

Draft Translation

FUNCTIONING OF THE VRS

Expert Report

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INTRODUCTION

My task, as a military expert employed by the Defence of retired Major General Radivoje Miletic, indicted before the ICTY, was to analyse his place and role, as the Chief of Operational and Training Affairs Administration, in the Staff of the Main Staff of the Army of the Republic of Srpska). From this point of view, this expert report can be in short defined as “Functioning of the VRS”, as the place of the Chief of the Operational and Training Affairs Administration may be understood only through the VRS functioning in its entirety.

In this expert report I have cited constitutional and legal documents, lower level legal documents (binding documents), as well as rules, manuals and other documents with directive character. I am especially emphasizing that the combat rule¹ defines the principles of war and military doctrine on the use of armed forces. Thus, combat rules or disposition in combat rules cannot be literally applied, but shall be interpreted creatively and the quality of creation defines the difference between good and bad commanders.

This expert report is done in 6 (six) chapters, where the Chapter 1 (Subject of Examination) defines the context in which this expert report has been done, while Chapter 6 (Conclusion) gives final observations.

The special scientific method has been used in work on other chapters, the analytic - synthetic method. Having in mind the subject and the goal of the analysis, I used the following methods:

- The analysis of content consists of the content analysis of the subject of examination,
- The structural analysis has been used for establishment of the structure of armed forces and procedures, and
- The comparative analysis has been used to compare the structure of military systems.

I could say that in one moment, when necessary to understand the differences among various systems, I have applied basic scientific method of modelling. This method was chosen as the best way to show how the

¹ Military Lexicon, Belgrade, Army Publishing Center, 1981, p. 437, (ERN 04002325),

military command in VRS would look like if were organized according to the rules and procedures of the land forces corps of the USA.

A u t h o r

[signed]

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1. SUBJECT OF EXAMINATION

1. To examine the state of affairs (in the State, army or any other system) in the wake of the analyzed event is both a methodological and a procedural necessity in making an expert's report.

1.1. TIME CONTEXT

2. The events covered in this expert's report encompass the period from **January 1, 1995** until the end of **August 1995**. The relevant period is impossible to analyze without taking into consideration previous events and the behaviour of the participants in the conflict waged in this region from 1992 to 1995. Therefore, although the events in subject occurred during the period stated above, the expert's report also analyzes documents from earlier periods.

3. Regardless of the fact that the event has a determined place in time and that in the moment when this expert's report is being written 13 (thirteen) years have elapsed since it occurred, it can still be considered as dynamic until every slightest fact is established.

1.2. SPACE

4. The events that form the subject of this expert's report are located in the eastern part of the Republika Srpska, where the protected zones of Srebrenica and Žepa were situated.

5. The protected zones of Srebrenica and Žepa were established by United Nations Security Council resolutions of April 16, 1993 (Srebrenica) and May 6, 1993 (Žepa),² and by agreements signed between the Army of the Republika Srpska and the Army of the Republic Bosnia-Herzegovina.³

² UN Security Council Resolution 819/93 of April 16, 1993, and UN Security Council Resolution 824/93 of May 6, 1993,

³ Agreement for the Demilitarization of Srebrenica of April 18, 1993, (ERN 01857841-01857842); Agreement on the Demilitarization of Srebrenica and Žepa of May 8, 1993, (ERN 01239651-01239654),

6. From the aspect of military analysis, the establishment of a protected zone and regulation of its status require the fulfilment of the following conditions:

- the UN (Security Council) decision must be made,
- the zone must be precisely defined (area, boundaries, etc),
- demilitarization of the zone must be ensured,
- appropriate control by UN forces must be ensured,
- the sides in conflict must be informed of all key elements, and
- the obligations of the sides in conflict must be clearly defined.

7. Such precisely (normatively) regulated definition, organization, functioning and control of protected zones create conditions for its existence and for successful protection of civilians and civilian objects.

8. At the meeting of April 17, 1993, General Ratko Mladić and General Sefer Halilović, in the presence of UNPROFOR representative General Wahlgren, reached the following agreement:

- total cease-fire in the area of Srebrenica and freezing of all combat activities on all lines of confrontation,
- deployment of UNPROFOR forces in Srebrenica,
- evacuation by airlift of the seriously wounded and seriously ill on April 18 and 19, 1993, and
- demilitarization of Srebrenica, which should be completed within 72 hours after the entry of UNPROFOR forces into Srebrenica⁴.

9. According to this agreement, once the demilitarization has been completed, no armed person or unit was supposed to remain in the town, other than UNPROFOR forces. It was also agreed that UNPROFOR forces are responsible for the demilitarization process.⁵

10. On May 8, 1993, General Ratko Mladić and General Sefer Halilović met again and in the presence of the UNPROFOR representative, General Morillon, signed an agreement on the demilitarization of Srebrenica and Žepa.⁶

⁴ Agreement for the Demilitarization of Srebrenica of April 18, 1993 (ERN 01857841-01857842),

⁵ Agreement for the Demilitarization of Srebrenica of April 18, 1993, article 4, (ERN 01857841-01857842),

⁶ Agreement on the Demilitarization of Srebrenica and Žepa of May 8, 1993, (ERN 01239651-01239654),

11. According to this agreement, after consultation, the commander of UNPROFOR was to mark the boundaries of the demilitarized zone on the ground.⁷ All military or paramilitary units were to be withdrawn from the demilitarized zone or to surrender their weapons.⁸

12. According to the agreement, combatants were not to be allowed to enter or stay in the demilitarized zone, while non-combatants staying in or entering into the demilitarized zone were not allowed to possess any weapons, ammunition or explosives.⁹

13. The agreement arranged for the freedom of movement to humanitarian aid – food supplies, medical supplies and shelters in accordance with the needs of the population.¹⁰

14. After the demilitarization of Srebrenica and Žepa, heavy weapons and units threatening the demilitarized zones were to be withdrawn. Heavy weapons and tanks were to be concentrated in limited areas and out of range of the demilitarized zone, while the infantry were to be withdrawn to a range from which the infantry weapons could not constitute a menace to the security of the demilitarized zone.¹¹

15. The boundaries of the protected zones were practically established by the positioning of UNPROFOR checkpoints and determining the positions of Drina Corps units.

16. Already on April 18, 1993, the VRS General Staff issued an order on observation and implementation of the demilitarization agreement.¹² On the contrary, the Chief of Staff of the Armed Forces of Bosnia-Herzegovina Supreme Command, General Sefer Halilović issued on June 1, 1993 an order to the Command of Srebrenica Defense to develop sabotage and breakthrough activities and to attack¹³. On June 8, 1995 he

⁷ Agreement on the Demilitarization of Srebrenica and Žepa of May 8, 1993, Article 1, (ERN 01239651-01239654),

⁸ Agreement on the Demilitarization of Srebrenica and Žepa of May 8, 1993, Article 3, (ERN 01239651-01239654),

⁹ Agreement on the Demilitarization of Srebrenica and Žepa of May 8, 1993, Article 5, (ERN 01239651-01239654),

¹⁰ Agreement on the Demilitarization of Srebrenica and Žepa of May 8, 1993, Article 6, (ERN 01239651-01239654),

¹¹ Agreement on the Demilitarization of Srebrenica and Žepa of May 8, 1993, Article 11, (ERN 01239651-01239654),

¹² VRS Main Staff Order no. 03/8-9, of April 18, 1993, (ERN 04257184-04257187),

¹³ Document of the Supreme Command of the Armed Forces of Bosnia-Herzegovina n° 02/609-2, of June 1, 1993 (ERN 01857887),

issued another order ordering the Srebrenica Defence to organize its own reconnaissance organization and reconnaissance patrols as deeply as possible into enemy-controlled territory and to take action against the enemy.¹⁴

17. It is undisputable that after the signing of the agreement on demilitarization, the armed forces of Bosnia-Herzegovina continued to be located in Srebrenica.¹⁵ Those forces were deployed in the following units and locations:

- 28th Division command with command post in Srebrenica, “Lovac” building,¹⁶
- 28th Independent Mountain Battalion, Srebrenica with command post in the premises of the Employment Community Tuzla, Srebrenica,¹⁷
- 280th Brigade in Potočari with command post in private family house in Potočari,¹⁸
- 281st Brigade in village of Sućeska with command post in the premises of the Local office of Sućeska,¹⁹
- 282nd Brigade, Srebrenica with command post in hotel “Domavija” in Srebrenica,²⁰
- 283rd Brigade, Srebrenica with command post in the premises of the society “Kamen”,²¹

¹⁴ Document of the Supreme Command of the Armed Forces of Bosnia-Herzegovina n° 2/718-1, of June 8, 1993, (ERN 01857891),

¹⁵ List of Business Premises used by the Armed Forces of Bosnia-Herzegovina, Defense Ministry, Tuzla, Department in Srebrenica Municipality n° 03-55-2/95 of February 22, 1995, (ERN DA178185-DA178186),

¹⁶ Besides the “Lovac” building, the 28th Division Command (8th OG Srebrenica) used the premises of the Territorial Defence Staff as storage space, Document of the Defense Ministry of BH, Tuzla, Department in Srebrenica of February 22, 1995, (ERN DA178185-DA178186),

¹⁷ Document of the Defense Ministry of BH, Tuzla, Department in Srebrenica of February 22, 1995, (ERN DA178185-DA178186),

¹⁸ Besides the private house used for its needs, the 280th Brigade command used three other private houses, Document of the Defense Ministry of BH, Tuzla, Department in Srebrenica of February 22, 1995, (ERN DA178185-DA178186),

¹⁹ Besides of local office in Sućeska, the command of the 281st Brigade used for the brigade needs a storage in Sućeska and private houses in villages Sućeska, Slatina, Bukovica, Podgaj, Osoje and Kutuzero, Document of the Defense Ministry of BH, Tuzla, Department in Srebrenica of February 22, 1995, (ERN DA178185-DA178186),

²⁰ Besides the Hotel “Domavija”, the 282nd brigade used also the municipal container at Kozilje and several private houses, Document of the Defense Ministry of BH, Tuzla, Department in Srebrenica of February 22, 1995, (ERN DA178185-DA178186),

²¹ Document of the Defense Ministry of BH, Tuzla, Department in Srebrenica of February 22, 1995, (ERN DA178185-DA178186),

- 284th Brigade, Srebrenica with command post in the premise o the society “Radnik”,²²
- Police forces – Srebrenica with separate units in Potočari and Sućeska.

18. Žepa was at all times the location of the 1st Žepa Brigade, later renamed the 285th Brigade²³.

19. ABiH members in Srebrenica and Žepa were continually supplied with arms from 1992 to 1995.²⁴

1.3. EVENTS

20. In the analysed period and space, the events at the beginning of the 1990's were unfolding at great speed and involved an unparalleled transition from common living to highly destructive war in a very short time. Essentially, these events must be analyzed from two aspects:

- the evolution of events from 1992 to 1995, and
- the situation in 1995.

Only such analysis creates conditions for understanding how the situation preceding the actions on trial here came into being and whether certain actions were undertaken within context of the situation and the events.

²² Document of the Defense Ministry of BH, Tuzla, Department in Srebrenica of February 22, 1995, (ERN DA178185-DA178186),

²³ Document of the 285th Žepa Brigade, n°.08-02-129/95, June 27, 1995. Besides the fact that a BH Army was located in Žepa, the documents indicates that it was constantly armed, that the weapons were brought by helicopters and that a private house was used for the storage of the Brigade equipment, (ERN DA175316-DA175319),

²⁴ Document of the Parliament of Bosnia-Herzegovina of July 30, 1996, (ERN 01854595-01854601); ABiH General Staff document of May 28, 1996, (ERN 01854593-01854594),

2. FORMING AND ORGANIZATION OF THE VRS

21. In the forming of the Army, the streaming can be recognized that transforms the system into the functional one and that assures that the army brings results and takes over the obligations foreseen by the law. Thus, in the Army of the Republika Srpska (VRS) has been regulated:

- the VRS has been created from individuals and units that satisfy requirement to be integrated into the VRS,
- the units that entered into the VRS should be incorporated into the system with clearly defined rights and obligations,
- when the unit is incorporated into the system, it is reformed in order to regulate its structure in accordance with needs and streaming of the VRS,
- the unity of command is being assured, and
- the VRS has been created as State institution.

2.1. FORMING OF THE VRS

22. On May 12, 1992, the Assembly of the Serbian People in Bosnia and Herzegovina decided at the meeting in Banja Luka to form the VRS.²⁵

23. At the same session when it was decided to form the VRS, a decision was also made regarding the type of military leadership, which meant the establishment of the VRS Main Staff. Simultaneously, it was decided to appoint General Ratko Mladić as Commander of the VRS Main Staff²⁶.

24. The establishment of the VRS Main Staff was an organizational act indicating a clearly defined entity (military system) capable of being efficiently integrated into any other wished system and to operate within it as an efficient subsystem. The VRS, defined at that way, can integrate itself efficiently into any defence system, any other military alliance or any other State organization (federation, confederation, etc).

²⁵ Minutes form the 16th Session of the Assembly of the Serbian People in Bosnia-Herzegovina, dated May, 12, 1992, (ERN 00847711-00847761); Decision on Forming of the Army of the Serbian Republic in Bosnia Herzegovina, Official Gazette n° 6, May 12-17, 1992, (ERN 01138981),

²⁶ Decision on Forming of the Army of the Serbian Republic in Bosnia Herzegovina, Official Gazette n° 6, May 12-17, 1992, (ERN 01138981),

2.2. ORGANIZATION AND FUNCTIONING OF THE VRS

25. As of May 13, 1992, the first-appointed VRS Commander and a group of officers, (experienced professionals who had acquired their service credentials through practical work in the JNA), began intensive work on forming the VRS. A large number of JNA members from Bosnia-Herzegovina (almost the most considerable number), belonging to all categories (soldiers serving their regular army term, reservists, civilian personnel in army service, non-commissioned officers and commissioned officers) entered into the VRS either individually or as complete units.

26. The professionalism of the group of officers who, under the command of the Commander of the VRS Main Staff, took part in the forming of the VRS is recognizable in the following:

- sequence of activities undertaken in the process of forming an army,
- building of the legal framework,
- lower level legal regulation, and
- operational integration of the VRS commands, units and institutions.

27. Very quickly, specialists were engaged in shaping all segments of a well-organized army. These were primarily officers with experience in organization, operational affairs and logistics. The logical consequence was that immediately a document was prepared regulating the areas of responsibility and further tasks in the forming of the VRS²⁷. Such documents come into being at the moment when the technological process reaches the point at which an army has at least two units.

28. On June 15, 1992, the Presidency of the Serbian Republic Bosnia and Herzegovina issued the Decision on the Forming, Organization, Formation and Command of the Army of the Serbian Republic of Bosnia-Herzegovina (further: the Decision on the Forming of the VRS).²⁸ As the founding document for the organization of the army, this document particularly emphasizes the following:

²⁷ Order of the VRS Main Staff – Areas of Responsibility and Further Tasks of the Army RS BH, n°. 02/5-31 of June 4, 1992, (ERN 01029861-01029864),

²⁸ Based on the Decision of the Serbian Republic Bosnia and Herzegovina Presidency on the Forming, Organization, Formation and Command of the Army of the Serbian Republic of Bosnia-Herzegovina n°01-58/92 dated June 15, 1992, the Commander of the VRS Main Staff issued an order n° 30/18-7 on Forming of the VRS Commands and units (ERN 06201196-06201217),

- the need to fully define the organization of the army at the shortest possible time,
- the need to organize the army on tactical and operational levels,
- determination of the number of army corps and corps-level formations,
- integration of the army into the democratic civilian framework and thus implement democratic civilian control,
- the manner in which JNA personnel are to be transferred from the JNA,
- the manner in which the weapons, military equipment and facilities of the armed forces of the Socialist Federal Republic of Yugoslavia (SFRJ) are to be taken over.

29. The Decision on the Forming of the VRS provided all the necessary elements for beginning the development of the VRS organization, encompassing both the units already in existence and the newly formed commands, units and institutions.

30. Analysis of the structure of commands within the VRS and of command authority shows that the VRS adopted the linear-staff type of organization. (*figure 1*).

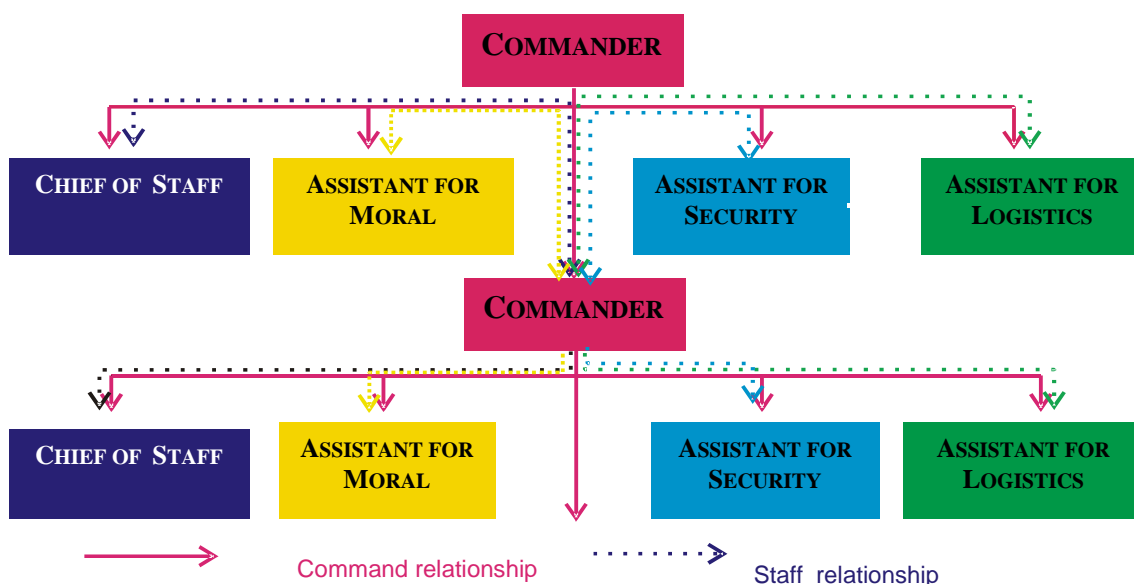


Figure 1

In accordance with the organizational trend followed by the JNA, all armies on the territory of the former SFRJ were defined as organizations of the linear-staff type²⁹. This type of organization was also something of an organizational trend in the 1980's. However, the prevalent type in the organization of modern armies is the linear-functional one (*figure 2*).

31. The basic characteristics of the linear-staff type (*figure 1*) of commands in the VRS units and institutions are:

- all command rights and command duties are in the hands of one person - the commander,
- communication with functionally similar organs in lower-level commands is conducted exclusively through the commander,
- command organs operate on the commander's directives,
- the communication between organs is defined and organized through the commander (work plans, coordination plans, etc).

32. This type of organization ensures that all information is first given to the commander and then to the executive organ. This requires subsequent additional explanations but ensures that the commander is fully informed. The inconvenience of this type of organization is that it does not sufficiently activate all organisation, including the command, members.

33. In the functional or linear-functional³⁰ type of organization (*figure 2*), the commander as the highest ranking senior officer delegates part of his authority to other senior officers (his subordinates) and they exercise a vertical responsibility for the work within their competences. Essential characteristics of this type of organization are:

- rights, duties and executive authority are in the hands of the commander,
- command organs have rights and duties towards the organs within their competences in lower-level commands,
- the bearer of a functional authority informs his own commander,
- in certain segments functional authority is superior to linear-staff organization type.

²⁹ M. Džinović – Ž. Dulanović, *Osnovi organizacije (Fundamentals of Organization)*, Beograd 1992, pp. 194–200. These are the authors used by the expert. The same criteria in distinguishing types of organization are employed by almost all authors in the world.

³⁰ M. Džinović – Ž. Dulanović, *Osnovi organizacije (Fundamentals of Organization)*, Beograd 1992, pp. 194–200,

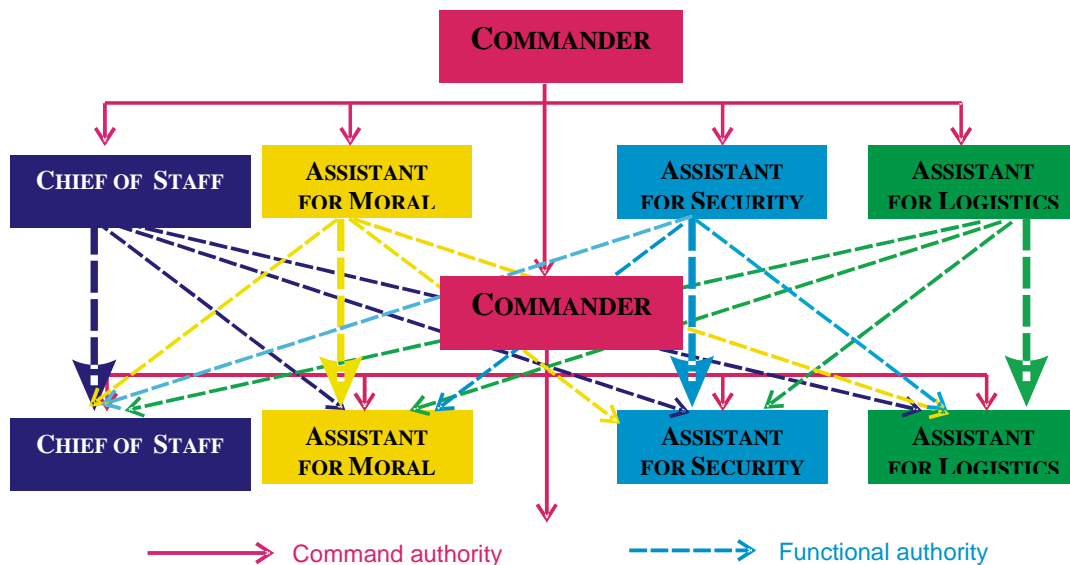


Figure 2

34. Organization constituted in this manner means that the functionally specialized organ of a lower-level command sends information about its activities to the organ charged with that same function in the superior - higher command, and that organ decides, at its discretion, whether or not to convey that information to its commander. This practically means that a lower-level commander may not know or may not need to know about an activity taking place in his unit.

2.3. ORGANIZATION AND FUNCTIONING OF THE VRS GENERAL STAFF

35. The organization of the VRS was determined by the Order on Organizational Deployment and Mobilization, the Formation³¹ (peacetime, wartime or joint) and the Order on the Authorities of VRS Command Organizational Units (the VRS did not issue the said orders, but it used the orders on authorities of the JNA armies commands and similar).

³¹ VRS Main Staff Formation book n° 111.900,

36. In the relevant period, the formation in force was VRS Main Staff Formation³² (personal and material) n° 111.900, issued in 1993, small formation n°. 100405. This formation was amended regarding the Intelligence and Security Affairs Sector³³ (and with other minor substantial changes) where a sector structure was modified (the initial two departments were transformed into two administrations with three departments each) and the number of personnel increased from 16 to 40.

37. The Organizational Structure Diagram (*figure 3*) presents the organizational structure to the level of departments (if any) or organizational units of their rank that are third or fourth level of organization.

³² Formation book no. 111.900,

³³ It could not be established precisely when this modification and amendment of the formation was executed and by which order,

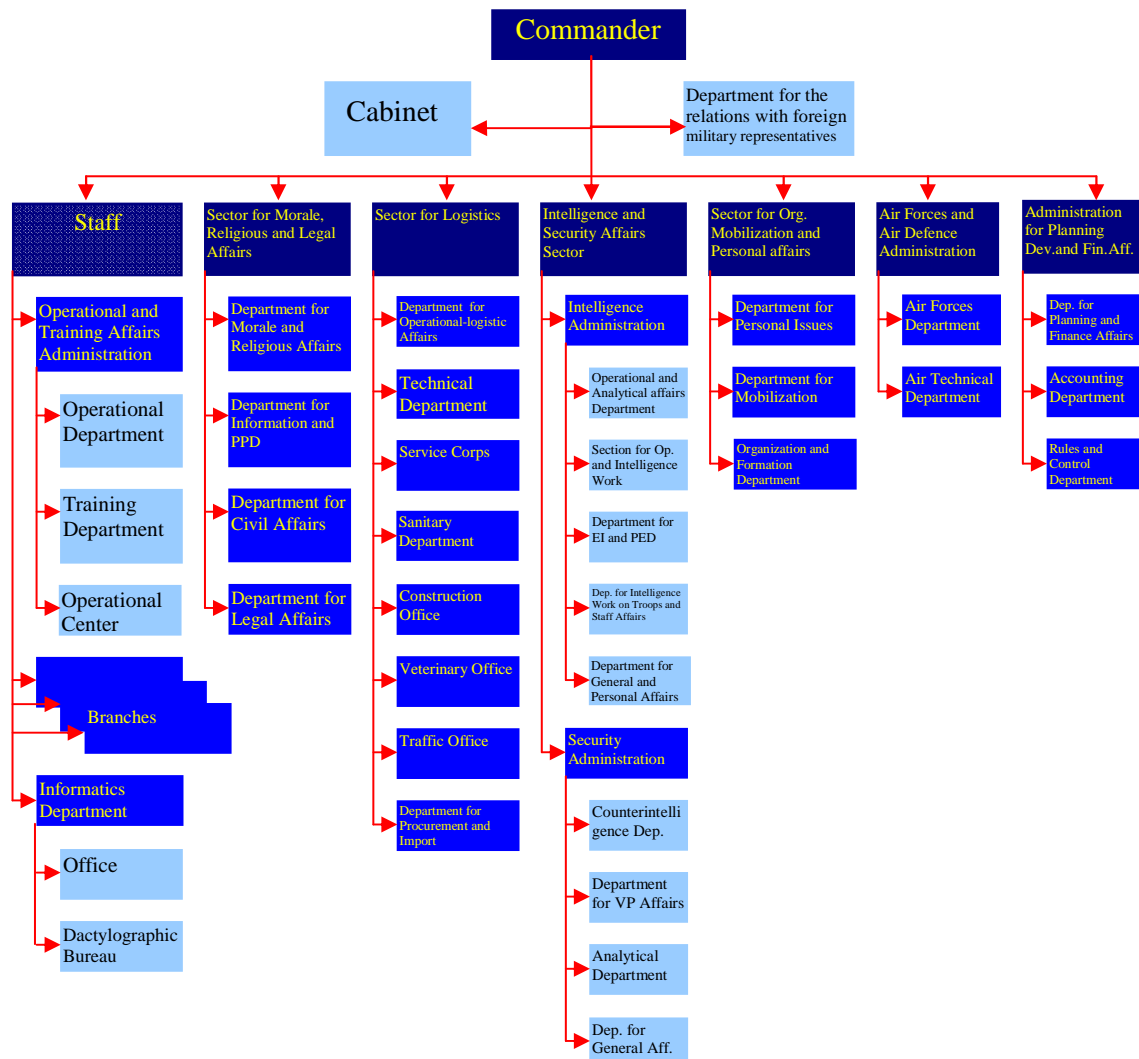


Figure 3

38. The Organizational Structure Diagram graphically represents the sequence (and sometimes the hierarchy) within the VRS Main Staff formation.

39. The organizational structure shows that the head of the VRS Main Staff is the Commander which is the first level of command in the VRS Main Staff. The second level of command encompasses the Chief of Staff and four Assistant Commanders (Assistant for Morale, Religious and Legal Affairs, Assistant for Logistics, Assistant for Organization, Mobilization and Personal Affairs, Assistant for Security and Intelligence Affairs) and also two Chiefs of Administration (Chief of Administration for Air Forces and Anti Aircraft Defence and Chief of Administration for Planning, Development and Finances) who are

directly subordinated to the Commander. The third level of command (in the VRS Main Staff and not in the VRS) consists of Chiefs of other Administrations in the VRS Main Staff (the Chief of the Operational and Training Affairs Administration, the Chief of the Intelligence Administration and the Chief of the Security Administration) as well as the Chiefs of departments that are equally, according to the Formation, the Deputy Chiefs of Sectors (the Chief of the Department for Moral and Religious Affairs in the Sector for Moral, Religious and Legal Affairs, the Chief of Logistics Operational Affairs Organ in the Sector for Logistics, the chief of the Department for Personal Affairs in the Sector for Organization, Mobilization and Personal Affairs).

40. It can be clearly noted that the VRS Main Staff encompasses the Staff, the Sectors with their organizational units and two independent Administrations with their organizational units. It can be thus clearly concluded that both, the Staff and the Sectors, are the Staff units.

41. More details of the organizational structure of the Staff of the VRS Main Staff can be observed from the structure of the Staff of the VRS Main Staff and the analysis of the formation (*figure 4*).

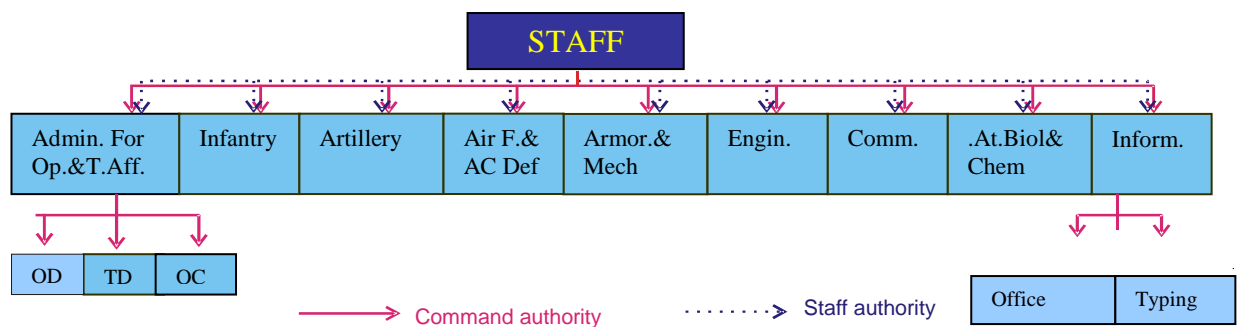


Figure 4

42. The staff is headed by the Chief of Staff.

The **first level of subordination** in the Staff consists of the Administration for Operational and Training Affairs, Army branches (infantry, artillery, air forces and anti aircraft defense, armored and

mechanized units, engineering, communications and nuclear, biological and chemical warfare units) and Informatics.

The **second level of subordination** (indirect subordination) in the Staff consists of the Operational Affairs Department, the Training Affairs Department, the Operations Center, the Office and the Dactylographic Bureau.

43. From the staff organization it is evident that the Chief of the Administration for Operational and Training Affairs (ONP) has the right of command over the Operational Affairs Department (OD), the Training Affairs Department (TD) and the Operations Center (OC).

2.4. HUMAN RESOURCES

44. In order to employ human potentials (professional, reserve and military) in the VRS, it was a necessary precondition to precisely define each position. In military systems, whose systematization is determined by the formation, this is defined through the so-called personnel segment of the formation.

45. The **personnel segment of the formation** is set out on sheet form LRF-3³⁴ and includes:

- the name of the organizational unit,
- designation and code number of particular duties,
- number of individual performers of each duty (BFM),
- military specialty (VES) (code number of necessary training credentials),
- rank,
- pay group (PG), which determines the salary level and additional elements for calculating the exact amount of the salary, and
- weapons and military equipment (NVO).

All of the elements listed describe the duties, hierarchy and salaries paid within the organizational unit in question.

³⁴ VRS Main Staff Formation Book, n°111.900,

2.5. REPRESENTATION AND SUBSTITUTION

46. Within VRS formations duties are defined as single and double. A double duty can be one of two types:

- when the duty designation integrates two duties regularly performed by the same individual, for example the designation Chief (also Military Public Attorney)³⁵ means that the Chief of the Legal Affairs Department, in addition to commanding his department and exercising authority in legal matters, also performs the duty of the Military Public Attorney,
- when the duty designation defines the second duty as the superior deputy. Such definitions are encountered in instances where formation-makers wanted to avoid dilemmas (several officers of similar qualifications and rank), for example Chief of Staff (also Deputy Commander),³⁶ or Chief of Department for Personal Affairs (also Deputy Assistant Commander) or Chief of the Department for Operational Affairs (also Deputy Chief of the Administration for Operational and Training Affairs)³⁷ and so on. Duties defined in this way signify only that the person having those duties may and, if the moment comes, must replace the superior officer.

47. Essential characteristics of these and such formation posts are the following:

- The formation does not recognize the deputy as the individual formation post,
- when the need arises, the representation is defined,
- in this way the formation-makers have *a priori* designated who is to be that for certain formation posts,
- in order for this function to be activated it is necessary that:
 - the superior is not performing his duties,
 - that the representation is defined by an appropriate document, and

³⁵ VRS Main Staff Formation Book n°. 111.900.00/100450, ordinal n° 54,

³⁶ VRS Main Staff Formation Book n° 111.900.00/100450, ordinal n° 10,

³⁷ VRS Main Staff Formation Book n°. 111.900.00/100450, ordinal n°14 (related to the Chief of the Operational Affairs Department),

- that the manner of representation is clearly defined (whether the substitute continues to perform his previous duty or not).

48. The characteristic of such duties definition is a possibility that a Chief of staff who is, by formation, also designated as a Deputy Commander never become a Deputy Commander.

49. The law defines more precisely the representation³⁸ and the appointment of a representative. If the representation is regulated by an order than there are no limitations for performing fully the given duty. There are, however, only two cases when someone can be appointed as a representative:

- when the primary performer of a given duty is prevented from exercising, or
- when a formation post is vacant.

50. Representation can be performed as the only duty or in addition to the representative's regular duty. Representation has a time limit, as the permanent solution shall be timely reached and appropriate personnel provided.

51. Based on legal dispositions, factual situation, analysis of documents, analysis of functioning and activities (in the period from May 1992 to August 1995) carried out in performing duties, assigned by formation, the following conclusions can be made:

- During the whole war, General Ratko Mladic was the Commander of the VRS Main Staff. An appointment of a representative Commander of the VRS Main Staff was never made.
- the Chief of Staff of the Staff in the VRS Main Staff, General Manojlo Milovanović performed his duty during the whole war and no representative was ever appointed to his own post of the Chief of Staff of the Staff in the VRS Main Staff.
- the Chief of the Operational and Training Affairs Administration in the Staff of the VRS Main Staff, General Radivoje Miletić, exercised this duty from the moment when he was appointed to this

³⁸ Law on Army, Official Gazette of SR BH n°7/92 dated June, 1 1992, article 156 (ERN01139021-01139058); Military Lexicon, page 706, (ERN 04002923),

post and until the end of the war. Despite the fact that he signed a large number of documents as Chief of Staff Representative³⁹ (which does not reflect the function of representing), he was never appointed as representative of the Chief of Staff in the Staff of the VRS Main Staff.

52. In order to secure the uninterrupted command, the institution of substitution (replacement) was established (as consequence of a temporary absence from duty, incapacity to do the job at a given moment, injury, death, etc.).

53. Substitution is not a status in service. As such, it is intended to solve and solves the problem *for the given moment*. Substitution is regulated by lower-level regulation, in this case the Interim Provisions of Service in the Army of the Republika Srpska (“Interim Provisions”)⁴⁰. Chapter 2, under the title Giving Orders, provide specific rules regarding when and how the command is assumed if a unit is suddenly left without its commanding officer. Article 16, paragraph 2 of the Interim Provisions precisely states:

*“If a unit or an institution is suddenly left without a commanding officer command shall be assumed by his deputy or the highest ranking officer in that unit, until a new commanding officer is appointed”.*⁴¹

54. The fact that this status has no time limit proves that such a situation in the course of service is extraordinary and temporary.

³⁹ Regular reports such as Regular Report n° 03/3-193 of July 12, 1995, (ERN 02935550-02935552), and various briefings such as Briefing n° 03/4-1654 of July 15, 1995, (ERN 03401472),

⁴⁰ Interim Provisions of Service in the Army of the Serb Republic, adopted at the session of the Presidency of the Republika Srpska held on August 18, 1992, (ERN 00662559-00662592),

⁴¹ Interim Provisions of Service in the Army of the Serb Republic, adopted at the session of the Presidency of the Republika Srpska held on August 18, 1992, Article 16, paragraph 2(ERN 00662559-00662592),

3. COMMAND

55. The way of organizing, type of organization, command rules and and rules regulating the military employment are essential for the understanding of the military's activities and the role played by individual participants.

56. The method of work or, rather, of decision-making, as well as military control, democratic civilian control and inspection are important elements in determining who is doing or has done what in the armed forces.

3.1. COMMAND NOTION AND PRINCIPLES IN THE VRS

57. Command in VRS is organized in accordance with the command organization in JNA, with principles of command as a scientific discipline and in line with the imagination of the bearer of the command function.

58. Considering that the VRS officers have been educated in JNA, that the work was organized in accordance with Rules and Manuals originating from the JNA, or on those basis, that combat documents were conform to that organization, the sufficient conditions have been made for understanding and evaluation of the command in the VRS, even though we do not possess all the documents about commanding, generated in the VRS.

59. Command in VRS can be defined on three levels:

- Strategic,
- Operational, and
- Tactical.

This position is the basis for definition of the command but also for the understanding of the VRS organization.

60. To understand levels of command in the VRS it is necessary to understand the notions of:

- Forces,
- Acts,
- Operations, and

- Command (notion).

61. Strategic level:

- Strategic forces⁴² are parts of the armed forces which are used for direct execution of a strategic task and which substantially influence the course and outcome of war. In the VRS this role had either the whole army or the whole armed forces.
- Strategic act⁴³ constitute basic activities which purpose is to put the army or armed forces in their entirety or in their substantial part in position to act (to be employed) and which have a substantial influence on the beginning, course and outcome of war. Those characteristics are inherent to: mobilization, concentration, strategic development.
- Strategic operation⁴⁴ type of operation that by its extent, deployed forces and planned results has a strategic importance. Depending on goal and forces relations it could have either attacking or defensive character. The strategic operations solve strategic goals, first of all dissolution and destroying of the main enemy groups on strategic and operational directions and levels and parts of the war theater.
- Strategic command⁴⁵ is the highest level of command in the army ('armed forces) in the State. It implies commanding with the armed forces in its entirety or with their strategic groups.

62. Operational level

- Operational forces (units)⁴⁶ are the highest joint operational components and operational and strategic groups with purpose to conduct an operation. They could be regular or provisional and they are mostly of variable structure. In VRS these are corps.
- **Operation**⁴⁷ is the highest and the most complicated form of combat activities in which battles, combats and other tactical

⁴² Military Lexicon, Army publishing center, Belgrade, 1981, page 590, (ERN 04002807),

⁴³ Military Lexicon, Army publishing center, Belgrade, 1981, page 590, (ERN 04002807),

⁴⁴ Military Lexicon, Army publishing center, Belgrade, 1981, page 589, (ERN 04002806),

⁴⁵ Military Lexicon, Army publishing center, Belgrade, 1981, page 591, (ERN 04002808),

⁴⁶ Military Lexicon, Army publishing center, Belgrade, 1981, page 363, (ERN 04002580),

⁴⁷ Military Lexicon, Army publishing center, Belgrade, 1981, page 361, (ERN 04002578),

activities are unified and directed in order to achieve the strategic or operational goal. On strategic level operations are conducted by strategic or strategically-operational groups while on operational level they are conducted by the operational or operationally-tactical groups.

- **Operational command**⁴⁸ is a common (general) title for the commands of operational units.

Comparison with the definition from the USA or NATO forces:

Operational level of war:

- *The level of war at which campaigns and major operations are planned, conducted, and sustained to achieve strategic objectives within theatres or other operational areas. Activities at this level link tactics and strategy by establishing operational objectives needed to achieve the strategic objectives. These activities imply broader dimensions of time and space than tactics they ensure the logistics and administrative support to tactic forces and mean to exploit tactical success for achieving of strategic results.*⁴⁹

The conclusion can be reached that there are no major differences in this notion, which is helpful for understanding of the work in the VRS. However, the operation and all the activities encompassing the operation substantially differ, and those notions in NATO and USA have completely different meaning from their meaning in the VRS (concrete level of the command, type of combat actions etc) such as:

Operation

- *An operation is (1) a military action or the carrying out of a strategic, tactical, service, training, or administrative military mission; (2) the process of carrying on combat, including movement, supply, attack, defense and maneuvers needed to gain the objectives of any battle or campaign.*⁵⁰

⁴⁸ Military Lexicon, Army publishing center, Belgrade, 1981, page 362, (ERN 04002579).

⁴⁹ FM3-0, Operations, Chapter 2.1, paragraphs 2.5 – 2.11 and FM3-0, Glossary, Dictionary of Military Terms, JP 0-2, “Operation level of war”, USA Ministry of Defense, <http://www.globalsecurity.org/military/library/policy/army/fm/index.html>.

⁵⁰ FM3-0, Chapter 1, par. 1.44, USA Ministry of Defense, <http://www.globalsecurity.org/military/library/policy/army/fm/index.html>.

Operational control

- command authority that may be exercised by commanders at any echelon at or below the level of combatant command. Operational control is inherent in combatant command (command authority) and may be delegated within the command. When transferring forces between combat commands, the command authority that the commander obtains on the re-subordinated units, (and that the previous commander loses), must be approved by the Secretary of Defense. Operational control is the authority to perform those functions of command over subordinate forces involving organizing and employing commands and forces, assigning tasks, designating objectives, and giving authoritative direction necessary to accomplish the mission. Operational control includes authoritative direction over all aspects of military operations and joint training necessary to accomplish missions assigned to the command. Operational control normally provides full authority to organize commands and forces and to employ those forces as the commander in operational control considers necessary to accomplish assigned missions. It does not, in and of itself, include authoritative direction for logistics or matters of administration, discipline, internal organization, or unit training (also called OPCON).⁵¹

This difference, fundamental by its character, demands that every command segment (from planning to control) be explained in detail in order to avoid the confusion between notions, procedures and authorities.

63. Tactical level

- Tactical units (forces)⁵² is a title given to the units which purpose is the conduct of tactical tasks (conduct of battle and combat). They are divided on basic (company, battalion, and other units of this level), higher (regiment, brigade), and the highest tactical units (division).
- Tactical acts (combat tactical acts)⁵³ constitute part of the content of combat activities (attack – defense). They are: movement,

⁵¹ FM3-0, Glossary, Dictionary of Military Terms, JP 0-2, "Operation control" (see also command authority, detachment, USA Ministry of Defense,

<http://www.globalsecurity.org/military/library/policy/army/fm/index.html>,

⁵² Military Lexicon, Army publishing center, Belgrade, 1981, page 607, (ERN 04002824),

⁵³ Military Lexicon, Army publishing center, Belgrade, 1981, page 607, (ERN 04002824),

resting, direct combat, pursuing, combat from encirclement, breakthrough, withdrawal, and other different active combat activities.

64. Determination of the command levels is necessary for drafting the organization of the VRS (especially of documents regulating rights and obligations, that is authorities), and drafting and use of combat documents.

65. Supreme Command⁵⁴ (VK) was the highest organ of command with the army and the defense system (State level) meaning command with all subsystems (army and MUP).

66. The Supreme Command was headed by the President of the Republika Srpska who is the Supreme Commander. Its members were also:

- Vice-presidents of the RS,
- President of the RS Assembly,
- President of the RS Government,
- RS Minister of the People Defense, and
- RS Minister of the Internal Affairs.⁵⁵

67. As such the Supreme Command represented a small operational body, organized very rationally. Beside the members of the Supreme Command, in its work were also present the following persons:

- Commander of the VRS Main Staff,
- Assistant Commanders, VRS Main Staff⁵⁶, and
- The VRS Corps Commanders of the VRS, but only with the special invitation.

68. Organized in such manner, the Supreme Command used the capacity of the subordinated systems for drafting of complex documents (rules, instructions, orders, combat documents etc). When it used the capacities of the VRS, the VRS Main Staff had a function of the Supreme

⁵⁴ Established by the Decision of the President of the Presidency of the RS, pp nb. 01-1775/92, Pale, 30.11.1992,

⁵⁵ Article 3 section 4, Law on Application of Law on Defense in the time of imminent threat of war or state of war, Official Gazette, 29 November 1994, (ERN 00497360),

⁵⁶ The Chief of Staff (also Deputy Commander) was excluded from the Supreme Command work as he was not as Assistant Commander, but the Chief of Staff (General Manojlo Milovanovic) did however assist to the Supreme Command sessions,

Command Staff. The consequence of this method was that the same organizational unit, VRS Main Staff, had, in certain cases, an additional function, the function of the RS Supreme Command Staff. Thus, a certain duality in functioning appeared. This organization had its advantages and disadvantages.

69. Advantages were:

- Competency for drafting of documents,
- Education,
- Knowledge of all procedures,
- Knowledge of all resources,
- Rational organization,
- Efficient work etc.

70. Disadvantages were:

- Harder spotting of oversights,
- Lower number of experts involved in process, and
- Possible subjectivity in evaluation of one own potential.

71. Successfulness of the command functioning in the system of defense is based on well suited principles of command. Principles upon which the command was based were:

- Unity of command (single command),
- Subordination,
- Unity,
- Continuity,
- Flexibility,
- Operational principle (principle of readiness),
- Efficiency, and
- Confidentiality.

72. Successfulness of the command is based on the adherence to the principles (in technological sense) that should assure the transformation of the commander good decisions into successful activities.

73. In order to understand the functioning of command, its organs and by that also the organ for operational and training affairs, namely the Chief of the Administration for Operational and Training Affairs it is

necessary to point out the main characteristics of the above mentioned principles.

- ✎ Unity of Command (single command), is based on the exclusive and undivided right of the commander who has the exclusive right to command with all subordinate units and who is responsible for the situation, combat readiness, employment of units and correct execution of all given tasks. The unity of command assures that only one superior officer is appearing in leading and command and to whom the others respond for the accomplishment of tasks⁵⁷.
- ✎ Subordination is based on strict respect of the organization hierarchy and ranks in accordance with regulations⁵⁸.
- ✎ Unity is based on doctrinal position that the defence of the country is one and undivided⁵⁹.
- ✎ Continuity implies stability of the system of management and command, namely its vitality, and in the case of disturbance the ability to reorganize itself promptly⁶⁰.
- ✎ Flexibility implies prompt response to all changes, corrections of decision in relation to initial situation, efficient redefining of tasks, goals and adjusting to all newly created situations⁶¹.
- ✎ Operational principle (readiness) implies timely decisions and efficiency in use of units⁶².
- ✎ Efficiency as a principle represents the right measure in applying all other mentioned principles.
- ✎ Confidentiality is the basic condition for surprise and achievement of success with these principles. Confidentiality starts from the idea, with concealment of the army own resources and intentions, with

⁵⁷ Rukovodjenje i Komandovanje (Leading and Command), Milan Djurovic and others, Federal Ministry of Defense, JNA General Staff, Belgrade, 1983, page 25,

⁵⁸ “*Subordination and Unity of command are the basic symbols of the relations upon which military organization is based on... basic symbol of subordination is that individuals and commands must unconditionally correct and on time act upon the orders of the superior or superior command*”. Rukovodjenje i Komandovanje (Leading and Command), Milan Djurovic and others, Federal Ministry of Defense, JNA General Staff, Belgrade, 1983, page 25-26,

⁵⁹ Rukovodjenje i Komandovanje (Leading and Command), Milan Djurovic and others, Federal Ministry of Defense, JNA General Staff, Belgrade, 1983, page 26,

⁶⁰ Rukovodjenje i Komandovanje (Leading and Command), Milan Djurovic and others, Federal Ministry of Defense, JNA General Staff, Belgrade, 1983, page 27,

⁶¹ Rukovodjenje i Komandovanje (Leading and Command), Milan Djurovic and others, Federal Ministry of Defense, JNA General Staff, Belgrade, 1983, page 27 and 28,

⁶² Rukovodjenje i Komandovanje (Leading and Command), Milan Djurovic and others, Federal Ministry of Defense, JNA General Staff, Belgrade, 1983, page 28,

obstruction of showing the capacities (all categories) and goes to the concealment of the actual analysis of results and especially and the concealment of the army own weaknesses. Confidentiality is achieved actively or passively, actively by the obstruction and passively by the concealment⁶³.

74. Commander of the Main Staff of the VRS is in command of the Army of Republika Srpska.

3.2. CHARACTERISTIC COMMAND FEATURES IN THE VRS

75. A special set of problems in understanding the process of command arises when the VRS commands (organization, functioning, rights, duties or even names) are identified with commands in NATO countries or other commands organized on the functional type (command of the USA Army). As there is no universal type of the army organization, but the rules and procedure are defined in comparison of the VRS with the other organizations, I use the type and positions of the USA Army organization as the leader in NATO structures but also in modern army organizing.

76. In order to achieve a better understanding, the VRS organs, authorities of individuals and organs or authorities shall not and must not be interpreted by procedures applying in other commands. Such an interpretation can lead to grave misconceptions. Therefore, it is necessary to point out several characteristic of the VRS command features.

77. The very term *command* does not have substantial different meanings in the VRS and in NATO countries.

- in the VRS the term command⁶⁴ designates the exclusive right of the unit's (institution's) commanding officer to independently decide on unit employment and activities, issue orders and organize control. The bearer of command functions is the command, that is, the commander with his deputies, assistants and staff.

⁶³ Rukovodjenje i Komandovanje (Leading and Command), Milan Djurovic and others, Federal Ministry of Defense, JNA General Staff, Belgrade, 1983, page 28 and 29,

⁶⁴ Vojni Leksikon (Military Lexicon), p.222, (ERN 04002439),

- in NATO countries, command⁶⁵ is the authority that a commander in military service lawfully exercises over subordinates on the basis of rank and assignment. Command includes the authority and responsibility for efficient use of available resources and for planning of employment of organized, directed, coordinated and controlled military forces with purpose to accomplish assigned tasks.

An analysis of the above statements notes the consistent and unique regulation of the basic rights and duties of a commander with a fundamental difference that the right of the Commander in the VRS is exclusive and, being exclusive it cannot be transferred. The organization of commands and the authorities of specific organs in implementation of decisions greatly differ.

78. The organization of commands (at operational and tactical level) in USA⁶⁶ or NATO armies (*figure 5*) is significantly different from the organization in the VRS in the following aspects:

- all elements of combat readiness are in the hands of the chief of staff,
- the commander makes the decisions, yet combat activities are managed by the staff and its organs,
- the chief of staff ensures functional harmony because he is the one who has all the information,
- in US commands, operations officers are officers dealing with operations who possess the authority of making management decisions and who function independently, etc.

⁶⁵ FM 101-5 – Staff Organization and Operations, Headquarters Department of the Army, Chapter 1, page 1.1, <http://www.globalsecurity.org/military/library/policy/army/fm/index.html>,

⁶⁶ FM 101-5 – Staff Organization and Operations, Headquarters Department of the Army, <http://www.globalsecurity.org/military/library/policy/army/fm/index.html>,

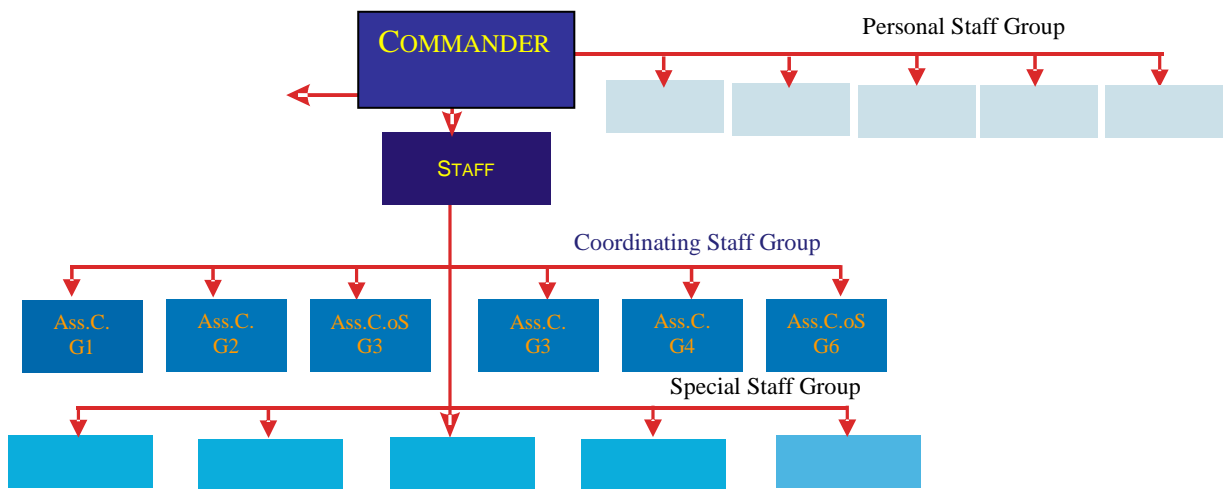


Figure 5

79. The VRS command organization, in comparison to the US Army command organization, displays the following differences:

- the command is a bearer of the whole support process to the commander,
- the commander is the only one who manages combat activities and he never transfers this function to any command organ,
- elements of combat readiness are with the commander,
- the staff gives him support from its own area of competence (coordination, planning, reporting, etc.),
- the VRS units do not deal with civilian-military operations and have no specifically designated organs for such tasks.

80. If the model command of the US Army, with its organs, was to be organized according to the VRS type of organization, the command would look completely different (*figure 6*). The command organized on this way as well as its staff would have different rights and obligations and it would imply a different command chain.

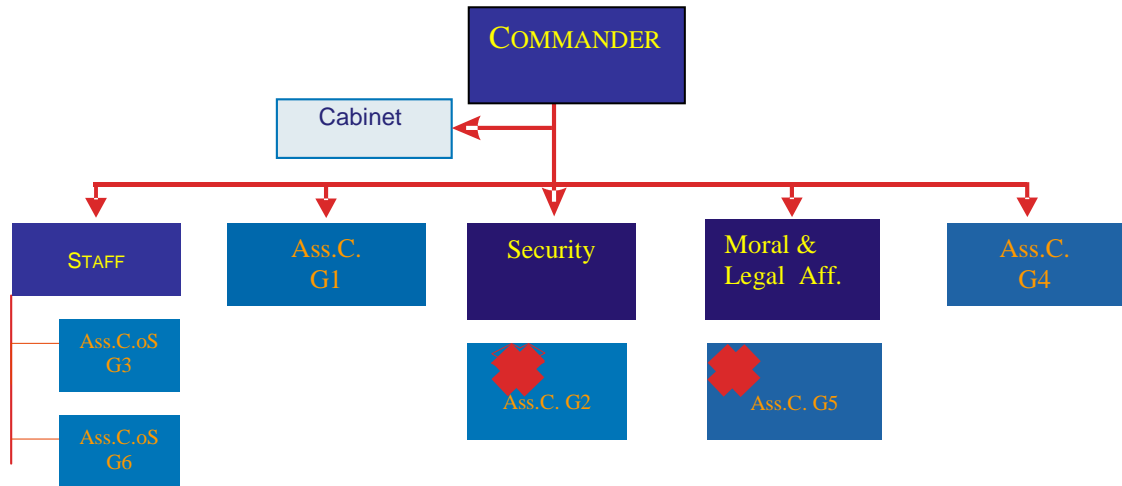


Figure 6

81. The type sketches of command structure in the VRS and command structure in, for instance, USA point to fundamental differences regarding the commands and staffs (and I do not cite the fact that G2 is in VRS organized in complete different manner and that G5 does not exist in any form).

In the VRS, the Command is a military organizational unit intended to exercise command of troops, within which the Staff is at equal level with other Sectors and has clearly defined tasks involving preparation, planning and organization.

In NATO armies a command is a military organizational unit from which a commander, with his staff, exercises command of troops. All elements of combat readiness are within the staff and all executive officers take part in preparation, planning, organization and execution of the commander's decisions.

82. Difference in the meaning of the term "operation"⁶⁷ made also a difference in the meaning of the term "operations officer" ("operational

⁶⁷ In VRS military terminology, as in was also in the JNA, an operation is the highest and the most complex form of combat activities in which combats, engagements and other tactical activities are brought together and directed with the aim of achieving strategic or operational objectives. Military Lexicon, page 361, Military Edition Institution, (ERN 04002578) In NATO military terminology an operation designates all combat or even other activities.

officer”). Whereas in the VRS this term is applied only to officers working in operational and training affairs organs (in NATO commands they would in fact be operational administrative officers), in NATO commands this term designates officers with functions in management and direction of combat activities.

3.3. MILITARY DECISION-MAKING PROCESS

83. In view of the fact that decision-making is the main responsibility and function of the commander, the quality of decisions, as well as the right to decide, are of the outmost importance for the successful achievement of tasks. Everyone makes decisions within the specific area of competence and authority, but only the commander makes decisions affecting the whole system (unit).

84. The military decision-making process is specific. It represents an analytical method of finding solutions for reaching a decision on the employment of troops in combat activities in order to execute a given task. It begins with the reception of the task, it goes through the decision-making process, decision-shaping (preparation of combat documents), transmission of the decisions to subordinates, monitoring of execution and (if necessary) modification of the decision and it ends with the achievement of goal and the control of the execution.

85. Decision⁶⁸ is the most important act of command and management. It is made by the commander on the basis of situation assessment. It defines how, when, where and what shall be done for execution of the given task. The content of the decision is adapted to the action environment. The basic principles of decision-making process are common to all types and categories of units and commands.

86. Command⁶⁹ is the art of decision making and leading and motivating soldiers and their organizations into action to impose the nation’s will over the enemy and accomplish missions at the least expense in manpower and material. Command is vested in an individual who has total responsibility. The essence of command is defined by the commander’s competence, intuition, judgment, initiative, and character

⁶⁸ Military Lexicon, p. 349, (ERN 04002566);

⁶⁹ FM 101-5 – Staff Organization and Operations, Headquarters Department of the Army, Chapter 1, page 1.1; <http://www.globalsecurity.org/military/library/policy/army/fm/index.html>,

and his ability to inspire and gain the trust of his unit. Commanders possess authority and responsibility and are accountable while in command.

3.3.1. Combat Documents

87. The implementation of decisions and the execution of tasks and duties of all participants in the system, as well as the definition of the rules of conduct, are assured by the issuing of documents (regulations, instructions, orders, decisions, etc.). The law and lower-level regulations precisely define what level produces which kind of documents, the method of document preparation, verification, storage and control.

88. All documents created in a command, unit or institution can be divided into two basic categories:

- Combat documents, and
- Official correspondence documents.

89. Official correspondence documents encompass practically all documents dealing with the daily life and activities of units and they are issued according to a special procedure. The legal basis for such documents is related to the legal State's regulations. The official correspondence documents were not particularly analyzed in this report.

90. Combat documents serve to transform into act the commander's decisions. The commander, the chief-of-staff and the assistant commander determine the number and basic form of necessary documents with tendency to reduce the number of documents and to make them as simple as possible⁷⁰.

91. Combat documents are the materialization of the commander's decision leading to combat activities and in course of them. Their form is precisely regulated as well as their transmission, storage methods and production process.

92. Combat documents⁷¹ serve for regulation of planning, preparation, organization, execution and control of commander's Decisions.

⁷⁰ Manual for Work of Commands and Staffs paragraph 494, (ERN K0239361-K0239576),

⁷¹ Manual for Work of Commands and Staffs paragraph, 493-527, (ERN K0239361-K0239576),

According to their content and objectives, the combat documents can be divided on:

- command documents:
 - orders, commands, directives and instructions,
 - orders for combat operations support and other activities,
 - plans, operation maps and graphic decisions.
- reporting and notification documents:
 - combat and operational reports,
 - reports on various types of combat operations support and other activities,
 - all type notices,
 - proposal and reports of the organs in commands,
 - war log books.
- Auxiliary documents:
 - Lists, tables, standard and data overviews, various calculations, jotted-down data, schemes⁷² (*figure 7*).

⁷² Manual for Work of Commands and Staffs paragraph, 493, (ERN K0239361-K0239576),

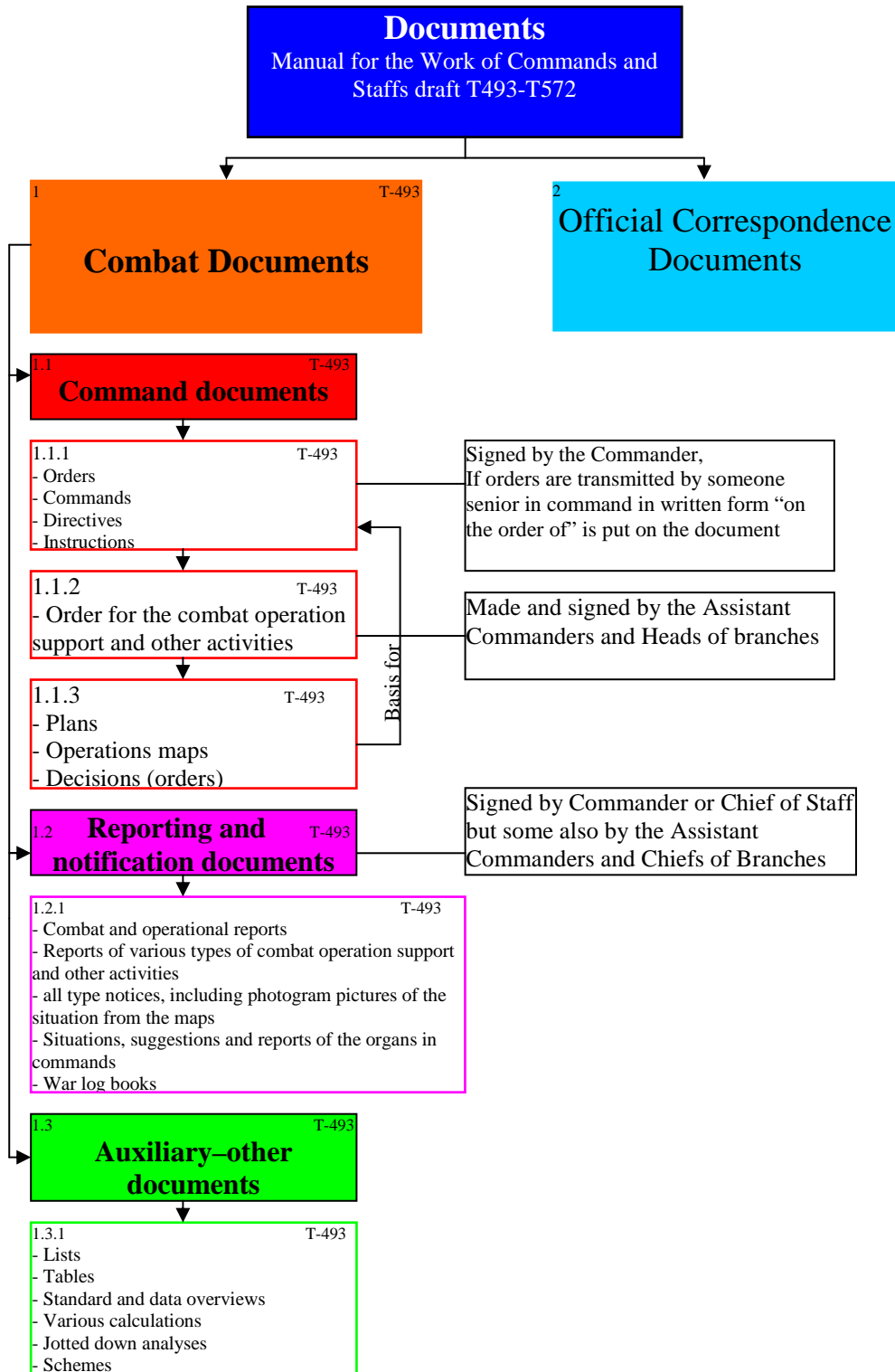


Figure 7

93. Combat documents are issued or edited by the commanding officer for his formation (commander, commander of lower ranking units).

94. The objective of command is the execution of the task. The object of command are forces (commands, units and institutions), and the means the commander uses in command are combat documents. For the purpose of materializing his decisions and their substantiation in combat documents a commander has his command. The command ensures the drafting of combat documents, their distribution and control of task execution.

95. The subordination and hierarchy are respected in issuing of combat documents. The commander issues orders, that is, makes decisions for his immediate subordinates (*figure 8*). Based on that decision, the next (following) level commander makes decisions for his immediate subordinates (the process designated by the number 1 in figure 8).

In special cases a commander may issue and directly convey a decision to commander who is two or three levels below himself (process designated by the number 2 in figure 8). In that case, the Commander who receives the decision starts to implement it, but is also under obligation to inform his immediate superior⁷³ about the matter (the process designated by the number 3 in figure 8).

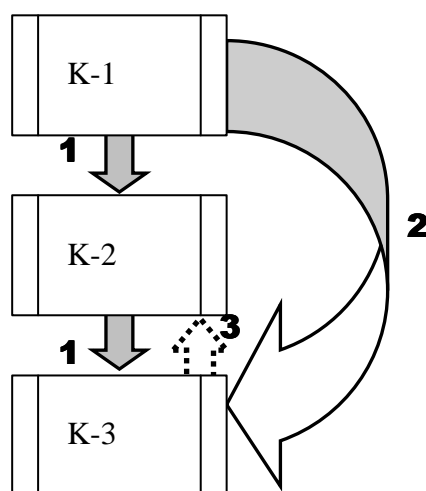


Figure 8

⁷³ Service Regulations of the Armed Forces of the SFRJ, October 29, 1985, article 38, pp. 33–34,

96. Combat documents can be issued-conveyed orally (directly or using a means of audio communication) or in writing (through an act, a telegram, etc). If the decision is received in oral form, the superior officer is in obligation to subsequently issue and as soon as possible a written document and to forward it to the officer in charge⁷⁴. The technique of issuing orders orally is used, for certain activities, only when these activities are conducted in conditions of extreme time constraint.

97. Directives and orders for operations are the only documents that cannot be issued orally. This is a consequence of the fact that the directive is directing document upon which the activities of strategic and operational level commands are organized.⁷⁵

98. This expert's report is dealing with a possible link between a directive and an order as two combat documents. Therefore, they will be analyzed through the procedures of their creation.

99. A directive⁷⁶ is a combat document issued by high-level commands and institutions. It defines all important issues related to preparation and conduct of combat activities for a lengthy upcoming period and gives instructions to units for conducting activities in specific directions and the enemy's rear. The tasks in the directive are set out with few details, the main emphasis being on objectives, general tasks and the commander's ideas.

100. An order⁷⁷ is a combat document by which the authorized officer gives out concrete tasks to his subordinate units. In joint tactical units it is issued in writing, while in tactical units it is issued orally⁷⁸. It sets out the commander's decision and the plan for its execution.

101. Directives and orders have a precisely defined hierarchy, cause and consequence link, contents and form. They are in many ways similar

⁷⁴ Service Regulations of the Armed Forces of the SFRJ, October 29, 1985, article 39, pp. 34,

⁷⁵ The order (Zapovest) in tactical units may be issued orally. Rukovodjenje i Komandovanje (Management and Command), Milan Djurovic i drugi, Savezni Sekretarijat za Narodnu Odbranu, Generalstab JNA, Beograd 1983, strana 354,

⁷⁶ Military Lexicon, p. 108, ERN 04002325,

⁷⁷ Military Lexicon, p. 704, ERN 04002921,

⁷⁸ Rukovodenje i komandovanje (Management and Command), Milan Djurovic and others, Federal Ministry of Defense, JNA General Staff, Belgrade, 1983, page 354,

(structure, form, creators, process of creation) but they substantially differ in:

- Objectives,
- Purpose,
- Level of issuing, and
- Tasks.

102. All Orders do not necessarily have to originate from a directive.

3.3.2. Method of Work

103. The achievement of objectives and realization of given tasks is the key element in command valorisation. The whole purpose of the military organization system is to achieve the given objective. Successful leading to that objective is related to good commanding, timely correction and efficient action. The successfulness of decisions is, among other things, reflected in a right choice of the work method.

104. The decision-making process is based on comprehensive decision factors with maximal engagement of all human resources. Whereas the handling of decision- factors can be practiced and it ts a matter of good training, human resources are teamed up according to various criteria with the main goal of creating a good team.

105. Well-conceived command work in planning, preparation and conduct of combat activities encompasses the following:

- Activities prior to decision making:
 - Study of combat experiences,
 - Situation monitoring,
 - Situation assessment,
 - Maintenance and development of combat readiness,
 - Ensuring that units are brought to full strength,
 - Logistics support,
 - Moral, political and psychological support, and

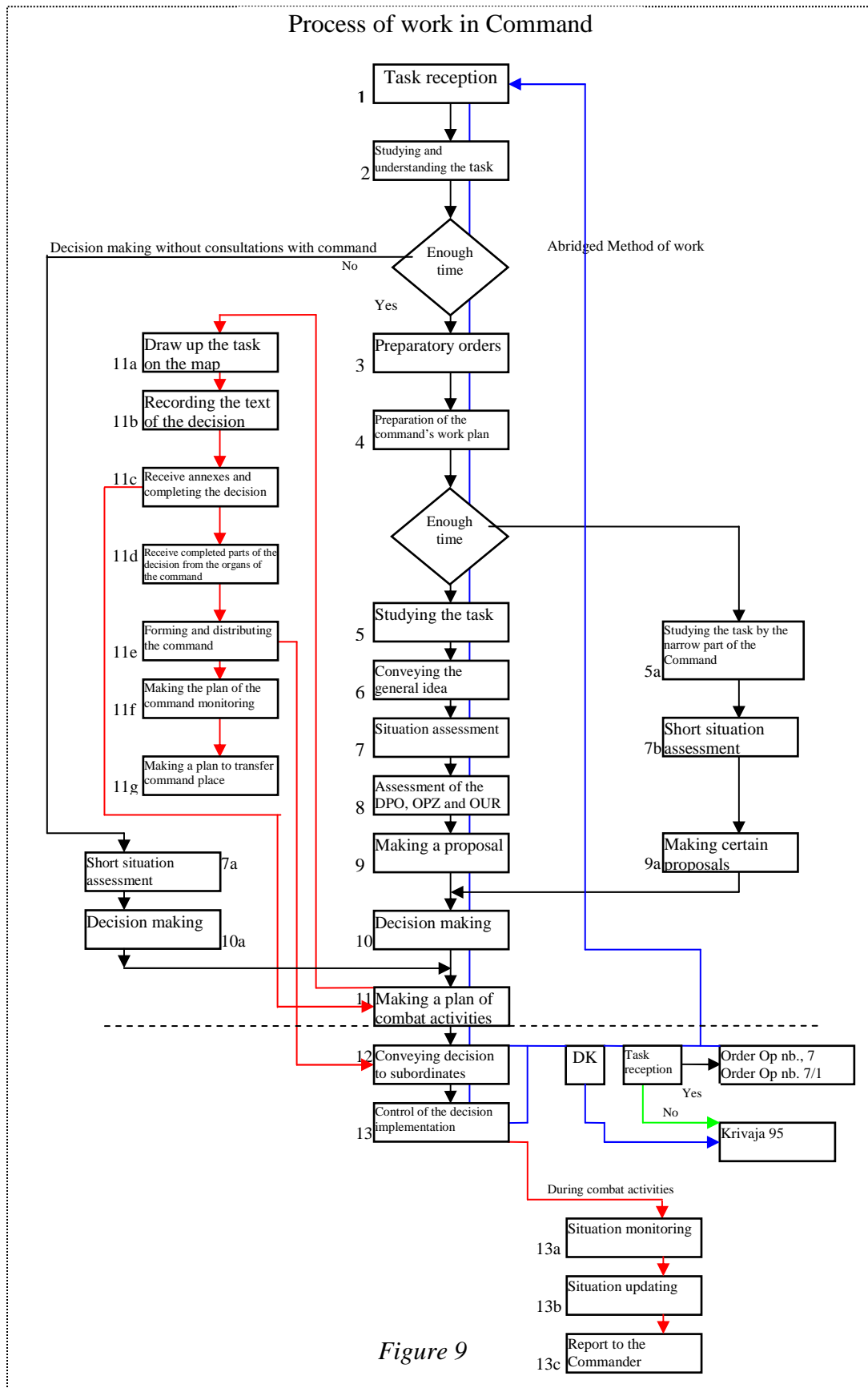
- Joint action and cooperation,
- decision-making activities:
 - Studying and understanding the task,
 - Issuing of preparatory orders,
 - Drafting the command's work plan,
 - Acquainting the command with the task,
 - Communication of the basic concept,
 - Situation assessment,
 - Submission of proposals, and
 - Decision,
- activities subsequent to decision-making and during the course of the operation:
 - Transmission of the decision,
 - Drafting of the operation plan,
 - Control of subordinate command activities,
 - Decision approval,
 - Situation monitoring, and
 - Making of necessary additional (correction) decision.

106. The measures of success of a made decision is the achievement of the goal. The choice of the best work method of work is necessary for successful decision making. In principle, it is, well-known what the best method is (the so-called full method, with well trained men, enough time, enough resources of all kinds, etc). However, the best method in practice is chosen with regard to the factors influencing the work process: available time, available resources (human and material), command's level of training, condition of units, etc.

107. In all armed forces, created on the territory of the former SFRJ, three working methods on the decision-making process in Commands⁷⁹, are defined (*figure 9*):

⁷⁹ Manual for the Work of Commands and Staffs, paragraph 101, (ERN K0239361-K0239576),

- full method,
- abridged method, and
- decision-making without consultation.



108. The full and the abridged methods are realized through various forms of work:

- Team work⁸⁰ represents the best method which is chosen when the command is well trained and coordinated, when it is stuffed with enough people, when it is necessary to shorten the decision-making process in order to give more time to subordinated officers. It is always characterized by a common understanding of the task, good cooperation and the best prospects of success,
- Work by sectors⁸¹ is applied when there is enough time for making of decision, when members of command are able to work independently and when the whole command is present, and
- Work by specially formed teams⁸² is applied when the unit is simultaneously engaged in several tasks and when, for lack of the trained staff (personnel), it is impossible to choose one of the other two forms.

3.3.3. Directive Drafting

109. In the VRS analysis of the combat readiness for 1994,⁸³ the Supreme Commander **orders the preparation of the Supreme Command Directive** for armed forces. The Directive shall emphasize the need for decisive defense of positions, currently held by the VRS. The order was issued to the VRS Main Staff, meaning that the VRS Main Staff worked in the capacity of the Supreme Command Staff.

110. At this occasion, orders were issued to start planning and drafting Directive 7.

111. The VRS Main Staff work in the capacity of the Supreme Command staff practically leads to temporary functional changes:

⁸⁰ Manual for the Work of Commands and Staffs, paragraph, paragraphs 102-103, (ERN K0239361-K0239576),

⁸¹ Manual for the Work of Commands and Staffs, paragraph, paragraphs 104-106, (ERN K0239361-K0239576),

⁸² Manual for the Work of Commands and Staffs, paragraph, paragraphs 107-111, (ERN K0239361-K0239576),

⁸³ Plan for the Reporting on Combat Readiness in 1994, January 29–30 1995, (ERN 05289498-05289500),

- the VRS Main Staff Commander practically becomes the Chief of Staff of the Supreme Command.

112. During the course of the conflict, the VRS Supreme Command issued two directives on the highest state-political level⁸⁴ (Directive 6⁸⁵ of November 11, 1993, and Directive no. 7⁸⁶ of March 8, 1995).

113. Simultaneously with the planning of work on Directive 7, the VRS Main Staff Commander chose to:

- organize the full method of work,
- at the meeting with corps commanders gave a task to commence planning of the activities (preparatory order), necessary for assuring the achievement of given tasks.

114. For the Chief of Staff and all Assistant Commanders, this decision was sufficient to generate tasks within their authority. The Chief of Staff of the VRS Main Staff immediately ordered the Chief of the Operational and Training Affairs Administration to:

- prepare a work plan for drafting the Directive 7,
- assure the functioning of the command post,
- assure parallel work of the Operational and Training Affairs organ in both frames, as part of the Supreme Command Staff and as part of the VRS Main Staff.

115. As a general document, the Directive has certain characteristic traits depending on the level at which it is issued. Directives issued at the same level (horizontal level), cannot be linked by their content. Since directives are directing documents they serve to emphasize the objective, general task and commander's conception. It is a well known fact in methodology, that a subordinate commander cannot draw a concrete task for himself and for his subordinates from two general tasks.

116. The best example is provided by the simultaneous analysis of Directive 6⁸⁷ and Directive 7⁸⁸.

⁸⁴ All other Directives were issued by the VRS Main Staff,

⁸⁵ Republika Srpska Supreme Command Directive 6 (Directive 6), November 11, 1993, (ERN 01029248-01029256),

⁸⁶ Republika Srpska Supreme Command Directive 7 (Directive 7), March 8, 1995, (ERN 00823159-00823182),

⁸⁷ Directive 6, November 11, 1993, (ERN 01029248-01029256),

⁸⁸ Directive 7, March 8, 1995, (ERN 00823159-00823182),

Activity	Directive n° 6	Directive n° 7
Issued by	Supreme Commander	Supreme Commander
Date	November 11, 1993	March 8, 1995
Task	<ul style="list-style-type: none"> ○ decisive defense ○ prevention of surprises ○ conditions for liberation of Sarajevo 	<ul style="list-style-type: none"> ○ resolute defense ○ decisive defense ○ preventing incursions ○ preparation of 1-2 strategic operations
Forwarded to	Corps Commands, Air Force and Air Defense	Corps Commands, Air Force and Air Defense, Military School Center (CVS)
Activities	Within the units authority	planning of two strategic and several operational level operations

The most rudimentary analysis shows that the time difference between these two directives is 15 months, that their tasks differ greatly, that they do not relate to the same units, that Directive 6 does not define operations involving one or more operational-level units, etc.

117. Directive 7 cannot be compared to any other directive. It came into force when it was signed by the Supreme Commander and when it was transmitted to the subordinated units by the Chief of Staff of the VRS Mains Staff. Any new Directive is issued when the activities set out in the previous one have been exhausted or when, as a result of the newly arisen situation, a special or new task must be given to participants (two or more). Directive 7 was created at the moment when Directive 6 was not suitable any more for designated objectives. Therefore, it is impossible to compare directives 6⁸⁹ and 7⁹⁰. The comparison of Directives⁹¹ and 7⁹² is even less possible as they were even not issued at the same command level.

118. Directives 1, 2, 3, 4, 5, and 7/1⁹³, 8 and 9 issued by **the VRS Main Staff Commander (strategic level)**, can be mutually compared with the conclusion that these are mutually separate documents in terms of objective, general task and commander's conception. As all these

⁸⁹ Directive 6, November 11, 1993, (ERN 01029248-01029256),

⁹⁰ Directive 7, March 8, 1995, (ERN 00823159-00823182),

⁹¹ Directive 4, November 19, 1992, (ERN 00876272-00876287),

⁹² Directive 7, March 8, 1995, (ERN 00823159-00823182),

⁹³ Directive 7/1, March 31, 1995, (ERN 00868778-00868785),

Directives were issued at strategic level, they cannot be compared with Directives 6 and 7, which were issued at State level.

119. Vertically, directives can and must be analyzed along the whole chain. The materialization of objectives and tasks given in any directive may be materialized through the execution of orders on operational and tactical level.

3.3.4. Decision

120. Decisions that are finally made are a result of authority (who is authorized to decide), wanted situation (place and role in the system) and responsibility (according to all criteria). Analysis of decisions is a key element for understanding of place that all participants had in the observed events.

121. Thus far, the expert's report has clearly defined the authority of the operational and training affairs organ in the VRS. This organ monitors the execution of certain decisions and execution of certain tasks. In spite of the significant differences between operational organs in various armed forces, they all have in common that no operational organ anywhere either defines nor monitors matters of combat activities support.

122. The formulating of the parts of Directive related to the combat activities support, like sub-heading 6.1. (Moral and Psychological Support)⁹⁴ in the Directive 7, does not enter into activities of the operational and training affairs organ. Thus, the Operational and Training Affairs Administration or its Chief, General Miletic could not draft and modify the part 6.1 from the Directive 7 (Moral and Psychological support).

123. As the combat activities support does not enter into the description of activities for which the operational and training affairs organs were in charge, General Miletic did not have any obligation to monitor the achievement of these tasks given by the Directive.

⁹⁴ Directive 7, March 8, 1995, paragraph 6.1 (Moral and Psychological Support) pp 10-12 (ERN 00823177 – 00823179),

124. The attempt to identify support with the command task represents the misunderstanding of the task, the method of its execution and the control of the whole process.

125. In Directive 7, heading 4⁹⁵ the Supreme Commander decided to:

I hereby decided : Through a decisive defence by the 30th pd /infantry division/, 22nd pbr /infantry brigade/, TG /Tactical Group/-2/1st KK / Krajina Corps in the SRK /Sarajevo – Romanija Corps/ area of responsibility, and towards the Republic of Croatia forces, and by putting up a resolute defence in other sectors of the war front, coupled with intensive operations on the segment of the frontline within the areas of responsibility of the other corps, inflict on the enemy as much personnel equipment and material damage as possible, prevent any rapid or deep incursions into the operative-tactical lines sector or any division of the territory, and by 1-2 strategic-level operations with forces of up to corps strength (in the 1st KK – IBK / Eastern Bosnia Corps/ and SRK / Sarajevo-Romanija Corps/, HK /Herzegovina Corps/ zones of responsibility/ and 3-4 tactical-level operations, advance as far as possible toward major enemy administrative and industrial centres, crush and destroy his force and thus create conditions for a triumphant end to the civil war.

Thu brunt of the defence shall be in the SRK, 30th pd, TG2 / 1st KK areas of responsibility, in Semberija and Posavina and the main thrust of offensive operations along the lines leading concentrically to Tuzla from the 1st KK, IBK and DK /Drina Corps/ areas of responsibility, as well as in the area of the rivers Neretva and Zujevina.

Combat activities at strategic level shall be backed by all available forces and material f the V and PVO /Air Force and Air Defence/.

Defence readiness shall be implemented immediately, and operations operational and strategic level by 20 April 1995, by which time all operative-strategic and material preparations for the coming VRS operations must be completed.

⁹⁵ Directive 7, March 8, 1995, p. 11, (ERN 00823169),

When carrying out strategic-level operations, Operation Sadejstvo-95 /Coordination -95/ shall be carried out first followed by Operation Prozor-95 /Window-95/. Operation Spreca-95 is to take place in the run-up to Operation Sadejstvo -95 /Coordinate Action-95/, and in the run-up to Operation Prozor-95, planned operations within the responsibility of the SRK and DK will take place.

If this decision is analyzed point by point, it would appear that the decision is:

- decisive defense in the areas of responsibility of the SRK (Sarajevsko-Romanija Corps) and the 1KK (First Krajina Corps),
- extremely resolute defense on other fronts,
- stronger combat activities on sections of front within the area of responsibility of the other corps (including Drina Corps),
- inflict maximum losses on the enemy, and
- prevent rapid and deep incursions and cutting-up of the territory.

This decision (or rather decisions) are to be executed by following operations:

- operations of strategic level – “Sadejstvo-95” and “Prozor -95”,
- operations of operational level including the operation “Spreča-95”,
- before the operation “Prozor-95”, the operations planned within the responsibility of the Sarajevo-Romanija Corps (SRK) and Drina Corps (DK).

126. Upon reception of the Directive 7, the VRS Commander decided to forward the Directive, without any further elaboration, to Corps commands, Air Force and Aircraft Defense (ViPVO), and to the VRS Military School Centre (CVŠ VRS)⁹⁶.

127. The VRS Commander decided, upon detailed analysis of the task, and having assessed the battlefield situation and the task the VRS received from the Supreme Commander, to operationalize the Directive 7 and to achieve the task received from the Supreme Commander step by step. The VRS Main Staff Commander estimated that the planning and preparations for the strategic level operation “Sadejstvo-95” shall be

⁹⁶ VRS Main Staff Document n°03/4-434 dated 17 March 1995 (ERN 00823181,

done, as the priority task at the first stage, and that the conditions shall be previously created through the realization of operational level operations as Spreča-95 (in the areas of the IBK and Drina Corps)⁹⁷, “Lukavac-95” (u zoni SRK)⁹⁸ and Krivaja-95 (in the area of the Herzegovina Corps)⁹⁹.

128. The VRS Main Staff Commander carries out this task by issuing the Directive 7/1, where in heading 4¹⁰⁰ he made the decision:

I have decided to : Conduct with the VRS main forces (1st KK, IBK, DK, V and PVO) a strategic operation under the code name Sadejstvo 95 with the basic objective of inflicting the heaviest possible losses on the enemy restoring the reputation of the VRS among the people and in the world and forcing the enemy to negotiate and end the war at the achieved lines through successful actions by VRS forces along chosen axes. Stabilise the defence on the north-western and south-eastern parts of the 2nd KK front, in the zone of responsibility of the 30th Infantry Division and through energetic operations in the wider area of Vlasica, win back lost positions and create conditions for continuation of the attack towards Travnik and Bugojno. With forces of the IBK and the DK with reinforcement from the HK and the SRK complete as soon as possible tasks from Operation Spreca, cut off and destroy enemy forces east of the Vis Stolice line and in this way create conditions for continuing the attack towards Tuzla and Zivnice with this goal: with synchronised actions by forces of the 1st KK, the IBK and the DK from the area of Ozren, Majevisa and across Sprecko Polje break through the Turija_Modrac lake-Zivnice-Gornja Gracanica line cut off the forces of the 2nd Corps of the so-called BH Army and thereby create optimal conditions for concentric actions from the wider area of the Posavina and Trebava aimed at widening the corridor, removing the threats from Dobojski and Brcko and preventing Muslim armed forces using the Dubrava airfield for military purposes. Carry out the operation in three phases:

⁹⁷ Directive 7, March 8, 1995, p 15, (ERN 00823173),

⁹⁸ Directive 7, March 8, 1995, p 17, (ERN 00823175),

⁹⁹ Directive 7, March 8, 1995, p 15, (ERN 00823175),

¹⁰⁰ Directive 7/1, March 31, 1995, pp. 3-4, ERN 00868780-00868781,

- *In the first phase of the operation, cut off and destroy Muslim armed forces east of the Vis Stolice line, i.e. complete tasks from Operation Spreca 95, recapture lost territory and stabilise the defence on Vlasic and in the zone of the 3rd Infantry Division.*

- *In the second phase of the operation, through fast and energetic actions from the wider area of Ozren and Majevisa, the introduction of strong armoured mechanized forces along Sprecko Polje the choice of manoeuvre and the bypassing of bigger inhabited place, break through as soon as possible to the eastern shore of lake Modrac and in this way cut off Muslim forces north of the Modrac village-Breza-Zivinice-Ravno hill (trig point 1019) line.*

- *In the third phase of the operation, using the results of operations in Sprecko Polje through concentrated operations along chosen axes from the wider area of Posavina and Trebava, widen the Posavina corridor, cut off and destroy Muslim forces in the wider areas of Gradacac, Gracanica and south-west of Brcko, and in this way widen the corridor and finally remove the threat of an incursion from Doboje and the joining up a coalition forces in the Brcko area, thereby forcing the Muslim leadership to accept an end to the war at the achieved lines.*

Other forces of the VRS shall contribute to the conduct of Operation Sadejstvo 95 with the goal of operative strategic camouflage and correcting the operative tactical position by carrying out planned combat, battles and operation in accordance with Directive n°7 and active combat activities towards Bugojno, Travnik, Kladanj, Olovo and Vares and around the Srebrenica, Zepa and Gorazde enclaves and the Bihac pocket.

By decisive defence on the north-west and south-west of the Sarajevo front and on axes leading towards Grahovo, Glamoc, Sipovo, Teslic, Nevesinje, Kalinovik and Trnovo, prevent an incursion by coalition forces and the cutting of important communications or the achievement of a deeper incursion of the Bihac-Kupres-Vlasic type.

Support from the Air forces and Aircraft defence with available forces and resources and the VRS RG.

*IKM /Forward Comand Post/ of the VRS at the KM of the IBK in Bijeljina
Preparation and planning of the operation to start immediately
Complete Operation Spreca 95 during April and tasks from
Operation Sadejstvo 95 approximately by mid-May 1995.*

If this decision is analyzed point by point, it would say the following:

- to carry out the strategic operation “Sadejstvo-95”,
- to inflict maximum losses on the enemy,
- to stabilize defence,
- to recover lost positions and continue assault,
- to conduct the operation “Spreča-95”, and
- to carry out the operation “Sadejstvo-95” in three phases, while the other forces shall act in accordance to decisions from Directive 7.

The analysis of the decisions from the Directive 7 and the Directive 7/1 brings to the conclusion that the decision of the Supreme Commander and the decision of the VRS Main Staff Commander have a compatible general goal.

129. Readiness for carrying out of strategic and operational level operations has been synchronized, what means that the VRS Main Staff Commander tried to respect as much as possible the Supreme Commander decision.

3.3.5. Task

130. Execution of the decision is materialized by tasks given to the VRS commands, units and institutions. All tasks must be conform to the commander decision and the purpose of units. Inconsistency of the task with the mentioned elements either prevents the execution or constitutes a disturbing factor in the execution process.

131. The content of the directive and the order differ significantly, by scope and by level of task generality. The unified nature of command can be recognized in the way of task transmission. It is frequently said that the task of the superior command must be copied word for word, even with grammar mistakes. This maxim stresses the necessity of having an

unambiguous task which is vital to executing the decision. However, while the task given to a unit is copied word-for-word, tasks given by the unit to its subordinate components (Heading 5 of Directives 7 and 7/1)¹⁰¹, constitute the concretization of the subordinate units tasks.

132. The type directive and / or order shall look like the following:

<i>DIRECTIVE – ORDER</i> ¹⁰² (Content)	
1.	<i>Information on the enemy – Assistant Commander for intelligence,</i>
2.	<i>Task of the Superior Command – Commander,</i>
3.	<i>Information on own forces – Chief of Staff, Operational Officer,</i>
4.	<i>DECISION – Commander,</i>
5.	<i>Tasks to units (subordinate and assigned) – Commander</i>
6.	<i>Artillery (fire support) – Chief of Staff, Staff,</i>
7.	<i>Anti-armor combat – Chief of Staff, Staff,</i>
8.	<i>Aircraft defense – Chief of Staff, Staff,</i>
9.	<i>Engineers – Chief of Staff, Staff,</i>
10.	<i>Anti-nuclear, chemical and biological defense – Chief of Staff, Staff,</i>
11.	<i>Security – Assistant commander,</i>
12.	<i>Moral, political and psychological support – Assistant commander,</i>
13.	<i>Logistics support – Assistant Commander,</i>
14.	<i>Command and communications – Chief of communications, Staff.</i>

133. For this reason, heading 2 (Task of the Superior Command) is literally copied by the Operational and Training Affairs organ¹⁰³.

134. In heading 3 of the Directive 7, the Supreme Commander issued to the VRS the following task:¹⁰⁴

¹⁰¹ Directive 7, March 8, 1995, pp. 13–19, (ERN 00823171-00823177), Directive 7/1, March 31, 1995, pp. 4–5, (ERN 00868781-00868782),

¹⁰² Manual for the Work of Commands and Staffs., appendix 23 and 24,

¹⁰³ The Supreme Commander Directive contains the chapter on characteristics of international military and political situation and thus the task of the superior command is in chapter 3 instead of being in chapter 2,

¹⁰⁴ Directive 7, March 8, 1995, heading 3, (ERN 00823169),

The Republika Srpska Army has the following tasks: 1. to repel all attacks on RS territory by mounting a resolute defence in all sectors of the war front, and prevent at all costs, through a decisive defence on the N/W and S/W sectors of the Sarajevo war front, the lifting of the siege of Sarajevo from without and the cutting off of the Sarajevo – Trnovo – Kalinovik communications line; 2. not to allow significant enemy incursions on any sector of the front line or operative-tactical surprises of the Bihac or Kupres type, particularly to the north of Zvornik, on Mt. Majevisa, Vozuca, Vlasic, around Brcko, Teslic or Srbobran., 3. to carry out, during the ceasefire, the tasks and duties arising from the Order of the Commander of the VRS Main Staff, Strictly Confidential No. 03/4-182 of 5 February 1995; 4. by carrying out organised and coordinated combat operations, to inflict on the enemy as many losses as possible both in personnel and TMS /equipment and materiel/. Make timely preparations and provisions for carrying out 1 – 2 strategic, and 3 – 4 tactical operations, in the event that the ceasefire collapses and war resumes, with the following objectives: 1. through planned and organised material, propaganda and other activities, regrouping of forces and resources, combat activities of tactical significance or for diversionary purposes within and without the areas of planned operations, to deceive the enemy as to our true intentions and then by carrying out resolute operations with mechanised and armoured forces from several directions, advance deeply into enemy territory, crush and destroy his forces, inflict as much damage on its troops, equipment and materiel as possible, and thus, by force of arms, impose the final outcome of the war on the enemy, forcing the world into recognizing the actual situation on the ground and ending the war; 2. to improve the operational and strategic position of the VRS; 3. to reduce the frontline and create conditions for an economic revival in the RS by sending a number of military conscripts home; 4. to create optimum conditions for the state and political leadership to negotiate a peace agreement and accomplish the strategic objectives of the war.

135. The task given by VRS General Staff Commander in Directive 7/1, heading 2¹⁰⁵, explicitly states that it has been taken from heading 3 of Directive 7, and reads as follows:

On the basis of Directive No.7, the VRS has the task: 1. with extremely persistent defence to defend RS territory on all fronts, and with decisive defence on the north-western and south-western part of the Sarajevo front prevent at all costs the lifting of the blockade of Sarajevo and the cutting of the Sarajevo-Trnovo-Kalinovik road; 2. to stop deeper enemy breakthroughs of the "Bihac-Kupres and Vlasic" type on any fronts, but particularly north of Zvornik, on Majeвица and Vozuca, in the Posavina towards Brcko and Modrica, near Teslic and Srbobran; 3. by organised and planned conduct of combat operations, to inflict on the enemy the highest possible losses in men and material.

136. The absolute concordance of the decision and task follows from the supremacy of the civilian authority over the military and the unified nature of command.

137. When the Supreme Commander issues tasks to subordinated units, he usually does not enter into detailed specification of tasks for army subsystems (he gives detailed specification to defence or armed forces subsystems), but he may do so (the right of superior). In this case, the Supreme Commander did precisely that. The procedure is legitimate but highly unusual in the system of command, especially in view of the fact that the Supreme Commander directive was forwarded to subordinate commands through the VRS Main Staff.¹⁰⁶ This analysis will focus specifically on the task given to Drina Corps.¹⁰⁷

Enemy breakthroughs along selected operative-tactical lines should be prevented by extremely persistent and active defence in cooperation with part of the forces of the SRK on the N/W part of the warfront and around the enclaves. As many enemy forces as possible should be tied down by diversionary and

¹⁰⁵ Directive 7/1, March 31, 1995 (ERN 00868778-00868785),

¹⁰⁶ VRS Main Staff Document n° 03/4-434 of March 17, 1995, (ERN 00823181),

¹⁰⁷ Directive 7, March 8, 1995, heading 5, (ERN 00823173-00823175),

active combat operations on the N/W part of the front, using operational and tactical camouflage measures, while in the direction of the Srebrenica and Zepa enclaves complete physical separation of Srebrenica from Zepa should be carried out as soon as possible, preventing even communication between individuals in the two enclaves. By 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.

In case the UNPROFOR forces leave Zepa and Srebrenica, the DK command shall plan an operation named Jadar with the task of breaking up and destroying the Muslims forces in these enclaves and definitively liberating the Drina valley region.

By mid-March 1995, in cooperation with the HK and SRK commands, the Zvijezda-95 operation is to be planned, its task being to liberate Serbian areas in the Gorazde enclave and reduce the enclave to the size of a protected area of 3 kilometres from the town centre, as well as to inflict a definitive military defeat on the Muslim armed forces and remove any possibility of their joining up with forces on Mt. Igman or Mt. Bjelasnica.

Planning and executing of combat actions in both operations shall be the responsibility of the DK command. The Zvijezda-95 operation is to be executed after the end of the Spreca-95 operation and before Prozor-95.

By the end of March, in agreement with the IBK command, take part in the planning of the Spreca-95 operation, which has the task of cutting off the Muslim armed forces along the Kalesija-Simin Han line, and then breaking up and destroying them in the region of Teocak, Sapna and Vitinica, thus finally removing the danger of a Muslim breakthrough towards the Drina, north of Zvornik.

Planning and execution of combat operations in the Spreca-95 operation shall be the responsibility of the IBK command.

The operation shall begin after completion of planning and preparation, when material support is in place and at the decision of the VRS Main Staff.

The corps command shall form brigade-strength ready forces for intervention along threatened axes and carrying out

offensive operations in their area of responsibility and those of others corps.

The corps KM shall be in Vlasenica, and the IKM shall be determined at the commander's discretion.

138. The task given to the Drina Corps should have been clear and concrete in order to create for Drina Corps conditions to successfully plan and carry out the Supreme Commander decisions. Within the frame of the Drina Corps task some textbook examples of directive may be recognized, such as generality and directions. All other elements necessary to perform the task, forces, means, cooperation, precision, phases, etc) are left to executive combat documents that should have been done by the subordinated unit – Drina Corps (orders).

139. However, one part of the task “*By 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*”¹⁰⁸ does not constitute a military task, as it can not be planned or executed, and as such it is an illogical part of the task that looks more like an element of combat activities’ support or psychological warfare, that is, a matter to which the other organs are more inclined than the organ for operational and training affairs.

140. This and such task the Chief of Operational and Training Affairs Administration in the VRS Main Staff has never drafted which can be concluded by the analysis of his work. Who wrote, added or modified this part of the task given to the Drina Corps cannot be established without a detailed inquiry. At the basis of existing and known elements the author of this sentence is unknown.

141. As a part of the task, given by the Supreme Commander to the Drina Corps, is a military inappropriate task, the VRS Main Staff Commander formally elaborated it, but in substance he modified the task given to the Drina Corps. It is a well-known military rule that when mutually conflicting orders arrive, the last one shall be executed.

142. In the Directive 7/1¹⁰⁹ the VRS Main Staff Commander military reformulated the task given to the Drina Corps and issued the following task:

¹⁰⁸ Directive 7, n°. 2/2-11 March 8, 1995, Haed 5, page 15 (ERN 00823173);

¹⁰⁹ Directive 7/1, March 31, 1995. page 5, (ERN 00868782),

Prevent an enemy breakthrough along selected operative tactical axes with persistent defence and active combat actions on the north-west part of the front and around the enclaves, and tie down as many enemy troops as possible through diversionary actions and operative tactical camouflage measures.

In cooperation with the IBK, complete tasks from Operation Spreca-95 as soon as possible and break through in the first phase of the operation to the Vis-Kalesija line, then regroup forces and in the second and third phases of the operation, in cooperation with forces of the IBK, 1st KK, Air Force and PVO, by an appropriate manoeuvre, infiltrating strong groups into the enemy rear and introducing strong armoured mechanized forces, execute an attack in the general direction Kalesija-Dubrava-Tuzla, reaching as soon as possible the Serici village-Zivinice-Jasicak-Ravno hill line, thereby cutting off forces of the 2nd Corps of the so-called BH Army south of that line.

Support from the Air Force and PVO.

Corps IKM to be decided by the Corps Commander.

This task defined in more detail the conduct of Drina Corps, clearly setting out obligations regarding enclaves (by active combat activities prevent an enemy breakthrough). This task, originated by the VRS Main Staff Commander, passed through the operational organ and could not be complemented or modified, and as such it provided the real directions. This document specifies Drina Corps conduct and its obligations through the enclaves and prevents any contentious understanding of the task.

143. By the Directive 7/1, the VRS Main Staff Commander substantially modified the task that the Drina Corps got from the Supreme Commander. Directive 7/1 was transmitted to all Corps even if the VRS Main Staff Commander did not modify tasks that the Supreme Commander issued to the 2nd Krajina Corps, Sarajevo Romanija Corps and Herzegovina Corps ¹¹⁰.

144. In practice, the Directive 7/1 made the unnatural and unacceptable task, which was given by the Supreme Commander, whether accidentally

¹¹⁰ Directive 7/1, March 31, 1995, pp. 4–5, ERN (00868781–00868782),

or purposely, in the Directive 7¹¹¹, null and void. That it was really null and void became evident later in orders issued by Drina Corps commanders who never based their orders on that task and have never tried to realize it.

¹¹¹ „By daily planned and well-conceived combat activities create conditions of total insecurity, unbearable and hopelessness of further existence of the population in Srebrenica and Žepa”, Directive 7, March 8, 1995, p. 15, (ERN 0082317),

4. DYNAMICS OF EVENTS

145. The VRS Main Staff followed all events in the whole theatre of war in the Republika Srpska. All these events were subject of observation and evidence and should have been followed from the VRS Main Staff command post (KM)

146. The Administration for Operational and Training Affairs in the VRS Main Staff follows the situation at the whole battlefield that means the events in the areas of the First and Second Krajina Corps (1 and 2 KK), Sarajevo-Romanija Corps (SRK), Eastern Bosnian Corps (IBK), Herzegovina Corps (HK), Drina Corps (DK), Air Forces and Aircraft Defense (ViVPVO), as well as the activities of the VRS Military School Centre (CVS).¹¹²

4.1. COURSE OF EVENTS IN THE EASTERN PART OF THE REPUBLIC OF SRPSKA

147. The essential features of the VRS command process (for the understanding of these events) are the following:

- Organization of uninterrupted command,
- Organization of command of a unified nature,
- The VRS Commander follows the situation on all fronts, but with particular attention to Sarajevo battlefield and the eastern part of the Republic of Srpska,
- The VRS Main Staff Chief-of-Staff follows the situation on all fronts, but with particular attention to the western part of the Republic of Srpska,
- The VRS Main Staff command post gathers information and regularly briefs all corps commands, the VRS Main Staff Commander, the VRS forward command posts and the Supreme Command,
- The VRS Main Staff officers have no right to warn the Commander or to comment the decisions regarding the Corps in which areas the VRS Commander is present,

¹¹² VRS Main Staff daily report, for example, regular report no. 03/3-193 of July 12, 1995, (ERN 02935550-02935552),

- For more efficient command (when necessary) forward command posts are organized,¹¹³
- Command post activity is organized with the minimum number of personnel.

148. Within such work environment, the VRS Main Staff Commander is in permanent contact (frequently personal contact) in Drina Corps area and is constantly in course of events which he follows and resolves directly. There is practically no surprise. He makes decisions on the spot and uses any opportunity to inform himself about the events on the other parts of the battlefield.

149. The basic chronology of events is as follows:

- March 1995: the reforming of the ABH 8th Operational Group into the 28th Army Division was completed,
- May 17, 1995: the 28th Division command issued order to its subordinate units to conduct certain combat activities in the Srebrenica – Žepa corridor,¹¹⁴
- June 14, 1995: a powerful attack by the ABH 2nd Corps. 2nd Corps forces attacked the Birač Brigade, broke through its front line in the area of Vukovine and inflicted significant losses upon the brigade,¹¹⁵
- June 15, 1995: the Muslims forces commenced the spring offensive on Sarajevo with the objective of inflicting losses and unblocking Sarajevo¹¹⁶;
- June 17, 1995: the ABH 2nd Corps, cooperating with ABH forces that were conducting the offensive on Sarajevo, ordered the 28th Division command to conduct all preparations for launching offensive combat activities with the objective of distracting the enemy and inflicting losses upon in,¹¹⁷

¹¹³ In 1995, a there is an existing forward command post for Western Bosnia, and in April 1995 a Main Staff Forward Command Post was established in Zvornik (VRS General Staff Order no. 03/4-782 of April 28, 1995, ERN 04380499),

¹¹⁴ 28th Division Order 01-57/95 of May 27, 1995, (ERN DA181324),

¹¹⁵ Drina Corps regular combat report n°03/2-182 of June 14, 1995 (ERN 04269474-04269476),

¹¹⁶ VRS Main Staff Combat Report no. 03/3-166 of June 15, 1995, (ERN 04261148-04261151),

¹¹⁷ Order of ABH 2nd Corps no. 1/825-84 of June 17, 1995, (ERN 02013296),

- June 23, 1995: the 28th Division forces carried out raids at Bijelo Stenje and Osmače in which VRS soldiers and Serb civilians were killed,¹¹⁸
- June 26, 1995: the 28th Division forces carried out several raids with the objective of inflicting losses on the Drina Corps and tying down its forces, including the raid in the village of Višnjica and the raid near the VRS General Staff command post in Crna Reka, in which VRS soldiers and Serb civilians were killed¹¹⁹.

150. The period that is subject of this report, and particularly the period of ceasefire¹²⁰, is characterized by intensive activities of Muslim forces and specifically in the area of the ABH 2nd Corps. The intensification of the reconnaissance and sabotage activities in the area of Drina Corps is shown at the *figure 10*.

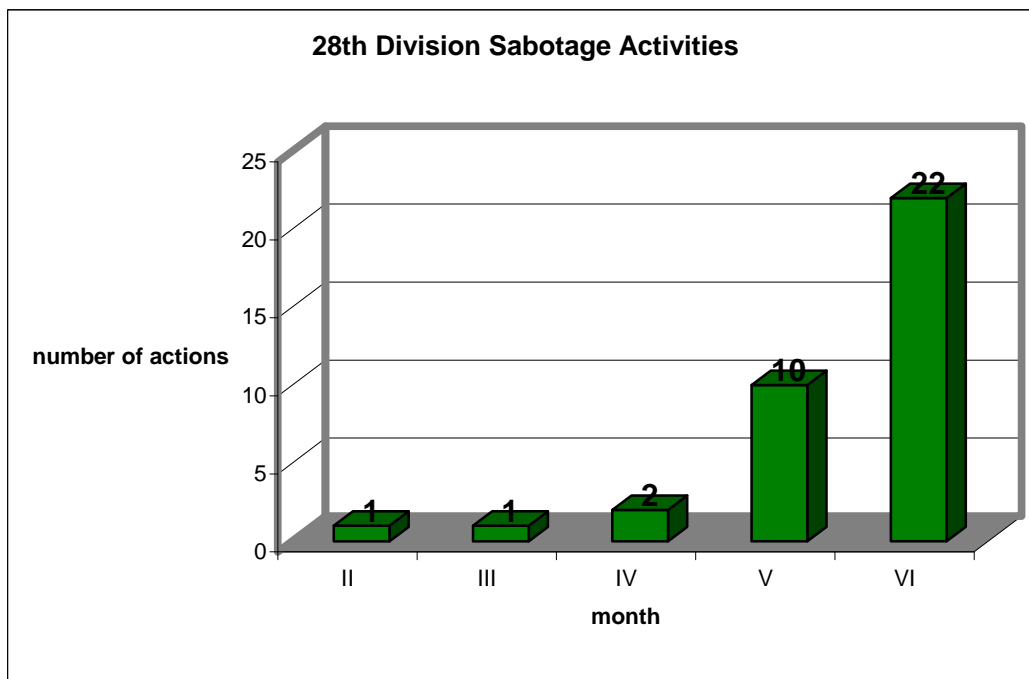


Figure 10

¹¹⁸ 28th Division Operations Report, June 30, 1995, (ERN 00842157-00842158),

¹¹⁹ According to Muslim sources between 40 and 70 people were killed, 28th Division Operations Report, June 30, 1995, (ERN 00842157-00842158).

¹²⁰ According to the Cessation of Hostility Agreement, the cessation of hostility should have been in force from January 1, 1995 for an initial period of four months, Cessation of Hostility Agreement, December 31, 1994, paragraph 1 (ERN 03628981-03628982),

151. In the course of these activities as well as in other activities on other battlefields, the VRS suffers significant losses (*figure 11*) These losses require that the VRS Main Staff follows with a particular intention the whole war theatre in Bosnia Herzegovina.

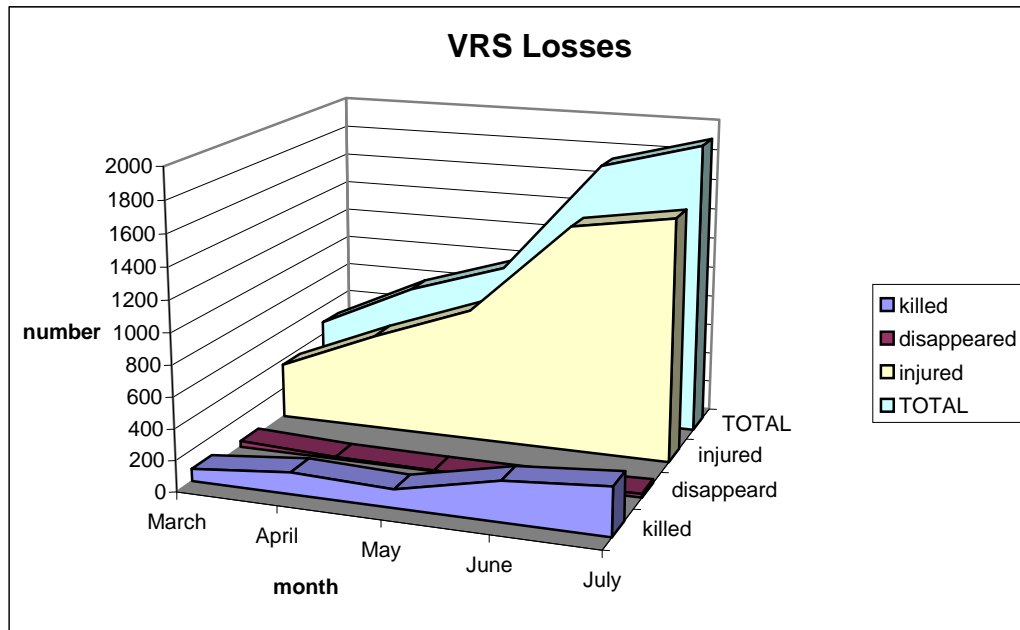


Figure 11

4.2. OPERATION “KRIVAJA - 95”

152. The relationship between operation Krivaja 95 and Directives 7 and 7/1 is best shown in *figure 12*. It shows that the Drina Corps Command by its actions destroyed all links and that the operation was uncontrolled.

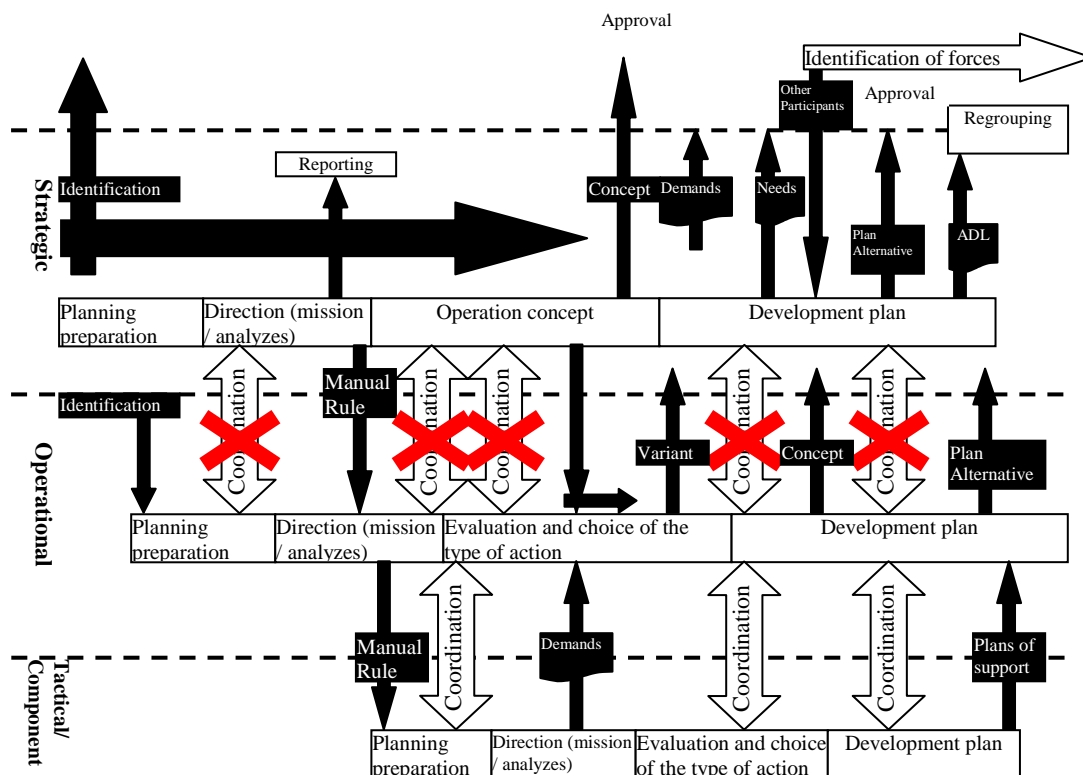


Figure 12

153. It is a fact that the Drina Corps Command order for operation “Krivaja 95” was written on July 2, 1995,¹²¹ and that the decision to launch this operation did not come to the VRS Main Staff for approval.

154. The Supreme Commander and the VRS Main Staff Commander did not decide in the directives 7 and 7.1 that the active combat activities for

¹²¹ Order for active combat undertakings, operations no. 1, top military secret, “Krivaja 95”, n° 04/156-2 of July 2, 1995, (ERN 00920486 and 00920487) ,

separation of protective zones should be an operation (operational level), but only activities that should correct the Drina Corps mistakes and failures (it failed to ensure the enclave boundaries). The activities are of tactical level, not operational, and as such they fall directly under the responsibility of the Drina Corps Commander.

155. The basic notions about combat activities in the VRS, according to the classification,¹²² are shown in *figure 13*. The understanding of the combat activities classification indicates exactly the role and place of the Drina Corps in the conduct of the task in relation to the active combat activities around Srebrenica and Zepa enclaves.

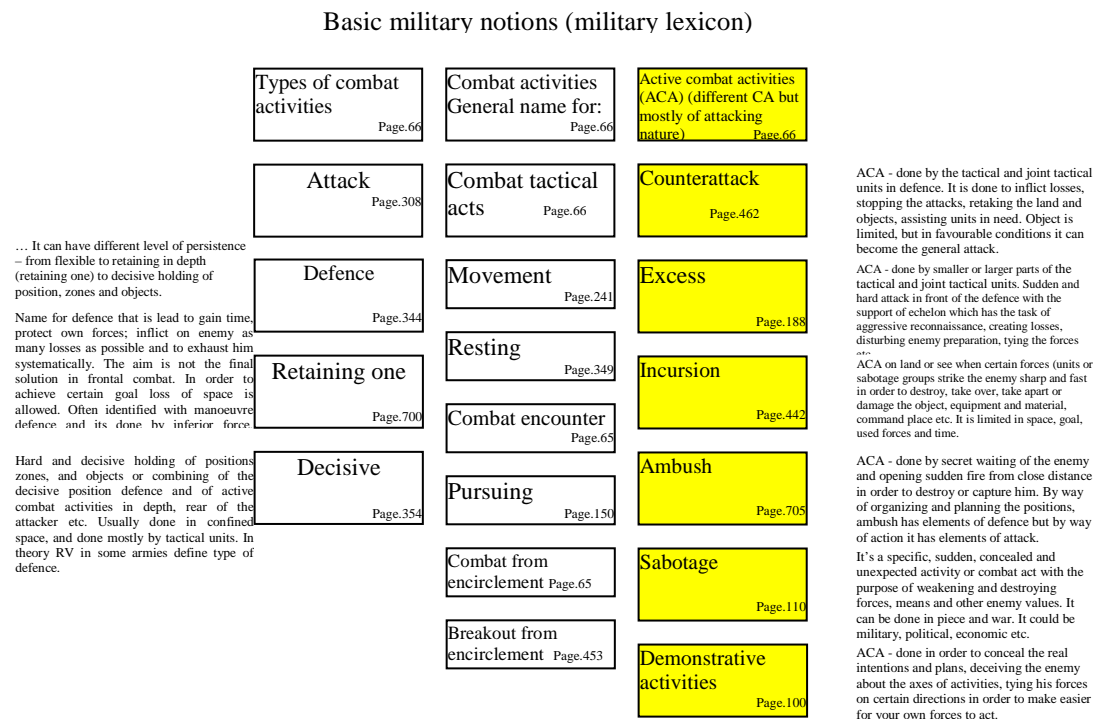


Figure 13

156. The Commander of the Drina Corps went beyond his authority and with its task the Drina Corps exceeded the task given by the Supreme

¹²² Classification of notions from Military Lexicon, Belgrade, 1981 (ERN 04002219-00403347),

Commander in the Directive 7. The Drina Corps Commander extended the separation of the enclaves to the reducing of the enclaves to their urban area.

157. All commands subordinated to the Drina Corps made, on the basis of the Drina Corps order, their own decisions and issued their orders in accordance with the order of the Drina Corps Commander.¹²³

4.2.1. Entry into Srebrenica

158. While the original task of separation of the protected zones of Srebrenica and Žepa was being carried on in the field, the Supreme Commander, through the Assistant Commander for Intelligence and Security Affairs¹²⁴ issues a new task of *entering into Srebrenica*. Features of this decision are:

- the Supreme Commander has more detailed information on the conduct of Drina Corps combat activities than the one that is available from regular combat reports,
- it cannot be concluded who provided him that information,
- at that time, the regular combat report has not yet reached the Supreme Commander and in any case it does not contain elements that would suggest the decision on entering into Srebrenica,
- the document states that the Supreme Commander agrees with the entry into Srebrenica, thus; whoever provided him with the information about the situation on the field, did also suggest the idea of entry.

159. The Supreme Commander made his decision by abridged method of work.

160. At the moment when the corrective decision on entry into Srebrenica was made, in Srebrenica itself the following events were taking place:

- demonstrative resistance by the units of the ABiH 28th Division,

¹²³ For instance, the Bratunac Brigade Order, n°439-2, July 5, 1995 (ERN Y0028610-Y0028615),

¹²⁴ VRS General Staff document, n° 19/46-501/95, of July 9, 1995. The document was received at Drina Corps at 11PM and processed at 11.15PM (ERN 00869096),

- intensive communication between the UNPROFOR (Dutch Battalion) and the ABiH 28th Division, and
- final preparations for the beginning of the population manoeuvre.

161. The corrective decision was evidently wrong. This is demonstrated by the facts, amongst which only the most important are quoted:

- the demonstrative activities of the 28th Division were misjudged,
- the 28th Division, that in the enclave was not fully employed, was needed by the Army BiH and was even indispensable to it, for the final operations,
- the breakthrough from encirclement (the most difficult type of military task, involving the heaviest casualties) was undertaken on orders from a superior command, with misuse of civilians who were ordered, by military and civilian authorities, to head for Potočari,
- the VRS was caught by an operational surprise because it needed almost 48 hours to realize that the 28th Division had not surrendered and that it was making an exceptionally successful breakthrough towards lines held by the 2nd Corps of the BH Army.

162. All facts point to the conclusion that from the aspect of the general objective and the results of the three-year long war the separation of the enclaves of Srebrenica and Žepa was indispensable.

163. Active combat activities around Srebrenica, under the name “Krivaja 95”, commenced on July 6, 1995, and ended on July 11, 1995.

4.2.2. Breakout from Encirclement by the 28th Division

164. The ABiH leadership had reasons to consider that it had sizeable military forces in Srebrenica that practically cannot use. Those forces were not protecting anyone. The population was not under attack by anybody and therefore no protection was needed. The population was simply being used as a shield for the army, and humanitarian aid was

turned into the logistic support of the 28th Division,¹²⁵ as a means of payment for the persons engaged in the Army, and a basis for the creation of a black market and illegal enrichment.

165. No army in the world would have left passive, in wartime for more than two years, such a large and serious military potential. That is why the ABiH 8th Operation Group was reformed and renamed as the 28th Division. The whole time, which the 28th Division spent in the protected zone, was used for arming and training of troops.¹²⁶

166. It is known that the 28th Division command went to Tuzla and Sarajevo for training, usually by helicopters,¹²⁷ in spite of the fact that a “no-flights” regime was in force.

167. The planning of a breakout from encirclement operation was militarily necessary from the point of view of the BH Army as it needed the 28th Division forces on other battlefields, where it conducted the offensive activities.

168. For this reason, after the reforming of the 8th Operational Group into the 28th Division, the reconnaissance and sabotage activities were intensified, inflicting losses on the military and civilians and testing the VRS strength and determination.

169. Based on these parameters, after the attempt of connecting and expanding the protected zones failed, the decision was made for the 28th Division’s breakout from encirclement. It was only needed to determine the moment for this very complex and the most demanding military operation. That moment was awaited from the month of May and it was practically extorted at the last moment for the BH Army.

170. The choice of the breakout route was excellent for two reasons:

- (1) if surprise is achieved (and it was), then a difficult route gives the advantage to the one who set out first, and

¹²⁵ Document of the ABiH 8th Operational Group Command, n° 130-p-1/94, May 25, 1994,(ERN DA177103),

¹²⁶ Parliament of the Republic of Bosnia-Herzegovina document of July 30, 1996, (ERN 01854595-01854601),

¹²⁷ Parliament of the Republic of Bosnia-Herzegovina document of July 30, 1996, (ERN 01854595-01854601),

(2) they knew that the Drina Corps forces are for the most part turned to Srebrenica and Žepa.

171. The breakout route, known as the “powerline trail” ran as follows: place of location – village of Šušnjari – village of Jagličići – village of Bare – village of Kamenica – Nova Kasaba – Konjević Polje – village of Ražište – village of Međaši (across Mount Udrč) – village of Glodi – Snagovo Donje – village of Marčići – village of Planinići – village of Križevci, and entry into territory under the ABiH 2nd Corps control in the area of the village of Nezuk.¹²⁸

172. The depth of the breakout route is 80–100 km. The 28th Division Command knew well that it would have to break through several lines of defense:

- 1st line of defence in the area of Šušnjari – Jagličići,
- 2nd line of defence at the communication Bratunac – Konjevic Polje – Milici,
- 3rd line of defence at Snagovo, and
- 4th line of defence at Baljkovica.

However, they also knew that all these lines were weakened due to the engagement of the Drina Corps units in operations towards the enclaves of Srebrenica and Žepa.

173. The activation of the 28th Division radio network on July 12, 1995, when some elements encountered a mine field, indicates that the breakout was being executed in battalion columns, that at some point forces up to brigade strength were assembled, and that distance between columns enabled mutual cooperation in larger-scale engagements.

174. An important element of the breakout “**order of battle**” was the order to all civilians to leave the Srebrenica enclave and head for Potočari (in the opposite direction from the route of breakout).

¹²⁸ This route is confirmed in the attack order of the command of the 245th Brigade, 24th Division, ABH 2nd Corps, no. 02/1-66-9/95 of July 13, 1995, which states, under heading 2, that units of the 28th Division have decided to execute a breakout from encirclement through enemy lines along the routes Srebrenica – Konjević Polje – Cerska – Kamenica – Crni Vrh – Baljakovica and Crni Vrh – Spreča Valley, (ERN 02628180-02628183),

175. The breakout probably commenced in the afternoon hours of July 11, 1995, and ended with passage through the main body's front line and link-up with other forces on July 16, 1995.

176. The Drina Corps find out that the 28th Division is not surrendering and is not among the large column of civilians heading for Potočari late on the night of July 12, 1995. This amounts to a significant delay and can be considered as an operational surprise.

177. This time period is characterized also by the first surrenders of 28th Division members. The members of the 28th Division were collected at two locations – one on the Sandići field by the Bratunac – Konjević Polje road near Kravica village, and the other at the football field at Nova Kasaba. In the course of July 13, 14 and 15, 1995 the remainder of the column of militarily capable men encounters sporadic combats with the Zvornik Brigade and the units of the RS Ministry of Internal Affairs.

178. On the night of July 15/16 1995, the 28th Division assisted by artillery fire from the direction of ABiH 2nd Corps inflicted serious losses to Zvornik Brigade. The movement of the 28th Division units was coordinated with the ABiH 2nd Corps Command. Conduct of the combat activities in the Zvornik Brigade area was ordered by the BH Army 2nd Corps Command.

179. The Zvornik Brigade found itself in a very unfavourable tactical position, being threatened from the 28th Division (that was breaking through) on one side and heavy BH Army 2nd Corps artillery fire on the other. Thus, its 4th, 6th and 2nd Battalion found themselves (for some time) encircled by the BH Army forces.

180. From July 13 1995, when the first attacks of the 28th Division and the BH Army 2nd Corps¹²⁹ begun against the Zvornik Brigade, the Brigade's combat activities were of defensive character.

181. Combat activities in the Zvornik Brigade area ended in the afternoon hours of July 17 1995. In the next few days there were still sporadic combat activities and thus a search of terrain was conducted.

¹²⁹ Order for attack by the 245th Brigade, approved by the commander of ABiH 2nd Corps 24th Division, July 13, 1995, (ERN 02628180-02628183),

182. The characteristic of the period from July 13 to 17 1995, is that the VRS Main Staff did not have, on the bases of Drina Corps combat reports (regular and interim) an accurate picture of the situation in the field.

4.3. OPERATION “STUPČANICA – 95”

183. The operation ¹³⁰ for the liberation of Žepa, named “Stupčanica-95”¹³¹, began on July 13, 1995, and ended on August 2, 1995. The operation was planned to take several days, yet it lasted for 20 days. The fact that the operation did not follow the conceived plan, prepared rapidly, and without the indispensable command reconnaissance, indicates that the operation was not a result of a good military planning but an *ad hoc* affair undertaken under the impulse of the previous operation’s success.

184. Operation “Stupčanica-95” was planned, organized and conducted on the basis of oral orders by the VRS Main Staff Commander. More precisely defined, this statement means that:

- the operation was not planned by the Directive 7,¹³²
- the operation was not planned by the Directive 7/1,¹³³ and
- the operation was not envisaged by the corrective decision of the Supreme Commander dated July 9, 1995.¹³⁴

185. The fact that the Supreme Commander, after learning about the planning and launching of the operation, did not stop the operation or order that it was to be conducted in some other form, indicates that the Supreme Command had approved the conduct of this operation.

186. The basic chronology of events in the execution of this operation is as follows:

- July 10, 1995: Order issued ¹³⁵ by the VRS Main Staff Commander for blocking the enclave of Žepa and improvement of tactical positions,

¹³⁰ The term operation was taken from the terminology used by UNPROFOR and the UN and adopted in this case by the VRS, although there is no parameter that would justify it being called an operation. It was in fact a lower-level military activity (an engagement),

¹³¹ Drina Corps Order of July 13, 1995 (ERN 00917870 – 00917873),

¹³² Directive 7, March 8, 1995, (ERN 00823159-00823182),

¹³³ Directive 7/1, March 31, 1995, (ERN 00868778-00868785),

¹³⁴ VRS Main Staff document n° 19/46–501/95 of July 9, 1995, (ERN 00869096),

¹³⁵ VRS Main Staff Commander Order n° 03/4 – 1807 of July 10, 1995, (ERN 04257963-04257965),

- July 10–11, 1995: It is estimated that around 700 members of the 28th Division managed to cross from the enclave of Srebrenica to the enclave of Žepa and join the 285th Brigade of the 28th Division,
- July 11 or 12, 1995: VRS Main Staff Commander gave the Drina Corps Commander an oral order: exploiting the effect of activities in the Srebrenica Srebrenica immediately transfer activities and smash the enemy in the Žepa enclave,
- Between July 13 and 24, 1995: Meetings with civilians, members of the Žepa War Presidency concerning conditions of surrender of Žepa.

187. Use of civilians by the BH Army was limited to postponing and delaying the VRS activities. A strong tendency among the civilians to find a way out of Žepa, where conditions were unfavourable for civilians, and head for other areas of Bosnia-Herzegovina or the Federal Republic of Yugoslavia are indicative of increasing differentiation among the population of Žepa.

5. HUMANITARIAN AID

188. Republika Srpska had an established procedure for approval and distribution of humanitarian aid.¹³⁶ UNPROFOR, UNHCR, ICRC, as well as other humanitarian organizations forwarded their requests to the RS Coordinating body. The Coordinating body was approving those requests and informed the VRS Main Staff whether the requests have been approved or have not been approved.

189. The VRS Main Staff developed its own procedure for dealing with humanitarian aid¹³⁷ issues and for transmission of notifications to its unit commands that an approved humanitarian convoy or some other convoy would be passing through their area of responsibility on a given day.

190. Major-General Radivoje Miletić did not take part in decision-making process regarding procedures for humanitarian aid and convoy passage approval.

191. Documents signed by General Miletić are notifications¹³⁸ that do not have the character of orders.

192. Control of humanitarian aid transit was performed by the VRS because of its abuse (supply by weapons, ammunition and other articles considered as strategic material that can be used to military purpose)¹³⁹.

193. Humanitarian aid was also abused in terms of distribution:

- a parts was used by members of the armed forces, and
- an other parts went to the black market through various smuggling channels.¹⁴⁰

194. At all VRS checkpoints the control procedure of humanitarian and other aid was the same, and Srebrenica and Žepa were not subject to any special procedure in that respect.

¹³⁶ Decision on Forming the State Committee for Cooperation with UNPROFOR and International Humanitarian Organizations, Official Gazette no. 3 of March 14, 1995,

¹³⁷ VRS Main Staff Order n°. 09/23-203 of August 31, 1994, (ERN 04252280-04252281),

¹³⁸ VRS Main Staff document n° 06/18-262, of July 3, 1995, (ERN 04253741),

¹³⁹ Video material (Ilidža humanitarian convoy and Rogatica – Žepa humanitarian convoy); VRS Main Staff order n°.17/231-483/2, of September 30, 1993, (ERN 05297373); VRS General Staff document no. 09/21-501, of November 8, 1994 (ERN 04252993),

¹⁴⁰ Document from the ABiH 2nd Corps n° 02/1-836/1, December 9, 1994 (ERN 01834432-01834435), Document of the Bosnia and Herzegovina Ministry of Interior, January 12.,1996 (ERN 0295020-02955030),

195. There is no case on record when the VRS partly or completely denied transit to a humanitarian or other aid convoy if it was announced in due time and if it contained only the announced specified quantities of certain goods.

6. CONCLUSION

196. The expert report established without any doubt in relation to Major General Radivoje MILETIC, Chief of the Administration for Operational and Training Affairs in the Staff of the VRS Main Staff that:

- The Republika Srpska Army was organized on the basis of the Constitution¹⁴¹ and Law,¹⁴²
- the VRS functioned under democratic civilian control of the Republika Srpska,
- In the frame of this organization, General Radivoje Miletic acted professionally within his competences without the executive power for decision making,
- General Miletic has never been in position of the Chief of Staff and thus he did not have the authority to make decisions,
- It was not established that he acted as Chief of Staff in the VRS Main Staff,
- General Miletic has never participated in meetings with representative of international organizations or in determination of the procedures and in decision-making process regarding the humanitarian aid approval,
- General Radivoje Miletic has never had directly or indirectly any executive, cooperation or coordination power – authority in planning, organizing, execution and control of operations “Krivaja-95” and “Stupcanica-95”.

¹⁴¹ Republika Srpska Constitution (redacted text) Official Gazette of Republika Srpska, n°21, December 31, 1992 (ERN 01139551-01139561),

¹⁴² Law on Defense and Law on Army, Official Gazette of Republika Srpska, n°7, June 1, 1995, (ERN 01139010-01139058),

By the analysis of the VRS organization, VRS Main Staff formation, formations of Corps commands and positions foreseen in formation for commanding superior officers in commands of operational levels, it was possible to establish the place of General Radivoje Miletic in the VRS that is the hierarchy and sequence (*figure 14*).

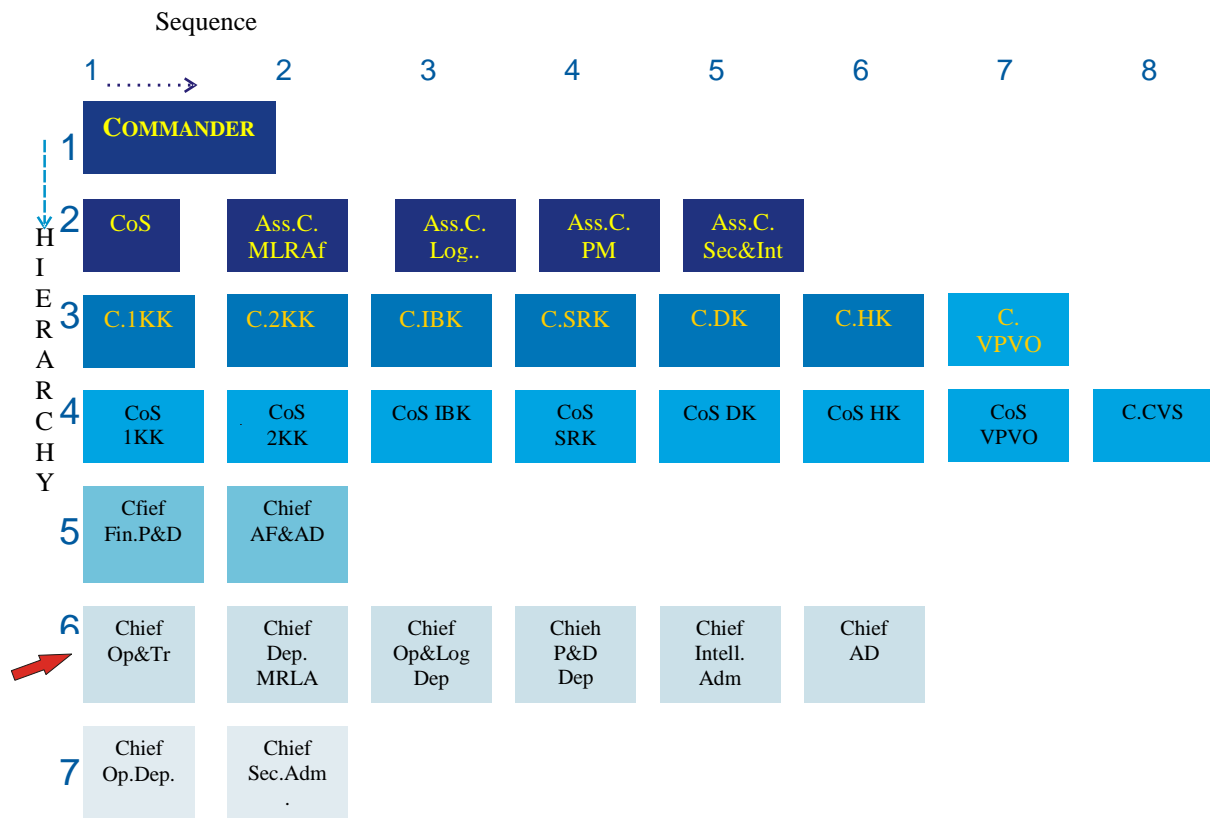


Figure 14

The picture shows the hierarchy (vertical column) and in the frame of the hierarchy the defined sequence (horizontal line). Because of the characteristics of the organization, there is no possibility that two functions have the same rank and sequence. The arrow designates the place of the Chief of the Administration for Operation and Training Affairs in the Staff of the VRS Main Staff which is, by formation, the place of General Miletic in the VRS. The schema shows that:

General Miletic is in the VRS:

- 6th (sixth) by hierarchy, and
- 24th (twenty fourth) by sequence.

197. The establishment of this place and rank is indispensable for service evidence, regulation of competences, regulations of standards (salaries and other payment) and for procedural and protocol obligations.

