz okruženja je po svim odredbama vojne struke i doktrine legitiman vojni cilj. To znači da je prema njoj legitimno delovati kako bi se njen proboj sprečio i onemogućilo njeno spajanje sa ostalim snagama neprijateljske vojne sile. Takođe je njeno zarobljavanje potpuno legitimna vojna radnja. Naknadnom proverom je jedino bilo moguće ustanoviti ko je iz te mase vojnik, a ko civil. Rizik od gubitaka i zarobljavanja preuzima strana koja vrši proboj iz okruženja.⁵⁷⁶

5.100. Glavni štab je pokušavao da utiče na događaje oko proboda srebreničkih Muslimana ka Tuzli i Kladnju. Tim aktivnostima nije rukovodio general Mladić, nego general Milan Gvero. U jednom takvom naređenju Drinskom koprusu i potčinjenim brigadama je naloženo da se postaraju da najverovatniji pravci bega budu blokirani.⁵⁷⁷ U tom naređenju takođe je naloženo da se zarobljeni Muslimani drže na mestima gde ih može čuvati najmanji broj vojnika, te da

⁵⁷² Isto, str. 5, drugi pasus.

⁵⁷³ Zapovest komandanta Bratunačke lake pešadijske brigade, OP br. 439-2, od 05.07.1995. godine.

⁵⁷⁴ Vidi Knjiga: Referisanje i sastanci u komandi 1. brlpbr, str. 8. Uzimajući reč na tom sastanku u komandi brigade major Eškić je istakao da je za 11.07. planirana dodela medalja za poginule borce.

⁵⁷⁵ Radovan Radinović, Analiza rukovodne nadležnosti Momira Pelelića u događajima jula 1995. godine u rejonu Zvornika, 2010., str.22

⁵⁷⁶ Radovan Radinović, Analiza rukovodne nadležnosti Momira Pelelića u događajima jula 1995. godine u rejonu Zvornika, 2010., str.23

⁵⁷⁷ ERN 0308-4819-0308-4820, Naređenje GŠVRS-a broj 03/4-1629 od 13. jula 1995., Predmet: sprečavanje prolaska muslimanskih grupa ka Tuzli ili Kladnju – naređenje.

jedinice koje ih zarobe odmah o tome izveste svoju pretpostavljenu komandu. Konačno, u tom naređenju je izdata i direktiva da se Glavni štab izveštava o tekućim aktivnostima pravovremenim podnošenjem vanrednih borbenih izveštaja. Na tom naređenju bio je otkucan potpis general-potpukovnika Milana Gvera.⁵⁷⁸ Taj proces izveštavanja je kasnio u odnosu na realnu situaciju na terenu, pa zato komandovanje na operativnom i strategijskom nivou komandovanja nije moglo da utiče na stanje na terenu.

5.101. U toku proboja 28. divizije strujale su različite glasine, a deobe i sumnje između pojedinih ličnosti u komandi bile su izuzetno velike. To se vidi i po odnosu zamenika komandanta 28. divizije i 282. br A BiH. „Tu mi je prišao komandant 282. br. Dudić Ibro, pozvao je i komandanta 281. br. Tursunović Zulfu i saopštio mi je da ja pripremam njegovo ubistvo. Vidio sam da je uspaničen. Tražio je da se iz sastava 284. br. njemu vrate njegovi momci, izviđači, koji su bili na izviđanju terena. Ja nisam to dozvolio. On mi je rekao da je odredio deset momaka od kojih je sigurno da će neko od njih preći na slobodnu teritoriju, te da im je dao zadatak, ako ja pređem, da me ubiju. Ja sam vidio da je on uspaničen, pa sam pokušao da ga smirim, ali nisam uspeo. U rejonu Udrča je bio planiran odmor, tako da smo tamo zastali da prihvatimo kolonu. Po mojoj ocjeni tu je došlo oko polovinu lica koja su krenula u proboj. Na to mjesto nije stigao komandant 282. br. sa većinom svog ljudstva. Po pristizanju manjih grupa pristizale su i razne informacije o stanju na začelju kolone, od toga da su ih opkolili četnici još na odmorištu, da su četnici ulazili u kolonu i odvodili razne grupe na stranu, te da je bilo mnogo pobijenih. Međutim, kada su počeli navoditi imena lica koja su viđena ubijena, ustanovio sam da su ta lica među nama u rejonu Udrča, tako da nisam mogao da prihvatim sve te informacije kao tačne. Bilo je informacija da su neki ljudi išli na pregovore sa četnicima, ali ta informacija nije mogla da se provjeri. ... Napravili smo liniju prema Baljkovici, a kasnije je krenula i glavnina našeg dijela kolone. To veče smo otpočeli borbu radi proboja prema slobodnoj teritoriji. U tim borbama smo tri tenka zarobili, jedan smo ujutro tenk uništili kada je raketirao prema Baljkovici; uništili smo dva kamiona i jednu pragu, a jednu pragu smo zarobili. Pošto je pala noć, obustavili smo borbe, da bi (smo) ih ujutro nastavili. Pošto smo mogli da uključimo samo jedan tenk u borbu, pri našem kretanju smo zapalili rezervoare za gorivo, jer na drugi način ih nismo mogli uništiti. Istovremeno sa našim napadom iz pravca slobodne teritorije je krenuo napad koji je vodio komandant Naser Orić, ali oni nisu taj dan mogli da probiju liniju odbrane četnika. To jutro su i oni ponovo napali na liniju iz pravca Nezuka i u sadejstvu sa našim snagama, uspjeli smo se spojiti negdje oko 12 sati, kada sam se susreo sa Naserom. Preko te linije su se naše snage izvlačile više dana, pa i u manjim grupama, a četnici su uspostavili raniju liniju već nakon dva dana“.⁵⁷⁹

5.102. Odvajanje vojno sposobnih muškaraca koje je izvršeno u bazi UNPROFOR-a u Potočarima sporno je u moralnom pogledu, ali je vojnički opravdano radi otkrivanja prikrivenih zločinaca. Zarobljavanje u toku proboja pripadnika kolone 28. divizije jeste uobičajena radnja koja je legitimna u svim oružanim sukobima i ratovima. Neophodno je razmotriti sve okolnosti koje su dovele do tog odvajanja dela muškaraca u Potočarima jer je postojala opravdana sumnja da je deo njih mogao učestvovati u zločinima nad srpskim narodom u Podrinju. To je legitiman vojni postupak i radnja, ali nije dalji postupak i odnos prema zarobljenima koji je doveo do masovnih zločina i stradanja. To je sramota i zločin koji nikada nije bio svojstven VRS. Za ove zločine nije znao komandant GŠ VRS, niti ih je naredio niti odobrio. Pogubljenje zarobljenika, nakon operacije, jeste velika strateška greška koju strategijski nivo komandovanja VRS niti je

⁵⁷⁸ Richard J. Butler, Izvještaj o komandnoj odgovornosti u Glavnom štabu VRS-a, 2006., Str.30

⁵⁷⁹ Izjava zastupnika komandanta 28. divizije Ramiz Bećirović organima bezbednosti 2.K ABiH, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str. 34 do 36

očekivao niti je nažalost mogao da spreči jer nije imao efektivnu kontrolu situacije na terenu u zoni proboja i na mestima gde su bili smešteni zarobljenici. Ta ogromna strateška greška političkog i vojnog rukovodstva RS, od strane Tužilaštva označena je kao namera i smišljena radnja u udruženom zločinačkom poduhvatu. Pri analizi prikupljene građe nije bilo moguće naći podatke koji ukazuju na postojanje plana ili namere na strategijskom ili operativnom nivou komandovanja da se izvrši masovni zločin niti da se muslimansko stanovništvo nasilno protera iz enklave Srebrenica i Žepa.⁵⁸⁰ Da je postojala namera na strategijskom ili operativnom nivou za progonom Muslimana iz Srebrenice o tome bi ostao neki materijalni dokaz, a i to bi uradili 1993. godine pre proglašenja zaštićenih zona.

5.103. Na odvajanje vojno sposobnih muškaraca od ostalog stanovništva u Potočarima obavezala je i Odluka predsednika RS o imenovanju civilnog komesara za opštinu Srebrenica. U toj odluci je naređeno sledeće: „Komesar će obezbediti da civilni i vojni organi sve građane koji su učestvovali u borbi protiv Vojske Republike Srpske, tretiraju kao ratne zarobljenike.“⁵⁸¹ Ova odluka je, dakle, naložila da se status svih vojno sposobnih muškaraca mora proveriti, da bi se utvrdilo ko je od njih učestvovao u borbama, a ko je bio u pravom smislu civil. A ta provera i trijaža nije bila moguća bez prethodnog odvajanja muškaraca od civilnog stanovništva. Slična tvrdnja može se naći i u Izveštaju Ričarda Batlera koji se odnosi na sastanak generala Mladića sa predstavnicima UNPROFOR-a i muslimanskih civila sa kojima je usaglašen postupak iseljavanja iz Potočara. Tim povodom Batler je zapisao sledeće: „General Mladić (u prisustvu general-majora Krstića i drugih) obznanio je namjeru da odvoji muškarce starosti od 16 do 60 godina radi provjere da li su ratni zločinci.“⁵⁸²

5.104. Svemu što je rečeno treba dodati i podatak da je u Bratunačkoj lakoj pešadijskoj brigadi postojao spisak od 387 Muslimana za koje se sumnjalo da su izvršili zločin prema civilima srpske nacionalnosti na području grada i opštine Srebrenica. I ta činjenica je išla u prilog odluci da se izvrši provera svih vojno sposobnih muškaraca u Potočarima i utvrdi da li su učestvovali u borbama protiv VRS i da li su izvršili neki zločin prema srpskim civilima. A ta provera nije bila moguća bez prethodnog odvajanja muškaraca od ostalog stanovništva. Pitanje kako je došlo do zarobljavanja na ovom mestu se postavlja iz prostog razloga što se i sam čin zarobljavanja Optužnicom stavlja na teret generalu Mladiću. Nakon pada Srebrenice pod kontrolu VRS 11.07.1995. godine oko 15.30 časova, ali i nešto pre toga grad je bio pust. Civilni i deo vojno sposobnih muškaraca se uputio u bazu UN u Potočare koju je držao holandski bataljon UNPROFOR-a. Izdvojeni muškarci iz baze u Potočarima doživeli su tragičnu sudbinu i ubijeni delom u samim Potočarima, neki i u Bratuncu dok su čekali da budu odvedeni u širi rejon Zvornika. Većina je likvidirana zajedno sa drugim ratnim zarobljenicima na pojedinim lokalitetima opštine Zvornik.⁵⁸³ Ne postoje činjenice i podaci koji upućuju na komandnu odgovornost i uticaj generala Mladića na izvršenje zločina nad zarobljenicima. To se posebno potvrđuje i fizičkom odsutnošću nakon pada Srebrenice od 14 do 16. jula kada se nalazo u Beogradu.⁵⁸⁴

⁵⁸⁰ Vidi šire, Radovan Radinović, Ekspertiza o rukovodnoj odgovornosti dr Radovana Karadžića, 2012., str.137-140

⁵⁸¹ Odluka o imenovanju civilnog povjerenika za opštinu Srebrenica, broj 01-135/95, od 11.07.1995. godine.

⁵⁸² Ričard Batler, Iskaz o vojnim događajima u Srebrenici – operacija „Krivaja 95“, str. 32, tačka B, paragraf 5.17.

⁵⁸³ Radovan Radinović, Analiza rukovodne nadležnosti Momira Pelemiša u događajima jula 1995. godine u rejonu Zvornika, 2010., str.25

⁵⁸⁴ Vojni veštak optužbe Ričard Danat rekao je, na suđenju Ratku Mladić pred Haškim tribunalom, da je Mladić 14, 15. i 16. jula 1995. bio u Beogradu na sastancima s tadašnjim predsednikom Srbije Slobodanom Miloševićem i predstavnicima međunarodne zajednice, na sastanku je prisustvovao i komandant UNPROFOR-a, general Rupert

5.105. Postavlja se pitanje zašto 28. divizija nije pružila adekvatan otpor u odbrani enklave? Zašto je ona tako lako i tako brzo prepuštala da delovi enklave, pa i sam grad, za nepunih pet dana padnu u ruke snaga VRS ? Vojnički je to teško objašnjivo, osim ako u celom haosu ratne drame nisu bili uključeni i neki drugi politički razlozi i namera onih koji su upravljali ratom u BiH. Ovde svakako treba imati u vidu i opšte nepovoljno stanje morala i vojske i naroda koje je bilo rezultat dugovremenog života u operativnom okruženju i bez prave slobode kretanja, što je iz dana u dan urušavalo borbeni moral naroda i njegove vojske. No, i pored toga ovaj laki i brzi poraz 28. divizije više liči na prokletstvo, a ne na borbeni uspeh dela snaga Drinskog korpusa. Kao da nije postojalo dovoljno vizije da se proceni da je zločin realno moguć te da sve preduzme da do njega ne dođe.

5.106. Kod ocene ovih vojnih aktivnosti u samom gradu, na njegovim prilazima, valja imati u vidu i činjenicu da je u gradu živio veliki broj stanovnika, prvenstveno meštana i izbeglih iz šireg i užeg okruženja grada i Podrinja. To stanovništvo je živelo u uverenju da muslimanske snage 28. divizija i UNPROFOR neće dozvoliti da njihov grad padne u ruke VRS. Činjenica da snage i komandni sastav 28. divizije neće da se odlučnije angažuju u odbrani grada, predstavnici civilne vlasti zapazili su znatno ranije od dana i časa kada su snage DK ušle u grad. O tome svedoči pismo koje je predsednik opštine uputio civilnim i vojnim vlastima BiH.⁵⁸⁵ Na to upozorenje nije bilo nikakve reakcije, što je takođe vojnički neobjašnjivo. Međutim novije informacije govore o tome da je političko i vojno rukovodstvo još od 1993. godine ozbiljno razmišljalo o preseljenju stanovništva Srebrenice i Žepe u Vogošću te da je o tome razgovarao Alija Izetbegović i dr Radovan Karadžić. O tome svedoči intervju sa Alijom Izetbegovićem koji je tek objavljen 2012. godine.⁵⁸⁶ Kada se i to ima u vidu onda se može reći da je predvidiva odluka civilne vlasti i stanovništva Srebrenice da se isele i da ih niko na to nije prisiljavao. Tokom celog građanskog rata u BiH postojala je zakonomernost ponašanja stanovništva na sve tri ratujuće strane u BiH, da je pratilo sudbinu vojske koja ga je štitila i branila. Uvek kada je vojska jedne strane u sukobu prepuštala prostor protivniku, stanovništvo je kretalo u egzodus – spontano ili organizovano. To je bila redovna pojava u građanskom ratu u BiH. Stanovništvo iz egzistencijalnog strah od osвете ili iz drugih razloga nije bilo spremno da ostane na prostoru na koji dolazi vojska koju ne smatraju svojom, već je smatrali zločinačkom organizacijom i spas tražili u povlačenju zajedno sa svojom vojskom. To se dogodilo u Posavini, Centralnoj Bosni, u dolini Neretve, u Semberiji, u Centralnom Podrinju i to u nekoliko tzv. izbegličkih talasa, u Sarajevu.

5.107. Teško je poverovati da vojne vlasti u Srebrenici, ali i državni vrh BiH, nije mogao predvideti da će stanovništvo tražiti da se iseli ako snage 28. divizije ne budu odbranile grad. Ako se ta činjenica zna, te ako se znaju inicijative i ponude za razmene stanovništva i teritorija između zaraćenih strana, onda je legitimna sumnja u sam tok i posledice operacije za zauzimanje Srebrenice. Takođe, kada stanovništvo iz straha ili nekog drugog razloga – napušta prostor, ni

Smit (izvor: www.rts.rs/page/stories/sr/story/135/Hronika/1442392/Veštak%3A+Mladić+komandovao+i+iz+Beograda.html)

⁵⁸⁵ Obavijest Predsjednika Predsjedništva, br. 01/95, od 09.07.1995.

⁵⁸⁶ Intervju Šefka Hodžića sa predsednikom Alijom Izetbegovićem, Stradanje Srebreničana-najveća nesreća u našim životima (Predsjednik Alija Izetbegović mi je decembra 1999. i januara 2000. godine odgovorio na veliki broj pitanja o odbrani i padu Srebrenice i Žepe. Ovaj razgovor do sada nisam objavio i to je jedini intervju predsjednika Izetbegovića za koji javnost ne zna. Naime, predsjednik Izetbegović i ja smo se dogovorili da intervju objavim u knjizi. S obzirom na to da sam ovaj intervju već uvrstio u rukopis knjige, odlučio sam se da u ovom broju Koraka, koji dobija novu fizionomiju, iz rukopisa knjige, ekskluzivno objavim upravo dijelove tog razgovora s predsjednikom Izetbegovićem). KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., Str.16

vojska ne ostaje, već i ona odlazi iz prostog razloga što je njeno fundamentalno opredeljenje odbrana zavičaja i domova, jer su to u osnovi bile narodne vojske, koje ni do kraja rata nisu imale obrise manevarske profesionalne vojske. Nakon Dejtonskog mirovnog sporazuma veći deo Srpskog Sarajeva pripao je Muslimanima. Oko 150.000 Srba je napustilo svoj zavičaj. Jedan manji deo ostao je u Istočnom Sarajevu, a veći deo otišao je u Podrinje, Posavinu i Semberiju, dok su na njihove prostore došli Muslimani težišno iz Podrinja i Semberije. Kada se to ognjište gasi odlaskom stanovništva, tada prestaje temeljni razlog za vojno angažovanje i vojska napušta položaje. Ovo je bila zakonomerna pojava u građanskom ratu u BiH i Hrvatskoj.

5.108. Delovanje UNPROFOR-a bilo je uslovljeno različitim činiocima. Holandski bataljon nije raspolagao takvom količinom borbene moći koja bi bila u stanju da na prilazima gradu zaustavi napredovanje VRS. To i nije bio njegov mandat, pogotovo što su odlično znali da Srebrenica i Žepa nisu zaštićene zone, pošto nisu demilitarizovane. No, ako se uzme u obzir ceo arsenal moći kojim je UNPROFOR raspolagao, a tu su pre svega misli na NATO koji je davao vojnu podršku misiji UNPROFOR-a, tada stvari dobijaju sasvim drugačiji izgled. Ako ceo mehanizam UN, uključujući i UNPROFOR, nije želeo da Srebrenicu prepusti VRS, onda je on to mogao i da delimično kontroliše ali ne i da spreči. Kako su se ponašali oni koji su bili pretpostavljeni holandskom bataljonu i koji su bili dužni da ga u svemu podrže posebna je tema za analizu? Najpre, komanda UNPROFOR-a u BiH, glavnokomandujući, gen. Rupert Smit se verovatno nije nadao takvom raspletu situacije, bez obzira što je Srebrenica u to vreme bila najakutniji krizni prostor za ceo mandat UNPROFOR-a. Na snazi je u to vreme bila operacija NATO „Zabranjen let“. Teško je razumeti da sa toliko moćnih izviđačkih sistema i avijacije NATO i UN posmatrača nisu mogli da otkriju da se dešavaju likvidacije ratnih zarobljenika koje su trajale nekoliko dana. Takav stepen slučajnosti i ne predviđanja mogućnosti nastanka zločina od strane GŠ VRS, GŠ A BiH, NATO i UN, kao i odsustvo prave reakcije svih učesnika u krizi jeste nerazumljivo. Srebrenička kriza i zločin se ne mogu ničim opravdati niti objasniti potpuno racionalno, ali je zato i neosnovano svu krivicu pripisivati srpskom političkom i vojnom rukovodstvu. U Podrinju je postojao osvetnički potencijal u vojničkom sastavu VRS zbog zločina koje su počinile muslimanske snage u širem regionu Srebrenice. Naprosto se kao neodoljiv zaključak nameće da je neko želeo da se upravo dogodi masovni zločin, koji se na žalost i dogodilo. Pijetet prema nedužno stradalim i zebnja da se ovo ne shvati kao pravdanje ili amnestiranje bilo koga na srpskoj strani sprečava nas da dalje analiziramo i šire elaboriramo okolnosti pod kojima se desio zločin i masovna stradanja snaga u toku proboja.⁵⁸⁷

5.109. Tokom 11.07.1995. godine pripadnici 28. divizije i muškarci koji su im se priključili našli su se na prostoru Šušnjari-Jaglići, na desetak kilometara od Srebrenice. Sama činjenica da se ta vojska i naročito vojno sposobni muškarci našla tu, a ne na nekom drugom mestu, jasno ukazuje da je to bila planska ili naređena odluka. Ramiz Bećirević, načelnik štaba 28. divizije, u to vreme i u odsutnosti komandanta Nasera Orića, iznosi dosta detalja za formiranje predstave kako je do toga došlo. Odluka je bila da kolona krene u proboj ka Tuzli, odnosno ka teritoriji pod kontrolom A BiH. Koliko je brojna bila ta grupacija i koliki broj je otpadao na vojnike, a koliki na civile, to se pouzdano ne može reći. Ipak, ako se zna da je prilikom poslednje reorganizacije 28. divizija brojala oko 10.400 ljudi – uključujući brigadu u Žepi, u rejonu Šušnjari i Jaglići tog 11.07. naveče bilo je oko 6.000 vojnika pod oružjem.⁵⁸⁸

5.110. Veliki broj vojnika i vojno sposobnih muškaraca, krenuo je 11/12.07. iz rejona Šušnjari-Jaglići ka Tuzli, kako bi se što pre dočepao teritorije pod kontrolom A BiH. U vojnoj doktrini i

⁵⁸⁷ Vidi šire, Radovan Radinović, Analiza rukovodne nadležnosti Momira Pelemiša u događajima jula 1995. godine u rejonu Zvornika, 2010., str.27-28

⁵⁸⁸ Vidi dokument – Izjavu R. Bećirevića datu organu 2. K nakon pristizanja u Tuzlu.

teoriji ta radnja se naziva Proboj iz okruženja. Prostor na kome se vršio proboj bio je veoma težak i ispresecan, čija je dubina iznosila oko 100 kilometara. Ako se uzme u obzir da je kolona zbog otpora jedinica VRS, nekoliko puta bila razbijena i menjala pravac kretanja, onda se dolazi do zaključka da su gubici u tim zasednim dejstvima i susretnim borbama bili ogromni. To svedoče i izjave učesnika proboja i rezultati vojne analize. Ako se uzme u obzir da se radilo o teško prohodnom zemljištu, da se kolona kretala peške, da je na putu morala savladati nekoliko linija sudara sa snagama DK, lako je doći do zaključka da taj proboj nije mogao trajati kraće od 5-6 dana. A to je vreme koje znatno nadilazi očuvanje borbene sposobnosti za proboj. U toj velikoj nesreći, sreća je što ni jedinice VRS nisu imale adekvatnu borbenu sposobnost, odlučnost pa ni moral da po svaku cenu spreče proboj. Bilo je dosta slučajeva da su se pojedine jedinice sklanjale čak sa pravaca proboja kolone.

5.111. Valja uzeti u obzir da 28. divizija nije raspolagala odgovarajućim elementima vojnih snaga koje su neophodne za borbenu podršku proboja iz okruženja. Takođe, proboj iz okruženja spada u najteže borbene radnje koje izvode jedinice na bojištu. Negativna okolnost je bila i u tome što je i prethodno stanje borbene gotovosti 28. divizije bilo nepovoljno za izvođenje tako teške, složene i neizvesne borbene radnje, kao što je proboj iz okruženja. Nije razumljivo čime su se rukovodile političke i vojne vlasti u Srebrenici i Sarajevu, pri donošenju odluke o proboju iz okruženja. S obzirom na činjenicu da ta divizija nije raspolagala ni elementarnim preduslovima za izvođenje navedene borbene radnje, odluka da se krene u proboj kroz borbeni raspored Drinskog korpusa ne može se drugačije okvalifikovati nego kao žrtvovanje ovih snaga, ali se ne može shvatiti za koje je više ciljeve ove snage trebalo da stradaju. Danas se već pouzdano zna da je pad Srebrenice i proboj iz okruženja u vojnom smislu iracionalan, ta da je zasigurno predstavljao žrtvovanje dela snaga 28. divizije A BiH u funkciji ostvarenja političkih ciljeva Muslimanskog rukovodstva u Sarajevu. O tome postoje izjave i svedočenja komandanata i irukovodilaca⁵⁸⁹ Rukovodstvo VRS i A BiH ponašala su se iracionalno jer su odluke na stratejskom i operativnom nivou komandovanja bile nepromišljene i u suštini nisu uvažavale objektivno stanje međusobne mržnje i osвете koje su se zasnivale na prethodnim zločinima koje su muslimanske snage počinile u Podrinju. Pored zločina koje su počinile muslimanske snage od 1992. pa do 1995. godine u širem rejonu Bratunca, Kravice i Srebrenice nastavljeno je sa ubacivanjem DTG i ubijstvima civila i vojnika DK u dubini teritorije. U mesecima koji su prethodili operaciji, ubacivanjem diverzantskih grupa jedinice 28. divizije naneli su velike gubitke jedinicama VRS i civilnom stanovništvu.⁵⁹⁰ Na taj način 28. divizija A BiH probudila je kod dela vojničkog sastava DK VRS, kome su stradali najbliži želju za osvetom. Osveta na Balkanu je istorijska kategorija koja često na zločin odgovara još većim zločinom i stalno razvija tu spiralu nasilja i zločina u novim istorijskim okolnostima. Ta spirala zločina bila je konstanta međunacionalnih i verskih sukoba u dvadesetom veku, koja se pojačavala u toku svetskih ratova i u periodu okupacije od strane velikih sila.

5.112. Pre nego se uopšte znala odluka i ponašanje 28. divizije, GŠ VRS i komanda Drinskog korpusa preduzeli su neophodne borbene i operativne mere, koje bi sprečile eventualni prolazak ubačenih jedinica 2. K A BiH ili diverzantskih grupa 28. divizije. Najpre su na komunikaciji Bratunac-Konjević polje dovedene snage specijalne policije MUP-a RS čiji je zadatak bio potpuna kontrola navedenog pravca. Istovremeno je u Konjević polju nešto ranije dovedena jedna četa posebnih jedinica policije (ČPJP) Centra bezbednosti Zvornik, a u Novoj Kasabi je bio raspoređen policijski bataljon 65. Zaštitnog puka GŠ VRS. Ispred snaga 28. divizije, tj. na

⁵⁸⁹ Što se može videti u svedočenju zaštićenog svedoka KW-586, kao i knjizi Ratka P. Škrbića SREBRENIČKA PODVALA.

⁵⁹⁰ Preko 60 poginulih vojnika i više ranjenih. Popaljeno više sela i počinjeno više ubijstava starih lica.

pravcu njihovog proboja su odbranu organizovale snage Bratunačke lake pešadijske brigade i Milićka laka pešadijska brigada. Po dubini na pravcu proboja 28. divizije u širem rejonu Baljkovice, frontom okrenutom ka Tuzli, odbranu je organizovala Zvornička pešadijska brigada, koja je bila jedna od najjačih brigada Drinskog korpusa.

5.113. Što se tiče metoda i taktičkih modela za sprečavanje proboja 28. divizije, Drinski korpus je na raspolaganju imao veoma malo snaga, pa je zato pribegao zasedama na uzastopnim položajima počev od Udrča, preko Snagova i Glođanskog brda, do Baljkovice i Nezuka. Na tom borbenom putu 28. divizija je morala probijati odbranu i zasede jedinica DK na 5 do 6 linija sudara na kojima je pretrpela ogromne gubitke. Do dolaska u rejon Baljkovica, na krajnjem izlazu iz zone odgovornosti DK i zone odbrane Zvorničke brigade, 28. divizija je izgubila gotovo polovinu svojih snaga. Radi se o brojki koja je nastala kao rezultat procene borbenih izveštaja i broja streljanih u masovnim zločinima. Što cela divizija i njoj priključeni neutvrđeni broj vojno sposobnih muškaraca nije totalno uništena, treba povezati sa dejstvima Zvorničke brigade i odlukama njenog komandanta koji je u presudnim momentima otvorio front kod Baljkovice i Nezuka 16. i 17.07. i tako od uništenja spasio više hiljada ljudi.⁵⁹¹

5.114. U Srebrenici skoro svo vreme rata nije postojala prava vojna disciplina i odgovornost. Narušenost linije komandovanja posebno je došla do izražaja u toku proboja kolone 28. divizije A BiH. Čak su postojale glasine da postoje spiskovi za likvidaciju neistomišljenika i onih koji nisu po volji ekstremista. U tom smislu Meholfić ne zna da li su postojali spiskovi za likvidaciju srebreničkih Muslimana. koji su previše znali, ali je potvrdio da je lično bio upozoren „da se čuva”. Ratni načelnik Policijske stanice u Srebrenici Hakija Meholfić potvrdio je izjave predratnog predsednika Izvršnog odbora te opštine Ibrana Mustafića da su mnogi Bošnjaci stradali prilikom povlačenja iz Srebrenice prema Tuzli. Meholfić je, naime, rekao da ne zna da li su postojali spiskovi za likvidaciju srebreničkih Bošnjaka, koji su prema mišljenju tadašnjih muslimanskih struktura previše znali, ali je potvrdio da je lično bio upozoren „da se čuva” jer se nalazi na listi za likvidaciju. Meholfić je agenciji Srna izjavio da mu je prilikom povlačenja u koloni prišao Hamdija Fejzić, aktuelni potpredsednik Skupštine opštine Srebrenica i rekao mu da se - čuva jer je na spisku za likvidaciju. „Pitao sam ga - od koga da se čuvam? A on je odgovorio: Dovoljno sam ti rekao“, priča Meholfić i navodi da je kada je saznao za tu opasnost počeo da „igra svoju igru“. „Odvojio sam se od kolone koja se već više puta prekidala u opštem rasulu i kada sam stigao na teritoriju pod kontrolom Armije BiH, prikrrio sam se nekoliko sati i nisam odmah izašao iz šume iako su me poimenično dozivali, što znači da je neko pratio i tačno znao da sam bio u toj grupi“, ispričao je Meholfić. On objašnjava da nije bio član Stranke demokratske akcije (SDA), odnosno da je sa njenim liderima bio u sukobu i da do danas nije saznao da li su zaista oni pravili spiskove za likvidaciju. „Ubrzo sam u Tuzli „progovorio“ za medije i ispričao šta se sve dešavalo u Srebrenici, a to sam učinio da bih sačuvao sebe. Kao dugogodišnji policajac znao sam da me, kada navedem imena onih koji su odgovorni i od kojih mi je pretila potencijalna opasnost, ne smeju likvidirati, jer bi se znalo ko je to učinio, potvrdili bi time moje sumnje i morali bi da odgovaraju“, kaže Meholfić. On se priseća da se kolona koja je krenula od Srebrenice više puta prekidala, grupe su se odvajale, mnogi su ostajali zbog iscrpljenosti, ranjenici nisu mogli izdržati pešačenje i dolazilo je do nervnih rastrojstava i samoubistava, kao i vraćanja pojedinaca i grupica nazad prema Srebrenici radi hrane. „U takvom stanju bespomoćnosti i napuštenosti ljudi su svašta radili - ubijali su se bombama i na druge načine, očevi su ostavljali lakše ranjene sinove, jer ih nisu mogli nositi i svako je u tom rasulu mislio kako da sačuva vlastiti život“, priseća se Meholfić. Meholfić potvrđuje da su mnogi

⁵⁹¹ Radovan Radinović, Analiza rukovodne nadležnosti Momira Pelemiša u događajima jula 1995. godine u rejonu Zvornika, 2010., str.30-35

nastradali u duševnom rastrojstvu, ali da se tačni podaci o tome nikada neće saznati zbog rasula koje je tada nastupilo. Ljudi su kretali na razne strane, po vlastitim procenama i planovima, grupe Bošnjaka su lutale šumama, susretale se i otvarale vatru jedne na druge, neki su se vešali, ubijali, nailazili na minska polja. On, kao i Ibran Mustafić, okrivljuje Aliju Izetbegovića i SDA za, kako kaže, „izdaju Srebrenice“ i ponavlja ono što je davno izneo u javnost - da je Izetbegović delegaciji iz Srebrenice tokom rata u Sarajevu rekao da treba žrtvovati oko 5.000 ljudi da Srbi uđu u Srebrenicu, pa da se izazove međunarodna intervencija i bombardovanje Republike Srpske. Ističe da je bošnjački ratni politički i vojni vrh omogućio Naseru Oriću izlazak iz Srebrenice nekoliko meseci pre njenog pada, što je, kako kaže, bio znak da je „Srebrenica žrtvovana“.⁵⁹²

5.115. Direktnе posledice proboja iz okruženja jesu veliki gubici i masovna zarobljavanja pripadnika 28. divizije. Ona su se desila na više mesta, a posebno: na putu Bratunac-Konjević polje-Nova kasaba i ta zarobljavanja su se odigrala 12. i 13.07.1995. godine, a vršila ih je policija MUP-a RS i neke jedinice Bratunačke brigade, potom u širem rejonu Konjević polje, takođe 12. i 13.07., a vršila ih je četa posebnih jedinica policije CSB Zvornik i jedinice DK koje su bazirale u tom rejonu, te u rejonu Nove Kasabe 13.07.1995. godine, a vršila ih je Milička laka pešadijska brigada i policijski bataljon 65. zaštitnog puka GŠ VRS. Zarobljavanja je bilo i na drugim mestima, ali se tu radi o manjim grupama ili pojedinačnim zarobljavanjima.⁵⁹³

5.116. Tokom večeri 13. jula 1995. godine, autobusi i kamioni započeli su proces prebacivanja muškaraca Muslimana (odvojenih u Potočarima i zarobljenih iz kolone) iz područja Bratunca u zatočeničke objekte u zoni 1. zborničke pešadijske brigade. Do sredine popodneva 14. jula 1995. godine, nekoliko hiljada muškaraca Muslimana već je bilo zatočeno u grbavačkoj školi u Orahovcu, novoj petkovačkoj školi (u Petkovcima), piličkoj školi u Kuli, Domu kulture u Pilici i možda u školi u Ročeviću. U vreme dok se ovo dešavalo, major Dragan Obrenović je bio načelnik štaba 1. zborničke pešadijske brigade. Osim toga, obzirom na neprestano odsustvo komandanta brigade, on je istovremeno bio zamenik komandanta brigade. Major Dragan Jokić, oficir inženjerac 1. zborničke brigade je takođe prisutan u svojstvu operativnog dežurnog oficira u danima 14. na 15 jula 1995. godine. U popodnevним satima 14. jula 1995. godine, izvršeno je prvo od pet masovnih pogubljenja. U jednom sistematskom procesu, muškarce Muslimane su odvodili iz škole, prebacivali na obližnje stratište i pogubljivali pripadnici 4. pešadijskog bataljona 1. zborničke pešadijske brigade. Inženjerska oprema inženjerske čete Zborničke brigade korišćena je za pokopavanje mrtvih. Ovaj proces je nastavljen nakon što je pao mrak 14. jula 1995. godine.⁵⁹⁴ Za ovakve podatke ne postoji dovoljno dokaza, da li se sve odigralo po sadržaju i vremenu na ovaj način, ali predstavlja osnovu za preispitivanje podataka i utvrđivanje istine. Bitno je uočiti da su se sve radnje odvijale bez znanja i bilo kakve direktne uključenosti generala Mladića u te događaje. Samo izdvajanje jednog broja muškaraca u Potočarima bilo je u funkciji identifikovanja počinitelja zločina nad srpskim civilnim stanovništvom u Podrinju u prethodnim godinama rata. Sam taj čin izdvajanja i saslušavanja nije dokaz da je general Mladić uticao na njihovo pogubljenje koje se desilo u narednim danima.

5.117. Dana 15. jula 1995. godine, dokumenti pokazuju dalje aktivnosti koje se tiču vojne operacije duž puta. Kao što je u svom izveštaju naveo Dragomir Vasić iz CJB, dve čete MUP-a sa Jahorine i dalje su bile na putu Kravica-Konjević Polje-Kasaba. On takođe govori o prisustvu jednog voda PJP iz CJB Zvornik, jednog tenka (sa posadom) i delovima snaga Centra za uzgoj i

⁵⁹² Novi standard, 27. februar 2013. godine

⁵⁹³ Radovan Radinović, Ekspertiza za Srebrenicu, 2000. (D 160)

⁵⁹⁴ Richard J. Butler, Iskaz o vojnim događanjima u Srebrenici (revizija)-operacija „Krivaja 95“, 2002. str.3

dresuru pasa, koji vode borbe sa zaostalim snagama bosanskih Muslimana.⁵⁹⁵ Dragomir Vasić takođe kaže da su 1. četa PJP, delovi 2. i 4. odreda SOP (veruje se da su to specijalni odredi policije), ojačani tenkom, Pragom, BOV-om i minobacačkom četom krenuli u pravcu Crnog Vrha-Baljkovice zajedno sa VRS da bi zamenili ljudstvo na linijama Zvorničke brigade.⁵⁹⁶

5.118. Ubrzo nakon što su završena ubistva u Orahovcu, zarobljenici su sistematski odvedeni iz škole u Petkovcima, prebačeni do obližnje petkovačke brane i pogubljeni. Ovaj proces je okončan u zoru 15. jula 1995. godine. Mašine za zemljane radove pod kontrolom inženjerske čete Zvorničke brigade korišćene su za pokopavanje mrtvih. Dok su se odvijala ova prva dva masovna pogubljenja, čelo kolone 28. divizije A BiH naišlo je na snage Zvorničke brigade, koje su pokušavale da ih uhvate u zasedi. U konfuznim borbama koje su usledile, snage Zvorničke brigade su potisnute i muslimanska kolona počela je da opkoljava pozadinu tri bataljona Zvorničke brigade. Zbog ovog opasnog razvoja situacije u zoni Zvorničke brigade, snage poslane u blizinu Žepe, pod komandom potpukovnika Vinka Pandurevića, brzo su se vratile u zonu. Sve rezervne snage Zvorničke brigade takođe su angažovane u borbama koje su bile intenzivne i sa velikim gubicima na obe strane. Po povratku u zonu svoje brigade 15. jula 1995. godine, potpukovnik Pandurević brzo je procenio situaciju i poslao vanredni borbeni izveštaj komandi Drinskog korpusa. U ovom izveštaju napominje da je pored borbenih dejstava dodatno opterećenje brigadi „veliki broj zarobljenika razmeštenih po školama u zoni brigade, kao i obaveze obezbeđenja i asanacije terena“ (pokopavanje tela). To govori u prilog tvrdnji da je u zoni proboja bilo puno vojnika i civila koji su poginuli u uzastopnim borbama, u zasedama i u borbama u susretu.⁵⁹⁷

5.119. Zona Zvorničke brigade je u značajnoj meri bila mesto gde je izvršena većina organizovanih masovnih pogubljenja vezanih za pad srebreničke enklave. Tokom ovog istog perioda, Zvornička brigada je učestvovala u žestokim borbama sa muslimanskom kolonom iz bivše srebreničke enklave. Ova kolona, koja je krenula najdirektnijim pravcem prema Tuzli, naišla je na zasede Zvorničke brigade u predvečerje 14. jula 1995. godine i, do 15. jula 1995. godine, kolona i snage Zvorničke brigade sukobile su se u relativno žestokoj bici sa muslimanskim snagama 28. divizije.⁵⁹⁸

5.120. Što se tiče redosleda borbenih dejstava i krivičnih dela, prema svedočenjima preživelih, pogubljenja na poljima u Orahovcu počela su rano popodne 14. jula 1995. godine. U to vreme, Zvornička brigada još uvek nije otpočela borbe sa čelom jedinica 28. divizije A BiH koja se približavala sa juga. Javljeno je da je kolona naišla oko 18.00 sati i da je razbijena bez teškoća oko devet kilometara južno od Orahovca. Najkasnije u 20.30 sati, muslimanska kolona (ovaj put prestrojena i prema opisu duga dva do tri kilometra) već se probila kroz zasede. U tom trenutku, u Orahovcu, pet kilometara severnije, još uvek se vrše pogubljenja. Kolona (onako kako je njeno kretanje ucrtano na kartama VRS) se nije približila Orahovcu više od tri kilometra. Kad su aktivnosti u vezi sa pogubljenjima prestale u Orahovcu, počele su u Petkovcima, šest kilometara

⁵⁹⁵ Prema Butler, Isto .str.59

⁵⁹⁶ Isto, str.59

⁵⁹⁷ Prema dokaznom predmetu D280 u Predmetu Tolimir, u februaru 2012. godine, više vojnika 28. divizije koji su se uspešno probili do Tuzle izjavili su da je oko 3.000 vojnika poginulo tokom proboja.

Prema Izveštaju demografa (veštaka tužilaštva) tokom proboja divizije poginulo je 1.500 vojnika (Helge Brunborg, Oslo, 12. april 2003. „Prilog Izveštaju o broju nestalih i mrtvih iz Srebrenice,” str.8, broj dokumenta Tribunala 03080316.)

Prema Redovnom borbenom operativnom izveštaju 2. K A RBiH General štabu A R BiH od 17.jula do tada je, prema njihovim saznanjima, poginulo u proboju 1.000 vojni ka 28. divizije (2. K A RBiH Redovni borbeni izveštaj str.pov.br.02-1-727/37 od 17. 07. 95. Generalštabu A RBiH.).

⁵⁹⁸ Isto, str.67

(zračnom linijom) severno. Rano naveče, dve osobe za koje se zna da su preživele pogubljenja kod brane u Petkovcima došle su u školu. U ranim jutarnjim satima 15. jula 1995. godine, oba preživela su odvedena iz škole na stratište u podnožju brane. U približno isto vreme, dalje na severu, u rejonu 1. pešadijskog bataljona, zarobljeni Muslimani su bili u piličkoj školi (Kula), Domu kulture u Pilici i možda u školi u Ročeviću. Ujutro 15. jula 1995. godine, ponovo je počeo rad na pokapavanju na poljima u Orahovcu gde su izvršena pogubljenja, kao i kod brane u Petkovcima.⁵⁹⁹

5.121. U 19.25 sati 15. jula 1995. godine, komandant Zvorničke brigade potpukovnik Vinko Pandurević je poslao vanredni borbeni izveštaj komandi Drinskog korpusa. U Izveštaju ističe činjenice da je njegova jedinica potpuno angažovana protiv neprijateljskih snaga i da nema više rezervi.⁶⁰⁰ Pored toga, u izveštaju kaže sledeće: „Dodatno opterećenje nam predstavlja veliki broj zarobljenika razmeštenih po školama u zoni brigade, kao i obaveze obezbeđenja i asanacije terena.“⁶⁰¹ „Ova komanda više ne može brinuti o ovim problemima jer za to nema ni materijalnih ni drugih snaga. Ukoliko niko ne preuzme ovu brigu biću prinuđen da ih pustim.“⁶⁰² „Obzirom na velika opterećenja zone brigade, pretrpljene gubitke i nemogućnost dugog opstanka okruženih snaga, prepuštenost komande Zvorničke pbr da se sama nosi sa srebreničkim Turcima (a tako joj treba i sama ih je iz Srebrenice dotjerala u svoju zonu), kao i potpunu rešenost poturica da bez razlike na gubitke izvuku bar koju živu glavu, a u cilju sprečavanja gubitaka u vlastitim redovima odlučio sam ceneći situaciju da na pravcu već izgubljena tri rova otvorim koridor civilnom stanovništvu koga je bilo oko 5.000. Sa protivničkom stranom sam usaglasio tehniku evakuacije i ista je u toku. Zahitijevao sam oslobađanje zarobljenog policajca i svojih nestalih boraca. Procedura je u toku i mislim da će uspeti. Vjerovatno je među civilima izašao i određen broj vojnika, ali sve što je prošlo, prošlo je nenaoružano.“⁶⁰³

5.122. Treba reći da su u trenutku kada je potpukovnik Pandurević poslao svoj vanredni izveštaj, Muslimanski zatočenici, koji su prethodno držani u Orahovcu i Petkovcima, već bili mrtvi i najvećim delom pokopani. Samo su Muslimani koji su još uvek bih zatočeni u piličkoj školi, Domu kulture i oni koje će kasnije biti ubijeni u Kozluku (zatočeni možda u Ročeviću), daleko od borbenih dejstava, još uvijek bih živi u zatočeništvu VRS.⁶⁰⁴ Najkasnije do jutra 16. jula 1995. godine, usprkos nastavljenim borbama u zoni Zvorničke brigade, ponovo otpočinju aktivnosti u vezi sa pogubljenjima zarobljenih muslimanskih vojnika. Zatvorenici su iz piličke škole prebačeni su na vojnu ekonomiju Branjevo, gdje su pogubljeni. U ovom slučaju, vojnici koji su izvršili pogubljenja bili su iz 10. diverzantskog odreda i jedne jedinice poslane iz Bratunačke brigade. Kasnije tog dana, na tom mjestu su pogubljeni zatvorenici u piličkom Domu kulture. U Kozluku su takođe ubijeni zarobljeni, koji su bili zatvoreni na nepoznatom mestu.⁶⁰⁵

⁵⁹⁹ Iskaz o vojnim događanjima u Srebrenici (revizija) - operacija „Krivaja 95“, 2002., str.80-82

⁶⁰⁰ l.zvpbr, vanredni borbeni izveštaj 06-217-1 (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 15.7.1995.

⁶⁰¹ Termin „asanacija“ je definisan u Vojnom leksikonu SFRJ kao: „preduzimanje sanitarno- higijenskih i sanitarno-tehničkih mera na terenu, u naseljima ili u objektima radi uklanjanja svega što omogućuje pojavu i širenje zaraznih bolesti i drugih oštećenja zdravlja. Asanacija u ratu i elementarnim katastrofama obuhvata: pronalaženje, identifikaciju i sahranjivanje poginulih [...]“ Vojni leksikon, Vojnoizdavački zavod, (1981.).

⁶⁰² l.zvpbr, vanredni borbeni izveštaj 06-217-1.

⁶⁰³ Isto., odlomak 3.

⁶⁰⁴ Richard J. Butler, Iskaz o vojnim događanjima u Srebrenici (revizija) - operacija „Krivaja 95“, 2002., str.82

⁶⁰⁵ Ratko Škribić u knizi Srebrenička podvala izvršio je analizu podataka koji su dati u sledećim dokumentima: Iskaza o vojnim događanjima u Srebrenici (Revizija), Operacija „Krivaja-95“ vojni ekspert tužilaštva Richard J. Butler, Činjenični osnov u predmetu IT-05-88-PT i optužnica Tužilac protiv Zdravka Tolimira, predmet IT- 05-88/2-I. U ovoj analizi utvrdio je da ima dosta neslaganja u ovim dokumentima tužilašta u vezi broja zarobljenika,

Inženjerska oprema inženjerske čete Zvorničke brigade korištena je za pokapanje tijela 16. i 17. jula 1995. godine. Potpukovnik Vujadin Popović pomoćnik komandanta Drinskog korpusa za bezbjednost, nadgledao je 16. jula 1995. godine proces pogubljenja. On je bio angažovan na obezbjeđivanju goriva. Pored toga, po završetku aktivnosti, podnio je izvještaj preko komande Drinskog korpusa. Iz Drinskog korpusa je bio angažovan i pukovnik Slobodan Cerović, pomoćnik komandanta za moral, pravne i verske poslove. Do 18. jula 1995. godine, završena su i glavna „masovna pogubljenja“ i aktivnosti pokopavanja u masovnim grobnicama. Uz to su komandi Drinskog korpusa ponovo poslani detaljni izvještaji. U jednom takvom izvještaju, komandant Zvorničke brigade Vinko Pandurević je otvoreno postavio pitanje razboritosti odluke da se 3.000 vojnosposobnih „Turaka“ smjesti u škole u njegovoj zoni.⁶⁰⁶

5.123. Tokom 17. i 18. jula 1995. godine, jedinice Zvorničke brigade nastavljaju pretresati područje u svojoj zoni i sukobljavaju se sa izolovanim muslimanskim grupama na teritoriji pod kontrolom VRS-a. Pored toga, ovaj izvještaj se takođe kritički osvrće na vođenje prethodne bitke i posljedice po njegovu brigadu. Pored podataka o žrtvama i lokalnim reakcijama na napade, ponovio je kakva je situacija u pogledu muslimanskih zatočenika u zoni brigade: „U proteklih 10-ak dana Zvornička opština je bila zatrpana srebreničkim Turcima, Neshvatljivo mi je da je neko doveo oko 3.000 vojno sposobnih Turaka i razmjestio po školama na opštini pored oko 7.000 odbeglih po šumama, čime je stvorena krajnje složena situacija i mogućnost potpune okupacije Zvornika zajedno sa snagama na frontu. Među narodom je veliko nezadovoljstvo izazvano ovakvim postupcima i opšte je mišljenje da se Srebrenica prelomila preko leđa Zvornika.“⁶⁰⁷ I ovaj podatak oko broja zarobljenih kao i kasnije upućivanje zarobljenih zatvor Batkoviće je ste jedan od argumenata koji potvrđuje tezu da je ukupno zarobljeno do 3.500 vojnika A BiH, a da su ostali stradali u sukobima sa jedinicama DK i Policije u zasedama, kao i u međusobnim sukobima u susretu u toku proboja.⁶⁰⁸

5.124. Dana 22. jula 1995. godine, komanda Zvorničke brigade poslala je vanredni borbeni izveštaj broj 06-229 komandi Drinskog korpusa.⁶⁰⁹ U prvom odeljku tog izveštaja informisali su komandu Drinskog korpusa da su „likvidirali“ 10 neprijateljskih vojnika, a „zarobili 23 muslimanska vojnika“. U prvom odeljku takođe se navodi da je „taktička grupa Osmaci“ zarobila još 17 Muslimana. Dalje, u trećem odeljku ovog izveštaja posebno se traže upute od komande Drinskog korpusa o tome „šta da se radi sa zarobljenicima, gdje da se smjeste i kome da se predaju.“⁶¹⁰ U redovnim borbenim izveštajima Zvorničke brigade koji su usledili nakon toga izveštava se o tome da je brigada zarobila još muslimanskih boraca⁶¹¹ Dana 25. jula 1995. godine, u redovnom borbenom izveštaju Zvorničke brigade navodi se da je brigada zarobila još 25 muslimanskih vojnika i da su svi „...propisno prebačeni u sabirni centar Batkovići-

prevoženjem i smeštajem zarobljenika kao i brojem pogubljenih zarobljenika. Vidi šire: Ratko P. Škrbić, *Srebrenička podvala*, Beograd 2013., str. 11-24

⁶⁰⁶ Richard J. Butler, Iskaz o vojnim događanjima u Srebrenici (revizija) - operacija „Krivaja 95“, 2002., str.8

⁶⁰⁷ *Ibid.*, odlomak 4.

⁶⁰⁸ Takođe postoje oprečni podaci Tužilaštva, iz slučaja Tolimir (IT-05-88/2-I), Popović i ostali (IT-05-88-PT), o broju pogubljenih muškaraca iz Srebrenice. Ratko P. Škrbić, *Srebrenička podvala*, Beograd 2013., str. 17-24.

⁶⁰⁹ 1. zvpbr, vanredni borbeni izvještaj broj 06-229, (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 22. jula 1995.

⁶¹⁰ *Ibid.*, odlomak 3.

⁶¹¹ 1. zvpbr, redovni borbeni izvještaj broj 06-230/1, (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 23. jula 1995., 1. zvpbr, redovni borbeni izvještaj broj 06-231/1, (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 24. jula 1995.

Bijeljina.⁶¹² To je prvi navod koji upućuje na to da su muslimanski vojnici i civili koje je zarobila i držala u zarobljeništvu Zvornička brigada, prebačeni u taj objekat. U vezi s tim, u redovnom borbenom izveštaju Zvorničke brigade od 26. jula 1995. godine, navodi se da su još 34 pripadnika „Armije BiH zarobljena i prosleđena u zatvor u Batkoviće.“⁶¹³ Redovni borbeni izveštaji koje je Zvornička brigada predavala komandi Drinskog korpusa u periodu od 27. do 31. jula 1995. godine⁶¹⁴ ukazuju na to da su kontinuirano vršene operacije pretresa terena i da je tokom tih operacija zarobljen manji broj muslimanskih vojnika.⁶¹⁵

5.125. Indikativno je da se u celom Batlerovom Izveštaju koristi sintagma „muškarci Muslimani“, a ne zarobljenici ili zatvorenici, što su oni zaista i bili. Verovatno je to namera da se negira da je to većinski bila vojna formacija koja je izvodila proboj iz okruženja. Takođe, stradanje pripadnika kolone u zasedama i susretnim borbama se ne obrazlaže niti se o tome iznose bilo kakvi podaci. Naprotiv, stradanje dela kolone u borbama u zoni odbrane Zvorničke brigade, koja su se dešavala u blizini mesta gde su bili smešteni zatvorenici nastoje se odvojiti od masovnih streljanja, kao da u masovne grobnice nisu zajedno sahranjivani zarobljeni i poginuli u zonama masovnih grobnica.

5.126. Nakon pripremljenog osnovnog koncepta napada, komandanti Zvorničke pešadijske brigade, Birčanske pešadijske brigade i 2. romanijske motorizovane brigade dobili su usmerenja da počnu s upućivanjem svojih jedinica u pravcu Žepe. Te jedinice su bile angažovane zapadno od Srebrenice. Konačno, Komandi Drinskog korpusa je naloženo da do 18.00 sati 13. jula 1995. godine uspostavi istureno komandno mesto (IKM) u selu Krivače, kao i da sačini potrebni operativni plan za napad.⁶¹⁶ „Povodom tog novog zadatka u vezi s enklavom Žepa, general-major Tolimir se premestio u štab 1. podrinske lake pešadijske brigade u Rogatici, južno od enklave. Premda je glavni pravac napada trebao da bude sa severozapada, to što se on nalazio u Rogatici omogućavalo mu je najneposredniji pristup rukovodstvu bosanskih Muslimana u Žepi, kao i ukrajinskoj četi UNPROFOR-a koja je nadzirala zaštićenu zonu. General-major Tolimir je nastojao da utiče na muslimansko rukovodstvo u Žepi da se preda, ako je to ikako moguće, kako bi se izbegle nepotrebne žrtve i stradanja civila i vojnika. Nastojeći da ostvari taj cilj, general-major Tolimir je izvestio da je 13. jula 1995. godine u 12.00 sati stupio u vezu s nekoliko članova rukovodstva Žepe.⁶¹⁷ Naznačio je da smatra da su uslovi koje je VRS ponudila za hitnu predaju (uključujući plan da se ponudi bezbedna evakuacija svih civila i vojno sposobnih muškaraca) stvorili dezorganizaciju u njihovim redovima, kako među rukovodstvom, tako i

⁶¹² 1. zvpbr, redovni borbeni izveštaj broj 06-232, (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 25. jula 1995.

⁶¹³ 1. zvpbr, redovni borbeni izveštaj broj 06-233, (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 26. jula 1995.

⁶¹⁴ 1. zvpbr, redovni borbeni izveštaj broj 06-234, (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 27. jula 1995., 1. zvpbr, redovni borbeni izveštaj broj 06-235, (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 28. jula 1995., 1. zvpbr, redovni borbeni izveštaj broj 06-237, (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 29. jula 1995., 1. zvpbr, redovni borbeni izveštaj broj 06-238, (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 30. jula 1995. i 1. zvpbr, redovni borbeni izveštaj broj 06-238 (sic), (prevod na engleski koji je napravila Prevodilačka služba MKSJ), 31. jula 1995.

⁶¹⁵ Vidi šire, Richard J. Butler, Iskaz o vojnim događanjima u Srebrenici (revizija) - operacija „Krivaja 95“, 2002., str.92-94

⁶¹⁶ ERN 0092-0249-0092-0253, Naređenje Komande Drinskog korpusa broj 02/04-158-1 od 13. jula 1995.

⁶¹⁷ Richard J. Butler, , Izveštaj o komandnoj odgovornosti u Glavnom štabu VRS-a, 2006., Str.27

među vojnicima.⁶¹⁸ Kasnije tog dana, general-major Tolimir je izvestio da se čini da je lokalno rukovodstvo u Žepi za predaju, ali da im to ne dozvoljavaju vlasti u Sarajevu.⁶¹⁹

5.127. Dana 24. jula 1995. godine, lokalni muslimanski rukovodioci su potpisali dokument o prestanku borbi u Žepi i sledećeg dana su vođeni pregovori s višim predstavnicima UNPROFOR-a oko potencijalne predaje muslimanskih snaga u Žepi. U jednom trenutku, general Mladić i general Gvero su se na razgovorima sastali sa generalom Smithom, komandantom UNPROFOR-a u Bosni. Dok se to dešavalo general-major Tolimir je radio na tome da osigura da Državna komisija RS za ratne zarobljenike zauzme isti stav kao i VRS.⁶²⁰ U depeši naslovljenoj na „ličnost generala Gvera ili generala Miletića“, on je naveo da je u vezi s razmenom muslimanskih i srpskih zarobljenika od posebne važnosti to da se pitanje zarobljenika iz Srebrenice ne dovodi u vezu s pregovorima o Žepi. Kasnije tog dana, pukovnik Jovica Karanović je odgovorio general-majoru Tolimiru izvestivši ga o rezultatima sastanka o ratnim zarobljenicima i njegovim razgovorima s general-majorom Miletićem o toj temi.⁶²¹

5.128. Usprkos lokalnom sporazumu, rukovodstvo VRS je i dalje bilo veoma zabrinuto jer je smatralo da se 185. brdska brigade A BiH neće predati i da će se odlučiti na neku vrstu proboja, slično kao što su to uradile snage iz Srebrenice. Do 29. jula 1995. godine, skoro svi civili su bili premešteni izvan enklave, a prema jednoj nepotvrđenoj informaciji, mnogi od preostalih muslimanskih boraca trebali su da pokušaju da se probiju iz enklave i pređu preko reke Drine, da bi se predali jedinicama MUP-a Srbije koje su čuvalе granicu.⁶²² U odgovor na to, general-major Tolimir je izdao uputstva da se obezbedi nastavak borbenih operacija protiv 185. brdske brigade A BiH, dok se Muslimani ne povinuju sporazumu od 24. jula.⁶²³ Usprkos nastojanjima da se ispoštuje Sporazum, nekoliko stotina vojnika prebeglo je u Srbiju. Dana 2. i 3. avgusta 1995. godine, poslednji pripadnici UNPROFOR-a su napustili tu enklavu i ona je u potpunosti pala pod kontrolu VRS.⁶²⁴ Rezultat tog ograničenog napada bio je 70 poginulih pripadnika 285. Brdske brigade A BiH. Oko 10.000 stanovnika i 150-200 ranjenih evakuisano je prema Kladnju i Sarajevu.

6. Komandna odgovornost generala Ratka Mladića

5.129. General Ratko Mladić jeste po komandnoj odgovornosti bio nadležan za postupanja njegovih jedinica na ratištu u BiH. To nije sporno, ali u konkretnim borbenim dejstvima taktičkog pa i operativnog nivoa odgovorni su komandanti tih jedinica koji neposredno planiraju, pripremaju i izvode borbena dejstva. Snagama u operaciji „Krivaja 95“ komandovao je po svim informacijama general-major Radoslav Krstić, kao operativni komandant, što je u skladu sa

⁶¹⁸ ERN 0425-8573-0425-8573, (nacrt prevoda) Naređenje 1. podrinjske lake pješadijske brigade broj 04-520-50/95 od 13. jula 1995. Vidi i ERN R001-5518, Memorandum UNPROFOR-a od 13. jula 1995.

⁶¹⁹ ERN 0425-8572-0425-8572, (nacrt prevoda) Naređenje 1. podrinjske lake pješadijske brigade broj 04-520-52/95 od 13. jula 1995.

⁶²⁰ ERN 0425-8578-0425-8578 EDT, (nacrt prevoda) Naređenje 1. podrinjske lake pješadijske brigade broj 04-520-63-95 od 25. jula 1995., Predmet: sporazum o razoružanju Žepe.

⁶²¹ ERN 0425-8577-0425-8577 EDT, (nacrt prevoda) Naređenje Sektora za obavještajno-bezbjednosne poslove GŠVRS broj 12/45-936 od 25. jula 1995.

⁶²² ERN 0425-8565-0425-8565 EDT, (nacrt prevoda) Naređenje 1. podrinjske lake pješadijske brigade broj 182-250/2 od 29. jula 1995.

⁶²³ ERN 0425-8566-0425-8566 EDT, (nacrt prevoda) Naređenje Sektora za obavještajno-bezbjednosne poslove GŠVRS broj 12/45-975 od 29. jula 1995.

⁶²⁴ Richard J. Butler, Izveštaj o komandnoj odgovornosti u Glavnom štabu VRS-a, 2006., Str.31

vojnom doktrinom i ulogom NŠ korpusa. Pri razmatranju perioda pre 13. jula 1995. godine, jasno je da je general-major Krstić obavljao ne samo dužnost načelnika štaba Drinskog korpusa, nego je verovatno vršio i funkciju „operativnog komandanta“ snaga za operaciju „Krivaja 95“. Njegovo stalno prisustvo na isturenom komandnom mestu Drinskog korpusa pre zabeleženog dolaska general-majora Živanovića i generala Mladića 10. jula 1995. godine, kao i razne izjave generala Mladića i predsjednika RS, Radovana Karadžića, čini se da idu u prilog ovoj tvrdnji.⁶²⁵ Ovom tvrdnjom se govori o komandnom odnosu prema snagama u operaciji a ne o krivici za masovna streljanja koja su se desila nakon operacije.

5.130. Teško je sigurno utvrditi tačno vreme kada je doneta odluka o likvidiraju zarobljenike, ali može se pouzdano reći da u tom odlučivanju i izvršenju nije učestvovao strateški pa ni operativni nivo komandovanja. To se cenilo posredno preko informacija koje je u to vreme imao general Tolimir, jer u vreme kada je slao citirano Obaveštenje (13.07. u večernjim satima), nije znao za dešavanje masovnih streljanja i zločina. Takođe se može tvrditi da ni drugi ljudi iz tog lanca odlučivanja, tog 13.07.1995. godine nisu mogli znati da će zarobljenici biti likvidirani. Drugi argument koji je relevantan za odgovor na pitanje o znanju činjenice da će ratni zarobljenici, umesto da odu u razmenu, biti likvidirani, jeste Svedočenje Dragana Obrenovića na suđenju u Hagu i njegov Sporazum sa Tužiocem o priznanju krivice. Obrenović je izjavio da ga je 13.07. u 20.00 časova nazvao Nikolić i rekao da ga je zvao Popović (pomoćnik komandanta Drinskog korpusa za bezbednost) i tom prilikom rekao da će u zonu Zvorničke brigade pristići 14.07.1995. godine velika grupa ratnih zarobljenika iz Srebrenice i da će biti likvidirani.⁶²⁶ Prethodno istaknuti podaci potvrđuju stav da strateški nivo komandovanja VRS, pa ni general Mladić, nisu imali informacije o dešavanjima sa zarobljenicima, pogotovo ne sa onim koji su zarobljavani u toku proboja 28. divizije A BiH prema Tuzli.

5.131. Postupak sa ratnim zarobljenicima normativno je propisao GŠ VRS u Instrukciji iz aprila 1994. godine, a taj dokument je brigadama, pukovima i samostalnim bataljonima prosledila komanda Drinskog korpusa aprila 1995. godine, dakle tri meseca pre početka operacije „Krivaja 95“ i izvršenja zločina pogubljenja ratnih zarobljenika. U tom smislu posebno je bitna 1, 2. i 3. tačka ove Instrukcije koje glase:

- „1. Sve zarobljenike, pripadnike neprijateljske vojske, odmah po zarobljavanju, vezati lisicama ili priručnim sredstvima, izvršiti pretres i oduzeti sve predmete osim odjeće i obuće, o čemu sačiniti zabeležku. Nakon pretresa, na mjestu zarobljavanja, a prije početka sprovođenja, vezati oči da bi se spriječilo osmatranje.
- Sve komande, od bataljona na više, odrediće mjesto iza linije fronta na kojima će se prikupljati zarobljeni pripadnici neprijateljske Vojske. Ovo mjesto ne sme da bude u rejonu rasporeda komandnog mjesta, kao ni u rejonu rasporeda centra veze, artiljerijskih oruđa ili značajnijih elemenata pozadinskog obezbeđenja. Mjesto prikupljanja ratnih zarobljenika mora da obezbedi potpunu bezbijednost zarobljenika, kao i lica iz organa bezbijednosti – obaveštajnih organa i organa Vojne policije koji vrše saslušavanje i obezbeđenje ratnih zarobljenika.
- Sprovođenje ratnih zarobljenika od mjesta prikupljanja u zahvatu fronta do zatvora ili logora ratnih zarobljenika, sprovodiće se na način da se spriječi bjekstvo zarobljenika, kao i mogućnost osmatranja u tom sprovođenju, što znači da zarobljenici moraju imati

⁶²⁵ Richard J. Butler, Iskaz o vojnim događanjima u Srebrenici (revizija) - operacija „Krivaja 95“, 2002., str.103

⁶²⁶ Radovan Radinović, Rukovodna nadležnost dr Radovana Karadžića u sistemu strateškog komandovanja VRS, 2012., str., 154-168

vezane ruke i oči, a prema procjeni vođe patrole koji vrše sprovođenje zarobljenicima mogu biti vezane i noge.“⁶²⁷

5.132. Kada se pažljivo prouče navedene tačke ove Instrukcije i one uporede sa postupkom vezivanja tokom sprovođenja zarobljenika, vidi se da nije ništa primenjeno što nije bilo propisano u citiranoj Instrukciji. Na osnovu toga se može zaključiti da vezivanje očiju i ruku zarobljenika prilikom njihovog izvođenja iz objekta Kule i uvođenja u autobus ne sadrži a priori nelegitimne elemente niti predstavlja nelegitimnu radnju. Kuda se ovako vezani zarobljenici sprovode, to su mogli i morali znati verovatno pripadnici vertikalne rukovođenja bezbednosnih organa.

5.133. Iz presude Haškog Tribunala tzv. Srebreničkoj grupi, vidi se da je utvrđeno da je tog dana u rejonu Pilica i na Branjevu boravio Vujadin Popović, pomoćnik komandanta DK za bezbednost i da je rukovodio operacijom ubijanja i sahranom zarobljenika. Dežurni oficir je zahtev prosledio Jokiću i Miloševiću, a to su načelnik inženjerije u komandi Zvorničke brigade i pomoćnik komandanta brigade za pozadinu. Da je takav zahtev uputio neko iz komande bataljona, a ne neko ko je rukovodio celom zločinačkom operacijom likvidacije ratnih zarobljenika, on svakako ne bi bio automatski prosleđen izvršiocima, a to su bili Jokić i Milošević, već komandantu brigade koji je jedini bio ovlašćen da taj angažman odobri. Iz upisa u knjigu dežurnog operativnog Zvorničke brigade jasno se uočava da je zahtev verovatno uputio neko ko je bio ovlašćen da rukovodi i da naređuje organima bezbednosti Zvorničke brigade. Uklanjanje tela ubijenih zarobljenika iz Domu kulture u Pilici, sa aspekta legitimnosti radnje nije sporno jer se radi o zadatku poznatog pod nazivom „asanacija terena“ i neophodno je da se ista izvrši iz zdravstvenih, ljudskih i moralnih razloga.⁶²⁸ Ta kategorija vojnih zadataka podrazumeva pronalaženje u uklanjanje svih posledica ratnih dejstava koji mogu biti izvor zaraze i epidemije. Tu svakako spada i pronalaženje, uklanjanje i pokopavanje leševa. Nedoumicu može predstavljati činjenica da deo pogubljenih nisu nastali kao direktna posledica ratnih dejstava, već kao posledica zločina nad ratnim zarobljenicima, ali su se i oni morali ukloniti kada se uzmu u obzir letnje vremenske prilike i vrućine.

5.134. Što se tiče smeštaja zarobljenika u Izveštaju se razmatraju samo zarobljavanja većih grupa pripadnika 28. divizije BiH, 12. i 13.07.1995. godine i to na pravcu Bratunac-Konjević polje-Nova Kasaba do dovođenja na prostor opštine Zvornik i u zonu odgovornosti Zvorničke brigade. Ratni zarobljenici su privremeno zadržavani u Novoj Kasabi i Sandićima, a mesto prikupljanja je bilo u Bratuncu, kroz koji su prošli svi zarobljeni u masovnijem zarobljavanju. Sve se to odvijalo 12, 13. i 14.07. 1995. godine, do dana kada je velika grupa zarobljenika prevezena iz Bratunca u širi rejon Zvornika. Kako se Bratunac, gde su se nalazili svi ratni zarobljenici 13.07.1995. godine i noću 13/14.07. 1995. godine, nalazio u zoni odgovornosti Bratunačke brigade, očigledno je da u odluci za ovaj transport zarobljenika iz Bratunca na prostor Zvorničke brigade, nije mogao učestvovati niko iz sastava komande Zvorničke brigade, već su o tome mogli odlučivati organi bezbednosti pretpostavljenih komandi Drinskog korpusa i Glavnog štaba VRS. Može se reći da Zvornička brigada nije imala informacije o prebacivanju zarobljenika, a kamoli da je u tome učestvovala. To se lako možemo uveriti ako se pogleda Borbeni izveštaj komande Zvorničke brigade komandi Drinskog korpusa od 18.07.1995. godine.⁶²⁹ U tom dokumentu komandant brigade se u čudu pita ko je odlučio da se zona

⁶²⁷ Instrukcija Komande Drinskog korpusa, Str.pov.br.17/450, od 15.04.1995. godine.

⁶²⁸ Vidi šta o pojmu asanacija bojišta priše u Vojnom leksikonu, izd. VIZ, 1981., str.36.

⁶²⁹ Vidi borbeni izveštaj Zvorničke brigade od 18.07.1995., str.pov.br. 06-222. (P00181)

Zvorničke brigade optereti tolikim brojem ratnih zarobljenika.⁶³⁰ Prebacivanje zarobljenika unutar zone operacije jeste problem taktičkog i operativnog nivoa komandovanja, prvenstveno u domenu funkcije bezbednosti i vojne policije, pa su se verovatno i odluke donosile na tom nivou.

5.135. Ko je odlučio da se ratni zarobljenici premeste iz Bratunca u zonu Zvorničke brigade nema pouzdanih informacija. Načelnik Centra službe bezbednosti Zvornik Dragomir Vasić se 13.07.1995. godine našao u Bratuncu radi uspostavljanja Stanice javne bezbednosti u Srebrenici, kad je transportovanje zarobljenika u logor Batković, Deronjiću naredio Predsednik RS dr Radovan Karadžić.⁶³¹ S obzirom na to da je naređenje o uspostavljanju SJB za Srebrenicu dobio Deronjić, a da je taj zadatak mogao realizovati jedino Vasić preko stanice koja je već funkcionisala u Bratuncu, bilo je razumljivo da su se Deronjić i Vasić sastali tog 13.07. 1995. godine. Kada je oko 21.00 časova tog dana stigao iz Srebrenice u Bratunac, od šefa SJB Josipovića saznao je da je grad pun ratnih zarobljenika koji su dovedeni sa mesta zarobljavanja na putu Bratunac-Konjević polje. Tako velika masa ljudi na jednom mestu svakako je predstavljala svojevrsan bezbednosni rizik za sam grad i njegove meštane, a i njihovo čuvanje na tako malom prostoru i u ograničenom broju objekata je bilo krajnje rizično. Zato je Deronjić kao ovlašteni Civilni poverenik za Srebrenicu insistirao kod vojnih vlasti da se ratni zarobljenici izmeste iz Bratunca.⁶³²

5.136. Verovatno tu operaciju razmeštaja ratnih zarobljenika u Bratuncu je nadgledao kapetan bojnog broda načelnik Uprave bezbednosti u Sektoru za obaveštajno-bezbednosne poslove GŠ VRS. Da bi obezbedio izmeštanje ratnih zarobljenika iz Bratunca, Deronjić je morao intervenisati pozivajući se na Predsednika RS, i uspeo je u tome. Dana 14.07.1995. godine, nakon provedene noći u školi i hangaru u Bratuncu, ali i u prevoznim sredstvima, ratni zarobljenici su preveženi u širi rejon Zvornika, i razmešteni po školama: Grbavci, Orahovac, Petkovci, Kula, Dom kulture, Pilica, Kozluk. Prethodnog dana, 13.07.1995. godine, u skladištu Zadruga u Kravici, gde su zarobljenici pokušali da prevladaju stražare, dogodila se pucnjava i pogibija dela zatvorenika koji su prepoznati kao zločinci u pohodima muslimanskih snaga u prethodnom periodu. Lažne predaje pojedinih muslimanskih boraca, koji su nakon javljanja za predaju postajali bombaši-samoubice, aktivirali eksplozivne naprave i ubijali i sebe, i one kojima su se predavali, imale su uticaja na pojačanje potrebe za osvetom od strane drugova poginulih boraca. Sve je to teška slika ratne zbilje koja se menjala iz sata u sat na iznenađenje svih učesnika ove teške ratne priče, koja je istorijski opteretila odnose Muslimana i Srba u budućnosti.

5.137. U vreme kada su ratni zarobljenici dovedeni iz Bratunca u zonu odgovornosti Zvorničke brigade, i kada je o tome donošena odluka (13.07.1995. godine na veče i 14.07.1995. godine tokom dana), dužnost komandanta Zvorničke brigade je vršio načelnik Štaba brigade major Dragan Obrenović, a njen komandant potpukovnik Vinko Pandurović je do 15.07.1995. godine u podne bio sa svojom TG-1 u sastavu snaga Drinskog korpusa, koje su izvodile operaciju „Stupčanica“ na Žepi. Po ustaljenoj proceduri linije komandovanja Dragan Obrenović trebao je da, putem linije operativnog komandovanja, dobije naređenje o tome da se pripremi za prihvatanje zarobljenika i da izvrši pripreme objekata za smeštaj. To se nije desilo i to je dokaz da linija komandovanja nije bila dominantna u pogledu ukupnog postupanja sa zarobljenicima. Jedino je oko smeštaja zarobljenika izdato naređenjem komandanta Drinskog korpusa od 13.07.1995.

⁶³⁰ Vidi šire, Radovan Radinović, Rukovodna nadležnost dr Radovana Karadžića u sistemu strategijskog komandovanja VRS, 2012.,str. 163-166

⁶³¹ Naređenje Predsednika RS za formiranje SJB za Srebrenicu. (P02944)

⁶³² Vidi šire, Radovan Radinović, Rukovodna nadležnost dr Radovana Karadžića u sistemu strategijskog komandovanja VRS, 2012.,str.167-169

godine.⁶³³ Međutim, tako nije postupljeno, već je Obrenović, kako to sam u svedočenju pred Haškim tribunalom tvrdi, tu informaciju dobio od svog pomoćnika za bezbednost Draga Nikolića, a ovom je to naredio pomoćnik za bezbednost u komandi Drinskog korpusa, potpukovnik Vujadin Popović. Da bi mogao da izvidi teren i odabere pogodno mesto za razmeštaj i čuvanje ratnih zarobljenika, Drago Nikolić je morao predati dužnost operativnog dežurnog, što je učinjeno 13.07.1995. godine oko 23.00. Da je Nikolić i zaista obilazio mesta u koja će tokom 14.07.1995. godine biti razmešteni ratni zarobljenici, može se videti i iz dokumenata u kojima se prati kretanje putničkog vozila komande Zvorničke brigade tog 13/14.07.1995. godine.⁶³⁴ Pratlju ratnih zarobljenika na njihovom putu od Bratunca do Zvornika obezbeđivale su snage: civilna policija iz sastava SJB Bratunac, vod policije iz čete sa Pala (u sastavu odreda kojim je komandovao Borovčanin), deo saobraćajne policije iz Bratunca i deo voda vojne policije Bratunačke brigade.⁶³⁵

5.138. Razmeštanje zarobljenika po objektima na teritoriji opštine Zvornik tokom noći 13/14.07.1995. godine odobravao je Drago Nikolić, pomoćnik za bezbednost komandanta Zvorničke brigade, u skladu sa nalogom kojeg je dobio od Vujadina Popovića, pomoćnika za bezbednost komandanta Drinskog korpusa. O tome je Dragan Obrenović u svom iskazu istakao da je Popović, kao oficir bezbednosti Drinskog korpusa, naredio Dragu Nikoliću kako da izvrši pripremu za smeštaj i obezbeđenje ratnih zarobljenika.⁶³⁶ Smeštaj zarobljenika u Bratuncu, njihova pratnja i obezbeđenje na putu ka Zvorniku i prihvati i smeštaj u objekte, potpuno su legitimne vojno-bezbednosne radnje.

5.139. Samo čuvanje zarobljenika u objektima privremenog smeštaja ne sadrži a priori nikakva nelegitimna obeležja, jer se radi o dozvoljenoj radnji u toku rata. To se odnosi na one koji nisu učestvovali u masovnim streljanjima zarobljenih i koji su verovali da je to bio korak na njihovom putu ka smeštaju u logor za ratne zarobljenike u Batkoviću ili ka razmeni na granici prema Tuzli. Zato je bitna činjenica u oceni legitimnosti postupka čuvanja zarobljenika.⁶³⁷ Nekoliko informacija u formi argumenata mogu poslužiti kao odgovori na pitanje o znanju o sudbini ratnih zarobljenika u zoni Zvorničke brigade VRS. Najpre, dokument kojega je komandi Drinskog korpusa uputio general Zdravko Tolimir, pomoćnik komandanta GŠ VRS za obaveštajno-bezbednosne poslove,⁶³⁸ prema vremenu kada je ovaj dokument nastao, te prema sadržaju na koji se odnosi, gotovo je sigurno da je dokument reakcija na Naređenje koje je u ime GŠ VRS potpisao general Gvero, pomoćnik komandanta GŠ VRS za moral, a u kojem se nalaže postupak sa zarobljenim sa naglaskom na njihovom smeštaju u objekte u kojima ih je najlakše obezbeđivati sa što manje angažovanih snaga. Nalazeći se u komandi 1. Podrinjske lake pešadijske brigade (Rogatica), Tolimir je video akt GŠ, odnosno Drinskog korpusa, koji je bio identičan sa centralnim naređenjem GŠ VRS, i shvatio da bi smeštaj i čuvanje zarobljenika mogao predstavljati problem. S tim u vezi u dokumentu se ističe sledeće: „Ukoliko niste u mogućnosti da adekvatno smestite sve ratne zarobljenike iz Srebrenice, obaveštavamo vas da na

⁶³³ Naređenje komandanta Drinskog korpusa, str.pov.br. 03/156-12, od 13.07.1995. (P02035)

⁶³⁴ Videti spise o kretanju vozila „OPEL“ komande Zvorničke brigade. (P00173)

⁶³⁵ Transkript razgovora D. Vasića sa Mekloskim (P04577) i Dnevnik voda vojne policije Bratunačke brigade, upisi za dane 13, 14, 15, 16. i 17.07.1995. godine. (P00169)

⁶³⁶ Vidi Transkript T-2460-70.

⁶³⁷ Vidi šire, Radovan Radinović, Rukovodna nadležnost dr Radovana Karađžića u sistemu strategijskog komandovanja VRS, 2012., str.172-175

⁶³⁸ Obaveštenje GŠ VRS, na ličnost generala Gvera, str.pov.br. 04-520-51/95 od 13.07.1995. godine. (P04769)

Sjemeću u objektima 1. plpbr ima uređen smeštaj sa palačama (prostirke i ležaji od drvenih tabli) za 800 ratnih zarobljenika. 1. plpbr ih može obezbediti sopstvenim snagama.”⁶³⁹

5.140. Nema pouzdanih informacija i odgovora na pitanje ko je i kada odlučio da se ratni zarobljenici likvidiraju, i zbog čega, ali može se odgovorno tvrditi da to nije bio general Ratko Mladić. Takođe se može tvrditi da ni drugi ljudi iz lanca komandovanja i odlučivanja na strategijskom nivou komandovanja VRS, tog 13.07.1995. godine nisu mogli znati da će zarobljenici biti likvidirani, niti postoje dokazi da je to neko znao u bliskom Mladićevom okruženju. Taj dan u dostupnim dokumentima može se obeležiti sledećim ključnim informacijama: kapetan bojnog broda Beara nešto pred podne (prema presretnutom razgovoru) naređuje da se obezbedi autobus i četiri teretna kamiona za prevoženje ratnih zarobljenika u logor za ratne zarobljenike.⁶⁴⁰ Ova naredba dosta govori, kako o broju zarobljenika koje treba transportovati, tako i o namerama sa zarobljenicima. Istoga dana u popodnevnom satima zarobljenici iz Sandića transportovani su u skladište u Kravici, gde se desio incijalni događaj zločina sa otimanjem oružja i pokušajem ovladavanja zarobljenika da savladaju čuvar. Potom su se desila kriminalna ubistva iz osvete i iz drugih kriminalnih neobjašnjivih poriva. Obaveštenje od generala Tolimira za smeštaj 800 zarobljenika na farmi, u suštini argumentuje tvrdnju da on a time ni general Mladić nisu znali za zločin koji se već desio. Treba imati u vidu da se događaj u Kravici zbio pre Tolimirovog obaveštenja da na Borikama ima mesta za zarobljenike, ali se vidi da general Tolimir u tom trenutku nije znao za događaj, što može biti zato što je skladište u Kravici bilo pod nadzorom policije, a ne VRS. Konačno, istoga dana u 23.05 general Mladić, prema presretnutom razgovoru, naređuje Beari da obezbedi hranu i vodu za toliki broj ljudi, gde se verovatno misli na zarobljenike, koji su u ingerenciji kapetan bojnog broda Beare, a ne na pridodate policijske snage.⁶⁴¹

5.141. Nakon analize informacija i događaja vezanih za operaciju „Krivaja 95“, kao i za sve događaje posle nje može se dosta pouzdano izreći stav o legitimnosti operacije i komandnoj nadležnosti generala Ratka Mladića. Nadležnost i odgovornost su različite za fazu pripreme i izvođenja operacije, kao i za događaje koji su nastali nakon završetka borbi za zauzimanje Srebrenice i u toku proboja 28. divizije A BiH. Operacija „Krivaja 95“, kao i svi događaji nakon operacije, zarobljavanje, zasede, borbe u toku proboja i pogubljenja nakon zarobljavanja uslovno mogu se svrstati u više faza: (1) planiranje, organizovanje i priprema za izvođenje operacije; (2) izvođenje borbenih dejstava u skladu sa Zapovesti za aktivna borbena dejstva od 02.07.1995. godine do promene osnovnog zadatka (do 09.07.1995. godine), a to je sužavanje enklave na njeno gradsko područje; (3) izvođenje operacije u okviru promenjenog cilja, a to je zauzimanje grada, i ta faza traje od 10.07.-11.07.1995. godine; (4) iseljavanje stanovništva iz Potočara i odvajanje vojno sposobnih muškaraca (12. i 13.07.1995. godine); (5) sprečavanje proboja iz okruženja 28. divizije na više uzastopnih linija (12.07. do 16.07.1995. godine), do dana kada je komandant Zvorničke brigade otvorio front i propustio ostatke kolone da prođu kroz borbeni raspored brigade u rejonu Baljkovice i Nezuka; (6) masovno zarobljavanje pripadnika 28. divizije A BiH (12. i 13.07.1995. godine), njihovo prikupljanje na mestima tog masovnog zarobljavanja u Novoj Kasabi, Konjević polje, Sandićima; (7) prikupljanje zarobljenih, njihovo dovođenje u Bratunac i kontrola i nadzor u Bratuncu, što je trajalo 13.07.1995. godine popodne i naveče, te 14.07.1995. godine najkasnije do ponoći; (8) prevoženje, pratnja i razmeštaj zarobljenika po objektima za čuvanje na teritoriji opštine

⁶³⁹ Tolimir, Obaveštenje GŠ VRS, str.pov.br. 04-520-51/95, od 13.07.1995. (P04769)

⁶⁴⁰ Hrvatski intercept, prihvaćen, 13. 07.95, u 11:25. (1D05827)

⁶⁴¹ Radovan Radinović, Rukovodna nadležnost dr Radovana Karadžića u sistemu strategijskog komandovanja VRS, 2012.,str. 178

Zvornik, što je trajalo od 13.07.1995. godine u večernjim satima do 14.07.1995. godine kada je najveći broj razmešten po objektima, a samo je deo ratnih zarobljenika razmešten u Domu kulture u Pilici 15.07.1995. godine u jutarnjim satima; (9) ako se izuzme događaj u Kravici u večernjim satima 13.07.1995. godine za koji nije utvrđeno da je nastao bez navedenog povoda, dakle „iz čista mira“, ostaje da se nezakonite likvidacije dešavaju od 14.07.1995. godine u području Zvornika, da traju tokom 14.07. i 15.07.1995. godine u mestima Orahovac, Grbavci, Kozluk, te 16.07.1995. godine na ekonomiji Branjevo i Domu kulture u Pilici.⁶⁴²

5.142. U mnogim dokumentima Tužilaštva i u Izveštaju gospodina Batlera pominje se više lokacija na kojima se našao general Mladić pa i pojedinim mestima prikupljanja zatvorenika, kao dokaz da je on verovatno naređivao masovne zločine i pogubljenja nad zarobljenim vojnicima 28. divizije A BiH i civilima. Bitno je uočiti da je sam pokušaj proboja doveo je do masovnih gubitaka u zasedama i do zarobljavanja vojnika i civila. Činom zarobljavanja nije odlučeno da se zarobljenici pobiju. Pretžno su prebacivani u zonu Zvorničke brigade, kako bi se tu odvojili oni vojnici za koje se sumnjalo da su bili zločinci i uputili u zatvor u Batkoviće, a ostali nedužni predali A BiH u procesu razmene zarobljenika. Ko je doneo odluku da se zarobljenici streljaju mimo zakona i presude to nije poznato iz dokumentacije koja je na raspolaganju. Verovatno se zbog toga ta odgovornost pripisuje generalu Ratku Mladiću, po osnovu komandne nadležnosti ili čak dokaza da se našao na nekim pozicijama u zoni DK. Utvrđeno je da je bio prisutan 10. jula 1995. godine, kada je zabeleženo da se nalazio na isturenom komandnom mestu u Pribićevcu sa general-majorom Krstićem i general-majorom Živanovićem.⁶⁴³ Dalje, general Mladić je viđen na raznim video snimcima snimljenim 11. jula 1995. godine. Prvo je sa general-majorom Krstićem i general-majorom Živanovićem prošao kroz Srebrenicu u popodnevnim satima 11. jula 1995. godine. Kasnije te večeri i sledećeg dana postavljao je uslove holandskim predstavnicima UN-a i muslimanskim predstavnicima na tri sastanka koja su održana u Hotelu „Fontana“. Kao što je već ranije navedeno, general-major Živanović prisustvovao je prvom od ta tri sastanka, a general-major Krstić prisustvovao je drugom i trećem. Na svim tim sastancima, uz generala Mladića bio je pukovnik Radoslav Janković, obaveštajni oficir iz Glavnog štaba VRS. Prisustvo general-pukovnika Mladića ponovo je primećeno 13. jula 1995. godine na raznim lokacijama na području gde su prikupljani muškarci Muslimani... Među tim lokacijama su i livada u Sandićima i fudbalski teren u Novoj Kasabi.⁶⁴⁴ Kao profesionalni oficir od časti i moralnog integriteta general Mladić ne bi mogao da učestvuje, a kamo li da naređuje izvršenje pogubljenja zarobljenika i činenje zločina, koji su se desili nakon pada Srebrenice. Pozicije koje se pominju u smislu njegovog pisustava na mestu prikupljanja zarobljenih pripadnika 28. divizije i civila nije umesno dovoditi u kontekst odgovornosti za njihovu naknadnu sudbinu i izvršenje masovnih streljanja. Već nakon tih navedenih događaja susreta sa zarobljenicima general Mladić nije ni fizički bio prisutan zoni proboja 28. divizije niti u zoni Drinskog korpusa, nego je boravio u Beograd o čemu su date informacije u Izveštaju, gde i sa kakvim povodom.

5.143. Masovne zločine streljanja nad zarobljenicima verovatno su počinile samoorganizovane paravojne grupe iz Podrinja koje potiču iz predratnog kriminalnog miljea, kao i i grupe „osvetnika“, kojima su pripadnici porodica pobijeni u toku rata od pripadnika 28. divizije A BiH. Te zločine su verovaatno počinili u saradnji sa pojedinim starešinama iz bezbednosnih struktura ili čak po prporuci i uticaju spoljnih činilaca koji su uticali na tok i događaje u ratu u BiH. Za to ne postoje pouzdane informacije ali ima anliza i komentara u svetskim medijima koji sve

⁶⁴² Vidi Šire, Radovan Radinović, Rukovodna nadležnost dr Radovana Karadžića u sistemu strategijskog komandovanja VRS, 2012., str. 179-180

⁶⁴³ 1. brlpr, redovni borbeni izvještaj broj 03-253-100.

⁶⁴⁴ Richard J. Butler, Iskaz o vojnim događanjima u Srebrenici (revizija) - operacija „Krivaja 95“, 2002., str.132

otvorenije govore o upletenosti više činilaca koji su uticali na donošenje odluke o izvršenju masovnih zločina. Ovim grupama nije se komandovalo kroz redovni i legalni način, kroz sistem komandovanja i o tome ne postoje materijalni podaci niti bilo kakvi dokazi. Jedina grupa koja je došla iz iste jedinice u dokumentima se vidi da je to iz 10. diverzantskog odreda u čijem sastavu je bio i Dražen Erdemović. Dražen Erdemović je posvedočio da je 16. jula 1995. godine na Ekonomiji Branjevo kod sela Pilica (opština Zvornik), zajedno sa sedmoricom drugih pripadnika Desetog diverzantskog odreda VRS, streljao bošnjačke zarobljenike koji su dovoženi autobusima, po naređenju oficira Brane Gojkovića. On je dodao da je Gojkoviću instrukcije za strijeljanje dao „visok i krupan potpukovnik VRS sijede kose“, koji ih je doveo na Branjevo iz Zvornika. Nakon što je potpukovnik otišao, prema Erdemovićevim rečima, stigao je prvi autobus sa zarobljenicima. Erdemović je izjavio da kada je streljanje na Branjevu okončano, ponovo se pojavio potpukovnik VRS i rekao da u selu Pilica ima „još oko 500 zarobljenika koje treba pogubiti“, ali su, po izjavi Erdemovića, pripadnici Desetog diverzantskog odreda odbili da to učine. Umesto njih, zarobljenike u piličkom Domu kulture ubili su verovatno vojnici iz Bratunca.⁶⁴⁵

5.144. Imajući u vidu prethodna razmatranja, i pogubljenja zarobljenika nakon 14.07.1995. godine ne može se dovesti u pitanje opravdanost pokretanja operacije „Krivaja 95“ jer je imala karakter borbene akcije sa ograničenim ciljem. Sama odluka za ulazak u grad, njegovu demilitarizaciju i pacifikaciju, takođe ne može biti sporna jer to suštinski nije bila „zaštićena zona“, jer je Srebrenica to svojstvo suštinski izgubila u praksi delovanjem muslimanskih snaga izvan zone. No, ako se uzme u obzir da su muslimanske civilne vlasti Srebrenice pokrenule proces iseljavanja stanovništva 09.07.1995. godine i da je 28. divizija jasno pokazala da nema nameru da ozbiljno brani grad, a da bi se sprečio haos koji bi neminovno nastupio, dr Karadžić se saglasio sa odlukom GŠ VRS da jedinice VRS uđu u grad. Dakle, uz naređene mere prema civilnom stanovništvu, čije prisustvo u gradu se predviđalo i podrazumevalo, zatim imovini, objektima i UNPROFOR-u, ni ovaj deo operacije „Krivaja 95“ se ne može oglasiti neopravdanim ili nelegitimnim.

5.145. Odluku o iseljavanju stanovništva donelo je muslimansko političko i vojno rukovodstvo verovatno u saradnji sa centralnim vlastima u Sarajevu i sa snagama UN. VRS je podržala realizaciju donete odluke o preseljenju civilnog stanovništva, izvršila je dogovoreno, uz prateće incidente koji se u takvim okolnostima teško mogu izbeći. Opravdanost ove operacije je nesporna kada se ima u vidu da je mehanizam UN doneo odluku da zatraži dozvolu i pomoć VRS u evakuaciji stanovništva, koja je predviđena i domaćim ratnim zakonodavstvom. Izdvajanje vojno sposobnih muškaraca od ostalog stanovništva je uobičajena radnja, jer je bilo za očekivati da se među vojno sposobnim muškarcima u Potočarima nalaze i oni koji su počinili zločine u dotadašnjem periodu rata u Podrinju. U tom smislu treba imati na umu više puta ponovljene tvrdnje šefa policije u Srebrenici Hakije Meholfića, da je Izetbegović bio spreman na stradanje do 5.000 stanovnika, da bi se izazvala vojna intervencija NATO. „Oportunistička ubistva“ u Potočarima ne mogu se okvalifikovati kao planirano provođenje likvidacija, nego kao predvidiva posledica samog postupka masovnog susreta pripadnika dve narodne vojske u kojima su pojedinci bili željni osвете, čak su se međusobno i poznavali. Nije održiva teza da je izdvajanje bilo planirano i izvedeno radi likvidacije, jer nema dokaza da je u to vreme iko odlučio, pa čak i znao da će se likvidacije desiti.

5.146. Sva zarobljavanja su potpuno legitimna vojna radnja, jer su nastala kao posledica oružanog sukoba delova zaraćenih vojski. Sa kolonom 28. divizije, koja je krenula u proboj iz

⁶⁴⁵ Sedamnaest godina od masakra u Srebrenici, Dnevni list „Blic“, 10.07.2012. godine

okruženja, što se kvalifikuje kao ofanzivna borbena aktivnost, sukobili su se delovi DK, civilne Policije i delovi Zaštitnog puka. Sam postupak prikupljanja, razmeštanja i čuvanja zarobljenih po školama i drugim objektima za čuvanje je legitiman. Takođe, pomeranje zarobljenika iz Bratunca ka Zvorniku se može smatrati približavanjem ka Batkoviću, logoru za ratne zarobljenike pod kontrolom Međunarodnog crvenog krsta, iz koga su vršene legitimne razmene i kome je verovatno bilo potrebno vreme za pripremu prihvata tolikog broja zarobljenika, koji, pak, na to nisu mogli čekati u malom mestu Bratuncu, jer nije bilo kapaciteta, a i bila su sveža sećanja na zločine 28. divizije A BiH.⁶⁴⁶ Otuda njihova disperzija i smeštanje u privremene objekte u području Zvornika bilo je logično i iz bezbednosnih razloga zaštite zatvorenika. Vlasti u Bratuncu zbog straha od tolikog broja zarobljenika, kao i zbog zločina u Kravici reagovala su da se problem rešava zbog bezbednosti građana, a i zatvorenika.

5.147. U parcijalnim zaključcima sumirana su osnovna saznanja i stavovi do kojih se došlo u analizi operacije „Krivaja 95“ i mesta i uloge generala Mladića u toj operaciji. Parcijalni zaključci tako su formalizovani i generalizovani da se težišno odnose na strane u sukobu, a manje na analizu okolnosti, sa namerom da jasno i precizno iskažu viđenje o događajima i činjenicama, sa stanovišta vojne profesije.

7. PARCIJALNI ZAKLJUČCI

5.148. Tokom građanskog rata u BiH stanovništvo se skoro po pravilu selilo sa svojom vojskom verovatno iz dva razloga: (1) iz straha od dolaska neprijateljske vojske i njenog odnosa prema civilnom stanovništvu, jer su istorijska iskustva bolna i nezaboravna, i (2) da bi došli na teritoriju koju kontrolišu vojne snage i politička vlast sopstvene nacionalne zajednice. Po tom principu iz svojih krajeva je iseljeno, preko 600.000 Srba iz doline Neretve, Mostara, Konjica, Goražda, zapadne Hercegovine i centralne Bosne. Takođe, po toj osnovi je gotovo etnički očišćen i ispražnjen deo Sarajeva pod muslimanskom kontrolom. Isto to se desilo i sa Muslimanima i Hrvatima iz delova BiH pod srpskom vojnom i političkom kontrolom. Srebrenica uopšte nije nikakav izuzetak, u pogledu pomeranja i preseljenja civilnog stanovništva. Jednostavno, to su činjenice građanskog rata u BiH. Srebrenica je izuzetak po stradanju i masovnim zločinima nad zarobljenicima, koji su se desili u veoma kratkom vremenu.

5.149. Na osnovu Rezolucije Saveta bezbednosti postignut je sporazum između strana u sukobu kojeg su dana 8. maja 1993. godine potpisali general Ratko Mladić i general Sefer Halilović, uz posredovanje i saglasnost generala Moriona. Sporazum nije ispoštovan ni u jednoj tački. Muslimani nisu vojsku razoružali u demilitarizovanoj zoni niti su oružje stavili pod kontrolu UNPROFOR-a. U tom smislu demilitarizacija se izgleda odnosila isključivo na VRS.⁶⁴⁷ Zaštićena zona je služila muslimanskim snagama da iz nje ubacuju diverzantsko-terorističke grupe, da napadaju srpske vojne i civilne objekte, vrše zločine i bezbedno se vrate pod okrilje UNPROFOR-a.

5.150. Operacija „Krivaja 95“ se može okvalifikovati kao operacija malog obuhvata, izvedena na ograničenom prostoru, sa snagama taktičkog nivoa, ekvivalenta četiri ojačana bataljona. Bila je to operacija sa krajnje ograničenim ciljem. Od 11.7.1995. godine u popodnevrim časovima, tj.

⁶⁴⁶ „Kao član ratnog Predsedništva Srebrenice nisam znao da je došla naredba da grupe diverzantata upadnu u srpska sela. Tu nije bio Naser jer je on već bio otišao iz Srebrenice, već njegov zamenik Ramiz Bećirović. On mi je rekao da je za napade dobio naredbu od Generalštaba. To su, možda, bili ti izazovi koje je neko namerno režirao“, zaključio je Meholjić. Vesti onlajn, 24.09.2011. godine.

⁶⁴⁷ Halilović S. „Lukava strategija“, strana 108. ... „Vratio sam se u Štab i poslao naređenje u Srebrenicu i Žepu da ne smeju predati ni jedan ispravan komad oružja, niti ijedan čitav metak.“

od časa kada je pala odbrana Srebrenice. Ukupno brojno stanje 28. divizije A BiH do početka operacije prema tim dokumentima iznosilo je 10.200 ljudi. Verovatno je samo jedan deo bio pod oružjem, a ostali deo do punog brojnog stanja bili su na spisku vojnih obveznika i pripadnika brigada i samostalnih bataljona te divizije. S obzirom na ukupno stanje u enklavi, sasvim je realno zaključiti da ih je moglo biti naoružano oko 7 do 7.500 ljudi.

5.151. GŠ VRS i komanda DK nisu mogli očekivati da iz jedne ograničene vojne operacije nastupe tako teške posledice kao što su odlazak stanovništva u bazu UN u Potočare i odustajanje 28. divizije A BiH da položi oružje i da se odluči na proboj ka Tuzli. Ni posledice koje su nastupile iz tih novonastalih okolnosti – iseljavanje civila i masovno zarobljavanje i pogubljenje zarobljenih, nisu bile predvidljive u vreme kada je planirana i izvođena operacija. Zato je tvrdnja da je „Krivaja 95“ bila unapred planirana, kao masivni i sistematski napad na Zaštićenu zonu sa ciljem da se trajno iseli civilno stanovništvo i zarobe i pogube vojno sposobni muškarci netačna. To se može videti i po odnosu snaga koje su učestvovala u operaciji, a i po mnogim drugim argumentima izloženim u analizi.

5.152. Snage 28. divizije praktično nisu ni branile Srebrenicu. Od njih to verovatno nije ni očekivala njihova pretpostavljena Komanda 2. K, a ni GŠ A BiH. Dokaz za to je Odluka da se samo na tri meseca pre operacije iz Srebrenice izvuče komandant divizije Naser Orić sa još dvadesetak svojih oficira i uputi na obuku u Tuzlu. Takođe, pretpostavljene komande nisu preduzele adekvatne mere da, u vojnom smislu, olakšaju stanje divizije i da podrže njenu odbranu, a posle pada Srebrenice da podrže proboj kolone. Takođe pored respektivnih vojnih snaga i velikog brojnog stanja 28. divizije A BiH treba imati u vidu da su te snage bile u znatnoj meri prepuštene same sebi, bez adekvatne moralne i političke podrške od centralnih muslimanskih vlasti iz Sarajeva. Među borcima i narodom su kružile glasine da će Srebrenica i Žepa biti predate VRS, ta da i ne postoji potreba za nekim upornim i dugotrajnim otporom i borbom. Tim glasinama je doprinosio kriminal, haos, bezvlašće i sukobi između političkih, vojnih i policijskih rukovodilaca.

5.153. Veoma bitno je uočiti da su nakon 11.7.1995. godine u popodnevrim časovima, kada su jedinice DK ušle u Srebrenicu, nastale nevolje i nesreća zbog odbijanja snage 28. divizije A BiH da polože oružje i prihvate status ratnih zarobljenika. Komanda 28. divizije i komandanti brigada te divizije odlučili su se na proboj iz okruženja, verovatno uz znanje i odobrenje komande 2.K i GŠ A BiH. Osnovano je pretpostaviti da je takav odnos sugerisan i od strane muslimanskog političkog rukovodstva u Sarajevu. Prvi i najčešće najautentičniji izveštaji muslimanskih i stranih izvora govore da se u Potočarima okupilo oko 20.000 civila, a da se u koloni za proboj ka Tuzli nalazilo od 12.000 do 15.000 boraca i civila. Muslimanska tajna služba iz Tuzle izvestila je 17.07.1995. godine da se prethodnog dana, 16.07.1995. godine do „slobodne teritorije“ probilo 10.000 boraca 28. divizije, i da se sumnja da ih je još nekoliko hiljada u prostorima između Srebrenice i Tuzle.⁶⁴⁸ Teško je utvrditi tačan odnos naoružanih i nenaoružanih ljudi u koloni, koja je krenula u proboj. U toku noći 12.7.1995. godine. Ta kolona je krenula u proboj iz okruženja u nekoliko delova. Pravac proboja je bio Jaglići-Buljin-Pobuće-Cerska-Snagovo-Crni Vrh-Križevići-Baljkovica-Nezuk. Drinski korpus je delom snaga postavljao zasede na pravcu proboja. Te zasede su bile često slabe tako da su imale velike gubitke u ljudstvu i tehnicima.

5.154. Prvi veliki okršaj sa ovim snagama bio je na prednjem kraju odbrane Milićke brigade i delova Bratunačke brigade koji su zatvarali front na delu Potočari-Kravica-Nova Kasaba. Kada su snage 28. divizije krenule u proboj toga prednjeg kraja ovih brigada, naišli su na snažan otpor. U tom sukobu je samo kod mesta Bare poginulo između 800-1.000 ljudi iz te kolone. O tome je

⁶⁴⁸ (D01998)

svedočio istražitelj Haškog tribunala Žan Ruez. Takvih uzastopnih sudara i uletanja u zasjede bilo je više navrata i skoro uvek sa velikim brojem žrtvama. U evidenciji DK, a ni Haškog tribunala nema podataka o tome gde su te žrtve sahranjene. Sve su one upisane kao broj streljanih ratnih zarobljenika, što naravno nije istina. Većina istraživača polemiše samo oko dokazivanja ili opovrgavanja ukupnog broja koji su izgubili živote u toku i nakon operacije za Srebrenicu.⁶⁴⁹ Radi istine i pravde veoma je bitno da se zna koliki je broj stradao u borbi sa jedinicama DK, a koliko je zarobljeno i naknadno streljano. Prema podacima o broju zarobljenih i streljanih može se govoriti o 3.000 do 3.500 vojnika, vojnih obveznika i civila u koloni, a da su ostali stradali u borbama u toku proboja, pa čak i u međusobnim borbama o čemu postoje izjave i svedočenja učesnika proboja.

5.155. Izvesno je da je, do proboja 16. i 17. jula 1995. godine kod Nezuka i do izlaska na teritoriju pod muslimanskom kontrolom, stradalo do 3.500 hiljade ljudi iz kolone koja je krenula u samoubilački proboj. Nisu samo ginuli Muslimani u tim borbama već i pripadnici jedinica Drinskog korpusa. U tom smislu indikativan je i ilustrativan primer Zvorničke brigade. Ta jedinica je u nekoliko uzastopnih obračuna sa snagama 28. divizije u probou izgubila više ljudi nego za vreme izvođenja same operacije „Krivaja 95“ i ako je deo te brigade, ojačani bataljon izvodio napad na glavnom pravcu. Šta više, kolika je silina i odlučnost pojedinih jedinica 28. divizije bila u probou govori i podatak da je Zvornička brigada izgubila i tri samohodna oruđa 90 mm, dve PRAGE 30 mm i nekoliko kamiona, dok je desetine boraca ubijeno i nekoliko starešina i vojnika zaobljeno. O kakvom se sudaru radi, govori i činjenica da je komanda operativne grupe koja je izvodila operaciju na Žepi bila prinuđena da 15.7. izvuče snage Zvorničke brigade iz te grupe na Žepi i da komandanta potpukovnika Pandurevića zajedno sa delom brigade vrati u širi rejon Zvornika da bi se saniralo izuzetno teško stanje koje je nastalo na linijama odbrane te brigade u pokušaju da se odbrani zona odgovornosti brigade i spreči proboj jedinica 28. divizije ka Tuzli.

5.156. Komandant brigade je zbog veoma snažnog napada jedinica u probou, bio prinuđen da 16. i 17. jula otvori front i da propusti delove 28. divizije i tako izbegne još veće gubitke koji su i do tada bili nepodnošljivi za 28. diviziju A BiH u probou, a i za jedinice Zvorničke brigade VRS. Dakle, nije se radilo o civilnoj koloni, kako se to u propagandi i medijskoj kampanji često isticalo, već o mešovitoj koloni koja je u svom sastavu imala dosta jake vojne snage, oko 6.000 do 7.000 vojnika i starešina. Kako bi inače ta kolona bila u stanju da nanese tako ozbiljne gubitke jednoj od najboljih brigada DK, Zvorničkoj brigadi i da savlada deo snaga na pravcu proboja. Sigurno je da je taj rezultat ostvaren nedopustivim žrtvama i velikim brojem poginulih pripadnika 28. divizije A BiH.

5.157. Najveće zarobljavanje pripadnika 28. divizije i civila koji su zajedno sa njima krenuli u proboj, desio se na komunikaciji Konjević Polje-Bratunac, a jedan deo i u rejonu Nove Kasabe. Masovna zarobljavanja su se desila 12. i 13. jula. Ratni zarobljenici su odvoženi u Bratunac, odakle su usmeravani ka Zvorniku. Očekivano je bilo da se radi o usmeravanju ka Bijeljini gde se nalazio prihvatni centar za smeštaj zarobljenika koji su trebali da idu u razmenu. Na žalost, veliki deo zarobljenika likvidiran je na lokacijama u širem rejonu Zvornika. Nije tačno utvrđen

⁶⁴⁹ Hakija Meholic je u više navrata imao kritički osvrt na žrtve Srebrenice, kao i pokušaje političke manipulacije sa ukunim brojem nastradalih muslimana u Srebrenici u toku borbi i nakon masovnih streljanja. U tom smislu on „...kao Bošnjak ljut sam na sve koji su u Memorijalnom centru sahranili 75 osoba, a koje nisu poginule u julu 1995. godine. Da je to urađeno saznao sam tek prije nekoliko dana. Smatram da Bošnjaci, koji nisu poginuli pri padu Srebrenice, treba da budu sahranjeni na drugoj lokaciji u neposrednoj blizini i da imena ljudi za koje je utvrđeno da su živi, treba izbrisati iz spiska na spomen-obilježju. Ne smije se takvim stvarima skrnjaviti značaj Memorijalnog centra, koji je rezultat tadašnje politike i međunarodne zajednice.“ Glas Srpske 22.4.2010. godine.

broj likvidiranih zarobljenika niti je u strukturi ukupnih muslimanskih gubitaka odvojen onaj deo koji je stradao u borbama od onih koji su ubijeni kao zarobljenici, u masovnim streljanjima. U medijske propagandne i političke svrhe koriste se različiti podaci ali se svi poginuli navode kao da su streljani, kao zarobljeni što naravno nije tačno. Poštujući sve žrtve radi istine potrebno je doći do objektivnih informacija o broju poginulih i broju streljanih vojnika A BiH i civila. Samo istina može biti osnova pomirenja i budućnosti multietničkog života u BiH. Lažne informacije i na njima utvrđene presude mogu samo biti izvor nepoverenja u budućnosti.

5.158. Iseljavanje civilnog stanovništva iz Srebrenice na teritoriju pod kontrolom A BiH nije bilo nasilno niti prinudno i to nije bila odluka GŠ VRS, već izbor stanovništva i odluka UNPROFOR-a . VRS je sve činila da se zaštiti civilno stanovništvo i da mu se pomogne da se organizovano preveze do teritorija pod kontrolom muslimanskih snaga. Ovakav zaključak se stiže na osnovu više činjenica, a posebno: zahtev Predsedništva opštine Srebrenica od 09.07.1995. godine i stav komandanta Holandskog bataljona UNPROFOR-a iskazan prema generalu Mladiću iznesen na sastanku u Bratuncu 11.07.1995. godine. Nakon sastanka sa predstavnicima UNPROFOR-a, gde je iznet predlog da stanovništvo treba iseliti na bezbednu teritoriju, tek tada je pokrenuta aktivnost za prikupljanje prevoznih sredstava neophodnih za transport civila. Pre tog događaja nema nikakvih informacija o postojanju ikakve namere, niti plana za iseljavanje civilnog stanovništva iz Srebrenice. Kod stanovništva je sigurno postojao strah od prisustva VRS, jer su u prethodnim godinama se desili mnogi zločini nad Srbima u Podrinju za koje su Muslimani u Srebrenici čuli i bojali su se osвете. Jedan veći deo običnog naroda u Srebrenici nije odobravao takve zločine nad Srbima, na području Bratunca i Kravice, ali nije mogao niti smeo da se suprotstavlja pojedinim kriminalnim i razularenim bandama i njihovim vođama.

5.159. Zbog prethodnih zločina koje su počinili nad srpskim narodom i jedinicama VRS u Podrinju, jedan deo pripadnika, komandanata, komandira i boraca 28. divizija A BiH nije hteo da položi oružje i doneo je odluku da se probije iz okruženja, preko zone odgovornosti Drinskog korpusa. Ta nepromišljena odluka verovatno je sugerisana i od centara moći koji su izazivali i provocirali napad snaga VRS stalnim zločinima, u okruženju enklave. Masovna zarobljavanja pripadnika 28. divizije desila su se 12. i 13.07.1995. godine. To su izvršile snage Bratunačke i Miliće brigade; Policijskog bataljona; 65. zaštitnog puka i snage MUP-a koje su od 12.07.1995. godine kontrolisale pravac Bratunac-Konjević Polje. Prikupljeni ratni zarobljenici su iz Bratunca na prostor opštine Zvornik prebačeni 14.07.1995. godine, u skladu sa naređenjem GŠ VRS i komande Drinskog korpusa, razmešteni u objektima koji su bili pogodni za čuvanje i obezbeđenje, a to su prevashodno bile škole koje u to vreme nisu radile. Jedan deo zarobljenika je smešten u Osnovu školu u mestu Kula u naselju Pilica, a jedan u Domu kulture u Pilici. Radi se o civilnim objektima koji su bili u nadležnosti civilnih vlasti.⁶⁵⁰

5.160. Kada i ko je doneo odluku da se zarobljenici likvidiraju umesto da se razmene, kako se to govorilo i očekivalo, to je teško utvrditi, jer za to nisu nađeni materijalni dokazi. Zarobljenici iz škole u Kuli su, nažalost, odveženi autobusom do ekonomije Branjevo i tu likvidirani. Lokalitet Branjevo na kojem su likvidirani zarobljenici iz škole u Kuli je bio u vlasništvu civilnog preduzeća „AGROPROM“ iz Zvornika.

5.161. Srebrenica je verovatno osmišljena kao zločin izvan prostora BiH, ali je nepromišljenošću političkog i vojnog rukovodstva Republike Srpske dozvoljeno da se izvedu operacije za Srebrenicu i Žepu, sa ograničenim ciljem povratka prostora u granice zaštićenih zona. Nažalost nije se uočilo da je tu operaciju u proleće i leto 1995. godine izazivalo i

⁶⁵⁰ Radovan, Radinović, Ekspertiza o Srebrenici D-160, 2002., str. 34-42.

priželjkivalo ekstremno krilo u političkom i vojnom muslimanskom rukovodstvu u Sarajevu, jer se znalo da je u Podrinju, oko Bratunca i sela Kravice stradalo oko 3.450 ljudi u prethodnim godinama rata i da je u porodicama stradalih Srba ima puno onih koji su priželjkivali osvetu, odnosno osvetnički potencijal bio je veliki.

5.162. Neuočavanje namera političkog i vojnog muslimanskog rukovodstva u Sarajevu da kroz intenziviranje diverzantskih dejstava i stalno nanošenje gubitaka VRS i civilnom stanovništvu, kao i stalne provokacije izazove i iznudi izvođenje napadne operacije jeste ogromna strateška politička i vojna greška. Bez obzira šta se zaista u Srebrenici dogodilo ili šta je medijski prikazano da se dogodilo, ona je ostala simbol zločina u građanskom ratu u BiH i jedan je od najsramnijih zločina koji je ukaljao ciljeve borbe srpskog naroda. To je bila i namera onih koji su upravljali ratom i koji su cenili da će etnička mržnja i želja dela srpskih vojnika za osvetom, čije su porodice postradale u Podrinju, dovesti do zločina koji se neće moći kontrolisati linijom komandovanja. Nakon počinjenih zločinina nad zarobljenih pripadnicima 28. divizije A BiH, muslimansko rukovodstvo u Sarajevu težilo je da u međunarodnoj javnosti iskompromituje odbrambeni karakter i ciljeve borbe srpskog naroda. Čak i danas predstavnici mnogih političkih stranaka iz redova Bošnjaka svoju strategiju unitarizacije BiH i ukidanja Republike Srpske i njenih nadležnosti zasnivaju na „genocidnom karakteru borbe srpskog naroda“, pokušavajući na taj način da u svetu Republiku Srpsku prikažu kao „genocidnu tvorevinu“. Takav pristup jeste politička zloupotreba zločina koji se desio. Taj zločin nije planiralo političko i vojno rukovodstvo Republike Srpske. On je verovatno osmišljen radi medijske priprme međunarodne zajednice i javnosti da prihvati posledice preduzimanja operacija Hrvatske vojske, ARBiH i HVO, uz vazduhoplovnu, obaveštajnu i logističku podršku NATO, u kojima je izvršeno etničko čišćenje i zločini na prostoru Republike Srpske Krajine u Hrvatskoj, kao i u zapadnom delu Republike Srpske u BiH, kada je ubijeno oko 2.300 vojnika i civila i prognano iz svojih domova preko 220.000 ljudi. Ti zločini nisu se čuli niti videli u međunarodnoj javnosti jer je zločin u Srebrenici bio paravan za nastavak genocida nad srpskim narodom u Hrvatskoj i BiH koji je započet u ustaškoj HDH, a nastavljen u završnim operacijama u građanskom ratu 1995.godine.

5.163. General Ratko Mladić, kao komandant GŠ VRS nije komandovao snagama u operaciji „Krivaja '95“, ali je učestvovao u fazi pripreme i izvršenja. Svojim neposrednim prisustvom nastojao je da se zaštiti civilno stanovništvo i da pomogne da se ispoštuje njegova volja. Takođe, kao iskusan komandant pokušavao je da privoli pripadnike 28. divizije A BiH da polože oružje i da će im garantovati bezbednost kako bi se sprečila nepotrebna stradanja. Očigledno je da to delu komande 28. divizije, 2.K GŠ A BiH nije odgovaralo..ZAŠTO....? Nerazumne i necelishodne komadnog kadra 28. divizije A BiH nisu posledica njihove autonomnosti delovanja, nego pogrešnih instrukcija koje su dobijali od 2. K i GŠ A BiH. Takve pogrešne instrukcije su izraz namere i zloupotrebe stradanja u funkciji ostvarenja ciljeva borbe muslimanskog naroda u BiH, radi pridobijanja simpatija i političke podrške uticajnih država međunarodne zajednice.

5.164. Oficiri informativne službe VRS zabeležili su video kamerom ovaj razgovor u detaljnijem i slikovitijem obliku. Relevantni citat iz transkripta glasi ovako:

MLADIĆ: Ja Vas molim da zapišete... Pod broj jedan trebate da položite oružje... i svima koji položite oružje... garantujem život... Imate moju reč... kao čoveka i generala da ću iskoristiti svoj uticaj... i da pomognem nedužnom muslimanskom stanovništvu koje nije cilj dejstva Vojske Republike Srpske... Cilj našeg dejstva nisu ni humanitarne organizacije snage UNPROFOR-a... iako su snage NATO pakta po zahtevu UNPROFOR-a kao i snage UNPROFOR-a danas tukle naše ne samo položaje Vojske Republike Srpske nego i civilno stanovništvo... Da bi mog'o da odlučim i kao čovek i kao komandant... trebam da dobijem jasan stav... predstavnika vašeg naroda, da li želite da opstanete, ostanete ili nestanete... i

spreman sam sutra primiti delegaciju... odgovornih ljudi... muslimanske strane... u deset sati na ovome mestu... sa kojima mogu razgovarati o spasu izbavljenja vašega naroda... iz enklave, bivše enklave Srebrenica.⁶⁵¹ Do deset sati narediću sutra obustavu operacija... Ukoliko vaš (kadar prekinut).⁶⁵²

I dalje:

MLADIĆ: Prema borcima koji, vašim borcima koji polože oružje... postupaćemo u duhu međunarodnih konvencija... i svakome garantujemo život... čak i onima koji su počinili zločine prema našem narodu... Da li ste me razumeli?... Nesibe... i u vašim je rukama sudbina Vašega naroda... ne samo na ovom prostoru... Završio sam. Slobodni ste. Čekam vas u deset sati sutra. Ispratite ih.

MANDŽIĆ: Da vam kažem gospodine generale. Ja vam kažem iskreno da sam slučajni predstavnik... ako ja ne odgovaram, nema problema.

MLADIĆ: To je vaš problem, dovedite ljude koji mogu obezbediti predaju oružja, i spasiti vas narod od uništenja.⁶⁵³

5.165. Sa vojne tačke gledišta takav razvoj situacije nakon zauzimanja Srebrenice, najmanje je trebao VRS, u toj završnoj fazi građanskog rata. U svom intervju Alija Izetbegović istiće sve pogubne posledice zločina u Srebrenici po ciljeve borbe srpskog naroda u BiH. „ Da li je tragedija Srebrenice uticala na daljnji tok rata u BiH, s obzirom na to da su odmah iza toga Karadžić i Mladić optuženi za ratne zločine? Mislim da je imala snažan uticaj. Kao što je poznato, 30. avgusta 1995. godine nepuna dva mjeseca nakon Srebrenice, uslijedila je snažna zračna intervencija NATO-a na srpske položaje. Neposredan povod je bila granata na sarajevsku tržnicu Markale, ali mislim da je pravi razlog bila Srebrenica. Znam posigurno da se u američkom Kongresu uoči odluke o intervenciji čula izjava „Što je dosta, dosta je.“ Ono što se u ovoj izjavi ne čuje, a što je očito sadržano, je Srebrenica. Srebrenica je neposredno uticala i na hašku optužnicu protiv Karadžića i Mladića.“⁶⁵⁴ I ovo je dokaz da zločin u Srebrenici nije trebao političkom niti vojnom rukovodstvu Republike Srpske.

5.166. Odluka komande 28. divizije A BiH i pretpostavljenih komandi, da se ide u proboj bila je katastrofalna, a u vojnom smislu organizovanje i upotreba snaga u probodu bile su još gore i donele su ogromne posledice. Posle bitke zaista lako je biti general, ali svaka opcija bila bi bolja od donete odluke. Da je položeno oružje u Srebrenici, možda bi se desili pojedinačni zločini i ubistva ali se ne bi dogodila tragedija masovnog zločina. Zato je verovatno i general Mladić insistirao da pripadnici 28. divizije A BiH polože oružje jer bi onda linijom komandovanja neposredno mogao da utiče preko komande DK da se obezbede ratni zarobljenici i da se spreči mogućnost samovolje pojedinaca i zločina kao rezultat osvete. Takođe, zato se može reći, sa velikom pouzdanošću, da se zločin u Srebrenici desio kao posledica nepromišljenog delovanja i neodgovornog postupanja komandi na operativnom i taktičkom nivou u VRS i A BiH, nakon ulaska snaga DK u Srebrenicu. Posle završetka operacije „Krivaja 95“ dolazi do jednog haosa i nepredviđenog postupanja komande 28. divizije i donošenja odluke o probodu, koja je uslovlila iznuđeno i neadekvatno sprečavanje tog proboda od strane jedinica DK i Policije RS. Snage koje

⁶⁵¹ (dokazni predmet optužbe u predmetu Krstić 40/a).

⁶⁵² Prema Richard J. Butler, Iskaz o vojnim događanjima u Srebrenici (revizija) - operacija „Krivaja 95“, 2002., str.40

⁶⁵³ Isto. str. 5.

⁶⁵⁴ Intervju sa Alijom Izetbegovićem, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.19.

su sprečavale proboj 28. divizije A BiH bile su dezorjentisane i neorganizovane na taktičkom nivou, a o njihovom postupanju nisu postojale pravovremene informacije na operativnom a kamo li na strategijskom nivou komandovanja.⁶⁵⁵

5.167. Deo vojnika VRS u zoni proboja muslimanskih snaga bio je opterećen željom za osvetom prema muslimanskim snagama 28. divizije A BiH, zbog zločina koje su te snage nanele prema njihovim najbližim u Podrinju. Tu mržnju i želju za osvetom, komandovanje na taktičkom nivou nije bilo u stanju da suzbije i reši, upravo zbog milicijskog karaktera VRS posebno na taktičkom nivou organizovanja. Reakcija operativnog i strategijskog nivoa komandovanja u VRS i A BiH, kao i UNPROFOR-a bile su nažalost zakasnele i nisu odgovarale stanju na terenu. Težište delovanja GŠ VRS u periodu nakon 20. jula 1995. godine bilo je na organizovanju i pripremi snaga za suprotstavljanje agresiji Hrvatske Vojske na Republiku Srpsku u sadejstvu sa muslimanskim snagama A BiH i HVO u zoni odgovornosti 1. i 2. Krajiškog korpusa VRS. Takav razvoj situacije nije omogućavao generalu Mladiću niti GŠ VRS da preispituje istinitost informacija o posledicama operacije „Krivaja 95“. Nije onda jasno kako se za tragične posledice zločina okrivljuje samo vojni vrh VRS i general Ratko Mladić. U celom ratu u BiH i operacijama u kojima je neposredno učestvovao držao je do vojničke časti i ponosa, štiteći civilno stanovništvo. Kao vojnik insistirao je u pregovorima u hotelu Fontana da jedinice 28. divizije A BiH predaju oružje, verujući da će na taj način njeni pripadnici biti bezbedni i zaštićeni. Kao vrhunski profesionalac i komandant verovatno je bio svestan da će muslimanske snage pokušaj proboja, preko gudura i vrleti, odvesti u ruke pojedinih grupa osvetnika i kriminalnih grupa, koje su delovale mimo linije komandovanja, uz podršku pojedinih starešina Vojske, Policije i Službe bezbednosti. Takav njihov pojedinačan odnos na taktičkom nivou komandovanja, nakon operacije, nije moralno, a ni opravdano dovesti u kontekst nadležnosti generala Ratka Mladića. Svaka odgovornost u ratu treba da bude individualna, lična.

⁶⁵⁵ Novinske agencije Tanjug i Fonet prenele su izjavu Ibrana Mustafića, osnivača SDA u Srebrenici i člana Organizacionog odbora za obeležavanje masakra u Srebrenici. Mustafić kaze da su snage Nasera Orića poubijale od 500 do 1000 srebreničkih muslimana prilikom proboja prema Tuzli 1995. Ova tvrdnja je i ranije izrečena u Mustafićevoj knjizi "Planirani haos" (izvor: <http://www.blic.rs/forum/index.php?topic=370167.0;wap2>)

REZIME I ZAKLJUČCI

6.0. Teško je racionalno i objektivno objasniti poreklo mržnje između Muslimana i Srba pravoslavaca. Istorijska je činjenica da gotovo svi Muslimani (Bošnjaci) na teritoriji BiH, pa i prethodne Jugoslavije imaju srpsko nacionalno poreklo i da ih je samo islam, kao vera, odvojio od suštine nacionalnog bića. Opterećeni sindromom promene vere i saradnje sa okupacionim režimom Otomanskog carstva, zbog prezira njihove braće i sunarodnika Srba, tražili su neki novi identitet. Vremenom ta potreba pravljenja razlike postajala je sve veća da bi u toku i posle građanskog rata u BiH ona bila još jače izražena kroz pokušaj revizije istorijskih činjenica i rušenju svega što je zajedničko sa Srbima, pre svega prošlost, jezik, kultura i sl. Politički kriterijumi postaju dominantni i pokušavaju potreti istorijske fakte i na taj način jednim neprimerenim nasiljem u kulturi i jeziku stvarati deobe i udaljavati narode koji su upućeni jedni na druge i na zajednički život. Svedoci smo vremena kada se na Balkanu posle građanskih ratova na prostoru bivše SFRJ, formiraju „nove nacije“, ne prirodnim putem nego političkom voljom državnih i verskih elita. Tako su nastale nove nacije Crnogorci, po geografskom i Bošnjaci, po verskom kriterijumu. U tome su im do danas indirektno svojom inertnošću pomagali Srbi pravoslavne vere, jer svojom isključivošću nisu ih zadržali u istom nacionalnom korpusu, zato što su poistovećivali pravoslavlje, kao veru, i srpski narod. Kroz istoriju taj odnos Srba pravoslavaca i Muslimana se stalno usložavao, posebno u teškim istorijskim okolnostima za vreme ratova i sukoba na prostoru Balkana.

6.1. Bosna i Hercegovina je bila u svakom pogledu ustavno i politički ravnopravna sa ostalim jugoslovenskim republikama. Njeno stanovništvo su činili tri konstitutivna naroda: Muslimani, Srbi, Hrvati. Muslimani su kao narod komunistička tekovina, kao nacija proglašeni od strane tadašnjeg saveznog i republičkog partijskog vrha početkom 70-ih godina. Dominantne religije na prostoru BiH su islam, pravoslavlje i katolicizam, a jezici srpski i hrvatski, a nakon građanskog rata i bošnjački. Sva tri naroda imala su status konstitutivnog naroda. Bilo kakav oblik narušavanja konstitutivnosti ili majorizacije jednog od konstitutivnih naroda BiH, vodio je u etničke i verske sukobe. Bosna i Hercegovina, po svom geostrateškom položaju u bivšoj Jugoslaviji je igrala ulogu teritorije koja je ujedinjavala i spajala jugoslovenski državni prostor i međusobno povezivala središnji multinacionalni i multikonfesionalni deo, sa njegovim istočnim i zapadnim delom, kao i sa južnim delom jadranske obale. Pitanje opstanka BiH kao multikulture, multietničke i multikonfesionalne tvorevine još više se zaoštrilo nakon arbitrarnog proglašenja od strane Badinterove komisije da je Jugoslavija nestala i da sve njene članice imaju pravo da traže međunarodno priznanje. Pri tome se nisu uzele u obzir činjenice da SFRJ nije nastala kao složena federalna država uključenjem republika nastalih u Drugom svetskom ratu. Naprotiv, Kraljevina Jugoslavija je nastala prvenstveno kao rezultat borbe srpskog naroda, Kraljevine Srbije i Kraljevine Crne Gore u Prvom svetskom ratu, na strani sila Atante.

6.2. Uslovi za domanaciju Muslimana u BiH su postepeno izgrađivani u okviru NDH, a potom u vreme komunizma i socijalizma u okviru SFRJ i BiH, kao njene federalne jedinice, sa izrazito islamizovanim obeležjima kulturološkog karaktera. Islam, kao politički faktor, dobio je na zamahu i intenzitetu krajem 60-ih i početkom 70-ih godina. Svoju punu ideološku podlogu muslimanski separatizam dobio je u delu Alije Izetbegovića „Islamska deklaracija“⁶⁵⁶. U tom političkom programu Alija Izetbegović Bosnu i Hercegovinu vidi kao islamsku državu i da ta država iz javnog, političkog, ekonomskog i kulturnog života isključuje ravnopravnost Srba i

⁶⁵⁶ Islamska deklaracija, Sarajevo, 1990. godine

Hrvata, kao konstitutivnih naroda. Radi ostvarenja tih ciljeva sa uvođenjem političkog pluralizma u BiH, osnovana je Stranka demokratske akcije (SDA), koja je u svojoj osnovi programske orijentacije bila muslimanska stranka. Svo vreme rata pred svetom su krnje institucije države BiH pokušavane da se prikažu kao multietničke, a u svojoj osnovi bile su muslimanske. To se najbolje vidi iz suštine odnosa prema sistemu vrednosti u savremenom svetu. Nije razumljivo da su toj bivšoj, a i aktuelnoj muslimanskoj političkoj eliti bliže vrednosti islama sa dalekih područja nego civilizacijske multietničke i multikonfesionalne vrednosti regiona u kome žive i celokupnog evroatlantskog prostora.⁶⁵⁷ Stavovi koji se pojavljuju na forumu koji okuplja muslimanske političke rukovodioce i komandante A BiH najviše govore o sistemu vrednosti koje su baštinili u građanskom ratu u BiH i sistemu vrednosti koje nastoje nametnuti kao civilizacijski i kulturološki model na prostoru BiH. Nije dobro što se ratna prošlost i sećanja prenose na mlađe generacije, pri čemu se pripadnici druga dva naroda, Srbi i Hrvati označavaju agresorima. Sigurno je da nacionalna elita i narodi u BiH zbog tih različitih vrednosti i interesa trebaju imati svoj nacionalni i verski identitet koji neće ugrožavati druge konstitutivne narode.

6.3. Ispoljene namere SDA za otepljenjem BiH, iz sastava Jugoslavije, predviđale su formiranje unitarne države sa muslimanskom dominacijom i sa perspektivom stvaranja čiste islamske države u budućnosti jer bi Srbi i Hrvati u dužem periodu otišli ka Hrvatskoj i Srbiji. To je probudilo loša istorijska sećanja i pamćenje iz prošlosti i izazvalo reakciju i nepoverenje Srba. Osnovana je Srpska demokratska stranka (SDS), a potom su proglašene pojedine autonomne regije sa pretežno srpskom većinom. Tokom krize i rata, spajanjem tih regija nastala je, najpre Srpska republika BiH, a potom i Republika Srpska (RS). Srpska demokratska stranka je imala nacionalni pristup i ideologiju. Zastupala je interese celog srpskog naroda u BiH. Prvo je zastupala ideju ostajanja BiH, a nakon otepljenja BiH, zastupala je program razgraničenja tri konstitutivna naroda. Državni koncept BiH kao samostalne i unitarne države vodio je direktno u građanski, međuetnički i verski rat. Na to su upozoravali lideri SDS, o čemu postoji obimna video i pisana dokumentacija. Ta upozorenja nisu shvaćena ozbiljno. Došlo je do građanskog rata sa teškim, dugotrajnim i razarajućim posledicama po sva tri naroda i njihovu budućnost.

⁶⁵⁷ „Pod parolom „Palestina je država bez naroda, a Jevreji narod bez države“ otpočelo je uništenje države Palestine koja je imala sva obilježja državnosti (institucije vlasti, znamenja, novac, itd.). Godine 1917., okupirana je od strane Velike Britanije, a 1948. godine na njenoj teritoriji proglašen je Izrael. Okupacija cijele Palestine i dijelova Sinaja i Golanske visoravni izvršena je 1967. godine, a 1969. godine zapaljen je Mesdžidu-l-Aksa. U ovo vrijeme u svijetu se čine ogromni naponi da se bilo kako stvori činjenična osnova za opravdavanje nasilja nad muslimanima i marginalizaciju bilo kakve njegove osude. Kako je moguće getoizirati, progoniti i terorizirati nekoga, a očekivati simpatije i prijateljstvo od njega? Palestinsko pitanje vezano je za sve muslimane svijeta. Palestina i Kuds nemaju posebno značenje samo za Arabe, već cijeli islamski svijet. U avgustu 1979. godine Imam Hommeini (r.a.) uputio je poziv za obilježavanje Svjetskog dana Kuds. Ovaj dan može se smatrati vezom politike i duhovnosti, gdje je, upravo u mubarek mjesecu ramazanu, najočitija predanost vjeri. Palestinci su simbol svih muslimana svijeta. Dan Kuds izražava jedinstvo svih muslimana. Cionistički režim u današnjem svijetu ima mnogo sponzora i na razne načine dobiva podršku za svoje stravično djelovanje. To se odnosi na stavljanje u službu cionistima putem političke, diplomatske, medijske i informativne podrške, kao i podrške u novcu, naoružanju i savremenoj tehnologiji. Danas je položaj cionističkog režima u svjetskom javnom mnijenju gori od njegove mračne prošlosti. Glas protiv njega dižu svi slobodarski narodi i nacije u skoro cijelom svijetu. Demonstracije protiv ovog režima provedene su u 120 država, između ostalog, i u Velikoj Britaniji koja je zasadila i uzgojila ovo stablo.“ Šta reći na ovakve iskaze sa jednog takvog skupa na kome se analiziraju „...tekovine borbe za BiH..“ Svaki komentar je suvišan, jer stavovi sami za sebe govore više od deklarativne priče o celovitij i multietničkoj BiH.

dr Džemal Najetović, KORAK - Časopis za zaštitu tekovina borbe za BiH, Broj 28, ISSN 1512-9411, Sarajevo, 2012., str.149

6.4. Rat u BiH (1992-1995.) u suštini bio je građanski rat verskog i etničkog karaktera. Verska i etnička mržnja koju su raspirivali ekstremisti, bile su njegov glavni uzrok i pokretač, uz mnoštvo drugih činilaca regionalnog i međunarodnog karaktera, koji su doprineli da mržnja dođe do punog izražaja i da izbiје u prvi plan. Radi se o klasičnom građanskom ratu verskog i etničkog karaktera uz značajno učešće Hrvatske vojske u pojedinim delovima BiH u toku celog rata. Muslimanska strana u ratu u BiH je nastojala stalno da srpsku stranu prikaže kao agresora. Da je zaista izvršena agresija JNA i Jugoslavije na muslimanske snage Armije BiH, kako je stalno govorio muslimanski politički vrh, onda je sasvim jasno da bi takav rat bio kratkotrajan i da bi u vojnom pogledu grad Sarajevo i cela BiH bili stavljeni pod kontrolu JNA u veoma kratkom periodu. Po svim parametrima vojne moći ova tvrdnja se lako može argumentovati i dokazati. To nikada nije bio cilj srpske strane u BiH, niti JNA, da prisilom zadržava Muslimane i Hrvate u zajedničkoj državi. Muslimanska propaganda bila je i ostala u funkciji pridobijanja međunarodne podrške i za unitarnu BiH, pri čemu bi bila ukinuta volja druga dva konstitutivna naroda. To niko niti je planirao niti je imao nameru. Otud sva priča o agresiji na BiH od strane Srba, jeste medijska spekulacija muslimanske strane u ratu u BiH.

6.5. Pravi početak rata u BiH uzima se 6. april 1992. godine. Tog dana, bez ikakvog valjanog pravnog i političkog argumenta, Evropska zajednica i SAD odlučile su da priznaju BiH kao samostalnu državu i to tako što su, uprkos očiglednoj nelegitimnosti referenduma iz februara 1992. godine, potvrdile njegove rezultate. Političko rukovodstvo Muslimana proglasilo je opštu mobilizaciju radi formiranja tzv. Armije BiH i radi vođenja rata. Predsedništvo muslimanskog dela BiH, kao Vrhovna komanda, 14.04.1992. godine izdalo je Direktivu kojom se naređuje „Zelenim beretkama“ i svim naoružanim muslimanima da napadnu sve vojne objekte, starešine i vojnike, pa čak i porodice vojnih lica i da otimaju i vojnu opremu. Verska i etnička mržnja koju su raspirivali ekstremisti, bile su njegov glavni uzrok i pokretač, uz mnoštvo drugih činilaca regionalnog i međunarodnog karaktera.

6.6. Po svojoj tipologiji, VRS pripada kategoriji narodnih vojski sa elementima stajaće, operativne vojske. Formiranje, popuna, logistika, upotreba, odnosno način dejstva, gotovo u celini prate karakteristike milicijskog oblika vojne organizacije. Primese regularne i operativne vojske sadržane su na višim nivoima organizovanja i rukovođenja, ali oni ni u kom smislu ne dovode u pitanje milicijski i narodni karakter te vojske. Njena strateška koncepcija, odnosno generalna vojna doktrina bila je defanzivnog karaktera. To je posledica ograničenog defanzivnog osnovnog strateškog cilja, a to je odbrana onog dela teritorije kojeg su tadašnje nacionalne elite u RS smatrale sopstvenom etničkom teritorijom. VRS nije imala cilj da vojnički porazi protivnika, jedino zato što ni celu BiH nije smatrala sopstvenom teritorijom, a nisu želeli da budu okupator na tuđem. Inače, VRS je raspolagala odgovarajućom borbenom snagom koja joj je sve do kraja 1993. godine garantovala vojnu pobjedu u ratu u BiH. To nije učinila jedino zato što nije želela i zato što to nije definisano kao ratni cilj.

6.7. Vojska Republike Srpske izgrađivana je u građanskom, verskom i etničkom ratu, u veoma teškim uslovima. Doktrinarne norme u VRS su definisane na osnovu dotadašnjih sistemskih znanja stečenih u JNA, kao i druge dve vojske. Te doktrine nisu bile potpuno saglasne stvarnim mogućnostima VRS, A BiH i HVO, pa zato nisu bile dovoljno ni sprovodljive, jer su te vojske bile u suštini narodne vojske, organizaciono, kadrovski i tehnološki nepripremljene i nesposobne za odgovorno i profesionalno doktrinarno ponašanje i delovanje.

6.8. Bivša JNA, a samim tim ni sve tri vojske u ratu u BiH, nije imala klasičan Sovjetski model komandovanja (centralizovani komandni model), koji je strogo determinisan voljom pretpostavljenih, nego kombinovani model komandovanja, koji je počivao na jednostarešinstvu i subordinaciji i koji je omogućavao punu kreativnost potčinjenih u fazi donošenja odluka i u

periodu njihove realizacije. To je posebno bilo aktuelno u ratu u BiH u periodu između većih operacija kada se očekivala puna kreativnost i samostalnost od strane donosilaca odluka na svim nivoima komandovanja. JNA je posle 1960. godine napustila Sovjetski model komandovanja i sve više decentralizovala organizaciju oružanih snaga i funkcije komandovanja. Fleksibilnost i kreativnost potčinjenih u lancu komandovanja bila je upravo karakteristika vojski sve tri zaraćene strane. Više od 70 odsto vremena u ratu u BiH provedeno je u sukobima na najnižem taktičkom nivou i u razmeni vatre, o čemu su odluku o dejstvu donosili komandiri, odeljenja, vodova, četa (baterija) i komandanti bataljona, u sve tri vojske u BiH. Takav pristup bio je uslovljen linijskim rasporedom snaga na velikom frontu.

6.9. VRS je imala veoma zastarela sredstva veze i lošu zaštitu informacija, što potvrđuju brojni primeri snimanja razgovora i komunikacija između starešina i komandi jedinica od strane A BiH, HV i HVO. Te veze su često bile nepouzđane i u smislu njihovog uspostavljanja, tako da se kasnilo sa informacijama. Sve je to onemogućavalo pretpostavljene komande da donose odluke u realnom vremenu i da poznaju stvarnu situaciju na pojedinim delovima ratišta, posebno na nivou GŠ VRS. Zato su komande operativnog nivoa morale često da se bave posledicama događaja na ratištu. Dakle, u pojedinim periodima rata nije postojalo efektivno komandovanje na celoj dubini lanca komandovanja u VRS. Karakteristični primeri su vezani za period nakon operacije za Srebrenicu, u toku završnih operacija HV, A BiH i HVO za okupaciju zapadnih delova RS. Treba imati u vidu i da je efektivno komandovanje jedinicama VRS, posebno na taktičkom nivou bilo ugroženo i sa malim procentom profesionalnih oficira na komandnim dužnostima, što je uzrokovalo različite negativne posledice, pa i posledice samovolje i paravojnog delovanja.

6.10. Paravojske su konstanta građanskog rata u BiH u redovima svih zaraćenih strana. Preduzimanje mera da se paravojne organizacije i jedinice stave u lanac komandovanja jeste izraz nadležnosti komandanata da se smanje posledice delovanja paravojnih jedinica i ostvari kontrola i nadzor nad njima. Ako se ne uzme u obzir da se radilo o građanskom ratu, da su postojale brojne lokalne pa i političke paravojske, može se izvoditi zaključak teorijskog karaktera koji ne odgovara stvarnoj situaciji u građanskom ratu u BiH, da je komandant za sve odgovoran. U toku celog rata VRS je imala i veliki problem stavljanja pod kontrolu pojedinih paravojnih formacija i ostvarivanjem kontrole nad njihovim delovanjem u zahvatu linije fronta. Taj problem posebno je bio izražen u gradskim sredinama i nakon izvođenja napadnih operacija, jer su se te pojedinačne paravojne grupe ponašale kao osvetnici i pokušavali da „presuđuju sami“ ili u saradnji sa istomišljenicima i pojedincima iz komandi, kao što je bio slučaj u Srebrenici.

6.11. Poznato je u teoriji vojne doktrine i komandovanja da je za posledice odgovorno lice koje efektivno komanduje snagama u operaciji. General Mladić to nije bio niti u operacijama na Sarajevskom ratištu niti u operaciji za Srebrenicu. On jeste bio prisutan u zoni operacije i delimično uticao na tok događaja, ali nije efektivno komandovao snagama u zoni DK nakon operacije za Srebrenicu. On se pojavljivao na različitim pozicijama u toku i posle operacija ali nije pravovremeno raspolagao informacijama u vreme izvođenja masovnih zločina nad zatvorenici.

6.12. Armije BiH je izgrađena kao vojska muslimanskog naroda u BiH, od delova Teritorijalne odbrane BiH, „Patriotske lige“, „Zelenih beretki“, i brojnih naoružanih odreda i grupa. Na samom početku rata tim oružanim sastavima komandovao je Štaba TO. Osnovu za formiranje A BiH činila je i infrastruktura Teritorijalne odbrane koja je bila pod kontrolom muslimanske vlasti i paravojne organizacije kao partijske vojske SDA. Politički program za paravojno organizovanje nastao je na Kongresu muslimanskih intelektualaca iz cele Jugoslavije, a održanom u Sarajevu juna 1991. godine. Od tada počinje bojkot JNA i svakovrsna opstrukcija i razaranje njenog tkiva, uz paralelno stvaranje paravojnog sistema zasnovanog na „Patriotskoj ligi“ i „Zelenim

beretkama“. Ta paravojska je pripremana kao muslimanska oružana sila za građanski rat koji je vođen od 1992. do 1995. godine. I pored nastojanja da se A BiH da legitimitet multietničke vojske, ona to nije nikada bila. Odnosi u toj vojsci i pozdravljanje, kao i borbeni poklici duboko su utemeljeni na islamu. Tako je tekbir postao osnovni ratni poklič po kome je muslimanska vojska A BiH bila prepoznatljiva. Tekbir je islamski uzvik kojim se slavi ili veliča Allah dž.š. Arapski izvornik je Allahu ekber (الله أكبر), što bi značilo Allah je najveći. To je kulturni i vrednosni obrazac političkog islama koji sam po sebi pravi distinkciju prema vrednostima Srba i Hrvata, kao konstitutivnim narodima u BiH. Strateška koncepcija A BiH imala je dva temeljna određenja ili postavke u funkciji političkih ciljeva rata. Prvo je da se mora održati celovitost BiH, a uslov za taj radikalni cilj bio je vojni poraz druge dve etničke zajednice koje su drugačije videle budućnost BiH. Druga uporišna tačka te strategije bilo je da se obavezno obezbedi neposredno uključivanje međunarodne zajednice i NATO-a u nametanju vojničkog poraza VRS. Upravo iz tog razloga je njena strateška koncepcija svo vreme rata bila ofanzivna po globalnim namerama. Po svojoj prirodi i karakteru i A BiH pripada tipu narodne, milicijske vojne organizacije.

6.13. Shodno rečenom, netačna je tvrdnja Optužnice protiv generala Ratka Mladića da su sve dominantne kote nad Sarajevom bile u posedu SRK VRS, što mu je omogućavalo da sa bezbedne distance granatira grad i teroriše civile. Istina je bitno drugačija: na severnom, istočnom i jugoistočnom delu Sarajevskog ratišta u širem prostornom smislu, jedinice SRK su imale dominantni položaj prema istočnoj polovini urbanog muslimanskog dela Sarajeva. Na jugu, jugozapadu, zapadu i severozapadu Sarajevskog ratišta, dominantni položaj su imale snage 1.K A BiH. Sa tih položaja su u potpunosti, vatrom iz svih oružja i oruđa, držali zapadnu polovinu urbanog dela srpskog Sarajeva, od zamišljene linije Grbavica-Koševo, uključujući i naselja Grbavica i Koševo koja pripadaju samom gradskom jezgru. Takođe, sa tih svojih dominantnih kota i položaja 1.K A BiH je u potpunosti kontrolisao sva prigradska naselja koja su bila pod vlašću RS i pod operativnom kontrolom VRS. To su Vogošća, Ilijaš, Rajlovac, Ilidža, deo Hrasnice, Hadžići, deo Dobrinje, Vojkovići i Lukavica.

6.14. Podela Sarajeva na srpski i muslimanski deo Sarajeva suštinski izvršena je tokom prvih postavljanja barikada u martu 1992. Godine, a nastavljena u prvim mesecima rata u BiH, uporedo sa izgradnjom vojne organizacije sve tri vojske. Jedine promene u toj podeli su se dešavale u funkciji poboljšanja taktičkih položaja strana u sukobu. U tom kontekstu, muslimanska strana je osvojila Orlić i Žuč i tako stekla odlučujuću operativnu prednost na severozapadnom i zapadnom delu sarajevskog fronta, a SRK je osvajanjem Otesa unekoliko skratio i ispravio liniju fronta u rejonu Ilidža. Sve druge linije podele Sarajeva - na Grbavici, Dobrinji, Nedžarićima, padinama Trebevića, na Igmanu i prema Vogošći, Rajlovcu, Ilidži, Hrasnici i Vojkovićima. Dakle, očigledno je Sarajevo nije bilo ni opsednuti ni blokirani grad. Blokada se odnosila na njegov muslimanski i srpski deo. Blokadu su izvodile dve sukobljene vojske, A BiH i VRS. U ovoj analizi je obrazloženo zašto izlazak muslimanskih snaga iz Sarajeva, SRK odnosno VRS nije smela da dozvoli. Na taj način bi bio izgubljen srpski deo Sarajeva, a time bi bio vojnički i politički izgubljen i rat. Da rat ne bi bio izgubljen, SRK je izabrao vojnu blokadu snaga u muslimanskom delu Sarajeva, a blokada kao takva je sasvim legitiman metod vojnog delovanja. To je pokazala praksa u istoriji ratovanja.

6.15. Da Sarajevo kao grad, odnosno urbano naselje civilnog stanovništva nije bio opsednuti grad, svedoče i neki relevantni strani činiooci. Oni ispravno uočavaju da je u Sarajevu funkcionisao međunarodni mehanizam: UNPROFOR, posmatrački sistem, humanitarni koridori i „Plavi putevi“, međunarodna kontrola aerodroma i sloboda vazdušnog saobraćaja, itd. SRK je nastojao da blokira i veže deo jedinica 1.K A BiH u muslimanskom delu Sarajeva. Ta vrste

blokade nije bila dovoljno efikasna, jer su aerodrom i tunel ispod aerodroma, koji je zahvaljujući neprofesionalnom i pristrasnom ponašanju UNPROFOR-a, korišteni za manevar snaga A BiH. Takođe delovanjem UNPROFOR-a stalno se menjao odnos snaga na Sarajevskom ratištu u korist A BiH, kroz umanjeње prednosti u tehničkom faktoru i stavljanje pod kontrolu teškog naoružanja u zoni od 20 kilometara od centra Sarajeva.

6.16. U ovoj analizi je obrazloženo da je upotreba artiljerije uglavnom imala legitimno uporište u nizu operativnih razloga, i to: u činjenici da je u gradu bazirala A BiH i iz njegovog urbanog dela dejstvovala svim raspoloživim vrstama vatre - artiljerijskom, minobacačkom, pešadijskom. U dokumentima koja su uz ovu ekspertizu priložena, uverljivo je dokazano da su snage 1.K A BiH svoje elemente borbenog poretka raspoređivale i upotrebljavale iz javnih i privatnih objekata, čime su svi ti objekti zakonomerno postali legitimni vojni ciljevi. Na osnovu toga, može se pouzdano pretpostaviti da je artiljerijska i minobacačka vatra sa vatrenih položaja VRS upotrebljavana kao odgovor na dejstvo A BiH, tj. kao protivdejstvo, i zato što Sarajevo nije proglašeno ni otvorenim ni nebranjenim gradom, što bi jedino moglo a priori da delegitimiše svako vojno, pa i artiljerijsko dejstvo SRK prema vojnim ciljevima u gradu. Da se radi o legitimnim vojnim ciljevima 1.K A BiH u urbanom delu Sarajeva, govore i svedočenja mnogih stranih posmatrača.

6.17. Dejstva artiljerije SRK preduzimana su i bila usmeravana prema legitimnim vojnim ciljevima protivnika razmeštenim i dejstvujućim sa vatrenih položaja u delu Sarajeva pod kontrolom 1. K A BiH. Oni događaji koji su specifikovani u Optužnici, a koji su doveli do stradanja i jednog broja civila, pored vojnika, nisu događaji u kojima bi bila potvrđena dejstva srpskih vojnih snaga, a pogotovo ne da su ti događaji izazvani namernim gađanjima civila. Takav zaključak se osporava brojnim dokazima, pa i mišljenjima eksperata UN i odbrane.

6.18. Tačno je da je SRK bio u značajnoj prednosti nad 1.K A BiH u teškom naoružanju. No, ta prednost je u znatnoj meri balansirana celim nizom postupaka UNPROFOR-a i UNMO posmatrača, ali i sve boljom opremljenošću A BiH kvalitetnim artiljerijskim, minobacačkim i snajperskim naoružanjem. Na drugoj strani, urbano ratovanje kojem se bolje prilagodio 1.K A BiH nego SRK lišilo je SRK dobrog dela te evidentne vojne prednosti.

6.19. Empirijski podaci govore u prilog tvrdnji da je 1.K A BiH bio u značajnoj prednosti u odnosu na SRK u sposobnosti urbanog ratovanja, posebno u snajperskim dejstvima. Svo vreme fabrika „Zrak“ je proizvodila snajpersku opremu. Na samom početku građanskog rata, po priznanju zvaničnika A BiH (general Šiber) A BiH je podelila preko 500 snajpera, što je znatno iznad broja kojim je u to vreme raspolagao SRK. 1.K A BiH je već krajem 1993. godine raspolagao kvalitetnijim snajperima kalibra 12,7mm, od onih koje je posedovao SRK. Muslimanski deo Sarajeva je raspolagao većim brojem i kvalitetnijim streljačkim i lovačkim naoružanjem od onih na srpskoj strani, što je povećavalo mogućnost organizovanja snajperskih grupa. Iz dokumenata vidi se da su snajperske jedinice 1.K A BiH sasređivane na nivou brigade i korpusa, što je davalo mogućnost komandovanju da snajperske jedinice i snajperska dejstva izdignu na rang posebnog elementa korpusnog borbenog rasporeda. A taj elemenat borbenog rasporeda bio je veoma značajan u uslovima urbanog ratovanja kakvi su vladali na Sarajevskom ratištu. Najveći deo visokogradnje i nadvišujućih položaja oko užeg gradskog jezgra bio je u rukama 1.K A BiH, pa su i njegove mogućnosti izbora pogodnih položaja za razmeštaj i dejstvo snajperista bile mnogo povoljnije od mogućnosti SRK. Jedini iole pouzdani metod odbrane od tih snajpera bila su antisnajperska dejstva sopstvenim snajperima, vatrom oklopnih jedinica, artiljerijom i minobacačima.

6.20. Uvidom u većinu dokumenata zaraćenih strana i stranih posmatrača lako se uveriti da su stradanja civila i na jednoj i na drugoj strani posledica potpune sraslosti vojnog i civilnog

poretka, u čemu je inače prednjačila muslimanska strana, jer je ona posedala daleko gušće naseljeni i urbanizovaniji deo Sarajeva, a ništa nije preduzela u smislu zaštite civila. U tim okolnostima civilne žrtve se moraju smatrati kolateralnom štetom urbanog ratovanja. Ovo, razume se, kada je reč o stradalim od dejstava sa vatrenih položaja vojske, a ne umorenih u zatvorima i logorima kakvih je u Sarajevu i njegovoj okolini, na muslimanskoj strani, bilo podosta. Inače, brojna su dokumenta i zapisi o zločinima protiv srpskih civila u Sarajevu, Tarčinu i drugim mestima pod muslimanskom kontrolom.

6.21. U Sarajevu i na Sarajevskom ratištu funkcionisao je razgranati sistem UN: UNPROFOR, posmatračka misija UN i EU, razni vidovi diplomatsko-konzularnih misija, povremeni obilasci tela i predstavnika UN i GS UN, humanitarne organizacije i MKCK, itd. Taj mehanizam je namerno i namenski zloupotrebljen na štetu SRK. Ovo je bila posledica apriornog stava da su muslimani žrtve, a Srbi agresori i da je pravedno onemogućiti ih u svom navodnom pohodu na Sarajevo. Tako je UNPROFOR izdejtvoovao kontrolu nad aerodromom, da bi pri tom bio veoma blagonaklon prema potrebi 1.K A BiH i komunikaciji njegovih snaga između Igmana i Sarajeva, preko i ispod aerodroma. Posmatračka misija UN je za najveći deo incidenata otkrivala krivca samo na srpskoj strani, a šta je 1.K A BiH činio po srpskim naseljima i u samom gradu protiv srpskih civila, to ih naprosto nije mnogo brinulo. Identično, ili još gore su se ponašale humanitarne organizacije. UNPROFOR je u humanitarnim konvojima krijumčario oružje i ubojni materijal za 1.K. Ne može se tvrditi da je to bio generalni plan UNPROFOR-a, ali je to bilo toliko učestalo, da se teško može smatrati slučajnošću. O pristrasnosti UNPROFOR-a govori i prepuštanje 1. korpusu A BiH prostora između Igmana i Bjelašnice, kojeg je po sporazumu iz avgusta 1993. godine (nakon operacije „Lukavac 93“), UNPROFOR preuzeo od VRS, nakon čega je (u septembru 1994. godine) došlo do masovnog zločina jedinica 1.K prema pripadnicima SRK i civilima, bez ikakvog reagovanja UNPROFOR-a. Posmatračke misije UN su brojna svoja zapažanja o navodnoj srpskoj krivici utvrdile bez svestranog sagledavanja argumenata i na jednoj i na drugoj strani. Izveštači su i sami priznavali da su podatke dobijali isključivo od muslimanske strane. Teško je na tako jednostrano utvrđenim činjenicama zasnivati verodostojna i objektivna zapažanja, a posebno optužnice koje impliciraju krivicu, pa i krivičnu odgovornost.

6.22. Situaciju u Podrinju u maju 1992. godine Batler opisuje kao vojnu nemoć VRS i uspeh muslimanskih formacija, posebno u Srebrenici, pod komandom Nasera Orića koje su „...sistematski proširivale teritoriju“. Tu Batler ne ističe da su u tim diverzantskim akcijama i terorističkim akcijama, upadima na srpsku teritoriju, te snage u suštini činile sistematske zločine nad civilnim stanovništvom i jedinicama VRS.⁶⁵⁸ Ni muslimanska vojska nije bila tada organizovana suštinski kao regularna niti je imala neku vojničku nadmoć na tom prostoru, ali je nažalost bila spremnija da učini prva zločine nad civilnim stanovništvom na širem prostoru Bratunca i Srebrenice. To je vrlo bitno radi shvatanja suštine zločina, događaja i sukoba u julu 1995. godine. Snage VRS su mogle da uđu i zauzmu Srebrenicu još 1993. godine, ali to nisu učinile radi zaštite civilnog stanovništva od mogućeg stradanja jer je zona oko grada bila veoma mala. Problem je nastao stalnim delovanjem jedinica 28. divizije izvan zaštićenih zona Srebrenica i Žepa, kroz izvođenje diverzantsko-teroristička dejstva i zauzimanje novih položaja šireći prostor pod svojom kontrolom izvan punktova UNPROFOR-a, prema srpskim teritorijama. Takvo delovanje i nepoštovanje statusa zaštićenih zona jeste uvod u nesreću i stradanje u julu 1995. godine u Srebrenici.

6.23. RS bila je prinuđena „... da izvrši dodatni pritisak na muslimanske snage u zaštićenim zonama“. To nije bio pritisak na zaštićene zone nego zahtev da se poštuju potpisani sporazumi i

⁶⁵⁸ Vidi šire, Richard J. Butler, Izveštaj o komandnoj odgovornosti u Glavnom štabu VRS-a, 2006.

donete rezolucije UN. Puno je dokaza u prilog tome, da su se muslimanske snage ponašale samovoljno, da su ograničavale kretanje pojedinih jedinica UNPROFOR-a u tim zonama. U isto vreme helikopterima su jedinice A BiH doturala municiju, oružje i opremu na očigled pripadnika UN. Stalni teror nad civilnim stanovništvom po selima i izvođenje diverzantskih i terorističkih dejstava, kao i nepoštovanje rezolucije o zaštićenim zonama jesu pravi uzroci delovanja rukovodstva RS i Glavnog štaba VRS i Drinskog korpusa, a ne namera da se etnički očiste zaštićene zone. Traženo je samo da se te zone u vojnom smislu pasiviziraju. Operacije VRS nisu bile usmerene na „zaštićene zone“ nego na muslimanske snage koje su mimo kontrole i nadzora UNPROFOR-a delovale na teritoriji i izvan zaštićene zone.

6.24. Muslimanskim snagama, nakon vojničkog poraza, ponuđena je časna predaja o čemu postoji više dokaza. Odbijanje polaganja oružja jeste uvod u stradanje u probodu i zločine nad zarobljenima od strane odmetničkih i osvetničkih grupa. Da je prihvaćena predaja, verovatno bi bili zaštićeni i tretirani kao ratni zarobljenici VRS i time bi se smanjila mogućnost zločina koje su sprovodile grupe i pojedine manje taktičke jedinice samovoljno. U naređenju Drinskog korpusa br. 17/897 jasno se ističe da se likvidiraju oružane grupe koje „...pružaju otpor...“ što je sasvim legitimno i način ponašanja u svim savremenim vojskama pri izvođenju oružanih operacija. Takođe u ovom aktu jasno je istaknuta informacija da se pripadnici muslimanskih snaga 28. divizije ne pristaju razoružati jer im to verovatno nisu dozvoljavale vlasti u Sarajevu, da ne bi time dokazali da je Srebrenica bila puna oružja i nije suštinski bila zaštićena zona.

6.25. Prisustvo generala Mladića 10. i 11. jula 1995. godine ne može se dovoditi u kontekst opšte odgovornosti za događaje koji su se desili narednih dana i često po vrletima i područjima gde nije postojala efektivna kontrola teritorije zbog proboda muslimanskih snaga 28. divizije. Uloga GŠ VRS u pokušaju iznalaženja rešenja nastale situacije sa predstavnicima muslimana i UNAPROFOR-a u Srebrenici i na pregovorima u Bratuncu, nije sporna. U delovanju generala Mladića u suštini jasno se prepoznaje namera da se zaštite civili, a da se vojnicima ponudi časna predaja i status zarobljenika, u skladu sa međunarodnim pravom. O tome postoje i video zapisi, a citati stavova generala Ratka Mladića dati su u parcijalnim zaključcima V dela ovog Izveštaja. Nesporno je da je GŠ VRS uticao na to da se civilno stanovništvo bezbedno prebaci na teritoriju koju kontrolišu muslimanske snage, po njihovoj želji. Zato je bitno uočiti da odbijanje oružanih formacija da predaju oružje i njihova odluka ili politička odluka iz Sarajeva jeste nerazumna i uzrok početka haosa, a potom stradanja i zločina koji su se desili.

6.26. Što se tiče izdvajanja i proveravanja muškaraca u Potočarima to je uobičajena radnja u svakoj vojsci, a u funkciji identifikacije onih koji su počinili zločine. VRS je imala podatke o zločincima iz redova muslimanskih snaga 28. divizije. Uvek u vojnim operacijama u svetu pa i ovoj operaciji legitimno je tražiti one za koje postoje dokazi da su počinili zločine. General Mladić je govorio o tim vojnicima (krvnicima) koji su u minulim godinama rata ubile na hiljade civila u Podrinju i pripadnika VRS.

6.27. Srebrenica je stalno u toku rata zloupotrebljavana, kao zaštićena zona od strane komande muslimanskih snaga 28. Divizije, 2.K u Tuzli i GŠ A BiH. Na kraju su te snage zbog odbijanja predaje oružja dovedene u bezizlaznu situaciju koja je rezultirala opštim haosom u zoni proboda gde je dolazilo do ogromnih gubitaka i masovnih zločina nad zarobljenima od strane paravojnih grupa samovoljnika, osvetnika pogotovo iz Podrinjskog kraja koji je stradao u napadima i diverzantsko-terorističkim akcijama, koje su izvodili pripadnici 28. divizije iz Srebrenice i Žepe od 1992. do 1995. godine. Pouzdano se može tvrditi da GŠ VRS nije imao uticaj na te događaje i zločine koji su se desili u zoni proboda, nakon 12. jula 1995. godine. Skoro sve se dešavalo na taktičkom nivou, sa malom mogućnošću čak i komande Drinskog korpusa da utiče na taj opšti haos i metež koji je nastao na takvom ispresecanom i pošumljenom terenu gde nije bilo

klasičnog ni fronta niti pozadine. Čak su se pojedinačne muslimanske jedinice susretale i međusobno nanosile ogromne gubitke, o čemu postoje video zapisi učesnika i pisana saopštenja u javnim glasilima.

6.28. Glavni štab VRS je svo vreme rata pokušavao da utiče na to da se poštuju zaštićene zone od strane muslimanskih snaga, da se iste razoružaju i zahtevao od UNPROFOR-a da te snage ne izvode diverzantska dejstva i vojne operacije na srpskoj teritoriji. Nažalost to nije imalo efekta. Došlo se u situaciju da se moralo vojno delovati, ali je i u toj situaciji general Mladić u pregovorima stalno insistirao 11. i 12. jula 1995. godine u hotelu „Fontana“ u Bratuncu da se zaštite civili, a da se vojne snage predaju, te da će na taj način biti zaštićene.⁶⁵⁹ Izveštaji i ekspertize o Srebrenici i Žepi su jedna slika i viđenje stvarnosti preko dokumenata VRS, bez druge slike događaja haosa i stradanja koji se desio u okolini Srebrenice, Kravice i Bratunca, a potom nad muslimanskim snagama 28. divizije u toku proboja i nakon zarobljavanja. Osnovni problem utvrđivanja odgovornosti za zločine nakon operacije „Krivaja 95“ jeste i u tome što nije utvrđeno koliko je ukupno stradalo muslimanskih snaga u proboju i u međusobnim sukobljavanjima u toku proboja, a koliko je streljano nakon zarobljavanja. Na taj način bi se govorilo o likvidaciji zarobljenih i o broju onih koji su stradali u borbi u toku proboja. Radi se o različitim kategorijama pravne i moralne odgovornosti u odnosu na međunarodno ratno pravo. Stradale muslimanske snage u toku proboja jesu gubici u toku borbenih dejstava i ne mogu se dovoditi u kontekst odgovornosti ratnog zločina. To je veoma bitno zbog istine i pravde, a i radi prekida različite vrste manipulacija sa brojkama stradalih u masovnim zločinima.

6.29. Svi stradali u Srebrenici podvode se pod pojam „masovnog zločina“ i da su „streljani“ nakon zarobljavanja. Od ukupno stradalih u Srebrenici, osnovano se može govoriti da je približno polovina stradala u susretnim borbama u toku proboja kolone ka Tuzli. U dokumentima Tužilaštva i izveštajima vojnih eksperata, koji su bili dostupni, ne vide se objektivni dokazi niti argumenti za ostale pripadnike 28. divizije A BiH i civile, koji su stradali nakon operacije „Krivaja 95“. Zato se može sve više govoriti o tome da je preostali deo stradalih nakon operacije „Krivaja 95“, poginuo u toku borbi u proboju. Poseban problem jeste i u tome što postoji i niz drugih otvorenih pitanja bez čijih odgovora nije moguće imati objektivnu predstavu o ključnim događajima koji su prethodili operaciji za Srebrenicu, kao i o stradanju pripadnika 28. divizije A BiH i civila u koloni. Republici Srpskoj i VRS, Srebrenica nije trebala kao zločin na skoro samom kraju rata. Nekom drugom, ko je učestvovao u ratu u BiH ili je sa njim upravljao trebao je takav zločin u funkciji kompromitacije ukupne borbe srpskog naroda u građanskom ratu u BiH, pa čak i istorijske kompromitacije srpskog naroda u celini. Po događajima i zločinima muslimanskih snaga, pre operacije, vidljivo je da je postojala nečija namera da se i iznudi reakcija jedinica VRS da napadne Srebrenicu i Žepu. Istorija će verovatno naći argumente i odgovore na pitanja: Ko je to i sa kakvom namerom učinio? Već danas sve više je pripadnika 28. divizije koji o Srebrenici i toj diviziji govore sa stanovišta da su one žrtvovane zarad političkih ciljeva muslimanskog rukovodstva u Sarajevu i radi satanizovanja RS i VRS i njihovih ciljeva borbe pred međunarodnom javnošću. Srebrenica, kao zločin nad zarobljenim i gubici i stradanje pripadnika 28. divizije A BiH i civila u proboju, bili su uvod za: (1) stradanje Srba na Ozrenu u širem rejonu Vozuće⁶⁶⁰, od 10 do 24. septembra, koju su počinile muslimanske snage 2. i 3. K A

⁶⁵⁹ Ričard Batler, Iskaz o vojnim događajima u Srebrenici (revizija) operacija „Krivaja 95“ iz 2002. god.

⁶⁶⁰ Vozuća je jedno od većih stratišta srpskog naroda u građanskom ratu u BiH, gde su udružene muslimanske snage 2. i 3. K a BiH, koristeći efekte NATO bombardovanja, u veoma kratkom vremenu raselile preko 30.000 stanovnika, ubile i likvidirale 700 vojnika, a preko 400 vojnika i civila vode se još kao nestali. Podršku i priznanje pripadnicima A BiH dao je lično Alija Izetbegović o čemu postoje i brojni video zapisi. Tada je Alija razgovarao sa komandantima korpusa da li garantuju bezbednost, kako bi deo Srebreničana naselio na taj prostor. NATO avijacija je bombardovala telekomunikacioni centar na brdu Kraljica 7. septembra 1995. godine,

BiH; (2) masovno etničko čišćenje srpskog naroda u operaciji „OLUJA“, na prostoru Republike Srpske Krajine; i (3) etničko čišćenje i zločine nad srpskim narodom u zapadnom delu Republike Srpske, koje su izvele združene snage HV, A BiH i HVO uz logističku, obaveštajnu i borbenu podršku NATO snaga. U operacijama A BiH učestvovala su zloglasne jedinice „ratnika islama“. Najviše su bili zastupljeni u 7. muslimanskoj brigadi i odredu „El mudžahedin“.⁶⁶¹ Te formacije su pravile stravične zločine u toku rata, posebno u završnim operacijama na Ozrenu i u zapadnoj Bosni. Sve to lično je znao tadašnji NŠ A BiH general Rasim Delić i predsednik Alija Izetbegović i o tome postoje brojni video zapisi i pisani materijali.⁶⁶²

6.30. Ekstremističko islamsko delovanje na prostoru BiH i dalje se baštini kao muslimanska vrednost, kako u pogledu izgradnje društva na osnovama političkog islama, tako i u smislu solidarisavanja sa borbom islamista bilo gde u svetu. O tome najbolje govori ispraćaj mudžahedina koji im je pripremalo državno i vojno rukovodstvo Muslimana u BiH, a kroz reči bivšeg komandanta 3.K A BiH i evociranje ratnih uspomena. Sa takvim veličanjem uloge terorista i zlikovaca protiv Srba i Hrvata nije moguće graditi zajedničku budućnost. Sakib Mahmuljin je govorio kratko: „Došli ste u borbi na Allahovom putu pomoći muslimanima Bosne. Vaš dolazak je potpuno opravdan. Odlazite svojim kućama u dalju borbu na Allahovom putu. Kao jedna od najboljih jedinica Armije BiH i Trećeg korpusa, izvršili ste, uz Allahovu pomoć, sve postavljene zadatke, ali i zadatke učvršćenja vjere na ovim prostorima. U Bosni su sada ojačani korijeni islama koji će se uz Allahovu pomoć dalje učvršćivati“.⁶⁶³

pri čemu je stradala celokupna smena. Taj centar nije bio legitiman vojni cilj jer je bio namenjen za civilne veze i za TV predajnik.

⁶⁶¹ Kristof Kaze i Lionel Dimon bili su vođe francuske bande i članovi „El mudžahid“. Kaze je poginuo, dok Dimon svedoči o ovoj bandi iz zatvorske ćelije. Poznate ratne fotografije na kojima mudžahedini igraju fudbal sa odsečenim srpskim glavama u Bosni i Hercegovini snimili su pripadnici brigade „El mudžahid“, u kojoj su bili i lideri bande iz francuskog Rubea, koji su devedesetih godina prešli na islam. Srbi i Hrvati su pokušali da pokažu ove snimke, kao i zločine te jedinice, kako bi svi saznali šta se dešavalo. Egzekucije i ubistva bili su deo svakodnevnice. U BiH je mreža Al Kaide počela da se formira, a Amerika je to dozvolila svom budućem neprijatelju. Danijel Salvatore Šifer, filozof i humanista koji je i prisustvovao ratu u BiH, napisao je za list „Puan“ da se radi o neverovatnim otkrićima u ovom dokumentarcu u pogledu istorijske istine o strašnom sukobu u BiH od 1992. do 1995. godine. On ističe da je brigada „El mudžahid“, koja je bila u direktnom kontaktu sa Al Kaidom, počinila najgore zločine nad Srbima pravoslavicima, koje su islamisti smatrali za „nevernike“, u nastojanju da stvore prvu islamsku državu u istoriji Evrope. Šifer podseća da neki novinari tvrde da se tadašnji muslimanski lider Alija Izetbegović jednom sastao u predsedničkoj palati u Sarajevu sa Osamom bin Ladenom lično! On podseća da, bez obzira na sve dokaze koji se i danas otkrivaju u vezi sa stradanjem nemuslimana u BiH, u Hagu još jedino odgovaraju Radovan Karadžić i Ratko Mladić, dok su Alija Izetbegović i Franjo Tuđman preminuli i sahranjeni kao zaslužni građani.

RTRS, 20.11.2012. u 12:16 časova.

⁶⁶² General A BiH Sakib Mahmuljin, koji je imao vrlo prisne veze sa Odredom „El mudžahid“, i to ne samo kao komandant 3. korpusa od početka 1994. godine do kraja rata, izdejstvovao je dogovor na osnovu koga je taj odred bio podređen 3.K A BiH, o čemu upečatljivo govore i pojedini dokumenti koji su nedavno objavljeni u sarajevskoj štampi. Dakle, uprkos do kraja utvrđenoj komandnoj nadležnosti komandanta 3. korpusa nad Odredom „El mudžahid“ u vreme kada je ubijeno više desetina zarobljenih vojnika Vojske RS, a mnogi koji su ostali živi bili izloženi zlostavljanju - ni general Mahmuljin, niti bilo koji drugi iz komandnog kadra Armije R BiH čija se odgovornost proteže i na delovanje te jedinice, nikada nisu odgovarali za ubistva Srba koja su počinili pripadnici te jedinice. Sam Mahmuljin posle rata nagrađen je funkcijom zamenika ministra odbrane Federacije BiH.

⁶⁶³ Esad Hećimović, Najgorča večera u mom životu, http://www.danas.rs/danasrs/feljton/najgorca_vecera_u_mom_zivotu.24.html?news_id=163271#sthash.BLxRLXxE.dpuf

6.31. Na kraju Izveštaja može se zaključiti da građanski rat u BiH u svojoj suštini nosi brojne zločine, koje su počinile sve zaraćene strane. U tim zločinima učestvovali su pripadnici vojski na svim organizacijskim nivoima. Većina zločina desila se uz neposredno učešće jedinica i starešina na taktičkom i operativnom nivou. VRS je imala veoma težak ratni zadatak da u većem periodu rata bori se protiv tri vojske i to HV, A BiH i HVO. U samoj organizaciji i sistemu komandovanja, u VRS ni u jednom periodu rata nije postojala namera da se počinje organizovani zločini. Nije pronađen niti jedan dokaz ni dokument koji je GŠ VRS verifikovao ili izradio, pod komandom generala Ratka Mladića, a da su isti usmereni na izvršenje ratnih zločina nad civilnim stanovništvom ili vojnicima A BiH. Međutim, medijskom kampanjom generalu Mladiću su, kao po pravilu, pripisivani svi zločini i krivična dela koja su se dešavala na svim ratištima u BiH. Sa stanovišta vojne doktrine, imajući u vidu sve relevantne činjenice koje se uzimaju pri izradi vojno-stručne analize, u radnjama generala Mladića, ne postoji namera niti saučesništvo u pripremanju i izvršenju terorisanja civilnog stanovništva u gradu Sarajevu niti pri izvođenju operacije za Srebrenicu. Počinjeni zločini u Srebrenici nisu izraz namere niti plana koji je sprovodio niti odobrio general Ratko Mladić. Zločini koji su se desili izraz su spleta nesretnih okolnosti, na koje on nije mogao da utiče, jer je nastao opšti haos izazvan probojem 28. divizije A BiH.

6.32. Svestan tih mogućih posledica, general Ratko Mladić je uporno insistirao da se položi oružje u Srebrenici, nakon vojnog poraza 28. divizije A BiH, jer bi na taj način neposredno mogao da utiče na bezbednost i zaštitu zatvorenika. U suprotnom znao je da neće moći da utiče na delovanje različitih osvetničkih i paravojnih i parapolicijskih snaga na širokom prostoru koji efektivno nisu kontrolisale snage VRS. Ne postoji ni jedno naređenje, zapovest ili neki drugi akt komandovanja iz koga se može zaključiti da je general Mladić naređivao, podsticao ili planirao nelegitimno dejstvo svojih snaga, činjenje masovnih zločina ili terorisanje civila. Nema ni jednog među brojnim dokumentima koje je izdavao general Ratko Mladić, a da u njemu nije naređen legitiman način dejstva i ponašanje VRS, prema civilnom stanovništvu i zabrana dejstva po civilnim objektima a u skladu sa međunarodnim pravom. Teško je promeniti opštu sliku o odgovornosti generala Ratka Mladića, kada je ona u mnogim svetskim medijima dve decenije kontinuirano izgrađivana i dozirana mnogim lažima, konstrukcijama i podmetanjima, do neshvatljivih razmera. Stvaran je utisak u javnosti da je general Mladić kriv za sva zlodela koja su se desila u građanskom ratu u BiH, a preko njega i srpski narod. Istina je znatno drugačija, samo je pitanje da li će se ona postepeno reafirmisati u skladu sa objektivnim dokazima i činjenicama. U nadi da je došlo vreme da se ta istina makar delimično sazna i na znatno objektivniji način vrednuju činjenice, a ne medijske konstrukcije, uloženi su ogroman napor da se sačini ovaj Izveštaj u funkciji pravičnosti i pravde.

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97. Zbirka dokumenata koju je Tužilaštvo MKSJ-a zaplijenilo od 1. korpusa VRS-a, bivšeg 1. krajiškog korpusa Vojske Republike Srpske.
98. Zbirka dokumenata koju je Tužilaštvo MKSJ-a zaplijenilo od 2. korpusa (Tuzla) Vojske Federacije, bivšeg 2. korpusa Armije Bosne i Hercegovine.
99. Zbirka dokumenata koju je Tužilaštvo MKSJ-a zaplijenilo od 503. motorizovane brigade VRS-a, bivše 1. zborničke pješadijske brigade (1. zvpbr) Drinskog korpusa, VRS.
100. Zbirka dokumenata koju je Tužilaštvo MKSJ-a zaplijenilo od 513. pješadijske brigade VRS-a, bivše 1. bratunačke lake pješadijske brigade (1. brlpbr) Drinskog korpusa, VRS.
101. Zbirka dokumenata koju je Tužilaštvo MKSJ-a zaplijenilo od štaba CSB-a Zvornik i s njim povezanih stanica MUP-a u Republici Srpskoj.

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PREGLED KORIŠĆENIH SKRAĆENICA

SKRAĆENICA	ZNAČENJE
A R BiH	Armija Republike Bosne i Hercegovine
AVNOJ	Antifašističko veće narodnog oslobođenja Jugoslavije
b/d	borbena dejstva
BBC	(engl. <i>British Broadcasting Corporation</i>)
BiH	Bosna i Hercegovina
Bpbr	Bratunačka pešadijska brigada
Brlpbr	Bratunačka laka pešadijska brigada
CIA	(engl. <i>Central Intelligence Agency</i>) Centralna obaveštajna agencija
CSB	Centar službe bezbednosti
ČPJP	četa posebnih jedinica policije
DK	Drinski korpus
DTD	diverzantsko teroristička dejstva
DTG	Diverzantsko terorističke grupe
EU	Evropska unija
EZ	Evropska zajednica
F BiH	Federacija Bosne i Hercegovine
gmtbr	Gardijska motorizovana brigada
GŠ A BiH	Glavni štab Armije Bosne i Hercegovine
GŠ VRS	Glavni štab Vojske Republike Srpske
HDZ	Hrvatska demokratska zajednica
HK	Hercegovački korpus
HOS	Hrvatske odbrambene snage
HV	Hrvatska vojska
HVO	Hrvatsko veće odbrane
IBK	Istočno-bosanski korpus
IDG	Izviđačko diverzantska grupa
IFOR	(engl. <i>Implementation Force</i>) Snage za implementaciju
IKM	Istureno komandno mesto
JNA	Jugoslovensko narodna armija
JVuO	Jugoslovenska Vojska u otadžbini
K	korpus
KEBS	Konferencija za evropsku bezbednost i saradnju
MAP	Mešoviti artiljerijski puk
MES	minsko eksplozivna sredstva
MHF	Muslimansko Hrvatska Federacija
MKSJ	Međunarodni krivični sud za bivšu Jugoslaviju
Mlpbr	Milička laka pešadijska brigada
MO	Ministarstvo odbrane
MOS	Muslimanski omladinski savez
mtbr	motorizovana brigada
MTS	materijalno tehnička sredstva
MUP RS	Ministarstvo unutrašnjih poslova Republike Srpske
NATO	(engl. <i>North Atlantic Treaty Organisation</i>) Severno-atlanski sporazumni savez

SKRAĆENICA	ZNAČENJE
NDH	Nezavisna država Hrvatska
NŠ VRS	Načelnik štaba Vojske Republike Srpske
OG	Operativna grupa
OIK	Organizacija islamske konferencije
okb	oklopni bataljon
okbr	oklopna brigada
OKM	Osnovno komandno mesto
ONO	opštenarodna odbrana
OS BiH	Oružane snage Bosne i Hercegovine
OUN	Organizacija Ujedinjenih nacija
PAR	Protivavinska raketa
pbr	pešadijska brigada
PL	Patriotska liga
PLN	Patriotska liga naroda
PTR	Protivtenkovska raketa
PVO	Protivvazdušna odbrana
R2P	Responsibility to protect
RiK	Rukovođenje i komandovanje
RPG	Ručni bacač raketa (sovjetske proizvodnje)
RS	Republika Srpska
RSK	Republika Srpska Krajina
RŠTO	Republički štab teritorijalne odbrane
RTV	Radiotelevizijski
SAD	Sjedinjene Američke Države
SB	Savet Bezbednosti
SB UN	Savet bezbednosti Ujedinjenih Nacija
SDA	Stranke demokratske akcije
SDS	Srpska demokratska stranka
SFRJ	Socijalistička Federativna Republika Jugoslavija
SJB	Služba javne bezbednosti
SR	Savezna Republika
SR BiH	Savezna Republika Bosna i Hercegovina
SRJ	Savezna Republika Jugoslavija
SRK	Sarajevsko romanijski korpus
SSNO	Savezni sekretarijat za narodnu odbranu
SSSR	Savez Sovjetskih Socijalističkih Republika
ŠOV	Štab odbrane Vogošća
TG	Taktička grupa
TO	Teritorijalna odbrana
TRZ	Tehničko remontni zavod
UN	Ujedinjene nacije
UNHCR	(engl. <i>United Nations High Commissioner for Refugees</i>) Visoki komesarijat Ujedinjenih nacija za izbeglice
UNMO	(engl. <i>United Nations Military Observer</i>) Vojni posmatrač ujedinjenih nacija
UNPROFOR	(engl. <i>United Nations PROtection FORces</i>) Zaštitne snage Ujedinjenih nacija

SKRAĆENICA	ZNAČENJE
ViPVO	Vazduhoplovstvo i protivvazdušna odbrana
VJ	Vojska Jugoslavije
VO	Vojna oblast
VRS	Vojska Republike Srpske
zmtp	Zaštitni motorizovani puk
Zpbr	Zvornička pešadijska brigada

PRILOZI

SPISAK PRILOGA

1. Organizacija HVO
2. Organizacija Armije Republike BiH
3. Organizacija Vojske Republike Srpske
4. Operativni razvoj i grupisanje snaga VRS po zonama odgovornosti
5. Zone odgovornosti korpusa VRS (karta)
6. Organizacija i struktura GŠ VRS
7. Satelitski snimak Sarajeva
8. Etnički sastav stanovništva Sarajeva prema popisu stanovništva iz 1991. godine
9. Etnički sastav stanovništva Sarajeva po naseljima
10. Organizacija Sarajevsko-romanijskog korpusa VRS
11. Obostrani raspored snaga na Sarajevskom ratištu (karta)
12. Organizacija 1. korpusa Armije Republike BiH (1992-1994)
13. Organizacija 1. korpusa Armije Republike BiH (1995.)
14. Etnički sastav stanovništva Bosne i Hercegovine
15. Privatni posed domaćinstava čiji je starešina srpske nacionalnosti u Bosni i Hercegovini
16. Organizacija 28. divizije 2. korpusa Armije Republike BiH
17. Organizacija Drinskog korpusa VRS
18. Obostrani rasporeda snaga u operaciji „Krivaja 95“ (karta)
19. Operacija „Krivaja 95“ i proboj snaga 28. divizije 2. korpusa Armije Republike BiH

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

Case No. IT-09-92-T

THE PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC

ANNEX B

CV/Радна биографија

Име и презиме:

Генерал-мајор
проф.др Митар Ковач

Датум и место рођења:

27. јул 1959. године, с. Стране, Улог, Република Српска, Република Босна и Херцеговина

Националност: Србин**Образовање:**

- 2002.** Школа националне одбране (одличан 9,75),
- 1998.** Одбранио докторску дисертацију из области војних наука - стратегија,
- 1986.** Магистарске студије (одличан 9,60) . Одбранио магистарску тезу 1989. из области војних наука,
- 1984:** Курс команданата артиљеријских дивизиона (одличан 9,25),
- 1981:** Војна академија КоВ (одличан 9,06),
- 1978.** Средња војна школа КоВ (одличан 5,00),
- 1974.** Основна школа (одличан 5,00).

Садашње постављење и професионална каријера:**А) Професионална каријера**

- 2013.** јануар : Начелник Управе за стратегијско планирање у Министарству одбране Републике Србије,
- 20010. – 2013.:** Начелник Управе за планирање и развој(J5) Генералштаб Војске Србије,
- 2004. – 2010.:** Начелник Управе за стратегијско планирање у Министарству одбране Републике Србије,
- 1999.** септембар – **2004** октобар: начелник одељења, Институт за стратегијска истраживања,
- 1991. септембар – 1999 септембар:** водећи истраживач, Институт ратне вештине,
- 1981.** јули – **1991** септембар: командир вода, командир батерије, заменик команданта артиљеријског дивизиона, командант артиљеријског дивизиона, начелник штаба артиљеријског пука.

Оцењиван је одличним службеним оценама, а два пута је ванредно унапређен и то у чин пуковника 2000. и чин генерал-мајора 2011. године.

Б) Научноистраживачка и наставничка каријера

У Институту за стратегијска истраживања биран је у сва истраживачка звања, почев од истраживача сарадника па до научног саветника. У звање **научни саветник** изабран је 2004. године. Сарадник је Института за стратегијска истраживања у Београду. Учествоје у реализацији пројекта од националног значаја, при Министарству образовања и науке.

Упоредо са истраживачком каријером бавио се наставничким радом и биран у сва звања на Војној академији и Универзитету одбране од асистента па до редовног професора. У звање **редовни професор** из области стратегије изабран је 2006.године. Наставник је на Универзитету одбране у катедри Стратегије.

Од 1998.године сарадник је Факултета безбедности и Факултета политичких наука Универзитета у Београду на мастер, специјалистичким и докторским студијама,

Објављени научни радови:

Аутор је бројних чланака, публикација и књига из области војних наука, стратегије, националне безбедности, стратегијског менаџмента, и операционих истраживања (Најзначајнији радови дати су у Прилогу 1).

Специјалистичка обука и усавршавање:

- Похађао више семинара из области безбедности, политике одбране, стратегије националне безбедности, стратегијског менаџмента, стратегијског планирања
- Научни је саветник, руководиоца и истраживач у многим домаћим и међународним пројектима,
- Руководио је експертским тимовима и носилац послова координације израде Стратегије националне безбедности, Стратегије одбране, Дугорочног плана развоја, Стратегијског прегледа одбране и Војне доктрине,
- Био је члан радних група за реформу сектора безбедности,
- Учествовао је у изради великог броја других пројеката,
- Предавач је у Школи националне одбране и Високим студијама безбедности на Универзитету одбране.

Области истраживања и професионални фокус:

- Стратешке анализе и процене из области безбедности и одбране
- Процес реформе сектора безбедности и система одбране,
- Цивилно војни односи,

- Стратегијско управљање у систему безбедности,
- Стратегијско планирање, програмирање, буџетирање и извршење,
- Сарадња са НАТО у оквиру програма ДРГ (група за реформу система одбране Републике Србије),
- Демократска и цивилна контрола оружаних снага
- Анализа искустава из ратова и оружаних сукоба.
- Оружана побуна и тероризам,

Познавање језика:

- Руски – STANAG 2,
- енглески – почетни ниво.

Остали подаци:

- Искуство у области политике одбране,
- Одлично познавање рада на рачунару,
- Награда часописа “Војно дело”, 1997. године, за најбољи чланак.
- Награђен златном плакетом ”Живојин Мишић” 2002. за резултате у научноистраживачком раду.
- Награда «Пресад мудрости» 2002., на сајму књига у Нишу за књигу Историја ратне вештине,
- Одликован и награђиван више пута током каријере.

Брачни статус:

- Ожењен, отац двоје деце

проф. др Митар Ковач

БИБЛИОГРАФИЈА

КЊИГЕ

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3. Историја ратне вештине (период 1920 до 2000.године), Војна књига, Београд, 2000.
4. Српски војни поменик, Војна књига, Београд, 2002.године;
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6. Системи одбране, уџбеник за другу годину, ФБ, Београд, 2004.
7. Одређивање ефикасности војноорганизационих система (теоријске основе), ВИЗ, Београд, 2006.
8. Стратегијско планирање одбране, ВИЗ, Београд, 2009.

СТУДИЈЕ И МОНОГРАФИЈЕ

1. Ангажовање ЈНА у кризним подручјима, ИСИС, Београд, 1991. (коауторство)
2. Место катедри матичних предмета у систему војног школства (студија-коауторство са Марчек Јаном) ИРВ, 1998.
3. Актуелни аспекти кризе на Косову и Метохији (студија)-коауторство, ИРВ, 1998.
4. Основне карактеристике будућег рата, ГШВЈ, Београд, 2001.
5. Партнерство за мир, ИРВ, Београд, 2001. (коауторство)
6. Проблеми и перспективе решавања безбедносне ситуације у Копненој зони безбедности, ГШ ВЈ, 2001.

7. Полазне основе за реформу система одбране Србије и Црне Горе, ГШ ВСЦГ, Београд, 2003., коауторство

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2. Историја ратне вештине (1995-2000.године);
3. Симпозијум о војној науци "СИМВОН 2001""НАУЧНА ИЗГРАЂЕНОСТ И ЧИНИОЦИ ВОЈНЕ СТРАТЕГИЈЕ"
4. Теоријске основе одређивања ефикасности војноорганизационих система, 2002-2004.

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Mitar Kovač
PhD, Professor
General-Major

Date and Place of birth:

27 July 1959, Strane, Ulog, Republic of Srpska, Bosnia and Herzegovina

Nationality: Serbia

Education:

- 2002.** School of National Defence (excellent 9,75),
- 1998.** PhD from military science - strategy,
- 1986.** Masters Degree (excellent 9,60). Master thesis in 1989., from military science,
- 1984:** Completed course for Commanders of Artillery Battalions (excellent 9,25),
- 1981:** Military Academy (Land Army) (excellent 9,06),
- 1978.** Military High School (Land Army) (excellent 5,00),
- 1974.** Elementary School (excellent 5,00).

Current position and professional career:**A) Professional Career**

- 2013., January:** Head of Sector for strategic planning in Ministry of Defence of Republic of Serbia,
- 20010. – 2013.:** Head of Sector for planning and development (J5) in General Staff of Army of Serbia,
- 2004. – 2010.:** Head of Sector for strategic planning in Ministry of Defence of Republic of Serbia,
- 1999. – 2004:** Chief of Department, Strategic research Institute,
- 1991. – 1999:** Chief Investigator, Military-art Institute,
- 1981. – 1991:** Platoon Commander, Battery Commander, Deputy Commander of Artillery Squadron, Commander of Artillery Squadron, COS of Artillery Regiment.

Evaluated with higher official grades, twice extraordinarily promoted, to the rank of colonel in 2000 and General-Major in 2011.

B) Scientific and schoolar career

In Strategic Research Institute elected in all research titles, from investigator-research to science advisor. In title of **science advisor** has been elected in 2004. Co-worker of Strategic research Institute in Belgrade. Participated in project of national importance, within Ministry of science and education.

Parallel with investigative career, I was engaged in schoolar activity as professor, elected to all titles at Military Academy University for Defence, from assistant till regular professor. I have been elected as full-time professor lecturing strategy in 2006. I am an Lecturer in University for Defence at Strategy Desk.

Co-worker with Faculty of Security Studies and Faculty of Political Science since 1998 at master, special and PhD studies,

Scientific published work:

Author of various articles, publications and books related to military science, strategy, national security, strategic management, and operational research (Most important work are enlisted in Bibliography).

Specialistic training and professional development:

- Attended multiple courses from security, policy of defence, strategy of national defence, strategic management, strategic planning
- Scientific advisor, head and researcher in various domestic and international projects,
- Lead in expert teams and head of coordination in drafting the strategy of national defence, strategy of defence, long term development plan, strategic overview of defence and military doctrine,
- Member of working groups in reform of security sector,
- Participated in multiple other projects,
- Lecturer in School of National Defence and high studies at University for Defence.

Research area and professional focus:

- Strategic analysis and evaluations from the area of security and defence
- Proces of reformation of security sector and defence system,
- Civilian-military relations,
- Strategic management within the security system,
- Strategic planning, programming, budget planning and implementation of budget,
- Cooperation with NATO within DRG programm (group for reform of Republic of Serbia Defence system),
- Democrtatic and civil control of armed forces
- Analysis of expirience from wars and armed conflicts.
- Rebelion and terrorisms,

Languages:

- Russian – level (STANAG 2),
- English – begginers level.

Other data:

- Expirience in the field of defence politics,
- Profficient in PC,
- Awarded by magazine “Vojno delo”/“*Military work*“ in 1997. године, for best article published.
- Awarded with gold medal ”Živojin Mišić” in 2002, for achieved results in scientific-research work.
- Awarded with award «Пресад мудрости» in 2002, on the book fair in Niš, for his book „The History of Military Art“,
- Decorated and awarded in various occasions during career.

Marital status:

- Married, father of two children

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7. Determination of efficiency of military organisational systems (theoretical basis), VIZ, Belgrade, 2006.
8. Strategic planning of defence, VIZ, Belgrade, 2009.

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7. Basis for reforming defence system of Serbia and Montenegro, GŠ VSCG, Belgrade, 2003., coauthorship

MANAGEMENT AND PARTICIPATION IN MANAGING IN SCIENTIFIC-RESEARCH PROJECTS

1. Symposium on military science - "SIMVON 97" (1996 -1998);
2. History of Military Art (1995-2000);
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