

Srebrenica: a 'safe' area

Part IV - The repercussion and the aftermath until the end of 1995

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Chapter 1

The journey from Srebrenica to Tuzla

1. Introduction

The population of Srebrenica, numbering roughly 40,000 at the time of the enclave's fall, was already on the move on 10 and 11 July. The people were heading for the Dutchbat compound and for an assembly point in the north-western corner of the enclave. Meanwhile the VRS offensive continued unabated, eventually resulting in the Bosnian Serb occupation of much of the enclave. This marked the beginning of a period in which the people of Srebrenica, and the men in particular, would be subjected to horrors of unparalleled atrocity. In a mass exodus, a large group of the men attempted to flee the VRS and to reach the safe territory of the Muslim-Croat Federation. To do so they had to cross an area in the hands of the Republika Srpska. Those who surrendered or otherwise fell into the hands of the Bosnian Serbs became the victims of mass executions, as described in the following chapter.

Over the years, many versions of the march from Srebrenica and the circumstances by which it was prompted have been given, leading to some confusion regarding exactly where the truth lies. This report attempts to relate the events as dispassionately as possible, reconstructing the chronology of events in as far as this can be ascertained. The recollections of a few survivors are included to provide some insight into the emotions which prevailed at the time.

However, it is far from easy to offer an accurate reconstruction of the journey to Tuzla. The existing source material allows the route to be ascertained, and provides some information regarding the decision to set out on the march with the column as well as some information regarding the VRS actions against the Muslim men. The locations of conflicts between the column and the VRS can also be ascertained with reasonable accuracy, enabling us to pinpoint where victims fell.

Far less is known about the internal dynamics of the column, in terms of the communication between the various sections (becoming more spread out as the column progressed), how decisions were taken, the effects of disagreement and internal fighting, and the fate which befell the groups which remained behind. It has proven particularly difficult to ascertain exactly *when* certain events took place, people's sense of time being less developed than that of location. This is clearly demonstrated by the various witness statements.

There are no diaries or journals to provide any *aide-mémoire*. The column, some kilometres in length, became increasingly spread out as it progressed and it is sometimes difficult to ascertain whether the events described took place at the fore, middle or rear. There are no reliable statistics regarding the numbers of victims or the number of people who actually reached Tuzla or when they arrived.¹ Existing reports and studies tend to concentrate on the number of missing people, omitting to state how many people arrived safely in Tuzla.²

We can distinguish two main groups of refugees. First, there was that comprising mostly of elderly people, women and children who assembled at the UN compound in Potocari under the supervision of Dutchbat. Second, there was a group which assembled near the village of Jaglici in the north-western part of the enclave and at Susnjari slightly to the south, with the intent of fleeing to Bosnian territory. This group, estimated to be between 10,000 and 15,000 strong, included enlisted military personnel, able-bodied men of military age, the political leaders of the enclave, the medical staff of the local hospital and family members of those who had played some prominent part in life within the enclave. They set out from the north-western corner of the enclave with the intention of reaching on foot the area controlled by the Bosnian government.

¹ Hren, *Srebrenica: Het verhaal van de overlevenden* (Srebrenica: the survivors' story), p. 23.

² See e.g. Report of the Secretary General submitted pursuant to Security Council Resolution 1010 (1995), 30/08/95, No. S/1995/755.

A third and somewhat smaller group of refugees attempted to escape into Serbia via Mount Kvarac via Bratunac, or across the River Drina and via Bajina Basta. According to the Humanitarian Law Centre in Belgrade, this group numbered some 700,³ although the organization Women of Srebrenica estimated that approximately 800 men had crossed the Drina on the way to Serbia. It is not known how many were intercepted, arrested and killed on the way.

In April 1996, the Serbian authorities handed 211 persons over to their Bosnian counterparts.⁴ Most of these refugees did not wish to return to Bosnia as they expected to experience difficulties when asked to explain why they had chosen to flee to Serbia in the first place. They therefore proceeded to other countries.⁵

A fourth group headed for Zepa, possibly having first tried to reach Tuzla.⁶ The size of this group is not known. Furthermore, not all the names of those who actually reached Zepa were recorded. The estimates of the numbers involved therefore vary widely, from 300 to around 850. The only firm figures in existence are provided by a report stating that 25 civilians arrived in Zepa on 16 July along with 82 soldiers of the 28th Division. (The Commander, Ejub Golic, was not among them).⁷ Chapter 9 of this part will describe how those who managed to reach Zepa were again forced to flee at the end of July, when the population had to leave the Safe Area due to the continued VRS offensive. At this time, many of the military and civilian personnel fled - with the assistance of the Serbian authorities - across the Drina or followed more or less the same route to Tuzla as had previously been taken by the men from Srebrenica. Some arrived only months later.

By far the largest group was that which followed the notorious route towards Tuzla through the forests and mountains. The journey to Tuzla - a distance of 55 kilometres as the crow flies- entailed crossing extremely hilly terrain in the height of the summer heat. The progress of the column which set out from Srebrenica is charted on the map added to this part. The locations of the events described in the text are indicated using the figures 01 to 16.

The largest group to complete the journey safely did so in five days, their progress marked by continual skirmishes with the VRS, severe shortages of food and water, and the general exhaustion of all concerned. The column was completely cut off from all food supplies. In general, each individual had started out with enough rations for only two days, everyone having a just little bread and sugar. Shortages began to become apparent on the third day, whereupon the people had to turn to leaves, grass and snails for sustenance.⁸ Alongside under-nourishment, the high summer temperatures caused dehydration. Finding sources of drinking water or moisture became a major problem, solved in part by eating any fruit which could be found along the way. The terrain over which the route passed was inhospitable and densely wooded. Much was at high altitude. For water, the people had to descend into the valleys and the water was not always clean. The enormous difficulties caused by hunger and thirst were further compounded by lack of sleep and the sheer effort required. This was a physically exhausting undertaking. Soon after setting out, the men faced a choice between acceding to the VRS call to give themselves up or carrying on. The latter option would inevitably entail ongoing armed conflict with the VRS which would in turn bring much death and destruction. Some people began to show symptoms of severe mental distress. Some turned on others, killing them outright. Others committed suicide.

There was little cohesion or sense of common purpose in the column. This would have been difficult to achieve given that the string of people stretched back several kilometres. Depending on the situation at any given moment, the column could be anything between five and ten kilometres in length.

³ Interview Natasa Kandic, 14/03/00.

⁴ Hren, *Srebrenica: het verhaal van de overlevenden*, p. 23-4. See also Masic, *Srebrenica*.

⁵ Interview Natasa Kandic, 14/03/00.

⁶ Interview Hazrudin Kistic, 17 and 18/05/99.

⁷ [Http://serbianlinks.freehosting.net/srebrenica.html](http://serbianlinks.freehosting.net/srebrenica.html) consulted 29/04/99, referring to a message sent by Major Ramo Cardakovic to the ABiH 2nd Corps on 22/07/95 at 2.20pm. Also interview Muhamed Durakovic, 22/11/99.

⁸ Interview Osman Suljic, 04/03/98.

This made it a particularly easy target for the VRS and contributed much to a gnawing sense of uncertainty regarding the fate of friends and family elsewhere in the column. This uncertainty gave rise to much speculation, such as rumours that poison gas had been used. (The question of whether the VRS had indeed used chemical weapons is examined in the Appendix ‘Chemical weapons used?’) There were also rumours that the people captured by the VRS had managed to buy their freedom by offering the Bosnian Serbs money.

Many people in the column had been exhausted even before setting out on the march, following the siege of Srebrenica, the fighting with the VRS, the lack of food and the arduous conditions in general. The vast majority of the people from Srebrenica later reported as missing were among the 10,000 to 15,000 people who undertook this perilous journey. Some six thousand were active military personnel, although not all were armed at the time. With such a large proportion of troops in the column, it be claimed that it formed a legitimate military target for the VRS. Indeed, during the trial of the Drina Corps’ Chief-of-Staff, General Radislav Krstic, the military advisors to both the prosecution and the defence agreed on this point, and the Tribunal chose not to consider it further, nor whether there had been any breach of the law of war in this regard.⁹ The charges against Krstic did not therefore include that of deliberate hostilities on the part of the VRS against the civilian personnel of the column. However, it is certain that VRS action contributed greatly to the extremely tragic series of events affecting this group of people.

The sources and reference material for this chapter of the report have been derived from both sides, but mostly from the archives kept by the Bosnian Muslims. The majority of the Bosnian witness statements are taken from the records of the ‘state Commission for the Collection of Information on War Crimes Committed in Bosnia-Herzegovina’, based in Sarajevo. In order to ensure the anonymity of the witnesses concerned, their statements are not annotated in this report. The NIOD has been able to supplement the information previously available with that gained through interviews with those involved in the events described.

The General Staff of the ABiH provided the NIOD access to certain documents, including transcripts of intercepted telephone conversations held between VRS personnel and several orders and situation reports from their archive. To date, the ABiH has made little attempt to chronicle the relevant events in a structured manner.

The time of departure and the route adopted by the column were both contrary to the instructions of the 2nd Corps of the ABiH and were therefore construed as a sign of deliberate disobedience. The members of the 28th Division who survived the journey felt betrayed by their own army, pointing to the extremely limited support they had received. This may have resulted in the exact motives for the action on the part of the Bosnians having been ignored. Although a few ABiH officers were debriefed by the 2nd Corps upon arrival in Tuzla,¹⁰ only one debriefing report has been found among the records of the 2nd Corps itself. This is actually a supplement to an earlier debriefing of the Deputy Commander of the ABiH’s 28th Division, Ramiz Becirovic.¹¹ The General Staff of the ABiH in Sarajevo have another- undated - document which may have been the result of a debriefing. However, it is very limited in scope and its focus is on the situation prior to the fall of Srebrenica and the subsequent executions rather than on the journey to Tuzla itself.¹² The material derived from the ABiH archives must be approached with a certain degree of caution in that the selection was made by persons other than the authors of this report. A further source of information is provided by certain trial documents used in the case against the Chief of Staff and later Commander of the Drina Corps, General Radislav Krstic. These are documents which originally derive from the VRS Drina Corps and from the VRS General Staff. The material from the VRS archives consists partly of documents seized

⁹ ICTY, (IT-98-33) Exh. D160, Radinovic Report, § 3.25, (IT-98-33), Judgement, para. 163.

¹⁰ Interview Smail Mandzic, 18/05/99.

¹¹ ABiH Tuzla. ABiH 2nd Corps. Supplementary statement by Ramiz Becirovic, 16/04/98, based on an earlier statement on 11/08/95.

¹² ABiH Sarajevo, ‘Arnautovic Archive’.

from the ABiH and partly from material acquired specifically for the purposes of the Tribunal. Here too, there is a danger of the selection being too restrictive.

In Bosnia, the fall of Srebrenica resulted in a constant stream of publications in local daily and weekly press reports, in anthologies of such reports, of eye witness accounts and full-length treatments of the conflict. An important work for the Dutch-speaking region is the anthology *Srebrenica: 'Het verhaal van de overlevenden'* (Srebrenica: the survivors' story).¹³ The only work published in Bosnia itself to make use of the ABiH records is *'Otpjecaceni koverat'*, a book by the journalist Sefko Hodzic, who was given access to a limited number of ABiH documents. While the NIOD has enjoyed access to a rather larger range of documents, Hodzic nevertheless provides some important supplementary information. Where relevant, the content of the documents consulted and interviews conducted by Hodzic has been incorporated into this report verbatim (in translation). Of the other publications about Srebrenica, such as those by David Rohde, Chuck Sudetic, Both & Honig and Westerman & Rijs, only Rohde briefly mentions the journey to Tuzla.¹⁴

Some of the source material requires some comment. The statements made by survivors were taken within two or three days of their arrival in Tuzla by the 'state Commission for the collection of information concerning war crimes committed in Bosnia-Herzegovina'. These statements, 184 in all, often give contradictory accounts of the events. Most of those questioned were still disoriented at the time, confused with regard to the exact location of the events (i.e. unable to provide any geographic indicators) and lacking a focused sense of time. Few people seemed to have had the same experiences. Moreover, almost every statement contains information which was based on rumour and speculation rather than on personal observation. This is certainly the case with regard to the alleged use of chemical weapons by the VRS (examined in greater detail in the Appendix 'Chemical weapons used?'), the alleged infiltration of VRS soldiers in civilian clothes into the column, and the 'infighting' within the column itself.

On numerous occasions during the interviews, the survivors proved to be extremely reticent and cautious in their descriptions of the events and in offering any sort of comment. The horrors of the journey and their experiences en route had served to traumatize many. Witnesses often felt both bitter and guilty: in their own perception they had failed as soldiers. Their statements often emphasize the fact that they were the very last to leave their posts and to abandon the enclave. The bitterness reflects the view that neither the ABiH, the political authorities of Bosnia-Herzegovina or the UN took any action to protect the enclave or rescue its inhabitants.

There is a further circumstance which complicates the survivors' statements. During their three-and-a-half years in the Safe Area, they lived in almost complete isolation from the outside world, completely reliant on each other. The dramatic journey highlighted this reliance yet further. Although they were spread out over some distance, most travelled in groups. Many of the survivors, both those who later remained in Bosnia and those who have since been granted asylum in other countries, still live in these groups. Their experiences during the journey were regarded in the group context and the process of dealing with the psychological effects of the experiences has also been marked by the group context. Accordingly, not all elements of personal recollection are necessarily based on personal observation. There can be said to be an 'authorized version' of the account of the journey.

To summarize, we can therefore state that a relatively large quantity of material concerning the journey to Tuzla is available, but that this information is extremely fragmented and is based on individual accounts. There can be no general, all-embracing overview. This makes it particularly difficult to reconstruct the journey as a whole, particularly when considering the various factors that caused the column to split up at a relatively early stage. Experiences differed. The ongoing fear and sense of insecurity, the loss of family members, the apparent proximity of death and the sense of helplessness felt by the people may have influenced their perception. Memories may have been corrupted by

¹³ Hren, *Srebrenica: Het verhaal van de overlevenden* (Srebrenica: the survivors' story), passim.

¹⁴ See the Bibliography and References section for further details.

information gained since. There was great confusion even before setting out for Tuzla and this certainly did not diminish as the column progressed. However, there is no reason to cast doubt on the veracity of the witness accounts recalling the many traumatic events they faced. The differences are largely in the details.

2. 11 July, Day one: events leading up to the departure

The commanders of the various ABiH brigades and the other senior figures did not arrive at any coordinated decision to leave the enclave. This again illustrates the lack of any central leadership and the chaos that existed on 11 July. The morale of the ABiH had already suffered a serious dent; following the departure of Naser Oric it became more difficult for the brigade commanders to exercise central leadership. There was little unity of purpose between the civilian local government and the military command. It would have been preferable for decisions regarding the route and the organization of the column to have been taken unilaterally by the military, rather than becoming the subject of time-consuming democratic debate. In fact, there was no clear decision-making procedure of any kind - military or civil - and the ABiH's lines of communication were inadequate to allow the units lower down the chain of command to be informed about decisions in an effective manner.

Under the pressure of the VRS offensive, the 28th Division of the ABiH abandoned its last positions during the course of 11 July. Word spread that the men were expected to assemble in the north-western part of the enclave, and the commanding officers issued orders to this effect too.¹⁵ That the men proceeded to the woodlands in the north-west of the enclave was therefore not a premeditated, strategic movement, but one which took place more or less spontaneously.¹⁶ In many instances, the orders to move to the assembly point were based on impromptu decisions.¹⁷ The choice of assembly point was pretty much limited to Susnjari or Jaglici, since the ABiH defence lines to the east of Srebrenica had already been abandoned. Susnjari was outside the VRS field of vision.¹⁸

It may therefore be concluded that there were no pre-existing instructions for the evacuation of the men, nor any plan regarding the route to be followed.¹⁹ Many people had no idea of what was happening. The only thing that appeared to be reasonably certain is that the enclave was about to fall to the enemy and that the population must leave as soon as possible. Originally, the intention may even have been for the women and children to assemble in Susnjari as well, whereupon everyone would proceed to Tuzla together. No suggestion that Dutchbat troops would accompany the column was ever made.²⁰

It took practically all day on 11 July for the men to assemble. At approximately 11 hours, the Commander of the 282nd Brigade of the ABiH, Ibro Dudic, reported that his unit, which had been in the main line of VRS fire in the south of the enclave, was now retreating and could no longer offer any resistance. At around the same time, the headquarters of the 28th Division moved from its 'hunting lodge' location to the Post Office building in the town centre of Srebrenica.²¹

Shortly thereafter, while Ramiz Becirovic, the Commander of the 28th Division, was in the B Company compound in Srebrenica to discuss the evacuation of the local hospital, the political and military leaders of the enclave moved northwards to the village of Kutlici, on Mount Viogor, one kilometre to the west of the compound in the town of Srebrenica. This was a central point in the enclave: it concerned the presidency of Srebrenica as well as the headquarters of the Brigade Commanders of the 28th Division and the chief of police. In other words, this was where the most

¹⁵ Interview Omer Subasic, 19/10 and 20/10/97.

¹⁶ Interview Hamdija Fejzic, 03/02/98.

¹⁷ Interviews Damir Skaler and Muharem Mujic, 17/05/99.

¹⁸ Interview Sadik Vilib, 15/04/99.

¹⁹ Interview Ilijaz Pilav, 22/10/97.

²⁰ Confidential interview (55).

²¹ Interview Omer Subasic, 19/10 and 20/10/97.

prominent and influential people in the enclave were to be found. Such people included Zulfo Tursunovic, Commander of the 281st Brigade, Vejs Sabic, Commander of the 284th Brigade, Ibrahim Mandzic, Commander of the 280th Brigade, Ibro Dudic, Commander of the 282nd Brigade, Ejub Golic, Commander of the Independent Battalion, Nedzad Bektic, Head of Security for the 28th Division, Hakija Meholic the Chief of Police, Hamdija Fejzic, Deputy Mayor, and the other members of the local Opstina (council). It was here that the decision to leave the enclave was taken at approximately 15.00 hours, without the knowledge of Ramiz Becirovic. However, it was around midnight before the first group actually set out.²²

When Ramiz Becirovic returned from the B Company compound at 15.30 hours., he was surprised to find the Post Office building which served as his headquarters totally deserted. Near the building he met someone from the 28th Division who informed him that the staff and signals unit of his division had moved north and were now to be found on Mount Viogor.

When Becirovic heard that Tursunovic's 281st Brigade was still offering active and successful resistance at Bucje on the southern fringe of the enclave, he began to make plans for a counteroffensive. An idea emerged by which the VRS troops in Srebrenica would be surrounded and an attack would be carried out that same night. However, on the way to join the rest of the 281st Brigade, Becirovic met some soldiers who informed him that their Commander Tursunovic had since ordered them to leave their forward defence positions and proceed to Susnjari. The civilian population had been told to leave for the Dutchbat compound in Potocari.

On the morning of 11 July, the personnel of the 281st Brigade were already considering breaking out of the enclave and trying to reach Tuzla. However, the Brigade Commander Zulfo Tursunovic wished to return for one last 'showdown' with the VRS. Tursunovic may have been the only person against leaving the enclave at this time, believing as he did that it was possible to hold out for a little longer. Others managed to persuade him to leave.²³ Knowing that Ejub Golic's units still occupied positions to the north of the Srebrenica hospital, and that (according to other officers) the majority of the population was now in Potocari, it was generally thought that any active resistance would not be in the people's best interests. Everyone left for Susnjari where the process of grouping continued until 01.30 hours on 12 July. On the way, Tursunovic's party met a group of women and children at Brezova Njiva. These were going to Potocari. There were many harrowing scenes as people there were forced to say their farewells to each other in extreme haste.²⁴

Becirovic was surprised by Tursunovic's decision not to undertake any further fighting with the VRS. He proceeded on horseback to Susnjari, where he joined the 28th Division, here in almost full strength, at about 16.00 hours. By this time the situation was very much a fait accompli: the orders to withdraw from the enclave had already been issued and could not be rescinded. According to Becirovic, Tursunovic told him the decision to leave en masse would not have been made if a courier had been sent earlier with details of his plan for the counter-offensive. However, once the VRS troops had reached the centre of Srebrenica at around 16.00 hours, all brigade commanders ordered their men to proceed at once to Susnjari, being the only area still under the control of the 28th Division.²⁵

That same afternoon, Dutchbat had left the area around Susnjari, in which OP-M had been located till then. According to a soldier of the ABiH's 284th Brigade, originally from Jaglici, the Dutchbat crew whom he met during the VRS attack were afraid. When OP-M was abandoned, the men left equipment behind and the ABiH men in the area were offered weapons. According to the same soldier, the ABiH turned this offer down for fear that they would later be accused of seizing the weapons. (See also Part III, Chapter 6, section 23)

This soldier surveyed the chaotic scene from a mountain top close to his home. People were converging on Susnjari from every direction, while the local population were clearly wondering why

²² Interviews by Makar with Vejs Sabic (December 2000) and Ramiz Becirovic, 02/02 and 05/02/98.

²³ Sefko Hodzic, *Otpjecaceni koverat*, pp. 268-269.

²⁴ Confidential interview (51).

²⁵ Sefko Hodzic, *Otpjecaceni koverat*, pp. 268-269.

these people were coming here. He saw an APC with the men of OP-M departing for Potocari. The people coming the other way - from Potocari to Susnjari - were thrown into confusion because they thought that the VRS was now also attacking from the west. Many turned around and headed back to Potocari. The 284th Brigade was among the last to receive radio orders to assemble. It was gone 22.00 hours before the unit began to regroup close to Alija Ademovic's house in Susnjari. There was absolute chaos and a state of panic. Encroaching darkness meant that little of what was going on in the area could be seen clearly. Everyone had his or her own ideas; no one had a megaphone with which to issue orders and keep the crowd in some form of order.²⁶

The Deputy Mayor, Hamdija Fejzic, also noticed the chaos: people had brought horses and cows, no one knew what to do and no one was listening. Fejzic arrived in the woods at Susnjari shortly before night fell.²⁷ It was practically impossible to create any form of order here. The people were in a state of panic and shots were being fired.²⁸ The VRS was using rocket launchers and 32 of its projectiles landed in the area around Susnjari. There were no direct casualties, although one woman died of a heart attack.²⁹ One group wanted to leave Susnjari for the UN compound in Potocari, but the majority, believing that the UN would not offer them any protection, preferred to remain where they were.³⁰

It was decided that all those able to do so should head for the mountains, while the remainder would go to Potocari.³¹ Civilians could decide for themselves whether to join the group going up into the mountains or whether to go to Potocari. The military personnel were allowed to make individual decisions too.³² Everyone therefore had a free choice between heading for Tuzla or going to Potocari. The 'War President' of the *Opština*, Osman Suljic, later said that if anyone had asked him what to do, he would have advised making the journey across the mountains.³³

3. The motives for the flight

Many of the people who took part in the exodus and who were later interviewed stated that their reason for fleeing the area was fear of reprisals by the VRS, although they did not explicitly refer to the events prior to the establishment of the Safe Area or the later activities beyond the boundaries of the enclave. Some cited doubt concerning the ability of Dutchbat to offer them adequate protection. The general opinion seemed to have been that Dutchbat neither intended to nor was able to defend the enclave. On this point, the statements are unanimous: flight offered the only hope of survival. 'Had we fallen into the hands of the Cetniks, we would have been killed on the spot. Leaving gave us a chance. We knew what to expect if they caught us.' According to witness statements, most of the men were convinced that they should flee before the VRS managed to enter the enclave. Few if any believed that the VRS would offer a chance of survival or allow them to leave later without any reprisals.

'Few if any believed that there would be any exchange of prisoners of war. If a member of the ABiH fell into the hands of the VRS there was a very high probability that he would be killed. Knowing this, most thought it wise to flee the area. The people did not therefore leave the enclave on the basis of any concrete warning of what would happen but on the basis of experiences of events elsewhere.³⁴ For example, the fact that 762 Muslims had been killed in Zvornik on 1 June 1992 left little doubt as to what would happen if men of military age fell into the hands of the Bosnian Serbs. A similar massacre had taken place in Cerska on 9 September 1992, when a group of 6000 refugees from Konjevic Polje,

²⁶ Confidential interview (55).

²⁷ Interview Hamdija Fejzic, 03/02/98.

²⁸ Interview Osman Suljic, Tuzla, 04/03/98.

²⁹ Confidential interview (55).

³⁰ Interview Hakija Meholjic, 02/02/98, with further information on 19/04/98 and 21/05/99.

³¹ Interview Sadik Vilic, 15/04/99.

³² ABiH Tuzla. ABiH 2nd Corps. Supplementary statement by Ramiz Becirovic, 16/04/98, based on an earlier statement of 11/08/95.

³³ Interview Osman Suljic, 04/03/98.

³⁴ Interview Semsudin Muminovic, 17/05/99.

Cerska and Kamenica tried to reach Tuzla. The VRS had laid ambushes and opened fire on the column, killing many and taking hundreds of prisoners.³⁵ Some 500 people were killed close to Snagovo, as the moving column came under fire from artillery and aircraft. Human remains were still to be seen as the column of July 1995 passed on its way to Tuzla. Most refugees were forced to return to Cerska, later arriving in Srebrenica where they recounted their experiences. It was also clear that the VRS wanted to take revenge for the murders of 1992 and 1993 by Muslims in Serb villages. Almost everyone in the column going to Tuzla would have taken this into account.³⁶

The pessimism was not universal, however, in that some hoped and believed that the VRS would be willing to leave a corridor open through which the column would be able to proceed to Tuzla without hindrance. The reasoning was that the Bosnian Serbs' primary objective was the territory itself rather than the killing of the men. However, there were only rumours concerning the existence of a corridor; there was never any actual information.³⁷ The topic was regularly raised. Indeed, it had been mentioned in previous years, but the idea of safe passage for the entire population had met resistance from the Bosnian Government. For the Bosnian Serbs, the corridor was a useful element in their psychological warfare against the citizens of Srebrenica. The most cogent example of this was the broadcasts made by Radio Bratunac between 10 and 20 July 1995, calling on the people of the enclave to leave and proceed into the territory of the Muslim-Croat Federation of their own volition. These broadcasts explicitly stated that the VRS would open up a corridor to allow all citizens (including military personnel unless guilty of 'war crimes') free passage. Apparently, these broadcasts led to it being rumoured throughout Srebrenica that the VRS would indeed open up such a corridor.³⁸ Even ABiH officers stated that this would be the case.³⁹ Military personnel therefore accepted the rumour as true. However, there were no orders from the *Opstina* and the usual couriers on horseback brought no information.⁴⁰

Some people did not expect there to be any announcement by the authorities and tried to organize something themselves, hoping to set out for Tuzla without attracting attention or confrontation.⁴¹ So it was that some broke out of the enclave as early as 10th July. This was strictly against orders and any military personnel involved were then regarded as deserters.⁴² Many were incensed that such groups had simply walked out of the enclave having hired a local guide from Konjevic Polje or Cerska.⁴³

However, the VRS did not open a corridor after 11 July. The men's departure came as a surprise to the Bosnian Serbs too. During his discussions in the Hotel Fontana on 11 and 12 July, Mladic had tried to force the surrender of the ABiH but failed due to the unexpected flight of the men. The Bosnian Serbs had not expected the Muslim men to leave the women behind. It was traditional for them to remain together. Without the women, there was little left to fight for. Furthermore, it would have been more usual for the civilian population to leave followed by the military, not the other way around.⁴⁴

Later, the Bosnian Muslims construed the fact that no corridor had been opened as evidence of the Bosnian Serbs' intent to kill. That ambushes had been laid even before the column arrived in the area was seen as yet another indication that the VRS planned to dispose of the men once and for all. The VRS would have expected the column to proceed to Tuzla via Kladanj, Palogi, Baljkovica, Barasinovac and Mehmedici. A second, alternative route would have passed through Spidanska Stena

³⁵ Masic, *Istina o Bratuncu*, p. 81.

³⁶ Confidential interview (55).

³⁷ Interview Ilijaz Pilav, 22/10/97 and Hamdija Fejzic, 03/02/98.

³⁸ Interview Hamdija Fejzic, 03/02/98.

³⁹ Interview Omer Subasic, 19 and 20/10/97.

⁴⁰ Confidential interview (55).

⁴¹ Interview Hamdija Fejzic, 03/02/98.

⁴² Interviews Damir Skaler and Muharem Mujic, 17/05/99.

⁴³ Interviews Damir Skaler and Muharem Mujic, 17/05/99.

⁴⁴ Interview Manojlo Milovanovic, 18/10/98.

and then on to Zepa. According to the ABiH, the VRS prepared accordingly, laying mines along the entire route in advance, even before the column had left the enclave.⁴⁵ However, there is no evidence to support this view. The VRS did not lay any ambushes or obstacles in advance for the simple reason that they did not foresee any breakout from the enclave. There are no indications that the VRS prepared in any way for the breakout or that they knew anything about it until the column was well under way. The ambushes were laid later and, according to an ABiH soldier who came from the area, the mines around Buljin which proved to be such a major obstacle had been there for some time.⁴⁶

4. The night of 11 and 12 July: attempts to coordinate efforts

As said, the central assembly point was Susnjari, a village on the edge of the upland plains of Buljin. Estimates of the number of people who arrived here on the afternoon and evening of 11 July 1995 vary widely, but are often between 10,000 and 15,000 men together with a small number of women. Osman Suljic and Hakija Meholjic put the number at 12,000 to 13,000 men.⁴⁷ However, there are no precise figures. According to its Commander, Ramiz Becirovic, the strength of the 28th Division at the time of the VRS attack was approximately 6500, in five brigades and one battalion. Each brigade had some 200 to 300 firearms, mostly rifles, and each soldier had two sets of ammunition (*borbeni komplet*). The remainder of the troops were unarmed and it was among this group that the greatest number of casualties fell. Among those who opted to join the march to Tuzla were about ten women who were on the medical staff and an unknown number of women who did not wish to go to Potocari. These included the Commanders' wives and Naser Oric's mother.⁴⁸ There were also a number of women with children, together with a number of boys aged between 12 and 17, most of whom were going with their fathers because they were afraid to remain behind in Srebrenica.⁴⁹ Finally, the group included a number of men over the age of 60.⁵⁰

It is far from clear how decisions regarding the route and the time of departure were made. It is also unclear whether the departure had been approved by the authorities in Sarajevo and Tuzla. The *Opština* President Osman Suljic later stated that there had been contact with various people in Sarajevo that evening, most notably with Prime Minister Silajdic and President Izetbegovic, both of whom had urged the men to fight 'to the last bullet' but had offered no actual support in doing so.⁵¹ At this time, the 28th Division still had use of a radio. Becirovic's final radio communication with his contact person in Tuzla, the 2nd Corps' Chief of Staff, Brigadier General Sulejman Budakovic, was made between 01.00 and 04.00 hours. Becirovic told Budakovic that the best solution would be a breakout. Indeed, in his view it was the only solution. For many of the men, morale had reached a low point; they were physically exhausted and merely wanted to get out of the enclave come what may. Budakovic was of the opinion that in doing so the group would expose themselves to an even greater risk than if they were to stay where they were. Although they would be more visible during the hours of daylight, he considered it better to wait until then before departing because it would not be possible to cover much distance in what remained of the night.

Becirovic wanted to set out at once. Budakovic then wanted to know what route the column would be taking, so that he would know where it could be expected. Becirovic stated that the route would pass through Udrc and then probably on to Baljkovica. Budakovic did not consider this to be a

⁴⁵ Interview Semsudin Muminovic, 17/05/99.

⁴⁶ Confidential interview (55).

⁴⁷ Interviews Osman Suljic, 04/03/98; Hakija Meholjic, 02/02/98 with additional information supplied on 19/04/98 and 21/05/99.

⁴⁸ Interviews Damir Skaler and Muharem Mujic, 17/05/99.

⁴⁹ ABiH Tuzla. ABiH 2nd Corps, unnumbered. Supplementary statement by Ramiz Becirovic (b. 1956), 16/04/98, based on an earlier statement of 11/08/95.

⁵⁰ ABiH Tuzla. ABiH 2nd Corps, unnumbered. Supplementary statement by Ramiz Becirovic (b. 1956), 16/04/98, based on an earlier statement of 11/08/95.

⁵¹ Interview Osman Suljic, 04/03/98.

sound plan. Again, he called for the group to remain where it was until morning when the most appropriate solution could be found. During this conversation, Budakovic further stated that a UN team was on its way from Tuzla to Bratunac, to provide assistance to the people who had assembled in Potocari. (In fact, the Bosnian Serbs would not permit the team to pass.) He added that a solution would also be found for the presence of the ABiH troops (which did not prove to be the case). The conversation between Becirovic and Budakovic did not arrive at any alternative decision. The signals personnel in Tuzla allocated a radio frequency on which the column could report its progress.⁵² However, this signal would be the last between the column and Tuzla until 15 July. Contact between the 28th Division and Tuzla was broken when signals personnel deliberately destroyed the Division's radio equipment.⁵³

Tuzla took some steps to prepare for the arrival of the column. At 02.20 hours on the morning of 12 July, Sead Delic, Commander of the ABiH 2nd Corps, ordered several units to remain on standby to provide assistance if necessary. Specifically, the 24th Division commanded by Salih Malkic was assigned to arrange accommodation for the civilians and soldiers from Srebrenica. All brigades within this division were also expected to keep a company on standby for armed action. Sead Delic reports that he also ordered Naser Oric to make himself and a number of other officers from Srebrenica available to the 24th Division. They were to pinpoint the position of the column and the route. The 25th Division was ordered to carry out a diversionary manoeuvre in the form of an attack on the VRS positions in the Majevisa hills to the east of Tuzla.⁵⁴

5. Why was this particular route to Tuzla chosen?

Having received the alarming news that the column had already set out, against Budakovic's instructions, the 2nd Corps in Tuzla tried to determine possible escape routes. To march directly cross country with the entire column would have been out of the question. Three routes were therefore set out by the personnel in Tuzla. A section of the column would first proceed to Baljkovica, part to Kladanj and the rest to Zepa. This recommendation was to have been passed on to the troops in the enclave, although no confirmation of this being the case has ever been found. The route that the majority eventually took was the most obvious one, in that many refugees from Srebrenica were familiar with the route as well as the sort of terrain they would have to cross. This route had often been used between 1992 and 1995.⁵⁵

According to Ramiz Becirovic, agreement had been reached with the civilian authorities to form a column to move to the free area,⁵⁶ but it was not until the evening of 11 July that the decision to proceed to Tuzla was made.⁵⁷ This was after the people had assembled in the woods near Susnjari. It was here that the decisions concerning the route, the division into groups⁵⁸ and the time of departure were made. The choice of the route to Tuzla seems to have been prompted in part by the fact that the Commander of the 284th Brigade of the ABiH, Vejz Sabic, had reconnoitred the area around Konjevic Polje and Cerska prior to the attack, and had volunteered himself and his men as escorts to the column as far as Tuzla.⁵⁹ On the orders of the 28th Division, the 284th Brigade had undertaken a number of missions in the area around Buljin, Konjevic Polje, Cerska, Zvornicka Kamenica and Snagovo in order

⁵² Sefko Hodzic, *Otpjecaceni koverat*, pp. 243-244. Ramiz Becirovic confirmed the main points of the conversations. (Interview on 02/02 and 05/02/98).

⁵³ Interview Sead Delic, 10/03/99.

⁵⁴ Sefko Hodzic, *Otpjecaceni koverat*, p. 272.

⁵⁵ Interview Semsudin Muminovic, 17/05/99.

⁵⁶ ABiH Tuzla. ABiH 2nd Corps. Additional statement by Ramiz Becirovic, 16/04/98, based on an earlier statement of 11/08/95.

⁵⁷ Interview Hakija Meholjic, 02/02/98 with additional comments of 19/04/98 and 21/05/99.

⁵⁸ Interview Ilijaz Pilav, 22/10/97.

⁵⁹ Interviews Andjelko Makar with Vejz Sabic, 12/00.

to reconnoitre the terrain and to determine VRS positions. The intention was to find ways of confining the VRS to the Srebrenica region and prevent reinforcements being sent from here towards Sarajevo.⁶⁰

Nevertheless, it remains difficult to determine exactly how the choice of route to Tuzla was made. This is confirmed by Opstina President Osman Suljic.⁶¹ Decisions within the 28th Division were often taken democratically, with all commanders (not only Ramiz Becirovic as Commander) having a vote.⁶² Ilijaz Pilav, a doctor, believes that it was the military leaders - and Ramiz Becirovic in particular - who decided on the route and who decided that everyone should proceed in a column. Pilav disagreed with the latter decision.⁶³ Another source believes that it was Zulfo Tursunovic who took the decision concerning the route after Ramiz Becirovic had declared himself unable to take charge of the operation.⁶⁴ The option of splitting the people up into smaller groups does not seem to have been considered prior to departure.⁶⁵ The decision to proceed as a single column, with all 10,000 to 15,000 people walking in procession one behind the other, eventually proved disastrous. The straggling column, many kilometres in length, had no effective means of defence.⁶⁶ It represented a target that could all too easily be split. Becirovic made a grave error of judgement, his critics would later claim.⁶⁷

According to Becirovic himself, four different routes were considered but the final choice was made because this was the only route for which guides were available.⁶⁸ He believed it would have been impossible to have each of the brigades take a different route to Tuzla. It was not possible to proceed towards Bratunac nor towards Han Pijesak.⁶⁹ There was one route which split at Mount Udrc, one fork going on to Kladanj and the other in the direction of Tuzla. However, there was no one who knew the route to Kladanj, while there were several who knew how to reach Tuzla. Furthermore, it was known that VRS troops were along the route to Kladanj and close to Vlasenica.⁷⁰ In any event, the selected route was the most natural way of reaching Tuzla.⁷¹ The ABiH personnel did not expect any resistance on this route, since there had never been any in the past.⁷² This too proved a monstrous error of judgement.

It must then be asked why the group heading for Zepa was not considerably larger. After all, the route to Zepa was - with the benefit of hindsight - the most secure and also the shortest. Moreover, there was more food in Zepa. Many people had already followed this route without problem, almost all having travelled to Zepa to find food. The route across the high mountains and along poor roads and paths was a difficult one which demanded strength and perseverance, yet it could be completed within a day.⁷³ Many of the men who had gathered in the north-western corner of the enclave would have preferred to set out for Zepa during the night of 11 July. The terrain offered better cover and more opportunities to hide than the more open terrain they would have to cross on the way to Tuzla. Some even started out towards Zepa but this plan was abandoned when reports of the town having fallen were received. The reports proved to be false.⁷⁴

From the perspective of the 2nd Corps, the choice of Zepa as a destination would have allowed the ABiH units from Srebrenica and Zepa itself to join forces in far more favourable terrain, thus

⁶⁰ ABiH 28th Division to Command of 284 IBLbr, 14/06/95, No. 01-102/95. ICTY (IT-98-33) D60.

⁶¹ Interview Osman Suljic, 04/03/98.

⁶² Interview Andjelko Makar with Vejs Sabic, 12/00.

⁶³ Interview Ilijaz Pilav, 22/10/97.

⁶⁴ Interview Damir Skaler, 31/01/98.

⁶⁵ Interview Damir Skaler, 31/01/98.

⁶⁶ Interview Ilijaz Pilav, 22/10/97.

⁶⁷ Interview Hakija Meholic, 02/0298 with additional comments of 19/04/98 and 21/05/99.

⁶⁸ Sefko Hodzic, *Otpjeceni koverat*, p. 271.

⁶⁹ Confidential interview (51).

⁷⁰ Interview Ramiz Becirovic, 02/02 and 05/02/98.

⁷¹ Interview Hamdija Fejzic, 03/02/98.

⁷² Interview Sadik Vilic, Sarajevo, 15/04/99.

⁷³ Interview Semsudin Muminovic, 17/05/99.

⁷⁴ Interview Ilijaz Pilav, 22/10/97.

enabling them to offer more effective defence.⁷⁵ This consideration was based on the desire to hold Zepa. Earlier, Sead Delic, Commander of the 2nd Corps, had told Becirovic to proceed to Zepa on 6 July to join up with the Zepa brigade. However, it is not clear whether this was an order or a suggestion. Deputy Corps Commander Makar considered it to be an order, Delic himself thought of it as a suggestion. The 2nd Corps' plan was to have the 28th Division and the Zepa Brigade carry out a joint counter-offensive against the VRS in Srebrenica. In hindsight this might well have been a strategically sensible move. The evacuation of the population on 13 July would have greatly facilitated such a counter-offensive.⁷⁶

The idea of sending the 28th Division to Zepa did not, however, take psychological factors into consideration. Everyone would have much preferred to go to Tuzla, a free area, than to yet another enclave. There would have been little desire to move from one Safe Area to another; it was much more attractive to take the shortest possible route into free territory.⁷⁷ Psychologically, people had been ready for the exodus to Tuzla for the past three years. After all, this was the traditional regional centre and many had already moved there. The Bosnian Serbs' psychological warfare had the desired effect on the people, who had little faith in UN protection whether in Srebrenica or Zepa. It must also be asked whether the 28th Division itself was sufficiently organized to carry out such a tactical move efficiently, and whether it was reasonable to ask them to leave their homes and families unprotected while they set off on a mission of which the outcome was so uncertain. The morale of the 28th Division had been declining for some time. If this plan was to be carried out, they would have to push through the VRS lines to the south of the enclave, while it was already known that Zepa was under fire from the VRS.⁷⁸

Radio Milici and Radio Bratunac reported of the fall of Zepa. The VRS used these stations to spread disinformation and to sow the seeds of panic as part of their psychological warfare tactics.⁷⁹ In this respect, the Bosnian Serbs succeeded completely. Ilijaz Pilav does not recall how he came to hear of the supposed fall of Zepa. In any event, there was no opportunity to check the veracity of such reports and no one thought of doing so.⁸⁰ Another doctor, Dzevad Džananović, himself a patient in the hospital at the time, recalls he had already heard the rumour as he left Srebrenica on the afternoon of 11 July.⁸¹ The Deputy Mayor Hamdija Fejzić stated that he was told about the fall on Zepa on 10 July but did not know where the information came from.⁸² Even the ABiH commanders were saying that Zepa had already fallen, but these rumours later proved to be unfounded.⁸³

It was generally known that the Bosnian Serb radio stations broadcast war propaganda. Given that there had been radio contact with Sarajevo and Tuzla during the afternoon and the early hours of the night of 11 July (specifically with the 2nd Corps of the ABiH and the journalist Isnam Taljić of Radio Sarajevo) it remains unclear why the Division Command did not attempt to make contact with Zepa. The two enclaves had worked closely together in military operations and there would undoubtedly have been means to make radio contact with each other if so desired. Tuzla was in daily radio contact with Zepa until 25 July and could have informed Becirovic about the situation in Zepa during the night of 10 and 11 July.⁸⁴ Some of the men in the column were carrying radios and on the way to Tuzla they heard news reports to the effect that Zepa had *not* fallen. However, by now it was too late to turn back.⁸⁵

⁷⁵ Interview Sead Delic in Sefko Hodžić, *Otpjecaceni koverat*, p. 271.

⁷⁶ Interview Andjelko Makar, 21/10/00. See also Sefko Hodžić, *Otpjecaceni koverat*, p. 271.

⁷⁷ Interview Nijaz Masić, 25/10/00.

⁷⁸ Interview Mehmed Zilić, 04/11/99.

⁷⁹ Interview Semsudin Muminović, 17/05/99.

⁸⁰ Interview Ilijaz Pilav, 22/10/97.

⁸¹ Interview Dzevad Džananović, 04/03/98.

⁸² Interview Hamdija Fejzić, 03/02/98.

⁸³ Interview Omer Subasić, 19 and 20/10/97.

⁸⁴ Makar report, 12/00.

⁸⁵ Interview Dzevad Džananović, 04/03/98.

6. 12 July: the departure of the column

As stated above, Zulfo Tursunovic's 281st Brigade, which included men from Kamenica and Cerska, wanted to take the lead. Ejub Golic also wished to be at the fore. In civilian life he had been a transport operator from Bratunac. In 1993, he had been involved in the defence of several villages around Bratunac before becoming brigade commander in Srebrenica. He was a good organizer who knew how to maintain discipline within his unit. He claimed that his unit was the best trained and that he was the person most familiar with the situation to be faced when crossing the main road at Konjevic Polje, a critical point on the route. Nevertheless, it was decided that the 284th Brigade should head the column, the argument being that these men were most familiar with the terrain.⁸⁶ At the same time, several smaller groups devised their own plans and tried to find the shortest and safest route on their own.⁸⁷

An advance reconnaissance party went on ahead of the column proper. This group comprised four guides who set out one hour before the column and maintained a lead of approximately five kilometres throughout the journey. Next, there was a group comprising 50 to 100 of the best soldiers from each brigade, each carrying the best available equipment. This group was under the command of Vejs Sabic of the 284th Brigade. Next in line was the 281st Brigade. All these men were originally from Cerska, Konjevic Polje and Kamenica. They knew the terrain. The rest of the column followed at some distance. In order, there was the reconnaissance unit of the 28th Division, the 280th Brigade from Gornji Potocari, the division command, the wounded, the medical staff, the de 281st Brigade, the 283rd Brigade, the independent battalion and the 282nd Brigade bringing up the rear. Notably, the best troops were all at the front of the column. Here too were the elite of the enclave, including the mother and sister of Naser Oric and other prominent persons. The majority of civilians and the wounded were in the centre of the column. At the rear was the weakest and least heavily armed Brigade, the 282nd under Ibro Dudic. It was this brigade which had borne the brunt of the VRS offensive and had suffered the greatest losses.⁸⁸

At around 22.30 hours on 11 July, the men lined up whereby they were encouraged to seek out their friends and acquaintances.⁸⁹ The soldiers were not counted, there was simply no time.⁹⁰ Each brigade took a group of refugees under its wing.⁹¹ The units stayed more or less intact. Many civilians joined the military units spontaneously and acquaintances went along with the troops. There were many shifts and changes of allegiance as the journey got under way.⁹²

It was a clear night with a full moon. There had been heavy rain for days beforehand and many people did not have adequate footwear, which impaired progress somewhat. The speed with which the column moved forward was also restricted by a number of cattle and horses laden with supplies and provisions.

Communications between the various sections of the column relied on couriers and walkie-talkies. The head of the column was in contact with the command of the 28th Division on one frequency and with the central and rearmost sections of the column on another frequency. The front and rear of the column were therefore not in direct communication with each other. As Commander of the 28th Division, Ramiz Becirovic was in the centre of the column from where he could oversee its entire length. Vejs Sabic, Commander of the foremost section (including the main military force of the

⁸⁶ Confidential interview (51).

⁸⁷ ABiH Sarajevo, 'Arnautovic Archive', 20/05/99.

⁸⁸ ABiH Tuzla. ABiH 2nd Corps, undesignated. Additional statement by Ramiz Becirovic of 16/04/98, based on an earlier statement of 11/08/95. Interview Andjelko Makar with Vejs Sabic, 12/00.

⁸⁹ Confidential interview (51).

⁹⁰ ABiH Tuzla. ABiH 2nd Corps, undesignated. Additional statement by Ramiz Becirovic of 16/04/98, based on an earlier statement of 11/08/95.

⁹¹ Othon Zimmerman, *Moslimstrijders in helse tocht opgejaagd als wild* ('Muslim fighters on hellish journey hunted down like game'), *Algemeen Dagblad*, 18 /07/95.

⁹² Confidential interview (51).

28th Division) later attributed the failure to assist at critical moments to the lack of information about what was happening at the rear of the column.⁹³

The VRS was able to eavesdrop on the column's radio communications. This much became clear from the two 'intercepts' made by the Drina Corps' Intelligence unit and sent by the police station at Bijeljina. The intercepts concern the attempts of two groups, that of Zulfo Tursunovic and that of Ibrahim Mandzic, to obtain instructions for further action having fallen into an ambush near Kamenica.⁹⁴

7. 12 July: the VRS discovers the departure

In the hours immediately after the fall of Srebrenica the VRS was not aware of the 28th Division's position. The breakout had taken the VRS completely by surprise; there were no plans to cover such an eventuality. In his first talks with the Dutch Commander Lieutenant Colonel Karremans, Mladic was clearly under the impression that all men were still in the enclave: he demanded their surrender. In fact, their presence was a source of great concern to the VRS who had to consider the possibility that units of the 2nd Corps could attack from the Tuzla and Kladanj sides and make contact with units of the 28th Division. This concern had been current within the VRS for some time.

The VRS had not omitted to take precautionary measures altogether. On 11 July, before it was even known that the column was being formed, the VRS General Staff ordered the Drina Corps to make arrangements with the special units attached to the Ministry of the Interior (*Ministarstvo Unutrasnjib Poslova*; MUP) in preventing any movement of ABiH units into or out of Srebrenica.

The VRS had reason to believe that an ABiH division would be sent from Sarajevo, via Olovo and Kladanj and along two separate routes towards Zepa and Srebrenica. It was also expected that the 28th Division would be given permission by the ABiH to leave the enclave and would later return. The Drina Corps was therefore required to set up road blocks and ambushes. A particular concern was that the routes would pass close to the VRS headquarters in Han Pijesak.⁹⁵ However, the VRS headquarters did not see the column pass, since it was well to the west of Srebrenica and the actual escape route was to the north.

The VRS first caught wind of the escape when what seemed to be a reconnaissance unit was spotted close to Mount Udrc on the morning of 12 July, some time between 02.00 and 06.00 hours. Given the distance from Srebrenica, this could not have been the head of the column itself but was almost certainly one or more of the small groups which had set out for Tuzla on 10 July, even before the fall of the enclave. At about 03.00 hours the VRS learned of the formation of the column itself from communications intercepted. One intercepted message, recorded at 06.56 hours on 12 July, involved a conversation about the column between two unidentified individuals in which the possibility of MUP ambushes was raised. In another, timed at 13.05 hours the same day, General Krstic is heard issuing orders for the Vlasenica Brigade to make contact with the MUP.⁹⁶

⁹³ Interviews Andjelko Makar with Vežić Sabić, 12/00.

⁹⁴ NIOD, Coll. MUP Republika Srpska. MUP Republika Srpska, RJB Bijeljina, 13/07/95, RJB-303/95.

⁹⁵ ICTY, (IT-98-33), D 148/a. Ratko Mladic to the commands of the DK, zmtb, 67 pv, 2 rmtbr, 1 vlpbr, 1 mlpbr, 1 plpbr, 11/07/95, no. 03/4-1616. Judgement, paras 162 and 287.

⁹⁶ ICTY, (IT-98-33), Judgement, paras 162 and 287.



Intercepts of the ABiH show that the VRS only became fully aware of the flight of the men at around midday on 12 July, by which time the ABiH was somewhere in the forests to the north of Potocari. "They seem to have done a very good job," commented one VRS observer.⁹⁷ The Bratunac Brigade informed the command of the Drina Corps that the men were heading in the direction of Konjevic Polje.⁹⁸ At this stage, the VRS had no idea of the extent of the column or the number of men who had fled the enclave. Neither was the route to be taken known. However, it was clear that the column had become embroiled in a minefield and a deep watercourse (near Ravni Buljin). It was also clear that a group - some two hundred men strong - had turned back towards Srebrenica. At that time, the VRS did not know whether the others had also turned back or had been able to continue. The VRS was unable to come any closer, since their own minefield blocked the way and the unit concerned did not have the appropriate maps. This greatly annoyed General Krstic who ordered the relevant information to be found at once.

At that time, there were also reports that the Bosnian Serb population would be prepared to hand over the Muslims who had taken part in the so-called Podrinje massacre, (Podrinje being the region around Srebrenica). Whether this should be taken to mean that the Serbs had already intercepted some of the fleeing Muslims, or that they would be prepared to assist the VRS should the opportunity arise, is not clear. The ABiH intercepted a conversation involving the Serb journalist Goran Malinaga in which an ultimatum given by Mladic was mentioned: the ABiH must surrender before midday otherwise the VRS would open hostilities. The conversation also mentioned a pursuit or round-up 'like that in Chechnia'.⁹⁹ When the Bosnian Serb-organized refugee convoys set out from the UN compound in Potocari to Kladanj on 12 July, Mladic ordered that every caution should be exercised to ensure that no men could be part of those convoys. At the same time Mladic ordered the mines and

⁹⁷ ABiH Tuzla. ABiH 2nd Corps, report based on intercepts, 12/05/95, no. 02/8-10-1253.

⁹⁸ ICTY, (IT-98-33), Judgement, para. 371.

⁹⁹ ABiH Tuzla. ABiH 2nd Corps, report based on intercepts, 12/05/95, no. 02/8-10-1253.

other obstacles to be cleared from the area around Kladanj before the refugees arrived, and that his troops should then withdraw.¹⁰⁰

The discovery of the breakout and the flight of the column from the enclave came as a shock to the General Staff of the VRS. This was an entirely unforeseen eventuality; it had been expected that the ABiH soldiers would go to Potocari. The VRS had expected that this would bring about the cessation of all military action.¹⁰¹ When this proved not to be the case, General Milan Gvero suggested in a document of 12 July that the group of ABiH soldiers certainly included 'notorious criminals' who would do absolutely anything to reach Tuzla. Part of the column had by then been successful in crossing the main Bratunac - Konjević Polje - Milići - Vlasenica road. Everyone would have to do likewise in order to reach Tuzla. Gvero called upon all available units to track them down and prevent them from attacking Bosnian Serb villages.¹⁰² The inhabitants of Milići, for example, were afraid of the escaping Muslims and several citizens appear to have been killed in shooting affrays with the members of the column.¹⁰³ There were also fears that the column would attack the town of Zvornik, although these were dismissed as groundless by other VRS sources, since Zvornik was not directly on the route to Tuzla. In any case, the VRS were also certain that the Muslims would not attempt to reach Serbian territory, as it would be far too difficult for them to cross the Drina.¹⁰⁴

From the ABiH perspective, in retrospect, the laying of ambushes in Konjevic Polje and Kravica had been part of the VRS's plan of attack. The ambushes and other obstacles had been laid by reserve troops, their orders being to ensure the eradication of the entire column. According to the ABiH, when the VRS saw that the opposing forces were strong enough to break through the VRS lines, Generals Mladic, Zivanovic and Krstic decided to send their elite troops and 'special forces' to cover the possible route. When even this proved to be insufficient, reportedly the Special Police Troops were also deployed.¹⁰⁵ Many Bosnian Muslims also suspected that the VRS deliberately allowed the well-armed groups at the front of the column to pass, since it was only later that the shooting began. In their explanation, the VRS was afraid of the ABiH, knew that these foremost groups were well-armed, and therefore preferred to save their fire for unarmed men.¹⁰⁶ Many saw this as confirmation that the VRS had opened a corridor, and to the front of the column this seemed to be the case since it was able to cross the Bratunac - Konjevic Polje - Nova Kasaba road with ease. Later, this same road would prove to be a practically impassable barrier.¹⁰⁷ Other people held the view that the VRS's failure to open fire on the first groups to cross the road was part of a deliberate ploy to divide the column up into sections.¹⁰⁸

Contrary to what many in the column believed, the reason that the vanguard was able to cross the road at Konjevic Polje with relative ease had little to do with composition strength of the group in question, but more with the fact that the VRS was not yet ready to offer any resistance. As indicated by the communications intercepted by the ABiH, it was not until after midday on 12 July that the VRS became aware of the column's existence or its breakout from the enclave. Only then was any forcible response prepared, whereupon the VRS deployed all available units (i.e. those which were not required in either Srebrenica itself or at Zepa).

¹⁰⁰ ABiH Tuzla. ABiH 2nd Corps, report based on intercepts, 12 /07/95, no. 02/8-10-1257.

¹⁰¹ Interview Milovan Mulinovic, 20/03 and 22/03/00.

¹⁰² NIOD, Coll. MUP Republika Srpska. VRS General Staff to IKM-1 DK, 1. Zpbr, 1. Vlpbr, illegible, recd. Bratunac Brigade on 14/07/95, no. 01-456-1.

¹⁰³ Interview Rajko Dukic, 14/06/00.

¹⁰⁴ Interview Milovan Mulinovic, 20/03 and 22/03/00.

¹⁰⁵ Interview Semsudin Muminovic, 17/0599.

¹⁰⁶ Interview Hamdija Fejzic, 03/0298.

¹⁰⁷ Confidential interview (51).

¹⁰⁸ Interviews Damir Skaler and Muharem Mujic, 17/05/99.

8. 12 July: the VRS deploys heavy weaponry

One of the concerns of the column as it left Susnjari was whether it would be possible to cross the main Bratunac - Konjevic Polje - Nova Kasaba road before sunrise. Given the short time remaining and the sheer length of the column, this concern proved founded - it was not possible.¹⁰⁹ After the VRS had discovered the column's movements, there was an immediate movement of troops and equipment, whereby VRS artillery opened fire from the villages of Siljkovici, Rogac and Mratinsko Brdo (in area number 03 on the map). At this stage, the VRS was unable to come close to the column and was therefore firing on it from the mountains. Meanwhile, the VRS had also begun to lay ambushes along the asphalted Bratunac - Konjevic Polje road, in the villages of Kamenica, Sandici and Lolici (in area 04 on the map).

From the village of Susnjari, the column moved to nearby Jaglici, in which the now abandoned Dutchbat OP-M was located. The 281st Brigade set out at precisely 01.30 hours and arrived on the Buljin plateau at around 05.30 hours.¹¹⁰ The main part of the column did not move off until 05.00 hours. By the time the rear set out it was almost light, while the intention had been to pass the Buljin plateau before daybreak.¹¹¹ One group at the very rear of the column did not to move off because the VRS was already too close. They were forced to divert to Zepa.¹¹² At first, the journey between Susnjari and Buljin went well¹¹³ (see 01 and 02 on map). After Buljin, there was a descent and it became necessary to cross a number of rivulets. In the centre of Buljin was a VRS bunker but it was deserted.

The vanguard of the column, including the 284th Brigade under Vežić Sabić, reached the Hajdučko Groblje mountain at approximately 07.00 hours (see 03, 04 and 05 on maps). Sabić and a few of his troops then turned back to guide the rest of the column. For the past three years, this region had been the front line of the conflict and both sides had mined the area extensively. Under normal circumstances it would have been possible to cross the plain in two hours. With the mines in place, it became necessary to carefully crawl on one's knees, whereby it took an average of fifteen hours. The mines in the Hajdučko Groblje section had not been cleared but were marked with white paper flags. Experts went on ahead to determine the position of the minefields; they had nothing but pieces of paper with which to mark them. Instructions were then passed back by word of mouth - 'watch out, there's a mine right here!' The men then had to proceed in single file, picking their way between the flags. They were fortunate in that there was fog until about 10.00 hours.¹¹⁴ Because of the delays, the rear of the column did not reach Hajdučko Groblje until 10.00 hours, by which time the head had already reached Islamovici (in the region 06 shown on map), while the centre of the column was level with Kamenica (04 on map).

From Mratinci (04 on map), the head of the column moved on towards Kravica (05 on map). It was not possible to enter Kravica itself, since the village was occupied by the VRS. It was decided not to proceed immediately but to wait until nightfall before crossing the road. By this time, however, the VRS had located the column and opened artillery fire. Many people in the column gave up at this stage and many were killed. There was also some infighting among the refugees themselves as the effects of hunger began to take effect. Tensions were high. This was partly due to the artillery bombardment and partly because no one knew exactly what was happening. Furthermore, there were rumours that VRS personnel in civilian dress had infiltrated the column at Kravica.¹¹⁵ Kasim Mustafić, who wandered the area to the south of the Bratunac to Konjevic Polje road for two days, later testified that a group of

¹⁰⁹ Sefko Hodžić, *Otpisani koverat*, p. 271.

¹¹⁰ Confidential interview (51).

¹¹¹ Interview Hamdija Fežić, 03/02/98.

¹¹² ABiH Tuzla. ABiH 2nd Corps, unnumbered, additional statement by Ramiz Bećirović, 16/04/98, based on an earlier statement of 11/08/95.

¹¹³ Interview Vahid Hodžić, 08/03/99.

¹¹⁴ Confidential interview (51).

¹¹⁵ Interview Hakija Mehuljić, 02/02/98 with additional comments of 19/04/98 and 21/05/99.

about one hundred Bosnian Serbs had approached the column at Kravica from the direction of Bratunac. They were dressed in black casual shirts and trousers, and armed with knives and garrotes. They mingled with a group of some three hundred Bosnian Muslims and began to kill them. This continued for about half an hour, after which between 30 and 50 mutilated bodies, some now missing legs, arms, ears or genitals, were loaded onto a truck and driven off in the direction of Bratunac. Some were murdered on the spot and thrown into the river alongside the road. Shortly thereafter, a tanker arrived to hose the blood off the tarmac.¹¹⁶



The story goes that other infiltrators gave directions during the march, claiming to know the way. It would indeed have been possible to infiltrate the column as the refugees from Srebrenica did not know each other particularly well.¹¹⁷ When they began to suspect that infiltrators were present, the people checked on each other although the fact that they came from seven different Opstinas made this difficult. Because there were no differences in language, it was difficult to distinguish friend from foe.¹¹⁸ Infiltration has often been reported as a tactic, and sightings of bodies with their throats cut certainly supported the notion of there being Bosnian Serbs at large within the column. However, such

¹¹⁶ ABiH Sarajevo, 'Arnautovic Archive', see 14/07/95. Kasem also reports having seen someone drinking the blood pouring from the wounds of a Bosnian man who had been stabbed in the back.

¹¹⁷ Interview Hamdija Fejzic, 03/02/98.

¹¹⁸ Interview Hakija Meholic, 02/02/98 with additional information supplied on 19/04/98 and 21/05/99.

stories may also be a reflection of the fear and confusion that had seized the people, particularly in that these stories emerged just as the column was in danger of being ambushed.¹¹⁹

The rear of the column, at this time still at Hajdučko Groblje, was the first section to come under fire. Suddenly, it seemed as though gunfire was coming from all sides at once. Several men fell. No one knew exactly where the gunfire was coming from. Witnesses have since stated that the shooting began as one group of refugees entered a minefield. That some people had indeed unwittingly fallen victim to the mines was confirmed by an intercepted communication in which a VRS soldier said that he saw a group of refugees walking into a minefield near the Kamenica junction between 7 and 8 p.m., and that at least twenty people had been killed. The full-scale VRS assault began shortly thereafter, with a combination of infantry and artillery fire. There was widespread panic within the column.¹²⁰

One member of the 281st Brigade has described the events. According to his testimony, as the Brigade was about to descend from the Buljin Plain, shooting and machine gun fire opened up on all sides. The VRS were in the hills, the Muslims among the rivulets on the marshy land. The VRS bombarded the group with grenades and machine gun fire. As the first thirty or so casualties fell, panic broke out. The first fatality was Nihad 'Nino' Catic, a radio reporter who had made the last report from Srebrenica on the morning of the fall.¹²¹ According to other accounts, some men had entered the woods at Kamenica to rest for a while and to wait for the remainder to catch up. Close by, an enormous beech tree was split in two by a grenade. Artillery fire began and continued for some twenty minutes. This was the point at which the column began to disintegrate rapidly. Statements describe the episode as an absolute nightmare: there were bodies everywhere, the wounded were crying out for help, many people lost sight of their loved ones; fathers, sons and brothers who had been together up to this point were parted from each other. A few found each other days later; most never did.¹²²

A section of the 281st Brigade assembled in the woods and held an impromptu strategy meeting. It would, they decided, be possible to attempt to carry on to Konjevic Polje, but they suspected that even if they came that far it would then be impossible to reach Tuzla. No fewer than 34 members of the 281st Brigade had already been killed and 70 wounded. Of the wounded, six or seven now had to be carried, others taking it in turns to act as bearers. They discussed the route. It was clear that if they continued straight on they would have to cross the main road at Konjevic Polje no matter what. This section of the 281st Brigade decided not to do so, but to turn off at Burnice (in the area of number 06 on the map) and to turn back to Zepa. At 03.00 hours on 13 July, the 40 surviving members of the Brigade left Burnice. As they went, they saw corpses everywhere.¹²³

The head of the column halted to find out what had happened to the rear. Because the shooting continued throughout the day and the night of 12 July, hope of being able to regroup was abandoned and the front of the column resumed the march. Exactly who made the relevant decisions and how they were made is not known. As the foremost group of the column continued on its way, the rear lost contact and panic broke out once more.¹²⁴

The VRS artillery fire directed at the column as it tried to cross the road at Konjevic Polje and Nova Kasaba split the column in two. Only about one third of the men managed to cross the road before the VRS opened fire with full force.¹²⁵ As far as can now be ascertained, some 300 to 400 people died even before the rear of the column had reached Konjevic Polje.¹²⁶ The ABiH's own figure is somewhat higher still, at between 500 and 2000.¹²⁷

¹¹⁹ *Refugee Report*, Vol. XVI, No. 5, 31/07/95, p. 6 and pp. 9-10.

¹²⁰ ABiH Tuzla. ABiH 2nd Corps, report of 12/07/95, no. 02/8-10-1253. Contents based on intercepts.

¹²¹ Interview Salih Brkic, 02/02/98.

¹²² Interview Hamdija Fejzic, 03/02/98.

¹²³ Confidential interview (51).

¹²⁴ Interview Hamdija Fejzic, 03/02/98.

¹²⁵ ICTY, (IT-98-33), Judgement, para. 62.

¹²⁶ Interview Hamdija Fejzic, 03/02/98.

¹²⁷ ABiH Sarajevo, 'Arnautovic Archive', see 12/07/95.

The central section of the column managed to escape the shooting and reached Kamenica (on map 06) at about 11.00 hours and waited there for the wounded. Ejub Golic turned back towards Hajducko Groblje to help the casualties. Because many had to be carried, there were major delays. It was 09.00 hours before the column could continue, by which time the survivors from the rear had joined those in the central section of the column.

The foremost part of the column succeeded in reaching and passing Kamenica (on map 04) before 10.00 hours, thus escaping the shooting. This section spent the evening on Mount Udrc (map 08) waiting for the rest of the column to catch up. The very first section, the 284th Brigade, and the mountain battalion managed to cross the road at Konjevic Polje (map 07) without any difficulty. This news filtered back to the other sections of the column.¹²⁸ This raised hope, but that hope proved to be unfounded. Hamdija Fejzic heard of the first group's success as he was under way somewhere between Nova Kasaba and Konjevic Polje. He managed to cross the road during the hours of darkness, closely followed by a group of some three hundred armed men. There was not only the road to contend with, but also the River Jadar which was ten metres wide at some points and ran parallel to the road.¹²⁹ The ill-fated rearmost part of the column continued to come under heavy VRS artillery fire throughout the day and the following night. Survivors described it as a relentless manhunt; many gave up.¹³⁰

9. 12 July: the first prisoners are taken

Units of the Bosnian Serb Drina Corps which had not been deployed for the attack on Zepa were ordered to intercept the column and block its further progress. A number of other units were given similar instructions. They included a brigade of the Special Police of the Republika Srpska's Ministry of the Interior (MUP), sections of a the Military Police battalion of the 65th Regiment and several regular police units. An intercepted communication suggests that all police units were sent from Zvornik to Velja Glava to stop the column in its tracks.¹³¹

The result of the ambushes and shooting was that the Bosnian Serbs were able to take large numbers of men prisoner along the Bratunac to Konjevic Polje road on the afternoon and evening of 12 July. The prisoners had all been at the rear of the column.¹³² The VRS closed the road completely and, using an APC seized from Dutchbat, proceeded in the direction of the villages Pobudje and Kravica (numbers 05 and 06). From these villages, the VRS opened fire with an M84 rocket launcher, causing considerable death and destruction. The wounded had to be left behind. The vast majority of the 28th Division gave themselves up to the VRS on the road. The ABiH estimates of the number concerned run into the thousands. The gunfire and the roadblocks had succeeded in splitting the column up. The front section had now moved off in a north-westerly direction. During the afternoon of 12 July, they crossed the Nova Kasaba - Konjevic Polje road using the bridge at Begova Kuca and then marched onwards towards Mount Udrc.

Not only did the VRS lie in ambush along the Bratunac - Konjevic Polje road. They also called upon the men who were hiding in the forest to give themselves up, promising that if they did so the Geneva Convention would be observed. These actions were carried out by the Special Police under Borovcanin, while the 65th Regiment was sent in the direction of Nova Kasaba. The VRS used stolen UN uniforms and equipment to convince the Muslim men that the operation was being carried out under the supervision of the UN or the International Red Cross. Various witnesses report seeing armoured vehicles seized from Dutchbat by the VRS and further report seeing the VRS use the APCs to persuade refugees to give themselves up. The VRS was now all along the road, with a man posted

¹²⁸ Confidential interview (51).

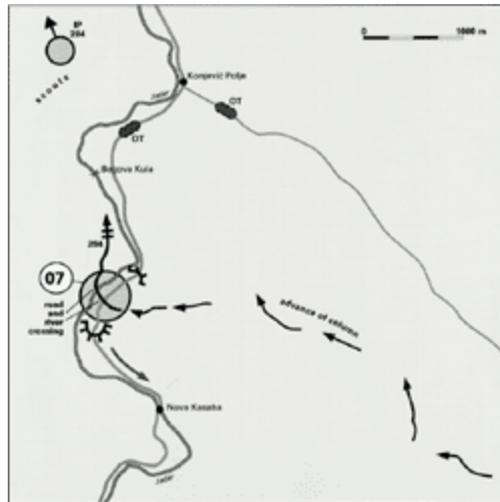
¹²⁹ Interview Hamdija Fejzic, 03/02/98.

¹³⁰ ICTY, (IT-98-33), Judgement, para. 62.

¹³¹ ABiH Tuzla. ABiH 2nd Corps, rapport van 12/07/95, no. 02/8-10-1253. Contents based on intercepts. ICTY, (IT-98-33), Judgement, para. 162.

¹³² ICTY, (IT-98-33), Judgement, paras 63 and 167.

every fifty metres. There were artillery posts at various points, most notably in Sandici where the command post had also been set up.¹³³



At various other locations, the VRS fired with anti-aircraft guns into the woods wherever the presence of Muslim men was suspected. One result of this action, as a Zvornik Brigade intelligence report of 12 July indicates, is that the Bosnian Muslims fled in panic, control over them was lost and many surrendered to the MUP or VRS units, either individually or in groups.¹³⁴

Once taken prisoner, the men were robbed of their personal belongings. In some instances they were executed on the spot. The VRS sent one of the civilians who wished to surrender back towards the column: one of his eyes had been gouged out, his ears had been cut off and a cross carved into his forehead.¹³⁵ A small number of women and children, and a few elderly people who had been part of the column and who fell into Bosnian Serb hands were allowed to join the buses which evacuated the women and children out of Potocari to Kladanj on 12 and 13 July.¹³⁶ Among them was Alma Delimustafic, a woman soldier of the 280th Brigade. The VRS surrounded her group, took them prisoner and transported them to Konjevic Polje. In a field near Konjevic Polje, a VRS captain interrogated the group, asking about the movements of other groups and the senior officers. He also asked if anyone knew the whereabouts of a Dr Branka and the nurse Sister Namka, a friend of Naser Oric. There were various other occasions on which the VRS displayed unusual interest in persons thought to have a connection with Oric. At this time, Delimustafic was in civilian clothes and was released because the VRS did not realize that she was a soldier. She reported seeing two of the captured men being taken off, supposedly to Bratunac but they were killed on the way.¹³⁷ There are also statements from four young boys who had surrendered, who had been taken prisoner at the roadside, but who were then released by the VRS and allowed to join the buses carrying refugees from Potocari. One managed to escape by himself.¹³⁸

Close to Sandici, on the main road from Bratunac to Konjevic Polje, one witness recalls seeing the scene with which the rest of the world was later to become familiar from Zoran Petrovic's video footage: the Bosnian Serbs were forcing a Muslim man to call others down from the mountains. Some

¹³³ ICTY, (IT-98-33), Judgement, para. 63.

¹³⁴ ICTY, (IT-98-33), Judgement, paras 63 and 168.

¹³⁵ Interview Damir Skaler, 31/01/98.

¹³⁶ ICTY, (IT-98-33), Judgement, para. 61-3.

¹³⁷ ABiH Tuzla. Tuzla (Intel Dept) to 2nd Corps, 25/07/95, (Tuzla no.) 11.6.-1-414/95 (2nd Corps no.) 06-712-24-30/95, Results of meeting with persons from Srebrenica. This report was signed by Sarajlic Osman.

¹³⁸ Witness statements before the 'state Commission for the collection of information concerning war crimes committed in the Republic of Bosnia Hercegovina'.

200 to 300 men followed his instructions and descended to meet the waiting VRS. The witness reported that some were then shot on the spot. The brother of the witness was among those who gave themselves up expecting that some exchange of prisoners would take place. The witness himself was more cautious and hid behind a tree to see what would happen next. He heard Bosnian Serbs shouting to ask whether there were any more men in the hills. Despite the assurances of those below that there were not, the VRS fired artillery shells into the cover. The witness watched as the two to three hundred men below were lined up in seven ranks, each some forty metres in length, with their hands behind their heads. He then watched as they were mown down by machine gun fire. His own brother was among the victims, shot while he looked on.¹³⁹

Bosnian survivors report that there was indeed panic at Sandici and that chaos then reigned. A number of people committed suicide, some with a rifle, most with hand grenades which inevitably killed those in the immediate vicinity as well. The witness statements also include reports of a number of Cetniks in civilian clothes who posed as guides and then led people to the VRS lines. They were then executed on the spot. Many people recalled seeing groups walk straight into the hands of VRS soldiers and then falling to the ground in a hail of bullets.

There was also a story that VRS soldiers, having infiltrated the column, gave some people poisoned water and killed others from the remains of the scattered column with knives and rifles on the spot. However, it can be asked whether VRS guides would risk their own lives to lead refugees into the ambushes and if they would give poisoned water on purpose.

Later witness statements allege the use of chemical weapons in the form of poison gas grenades, which would certainly explain the panic which broke out. The problem with such observations in the various witness statements is that they cannot be verified. The investigation of the possible use of chemical weapons is covered in a separate appendix to this report.¹⁴⁰

Exactly which units were responsible for the ambushes at Konjevic Polje and Nova Kasaba could not be established at the time of General Krstic's trial before the International Criminal Tribunal in The Hague. It was indeed the subject of some disagreement. The famous video footage made by the journalist Zoran Petrovic, accompanied by Lt. Col. Ljubisa Borovcanin (Deputy Commander of the MUP Special Police unit) along the road between Bratunac and Konjevic Polje, suggests the involvement of MUP units. However, at the Krstic trial, the prosecution contended that units of the Drina Corps were (also) responsible, since the MUP units were of insufficient strength to seal off the entire road between Bratunac and Nova Kasaba. The defence challenged this. There was some confusion regarding the origins of the equipment seen in the video, which included a tank. It was difficult to determine whether this belonged to the VRS or to the MUP. On closer scrutiny it proved to be an MUP vehicle. However, the other vehicles shown belonged to the 4th Battalion of the Bratunac Brigade and to the 2nd Romanija Brigade. Footage of the military personnel dealing with the Muslim men clearly shows that these were members of the police units and not from the VRS.

There is no conclusive evidence to show that personnel of the Drina Corps were present on the football field at Nova Kasaba where the Muslim men were assembled. However, there are several reported sightings of VRS men in the meadow near Sandici, another location at which a large number of men were brought together. The Muslim men who had been in the second section of the column and who had managed to reach Tuzla reported that both VRS and MUP units had been involved in taking prisoners. They could be recognized by the colour of their uniform.¹⁴¹

At the time of the trial, it was also impossible to state with any certainty whether units of the Drina Corps had been involved in taking prisoners, although the command of the corps must have known what was going on. There was, after all, close cooperation and coordination between the MUP units and the Drina Corps, and in particular the latter's engineering battalion which assisted the MUP

¹³⁹ Confidential interview (55).

¹⁴⁰ Confidential interview (60).

¹⁴¹ ICTY, (IT-98-33), Judgement, para. 173-4.

units in blocking the path of the column. The staff of the Drina Corps were in constant communication with MUP units along the road from Bratunac to Konjevic Polje and followed progress of the events. This can be established by a conversation between General Krstic and Lt. Col. Ljubisa Borovcanin, Deputy Commander of the MUP.¹⁴²

During the course of 12 and 13 July, the VRS was able to intercept radio communications within the column, thereby obtaining information about the present position and the route to be followed. This has been established by a communication intercepted at 16.40 hours on 12 July, from the chief-of-staff of the Zvornik Brigade, Major Dragan Obrenovic, discussing various matters concerning the activities of the column and those of the MUP units which were deployed to lay ambushes along the road to Konjevic Polje.¹⁴³ In a communication timed at 19.00 hours on 12 July, the Drina Corps Commander General Zivanovic issued orders for an intervention to the north-west of Cerska, where a group of approximately 1000 refugees had been sighted. The VRS sent a platoon of the Zvornik Brigade to the location.¹⁴⁴

10. 13 July: the hunt continues

On 13 July, the Drina Corps received orders from the VRS General Staff to take the men of the column prisoner. At the same time, the General Staff ordered the Bratunac - Konjevic Polje road to be closed to all non-military traffic to ensure that no military secrets could be exposed. All personnel were ordered not to divulge any information to the media.¹⁴⁵ VRS General Milan Gvero briefed those brigades most closely involved, describing the column as 'hardened and violent criminals who will stop at nothing to prevent being taken prisoner and to enable their escape into Bosnian territory.' The Drina Corps and the various brigades were ordered to devote all available manpower to the task of finding, stopping, disarming and taking prisoner the men of the column. To do so, they were expected to lay ambushes along the Zvornik - Crni Vrh - Sekovici - Vlasenica road. Gvero stipulated the procedure to be followed when prisoners were taken. This included taking the men to suitable locations where they could be guarded by a minimum of personnel and reporting the arrangements made to the General Staff.¹⁴⁶ That afternoon, General Zivanovic issued orders confirming Gvero's instructions. The order was identical to Gvero's and was directed to all units of the Drina Corps. Round-the-clock ambushes were to be set up and all Serb villages were to be given extra protection. All ABiH prisoners were to be taken to the designated locations and treated as prisoners of war in compliance with the Geneva Convention. Superiors were to be informed of all groups of ABiH prisoners immediately.¹⁴⁷

That same day - 13 July 1995 - the Zvornik Brigade of the VRS reported to the staff of the Drina Corps that all troops not required for the attack on Zepa had been deployed in dealing with the ABiH soldiers travelling to Tuzla. The Zvornik Brigade also reported ongoing skirmishes with units of the 2nd Corps of the ABiH from Tuzla itself. These ABiH units were attempted to exert pressure on the VRS elsewhere as a diversionary tactic, drawing attention away from the column.

Of the VRS units hunting down the sections of the column which had succeeded in crossing the road at Konjevic Polje, the Zvornik Brigade was the most actively involved. The Bratunac Brigade had very little armed contact with the column, being primarily involved in cutting off its progress and surrounding the area to prevent escape.¹⁴⁸

¹⁴² ICTY, (IT-98-33), Judgement, para. 176. The conversation took place at 8.40pm on 12 July.

¹⁴³ ICTY, (IT-98-33), Judgement, paras 162 and 165.

¹⁴⁴ ABiH Tuzla. ABiH 2nd Corps, report based on intercepts, 12/07/95, no. 2/8-10-1253.

¹⁴⁵ ICTY, (IT-98-33), Butler Report, OTP Ex 401, para. 9.7.

¹⁴⁶ ICTY, (IT-98-33), OTP Ex. 532/a. Main Staff of the Army of Republika Srpska (illegible signature) no. 1-1223. See also ICTY, (IT-98-33), D 81/a, General Staff, to Drina Corps Headquarters, Drina Corps Forward Command Post, 13/07/95, no. 03/4-1620.

¹⁴⁷ ICTY, (IT-98-33), OTP Ex. 462/a. Command of the Drina Corps, 13/07/95, No. 03/156-12.

¹⁴⁸ ICTY, (IT-98-33), Judgement, para. 164-5.

During the evening of 13 July, the VRS was still occupied in tracking the movements of the column, and at 20.35 hours Major Obrenovic, Chief of Staff of the Zvornik Brigade reported. An unidentified general then instructed him to take immediate steps to ensure that no Muslims could get through, come what may.¹⁴⁹

The information obtained by the VRS by listening into the internal communications between the groups in the column proved to be an accurate reflection of the actual situation on the ground. The Zvornik Brigade had a special signals section whose task it was to monitor communications and this was particularly successful in following both the movements and the intentions of the column.¹⁵⁰ Similarly, the ABiH 2nd Corps' Signals Intelligence unit was monitoring VRS frequencies and could therefore follow events. In many cases, the intercepts were of instructions and orders issued by VRS commanders, whereby the ABiH could follow the route and the progress of the column.¹⁵¹ However, it was not possible to pass crucial information back to the column itself since there was no direct radio link.

A document produced by the Drina Corps' Intelligence staff on 13 July notes that three large groups of men from Srebrenica had been sighted. An initial group of approximately 300 men preceded the second which was approximately 2000 strong. The third group was bringing up the rear and was also some 2000 men strong. At the time of sighting, the first group was on the Cerska – Kamenica - Crni Vrh road. The second group followed the first almost immediately and they agreed by radio to assemble 'by the line'. This has been taken to mean the Sekovici - Zvornik road and the VRS line from Baljkovica to Ravno Brdo. The third group was sighted close to Kravica, in the village of Siljkovici where they were engaged in combat with VRS units. The leader of this group, who referred to himself as 'Phantom' over the radio, asked the ABiH command for instructions. He reported that there many had been killed or wounded and that the VRS were now using a megaphone to demand their surrender. His group had split up and had fled into the forest. They had lost contact with the rest of the column. Apparently, small pockets of resistance had also remained behind in the former enclave. An ABiH source learned this from communications made by a VRS officer in the enclave and intercepted by the ABiH. There was still some shooting going on there, but the ABiH within the enclave had no lines of defence left. They had been chased into one small area comprising two or three mountain tops. The VRS instructed these remaining resistance fighters to reveal themselves and surrender. They were given until 13 July to do so and if they still remained hidden they would be killed the following day. This ABiH soldier moreover learned that the VRS expected the ABiH soldiers who did not surrender to attempt to reach Kamenica or Pogled by road. To reach Kamenica would involve a journey of 20 or 30 kilometres through densely wooded terrain before any reasonable progress could be made. According to the ABiH source, the VRS officer in the field said that it would take at least another 20 days to search the woodlands thoroughly.¹⁵²

It is not known how many prisoners the Bratunac Brigade was able to take in the area around Srebrenica after the 'sweep' operation ordered by General Krstic (as prompted by General Staff) on 13 July.¹⁵³ OP-A remained manned for some time after the fall of Srebrenica because the personnel were unable to withdraw as the dirt road to Potocari was impassable for their APC. From this OP, in the western part of the enclave, heavy gunfire in the immediate vicinity was reported on 15 and 16 July, although it was not possible to determine exactly what was happening.¹⁵⁴

¹⁴⁹ ICTY, (IT-98-33), Judgement, para. 164.

¹⁵⁰ ICTY, (IT-98-33), Butler Report, OTP Ex. 401, para. 7.62.

¹⁵¹ Interview Sefko Tihic, 08/03/99.

¹⁵² ABiH Tuzla. ABiH 2. KorpUSA, 13/07/95, Str.pov.br. 02/08-01-1262.

¹⁵³ ICTY, (IT-98-33), Krstic Judgement, para. 193.

¹⁵⁴ Interview R.A. Franken, 18/05/01.

11. 13 July: the journey continues

In the early morning of 13 July, the remaining members of the column regrouped on Mount Udrc (map 08). At a rough estimate, the column now comprised 5000 people, i.e. about half of its original size. According to Ramiz Becirovic, it was at this point that the 28th Division command first heard about the VRS road blocks on the Bratunac - Konjevic Polje road. At first, it was decided to send 300 ABiH soldiers back in an attempt to break through the blockades. When reports came in that the column had nevertheless succeeded in crossing the road at Konjevic Polje, this plan was abandoned. Approximately 1000 men managed to reach Udrc that night.¹⁵⁵

There was another unfortunate situation that day, prompting some people to consider turning back. The Police Chief Hakija Meholic reported having listened to Radio Sarajevo on which he heard ABiH Army Commander Rasim Delic say that the men should turn back to Srebrenica, the situation there having 'normalized' whereupon it was now possible for people to return to the town. 'We were supposed to go back to be killed,' according to Meholic. There was considerable confusion and disagreement concerning Rasim Delic's order, since Delic had no up-to-date information regarding the situation in Srebrenica. Some of the men wished to turn back. Delic's order threw many into utter confusion and there was even the threat of some infighting. The men seemed ready to shoot each other and it was only with some difficulty that this could be prevented. Meholic did not know whether any of the other groups had a radio and had heard Delic's message, nor what consequences this might have had. Meholic was able to calm the men. He believes that many now thought that neither side wanted them to leave the enclave alive. Many in their anger may even have thought, 'Let's make sure we leave the enclave, then we can fight the ABiH.' Everyone then wanted to proceed to Tuzla in order to 'clear things up'.¹⁵⁶

When asked about the radio message of 13 July calling on people to return to Srebrenica, Rasim Delic was vague. 'I would have to know the context. I can only imagine that departure would have undermined the morale of those remaining behind. It was important to us that they remained in the enclaves to ensure that Bosnia comprised more than just two free areas. Had the Vance-Owen peace plan been signed, to include a link between the enclaves and the free areas, that would have been a good thing. But that would have been impossible if the enclaves were then deserted.'¹⁵⁷

At 16.00 hours on the afternoon of 13 July, the reassembled head and central section of the column left Udrc and headed for the village of Glodi. One group took another route, probably unintentionally, to Cerska. Some managed to reach Zepa, others arrived in Tuzla after 20 July. The VRS assumed that the entire column would now take a route farther to the west, taking it to Mount Caparde.¹⁵⁸ When the main contingent reached Snagovo (no. 12 on the map), the next main staging post on the journey the following morning - 14 July - it came as a complete surprise to the VRS. Reconnaissance parties had reported VRS ambushes on the road to Caparde, particularly around Mount Velja Glava (no. 11 on map in this section). These reports forced the decision to abandon that route. A report from the Zvornik Brigade revealed that the VRS had indeed prepared itself on the assumption that the column was proceeding to Velja Glava.¹⁵⁹

At Glodjansko Brdo (no. 09) the head of the column under Commander Vejs Sabic waited for the remainder to catch up. The intention was to lead them on to the village of Redzici (no. 10) and from there to Snagovo (no. 12). It was assumed that those left behind (who probably included Ibro Mandzic's brigade) had taken the route to Caparde. The losses that this part of the column sustained

¹⁵⁵ ABiH Tuzla. ABiH 2nd Corps (unnumbered). Additional statement by Ramiz Becirovic, 16/04/98, based on an earlier statement of 11/08/95.

¹⁵⁶ Interview Hakija Meholic, 02/02/98 with additional material supplied on 19/04/98 and 21/05/99.

¹⁵⁷ Interview Rasim Delic, 21/04/98.

¹⁵⁸ NIOD, Coll. MUP Republika Srpska. *Ministarstvo Unutrasnjih Poslova Republika Srpska kabinet ministra to CJB Zvornik, nachelniku, sstad komande policijskih snaga MUP-a, Bijeljina*, 13/07/95. K/p-416/95.

¹⁵⁹ The report was made at 09.10 hours on 14 July. ICTY, (IT-98-33), Krstic Judgement, para. 321.

during a confrontation with the VRS at Kamenica Gornja (no. 09), could be due to miscommunication between the various groups in the column. They had emerged from cover at precisely the wrong place and had walked straight into the VRS ambush that other parts of the column had managed to avoid.

On that same afternoon, the ABiH made preparations to receive the men of the column into Bosnian territory. The 2nd Corps set up a forward command post at the village of Medjedja on Mount Nezuk, from where units could come to the assistance of the 28th Division. Two of the 2nd Corps' battalions stationed around Sarajevo were ordered to move to Medjedja. There they were joined by Naser Oric and several other officers who were themselves originally from Srebrenica, such as Semso Murinovic and Velid Sabic (brother of Vejz), one of the ABiH brigade commanders. They were ordered to make contact with the 28th Division,¹⁶⁰ but were unable to do so. Oric had several radios with him and had hoped that someone in the column would recognize his voice and that he would recognize those of one or more people in the column.¹⁶¹ However, no communication was received from the 28th Division on the frequency that had been agreed between Becirovic and Budakovic during their last communication. Oric and the others had received orders to prepare for combat situations.

12. 14 July 1995

The Zvornik Brigade of the VRS was acting on the assumption that the column was heading for Velja Glava. However, at this time the brigade had no units which could be deployed to halt the column's progress. A battalion of the MUP Special Police under the command of 'Mane' (Captain Mendeljev Djuric, who had earlier been in Potocari and whose unit was later at Konjevic Polje), was instructed to proceed to the area. Further troops would arrive the following morning, having been withdrawn from around Zepa. Until then, the orders from the VRS were to maintain pressure on the column and to continue its observation.¹⁶²

Early in the morning of 14 July, the head of the column reached Josanica Gaj (map 12). The men halted here to rest and recuperate until 16.00 hours that afternoon. The reconnaissance parties had now arrived at Snagovo Gornje (on map 13).¹⁶³ When it moved on, the column passed Snagovo and crossed the Tuzla to Zvornik road later that night. Once again, this came as a surprise to the VRS, since they had expected the column to cross the road somewhere near Caparde. Because the chosen route was somewhat more to the east than had been expected, the VRS now feared an attack on the town of Zvornik, less than two kilometres from the column's route and, given its various crossings over the River Drina, of significant strategic importance. Units of the 24th and 25th Divisions of the 2nd Corps ABiH in Medjedja conducted decoy radio communications which appeared to be in preparation for just such an attack. They actually succeeded in making the VRS believe that an attack on Zvornik was imminent.¹⁶⁴ The VRS hurriedly sent reinforcements to the town. However, opportunities to divert the route of the column to the east and actually attack Zvornik were little more than hypothetical. According to Ramiz Becirovic, the men were physically incapable of any such attack, having spent the last few days in the woods.¹⁶⁵ But the VRS failed to take this into consideration. Only when the column, now two to three kilometres in length, had passed Maricici (map 13) did it become apparent that the men were heading for Baljkovica and Nezuk.¹⁶⁶

¹⁶⁰ Interviews Andjelko Makar with Vejz Sabic, 12/00.

¹⁶¹ *Dani*, 17/03/00, interview Vildana Selimbegovic with General Sead Delic.

¹⁶² ICTY, (IT-98-33), Krstic Judgement, para. 321.

¹⁶³ Interviews Damir Skaler and Muharem Mujic, 17/05/99.

¹⁶⁴ Interview Andjelko Makar, 12/00; see also Sefko Hodzic, *Otpjecaceni koverat*.

¹⁶⁵ Interview Ramiz Becirovic, 18/04/98.

¹⁶⁶ ICTY, (IT-98-33), OTP Ex. 550/a. Command of the 1st Zvornik Infantry Brigade to the Command of the Drina Corps, 14/07/95, no. 06-216/2.



Meanwhile, the 2nd Corps of the ABiH increased the pressure on the VRS. The VRS observed troop movements of the 2nd Corps to Sapna and Medjedja and opened artillery fire on these reinforcements. For its part, the ABiH mortar-shelled the positions now held by the most northerly battalion of the Zvornik Brigade. This action then escalated: in the early morning of 15 July, the 4th, 6th and 7th Battalions of the Zvornik Brigade, holding the lines near Baljkovica where the column was now heading, came under an artillery barrage lasting all of an hour. The VRS sustained only three casualties. The ambulance carrying these wounded men to Zvornik was shot upon by the column at Planinci (map 15), whereupon the driver and a medical orderly were killed. The ABiH soldiers in the column were able to cut the VRS' field telephone lines near Planinci, forcing the battalions to revert to radio communications which were more liable to interception.¹⁶⁷

13. 15 July 1995

In the early evening of 14 July, the ABiH scouts established the presence of VRS ambushes near the villages of Liplje and Maricici (map 13). Likewise, shortly after midnight on 14-15 July, the VRS observed that a column, 2.2 kilometres in length, passed nearby Liplje and, would meet the 4th and 7th Battalions of the Zvornik Brigade early in the morning. These battalions were ordered to muster as much manpower as possible to fire upon the column.¹⁶⁸ The VRS brought in reinforcements from various quarters and a Bosnian Serb police unit also lay in wait for the column. The column was unable to avoid this ambush and a full-scale battle resulted. Some survivors recall this as the worst of all the ambushes they encountered. The VRS fired on the column with tanks and anti-aircraft guns. Many were killed.¹⁶⁹ The Zvornik Brigade reported one hundred ABiH fatalities.¹⁷⁰ According to Ramiz Becirovic, some 300 Muslims were killed. Again, the foremost sections of the column were relatively unaffected, it being those farther back which suffered the greatest number of casualties. The fighting was fierce and Becirovic learned after the war that 88 Bosnian Serbs were killed,¹⁷¹ although this figure has not been corroborated by the VRS's own reports or casualty lists.

On 15 July, the VRS command called the commander of the first Zvornik Brigade, Vinko Pandurevic, back from Zepa to organize the defence of Zvornik. Units of the brigade which had been involved in the fighting around Srebrenica and Zepa were also recalled. In the morning, Pandurevic

¹⁶⁷ ICTY, (IT-98-33), OTP Ex. 597/a. Command of the 1st Zvornik pbr to Command of the Drina Corps, 15/07/95, No. 06-217.

¹⁶⁸ ICTY, (IT-98-33), D 100/a. Command of the 1st Zvornik Infantry Brigade, 14/07/95, number illegible.

¹⁶⁹ *Refugee Report*, Vol. XVI, No. 5, 31/07/95, p. 8.

¹⁷⁰ ICTY, (IT-98-33), D 101. Lt Col. Vinko Padurevic to Drina Corps Command, Extraordinary Combat Report, (15/07/95).

¹⁷¹ Interview Ramiz Becirovic, 18/04/98.

familiarized himself with the current situation: the Zvornik Brigade had absolutely no reserves. No major problems had yet been experienced on the front line, though units of the 2nd Corps were however firing, with varying intensity, upon the Zvornik Brigade with artillery and tanks. The outer areas of the town of Zvornik were also hit. Once the column commenced its attack at approximately 04.30 hours, the battalions which were supposed to lay the ambushes came under yet heavier fire. Four VRS men were killed and ten wounded.¹⁷² Pandurevic learned that Naser Oric was coming to meet the column. However, reports that Oric had already broken through at that moment were based on misinformation.¹⁷³

The foremost section of the column had by now crossed the Zvornik to Caparde road and was engaged in an assault on the two battalions of the Zvornik Brigade. This was a cause of great concern to the Intelligence section of the 1st Zvornik Brigade since it would be impossible to hold back the column (now thought of as 'kamikazes') with only the 500 VRS and MUP men available. It was felt that the higher command should deploy strong units to advance into the area between Udrc, Liplje and Krizevici. The Zvornik Brigade's Intelligence section then advised the command of the Drina Corps to consider opening up a corridor to allow the front section of the column, estimated to comprise some 1500 men, to pass. This corridor would then be closed off and the area swept. Pandurevic told the Drina Corps that he had contacted the ABiH and had offered to allow the civilians in the column to pass if the remainder would give themselves up. If this offer was not accepted, reinforcements would be urgently required. Because Naser Oric was also in contact with the column, the Zvornik Brigade feared an attack on the front line where it stood.¹⁷⁴

At 20.00 hours on 15 July, the column reached the area by Krizevici (no. 16 on the map), only two kilometres from its own lines. The second section of the column regrouped in the area close to Liplje (no. 13 on the map). The livestock which had been brought along was left by Udrc, as was the meagre logistic support that had been available.¹⁷⁵

The evening of 15 July saw the first radio contact between the 2nd Corps and the 28th Division, established using a Motorola walkie-talkie taken from the VRS. After initial distrust on the part of the 28th Division, the brothers Sabic were able to identify each other as they stood on either side of the VRS lines.¹⁷⁶ An unexpected turn of events was the capture of a VRS officer, Major Zoran Jankovic, near Liplje. This provided the ABiH with a significant bargaining counter. The 28th Division made Jankovic contact his commanding officer, codenamed 'Janez', to negotiate free passage. Semso Murinovic, then at the forward command post in Medjedja (the village on Mount Nezuk) conducted the negotiations on behalf of the 2nd Corps, dealing directly with the Commander of the Zvornik Brigade, Vinko Pandurevic, to obtain free passage to Tuzla for all the men.¹⁷⁷ Pandurevic offered to allow the civilians to pass and the military personnel to surrender. However, this was not acceptable to the ABiH commander on 'the other side'; everyone must be allowed to pass.¹⁷⁸

These negotiations were far from straightforward and took considerable time. The VRS demanded two hours to consider whether unarmed men could or should be allowed through. When these two hours had elapsed, the VRS demanded another hour. The VRS then announced that the column had been completely surrounded and that all personnel should now surrender under the terms of the Geneva Convention. The response from the ABiH was that the troops had no intention of giving themselves up and were prepared to engage in armed combat to break through the VRS line.¹⁷⁹

¹⁷² ICTY, (IT-98-33), D 101. Lt Col. Vinko Padurevic to Drina Corps Command, Extraordinary Combat Report, (15/07/95).

¹⁷³ ICTY, (IT-98-33), OTP Ex. 608/a. Intercept Tuzla CSB, 15/07/95.

¹⁷⁴ ICTY, (IT-98-33), OTP Ex. 596/a. 1st Zvornik Infantry Brigade, Intelligence unit to Drina Corps Command, 15/07/95; ICTY, (IT-98-33), D 101. Lt Col. Vinko Padurevic to Drina Corps Command, Extraordinary Combat Report, (15/07/95).

¹⁷⁵ Interviews Andjelko Makar with Vejz Sabic, 12/00.

¹⁷⁶ Interview Hakija Meholic, 02/02/98, with additional material supplied on 19/04/98 and 21/05/99.

¹⁷⁷ Interview Semsudin Muminovic, 16/06/00.

¹⁷⁸ ICTY, (IT-98-33), OTP Ex. 609/a, Command of the 1st Zvornik Brigade, 15/07/95, no. 06/217-1.

¹⁷⁹ Interview Hakija Meholic, 02/02/98 with additional material supplied on 19/04/98 and 21/05/99.

According to some reports, Zulfo Tursunovic was also in radio contact with the VRS on 15 July (from his position at Krizevici) and he too requested free passage for all. If this was granted, his soldiers would not open fire. The VRS demanded that they should hand over their weapons, whereupon Tursunovic proposed an agreement whereby the wounded and unarmed civilians would be allowed to pass. But the VRS continued to demand that all personnel should surrender and that all weapons should be relinquished. Zulfo Tursunovic repeated his request in what was to be his final radio communication. When the VRS once again refused Tursunovic told his troops to ‘fight until the very last man’.¹⁸⁰

14. 16 July: the breakthrough at Baljkovica

The hillside at Baljkovica formed the last VRS line separating the 28th Division from Bosnian-held territory. The VRS cordon actually consisted of two lines (map 17), the first of which presented a front on the Tuzla side against the 2nd Corps and the other a front against the approaching 28th Division. The VRS troops in position here included the 1st Zvornik Brigade under the command of Lieutenant Colonel Vinko Pandurevic and the Drina Wolves under the command of Captain Jolovic, codenamed ‘Legenda’. Troops commanded by Major Obrenovic and the 4th Zvornik Brigade were also deployed here.

Following an unsuccessful attempt to reach the ABiH front line on 15 July, the head of the column assisted by the 2nd Corps succeeded in doing so on 16 July. At approximately 05.00 hours on 16 July, the 2nd Corps made its first attempt to break through the VRS cordon from the Bosnian side. This took place close to Baljkovica. The objective was to force a breakthrough close to the hamlets of Parlog and Resnik. Companies drawn from the 211th, 242nd and 243rd Brigades of the ABiH took part in this action, having been transported here from Srebrenik north of Tuzla. They were joined by Naser Oric and a number of his men. Sead Delic, Commander of the 2nd Corps, told Malkic, Commander of the 24th Division, that Naser Oric was expected to make physical contact with the 28th Division.

At 06.00 hours, the 2nd Corps made a second attempt to force a breakthrough and this time it was successful. Semsudin Murinovic was the Commander of the group which managed to drive a wedge through the line. Oric was involved but, according to Murinovic, was under the latter’s command.¹⁸¹ According to Sead Delic, it was certainly not Oric who was responsible for the breakthrough but the other units.¹⁸² The Zvornik Brigade, the three battalions of which formed the target for this operation, described this as a very heavy combined artillery and infantry attack. The objectives of the VRS were clear: the ABiH was trying to penetrate the VRS defences in order create conditions to enable a large number of soldiers and civilians to leave the area.¹⁸³ The VRS lines were indeed penetrated, defence being hampered by heavy rainfall and hail. This was a combined offensive: the 28th Division carried out an action on one side of the front, while the foremost section of the column carried out a desperate all-out storm action on the other. After a brief reconnaissance raid, Ejub Golic with his battalion and Vejz Sabic with the 284th Brigade attacked the VRS line. They were able to capture several heavy arms including two Praga self-propelled anti-aircraft pieces which were then turned on the VRS. Ejub Golic was killed during this action and Vejz Sabic was wounded. Becirovic believed that the heroic actions of Ejub Golic accomplished the opening of the corridor.

From the direction of Tuzla, the VRS line was penetrated near Poljane at approximately 08.00 hours. This was accomplished by 26 soldiers of the 2nd Corps’ 242nd Brigade, under the command of Senahid Hadzic, together with five of Naser Oric’s men. It proved possible to drive a two-kilometre-wide breach in the VRS lines, although the VRS later maintained that the opening was no more than

¹⁸⁰ Interviews Damir Skaler and Muharem Mujic, 17/05/99.

¹⁸¹ Interview Semsudin Muminovic, 17/05/99.

¹⁸² *Dani*, 17/03/00, Vildana Selimbegovic’s interview with General Sead Delic.

¹⁸³ ICTY, (IT-98-33), OTP Ex. 612/a. Command of the 1st Zvornik Brigade to Command of the Drina Corps, 16/07/95, no. 06-218.

300 to 400 metres. The foremost section of the column was thus able to pass through the corridor, but because it was not possible to keep the corridor open for the groups which arrived later, many among these groups were killed.¹⁸⁴ The captured anti-aircraft pieces had to be relinquished once more and the hunt for stragglers was resumed with the same intensity as before the temporary ceasefire.¹⁸⁵ The rearmost section of the column was therefore the worst affected, just as it had been when crossing the road at Konjevic Polje.

At 10.00 hours, the command post at Medjedja reported to the 2nd Corps command in Tuzla that it had established contact with the 28th Division. A huge procession with a company of troops at the fore had been sighted. By this time, six soldiers had managed to reach the 2nd Corps' positions. They reported that the 28th Division had sufficient ammunition but little or no food.¹⁸⁶ Some men had thrown away their weapons on reaching the VRS lines in case they were taken prisoner. Others had taken up these weapons. One person recalled having started the journey with no weapon at all and finishing with a machine gun, having had three different weapons en route and having collected a large amount of ammunition.¹⁸⁷

Early in the afternoon, the 2nd Corps and the 28th Division of the ABiH met each other in the village of Potocani (no. 17 on the map). The moment was recorded by a photographer, Ahmed Bajric. The presidium of Srebrenica were the first to reach Bosnian terrain. Remarkably, a group of ABiH soldiers managed to reach Medjedja in a captured jeep bearing Yugoslav army identification marks, having killed the five original occupants of the vehicle. This was the only indication that the Yugoslav army may have been involved in any action against the column.¹⁸⁸

The opening-up of the corridor had not been subject to very much advanced planning. It was largely the result of a desperate attack. Intercepted VRS radio communications describe a mass assault carried out by the 28th Division. In many instances, unarmed Bosnian Muslims took on the VRS soldiers with their bare hands. Lieutenant Colonel Pandurevic, Commander of the Zvornik Brigade, stated that he had taken the decision to open up the corridor to allow unarmed personnel in the column to pass, in view of the enormous pressure being placed on his men.¹⁸⁹ As a VRS soldier later recalled, 'we did not believe that any of the Muslims would leave Bosnian Serb territory alive.' In fact, the VRS troops found themselves surrounded by men who had already made their minds up: they would break through this line or would die in the attempt. They were extremely highly motivated and really had no other choice having already come this close to Tuzla.¹⁹⁰

During his interview with the NIOD, Ramiz Becirovic declined to put a figure on the ABiH's losses at Baljkovica Donja. However, it is known that a considerable number of VRS personnel (mostly of the Drina Wolves) were killed, having been caught between the column trying to reach Tuzla and the forces which had come from the other direction to assist. According to Becirovic, the help of the 2nd Corps came too late as the 28th Division had already managed to fight its way through the VRS lines. Becirovic did not know the strength of the ABiH support force.¹⁹¹

Pandurevic reported to the Drina Corps that, in view of the pressure being exerted on his brigade and the losses already sustained, it was no longer possible to offer effective resistance. To avoid further losses among his own men, Pandurevic had decided to open up a corridor for the civilian population. In doing so he had reached agreement with Semsudin Murinovic. It seems probable that a number of ABiH soldiers were also able to escape through this corridor, although the majority of

¹⁸⁴ Interview Salih Brkic, 19/04/98.

¹⁸⁵ *Slobodna Bosna*, p. 28-31, 11/07/98. (FBIS translation).

¹⁸⁶ Sefko Hodzic *Otpjecaceni koverat*, p. 277.

¹⁸⁷ Interview Muharem Mujic, 17/05/99.

¹⁸⁸ John Pomfret, 'Bosnian Soldiers Evade Serbs in Trudge to Safety', *The Washington Post*, 18/07/95.

¹⁸⁹ ICTY, (IT-98-33), Krstic Judgement, para. 165.

¹⁹⁰ Zeljko Palnincic, 'The call for help goes out to the rest', *Banja Luka Srpska Vojaska*, 03/11/95. (FBIS translated text).

¹⁹¹ Interview Ramiz Becirovic, 18/04/98.

people passing through it were indeed civilians. In return for allowing this safe passage, Pandurevic had demanded the release of a policeman and several soldiers who had been taken prisoner.¹⁹²

The corridor remained open for three hours. Pandurevic had orders given orders that the men were not to be fired upon unless his own troops were under direct threat. He also ordered the artillery bombardment to be suspended. One Bosnian source reported that three thousand Muslim men would have been able to pass through the corridor, but also contends that better advantage could have been taken of the confusion that was then rife among the Bosnian Serbs. Once the VRS had regrouped, the temporary ceasefire came to an end. During the night of 16 and 17 July, the VRS made it their business to track down and deal with any remaining ABiH troops in the area.¹⁹³

Pandurevic did not consult his superiors about opening up the corridor. When Karadzic heard about it, he asked the headquarters of the General Staff for further information. The General Staff, Mladic was later told, could not contact Pandurevic in the field to prevent him from taking any unauthorized action.¹⁹⁴ Pandurevic's decision was born of necessity because the Zvornik Brigade did not have the strength or resources to block the further progress of the column. Pandurevic made at least two complaints about the problems laid at his door during this period. One small section of his own unit together with a number of other units attached to his brigade, were involved in seeking suitable sites to hold 3000 Muslim men before going on to execute them and, later still, to obscure the evidence. At the same time, he was not only expected to block the progress of the column by force, he was also responsible for much of the confrontation line with the 2nd Corps of the ABiH. Pandurevic was in a particularly awkward situation because Zvornik could no longer be defended, whereupon its people were to accuse him of forsaking them as the price for the capture of Srebrenica.¹⁹⁵ On 16 July he was provided with some assistance from the Krajina Corps.¹⁹⁶

15. 17-20 July: the battle with the stragglers

Following the successful breakthrough at Baljkovica, the VRS stepped up its efforts to 'sweep the area clean'. Around Srebrenica, the Bosnian Serbs - including a number of MUP units - had already expended considerable energy in combing the area. On 13 July, when it became apparent that a number of pockets of resistance remained, General Krstic ordered units of the Bratunac and Milici Brigades and the Skelani Battalion to scour Srebrenica thoroughly.¹⁹⁷

On 15 July, Colonel Ignjat Milanovic, the Drina Corps' officer in charge of Air Defences, suggested that Colonel Vidoje Blagojevic, then Commander of the Bratunac Brigade, should be placed in charge of all units then engaged in cleansing the area around the enclave. Krstic agreed. On 16 July, Blagojevic was able to report that he had personally visited all units, including those of the MUP, in order to coordinate their action. However, the coordination of such activities was taken over by the General Staff on 17 July.¹⁹⁸

General Mladic sent instructions concerning the coordination of operations to round up and destroy the remaining ABiH directly to the brigades of the Drina Corps. Mladic assigned three colonels from the General Staff to the Zvornik Brigade to assist in planning and leading the combat operation to be undertaken by the VRS and MUP around Kamenica, Cerska and Udrc. Lieutenant Colonel Keserovic, staff officer representing the Military Police on the General Staff, was also assigned units of the Bratunac and Milici Brigades, the Military Police Battalion, the 67th Signals Regiment, the 65th Regiment and MUP units, with orders to sweep the areas around Bratunac and Milici. This task was to

¹⁹² ICTY, (IT-98-33), Butler Report, OTP Ex 401, para. 7.72.

¹⁹³ *Slobodna Bosna*, p. 28-31, 11/07/98. (FBIS translation).

¹⁹⁴ ICTY, (IT-98-33), OTP Ex. 636/a. Intercept Tuzla CSB, 16/07/95, No. 664.

¹⁹⁵ ICTY, (IT-98-33), Butler Report, OTP Ex 401, para 7.71 and 7.75.

¹⁹⁶ ICTY, (IT-98-33), Dannatt Report, OTP Ex. 385/a, para. 56.

¹⁹⁷ ICTY, (IT-98-33), Judgement, para. 287, 318.

¹⁹⁸ ICTY, (IT-98-33), Judgement, para. 287, 324.

be completed by 20.00 hours on 19 July. Immediately thereafter, Keserovic was expected to submit a plan to Mladic to continue operations towards Cerska. The brigade commanders approached the civilian authorities to provide additional manpower to search the area.¹⁹⁹ One explanation for the rather unusual step of placing officers of the General Staff in charge of this operation is that the Zvornik and Bratunac Brigades had by this time become involved in the attack on Zepa, whereupon the presence of the brigade commanders was required elsewhere.²⁰⁰

On 18 July, two battalions of Bratunac Brigade together with a number of civilians mobilized to help them, were engaged in searching the territory around the Pobudje hills, south of the Bratunac to Konjevic Polje road, which the column had crossed. They were also scouring the area around Konjevic Polje itself. There were still several small groups of men in this area, trying to reach Tuzla via Cerska.²⁰¹ The next day, the search was extended to cover a wider area around Potocari.²⁰² The Bratunac Brigade continued the search for several more days. On 20 and 21 July, the Brigade found several groups of men in the Pobudje and Konjevic Polje areas. They had been trying to break through to Tuzla. Every day, sections of the terrain were 'cleansed' and groups of fugitive men were murdered on the spot.²⁰³

During the search, the Bratunac Brigade discovered four children aged between eight and fourteen among the prisoners they took. They were taken to the barracks in Bratunac where they were placed in confinement. When one of them had described seeing a large number of ABiH soldiers committing suicide and shooting at each other, Brigade Commander Blagojevic suggested that the Drina Corps' press unit should record this testimony on video.²⁰⁴ It is not known whether any such recording was made. The fate of the boys also remains uncertain.

Elsewhere in the region, the Zvornik Brigade spotted several small groups close to Snagovo, moving in a northerly direction. At the same time, ABiH infantry units were firing on Zvornik Brigade battalions to the north of Baljkovica in an apparent attempt to prevent these units being able to move south to reinforce the VRS in their hunt for the remaining refugees.²⁰⁵ The ABiH units' pressure continued on 19 July, but the intensity of fire was not great. The Zvornik Brigade had been joined by other VRS units, but the strength was still no more than a company together with one platoon. Units of the MUP were by now preparing to close off the area. The Zvornik Brigade's losses on 19 July were just one man killed and another wounded. The Brigade took two ABiH soldiers prisoner that day and 'eliminated' thirteen.²⁰⁶ The exact course of events can be reconstructed from the testimony of one of the ABiH prisoners of war, related below.

16. A prisoner of war's story

So far, the events during the march to Tuzla have been considered at the broadest level. Next, the attention is shifted to a much narrower perspective, that of a single soldier in the rearmost part of the column, in order to illustrate the horrific experiences people were forced to undergo.

¹⁹⁹ ICTY (IT-98-33), OTP Ex. 649/a. Command of Colonel General Ratko Mladic to DK Command for information, 1 zpbr, 1 blpbr, 1 mlpbr, 67 pv, 17/05/95, no. 03/4-1670.

²⁰⁰ ICTY, (IT-98-33), Butler Report, OTP Ex 401, para. 12.15.

²⁰¹ ICTY, (IT-98-33), OTP Ex. 382/a. Command of the 1st Bratunac Light Infantry Brigade to the Drina Corps Command, 18/07/95, No. 03-253-107.

²⁰² ICTY, (IT-98-33), OTP Ex. 377/a. Command of the 1st Bratunac Light Infantry Brigade to the Drina Corps Command, 19/07/95, No. 03-253-108.

²⁰³ ICTY, (IT-98-33), OTP Ex. 383/a and 3834/a. Command of the 1st Bratunac Light Infantry Brigade to the Drina Corps Command, 20/07/95, No. 03-253-109 and 21/07/95, No. 03-253-110.

²⁰⁴ ICTY, (IT-98-33), OTP Ex. 375/a. Command of the 1st Bratunac Light Infantry Brigade to the Drina Corps Command, 17/07/95, no. 03-253-106/1.

²⁰⁵ ICTY, (IT-98-33), OTP Ex. 676/a. Command of the Zvornik pbr to the Command of the Drina Corps, 18/07/95, no. 06-223.

²⁰⁶ ICTY, (IT-98-33), OTP Ex. 693/a. Command of the Zvornik pbr to the Command of the Drina Corps, 19/07/95, no. 06-224.

On the morning of 19 July, a soldier of the 284th Brigade was one of a group of ten men which arrived at a spot close to the VRS line at Baljkovica. They had been at the rear of the column and were now exhausted. They wanted to rest before attempting to cross into their own lines. The group hid themselves among pine trees and a clump of tall nettles and fell asleep. It was 14.00 hours when they were awakened by the noise of rifle bolts being drawn. The soldier looked up and saw a weapon. He lay there with a neighbour and his son-in-law, while his brother, four other neighbours and a friend lay just ten metres away. The Bosnian Serbs began to scream: 'We have seen you. You are surrounded. Stand up!' His brother-in-law, neighbour and family duly stood, as did an uncle and his son-in-law, but the soldier himself did not wish to stand up. The order to do so was heard several more times, but he remained crouching, waiting for the sound of a rifle shot. Twenty-five metres away stood a line of VRS soldiers. They fired shots into the bushes. Yet again they demanded that the group should give themselves up, and then again. The soldier then realized that those who had indeed already given themselves up were being shot.

This soldier had obtained a weapon in Kamenica. He considered opening fire, but realized that this would give his position away. He therefore waited in silence, and noticed that the Bosnian Serbs were doing nothing. He heard someone order the men on to search the next section. This was where he was hiding and he really did not believe that he could now survive. He was not sure whether any of his companions were still alive. He decided to stand up in order to increase his chances of survival. The Bosnian Serbs asked him where he had been all that time and he replied that he had been fast asleep, this being his first opportunity to sleep at all for the last seven days. The Bosnian Serbs then asked if there was anyone else among the bushes, to which he replied that he did not know. The butt of a gun was pushed against his hip and he was prodded forwards and made to walk down the hillside. He then saw that his brother also stood up, he too had a rifle. (Almost everyone in the column had the opportunity to arm themselves in one way or another, some taking weapons from dead VRS soldiers.)

Apparently, the Bosnian Serbs thought that the soldier's brother was about to shoot. The commander gave the order to open fire. The soldier then saw four people, his own brother among them, shot dead on the spot. In all probability, they were later buried in an old trench along the former front line. Five others from the group who had surrendered half an hour previously were lying on the ground and were being interrogated. Jewellery such as rings and watches were taken off them, whereupon the paramilitaries began to haggle among themselves as they divided up the spoils. The men on the ground remained unharmed for the time being.

The Bosnian Serbs asked the soldier whether he was indeed military personnel. He did not know what the others had been asked and whether they had already said that he was a soldier. Furthermore, if he denied it he might be shot. He therefore admitted that he was a soldier. This proved to be the right answer, since the response was, 'that's what you should say, at least you're honest'. Those who had been interrogated before him had all denied any military involvement, whereupon the next question was: who had actually been fighting to protect Srebrenica?

The others in the group were moved just four or five metres away. One was then shot in the back as the soldier in question looked on. When his brother-in-law's turn came, the man said, 'please... I was not a soldier!' He too was shot in the back but the bullet re-emerged just below his shoulder and the brother-in-law survived.

At first the ABiH-soldier was threatened with another method of execution. He was told that he was to be killed with a knife. One of the Bosnian Serb paramilitaries was indeed playing with a knife, but his commander ordered that this was not to be used: perhaps it would be possible to exchange the soldier for one of their own prisoners. Apparently the VRS needed thirty ABiH soldiers to exchange for one of their own officers who had been taken prisoner. This soldier owed his life to this arrangement.²⁰⁷

²⁰⁷ Confidential interview (55).

These incidents involved no regular VRS units. Rather, they were the work of the Special Police and police personnel from Zvornik. The senior officer at the location wrote down the names of the people who had been killed. Throughout the operation he was in radio contact with one Vukasinovic (possibly of the Military Police), from which it became obvious that he had no authority to act independently. Only when the commanding officer asked what he should do with the others was he told to decide for himself.²⁰⁸

Having been taken prisoner, the ABiH soldier was first interrogated in Karakaj. He was asked why he had become a soldier, where he had been in action, how many people he had killed, and if he knew who had killed the persons they mentioned. He named only people whom he knew were already dead.

For three days he was held prisoner in a paint factory in Zvornik, tied up in a toilet with his hands fastened to a tap above his head. He was the first to be confined at this location, but was to be followed by another 39 Muslim men who had been taken captive in various places. They included children of about 14 or 15 years of age. All were later transferred to the prisoner of war camp at Batkovici. There, he was put to work in a flour mill every day. The food in the camp was poor, but the advantage of working in the mill was that he was able to eat the flour and could smuggle some out in socks for the other prisoners in the camp.

Some prisoners from this camp were exchanged. The wounded and anyone who did not feel well were the first to be considered for such exchanges. There were inspections by the International Red Cross but according to this soldier, they had been instructed to look only in certain places and were allowed to stay no longer than half an hour. The prisoners' treatment improved only after the Dayton Accord had been signed. For example, clothes were distributed. The soldier was himself exchanged late 1995. At that time, there were still 229 men from Srebrenica in the Batkovici camp, including two men who had been taken prisoner in June or July 1994. These had not taken part in any combat action but had merely been working in the fields close to the confrontation line.²⁰⁹

17. After 20 July

Many members of the ABiH 28th Division and Muslim men in the column heading for Tuzla lagged behind, stranded for the moment in Bosnian Serb-held territory. They chose to follow the clearly visible tracks of those who had preceded them. Given the large number of missing persons, it could reasonably have been expected that many groups would follow, even after 20 July. The VRS observed a group of around 200 to 300 men close to Snagovo, most of whom were armed. Some were taken prisoner; two committed suicide.²¹⁰ The following day, further groups of armed ABiH men were found during the search of the area. The Bircani Brigade, sent as reinforcement to the area along the confrontation line, reported that they now had matters under control but they too were beset by difficulties due to the ABiH activity along the front.²¹¹

The VRS continued to suffer losses. Lieutenant Colonel Pandurevic of the Zvornik Brigade complained that his unit had been involved in active operations for too long and that he had been given no time for rest. This, he claimed, had resulted in his unit suffering 39 deaths, 6 men missing and 91 casualties. A large number of armed groups were wandering the rear-area of the brigade, while the

²⁰⁸ Confidential interview (55).

²⁰⁹ Confidential interview (55). Other sources give the number of 230 men. They too complained of poor food and poor living conditions in the camp, the only positive point being that there was little or no physical abuse. Of the 230 prisoners, approximately 180 had been captured during the march to Tuzla. (Hren, *Srebrenica*, pp. 219-221 and 233).

²¹⁰ ICTY, (IT-98-33), D 110/a. Command of the 1st Bircani Infantry Brigade to Command of the Drina Corps, 20/07/95, no. 03/1-721.

²¹¹ ICTY, (IT-98-33), D 110/a. Command of the 1st Bircani Infantry Brigade to Command of Drina Corps, 21/07/95, no. 03/1-722.

ABiH was still making attempts to break through the front line.²¹² The 2nd Corps tried unsuccessfully to reopen the corridor by means of an assault. The morale of the ABiH troops had fallen; Oric was no longer in the battlefield and the attack could now be conducted on one side only.²¹³ General Sead Delic would later berate Oric for not having remained in the corridor to defend it and to organize matters there. Instead, he had proceeded onwards with his men.²¹⁴

At about 21.00 hours on 22 July, the ABiH commenced a three-pronged attack on the 3rd Battalion of the Zvornik Brigade. This VRS battalion was occupying the lines further to the north of Baljkovica. The assault was followed by another shortly after midnight on the area held by the 4th Battalion of the Zvornik Brigade, which was closing the line near Baljkovica. Again, the objective was to force another breakthrough. In a situation report, the VRS battalion commander estimated the strength of the ABiH attacking force, now exerting considerable pressure, to be in the region of fifty men. Six of these were killed. In the morning of 23 July, the ABiH launched yet another attack, this time to the south of Baljkovica. This was also unsuccessful. Thereafter, the fighting was limited to sporadic gunfire aimed at the VRS positions. The VRS losses were one dead and one injured. The ABiH did not enjoy sufficient strength of numbers and its actions were restricted to infantry attacks. By contrast, the VRS was in the highest possible state of readiness. This was essential since the groups attempting to pass the confrontation line would stop at nothing to do so. Twenty Bosnian Muslims were killed in the attempt, while seven were taken prisoner. Another group of some 50 armed men and 200 unarmed men were spotted approximately one kilometre from the forward line.²¹⁵

Further to the south, along the route between Planinci and Brezik (no. 14-15 on the map) units of the Zvornik Brigade and the MUP were still combing the terrain for remaining Muslim refugees. Ten men were killed in this area. According to VRS reports, most were carrying automatic weapons. Twenty-three men were taken prisoner; the reports describe these as soldiers but unarmed. In all probability they were civilians. At another location, a further 17 men were taken prisoner. Brigade Commander Vinko Pandurevic asked the Drina Corps to waste no time in setting up a committee to oversee the exchange of prisoners, and further requested instructions regarding where he should take his prisoners and to whom he should hand them over. On interrogation, it seemed that several groups had turned back to Udrc (no. 08 on the map) when they found it impossible to pass the VRS posts, cross the lines at Baljkovica or establish a route to Kladanj along the Caparde road.²¹⁶

Yet farther south, numerous refugees found themselves cut off for some time in the area around Mount Udrc. They did not know what to do next or where to go. They managed to stay alive by eating snails, leaves and mushrooms. The atmosphere was one of tension, hunger and desperation. None knew how the others had fared. On or about 23 July, the Bosnian Serbs swept through this area too, and according to one survivor they killed many people as they did so.²¹⁷

The reports of the Bratunac and Zvornik brigades say little about the activities of the Bosnian Serb civilian population in tracking down the remaining refugees. It is known that for a while some civilians had been forced to join in the hunt in the area under the control of the Bratunac Brigade. The Zvornik Brigade makes no mention of civilian assistance. Nevertheless, a father and son - both VRS conscripts - were given three days' detention for failing to report the sighting of 'enemy forces', having supplied four Muslim men with food and clothing and explained to them how to pass the lines. The men concerned, however, lost their way, were exhausted and decided to give themselves up in a Bosnian Serb village. They revealed the names of their erstwhile benefactors to the Military Police in Zvornik.²¹⁸ The names of these four men are included on the list of missing persons but it is possible

²¹² ICTY, (IT-98-33), D 103/a. Lt. Col. Vinko Pandurevic to the Command of Drina Corps, 21/07/95, no. 01-272.

²¹³ Interview Semsudin Muminovic, 17/05/99.

²¹⁴ *Dani*, 17/03/00, interview by Vildana Selimbegovic with Sead Delic.

²¹⁵ ICTY, (IT-98-33), OTP Ex. 391/a. 1st Zvornik pbr to Drina Corps Command, 23/07/95, no. 06-230/1.

²¹⁶ ICTY, (IT-98-33), OTP Ex. 708/a. 1st Zvornik pbr to Drina Corps Command, 22/07/95, no. 06-229.

²¹⁷ Hren, *Srebrenica*, p. 238.

²¹⁸ ICTY, (IT-98-33), OTP Ex. 707/a and 706/a. Zvornik Military Police, 23/07/97 and 25/07/95.

that they were survivors of the mass-executions at the Branjevo Military Farm. The village where they made contact with the father and son conscripts was not far from Branjevo, less than twenty kilometres north of Baljkovica. According to one of the Bosnian Serb benefactors, the men's clothes were soaked in blood. This ties in with the story of another Branjevo Farm survivor who reported that he had left the execution site along with four other men.²¹⁹

The Zvornik and Bratunac Brigades had by no means given up their search for stragglers, although the large-scale executions now seemed to have come to an end. (The full story of these executions is recounted in Chapter 2 of this part). However, this is not to say that the killing had stopped; reports of 'liquidations' continued to come in from the field but many of those who were captured or who gave themselves up after 20 July were taken to the prisoner of war camp at Batkovici.

As said, on 22 July, the commanding officer of the Zvornik Brigade, Lieutenant Colonel Vinko Pandurevic, requested the Drina Corps to set up a committee to oversee the exchange of prisoners. He also asked for instructions with regard to the prisoners of war his unit had already taken: where they should be handed over and to whom.²²⁰ On 25 July, the Zvornik Brigade took a further 25 ABiH soldiers captive. They were taken directly to the camp at Batkovici. The same fate befell another 34 ABiH men the following day. The Zvornik Brigade reports until 31 July continue to describe the search for refugees and the capture of small groups of Muslims.²²¹ On 26 July, the Bratunac Brigade also reported the presence of small groups of men in its area, and as late as 18 October 1995 Major Nikolic of this brigade suggested closing of the village of Slapovic within the former enclave in order to track down remaining Muslim men.²²²

Meanwhile, the VRS had commenced the process of clearing the bodies from around Srebrenica, Zepa, Kamenica and Snagovo. Work parties and municipal services were deployed to help. In Srebrenica, the refuse that had littered the streets since the departure of the people was collected and burnt, the town disinfected and deloused.²²³

The ABiH 2nd Corps' forward command post at Medjedja closed on 30 July, indicating that they too had given up any hope of further refugees being able to pass the lines at Baljkovica. Nevertheless, small groups and the odd individual did manage to reach Bosnian territory. On 5 August 1995, during a meeting of the SDA party council in Zencia, ABiH Commander Rasim Delic said that he considered it likely that another 500 to 600 soldiers would soon reach Tuzla to join the 3600 men who had already arrived.²²⁴ Between this day and 16 April 1996, no fewer than 270 days after the fall of Srebrenica, around 1000 more men managed to reach Bosnian territory. The exact number is not known, neither is it known how many were military personnel. The Bosnian Government has never released these figures.²²⁵

From the situation reports sent by the Zvornik Brigade to the Drina Corps, it is possible to deduce from the ammunition usage exactly when the fighting between the column and the brigade and between the brigade and the units of the 2nd Corps of the ABiH which came to the assistance of the column, was most intense. Each situation report was prepared at the end of the afternoon and covers the preceding twenty-four hours. We thus see that the Zvornik Brigade first became embroiled in combat with the column on 14 July.

²¹⁹ ICTY, (IT-98-33), Butler Report, OTP Ex 401, para. 10.12 - 10.17.

²²⁰ ICTY, (IT-98-33) OTP Ex. 708/a. 1 Zvornik Brigade to Drina Corps Command, 22/07/95, no. 06-229.

²²¹ ICTY, (IT-98-33), Butler Report, OTP Ex 401, paras 10.20 and 10.21.

²²² ICTY, (IT-98-33), OTP Ex. 380/a. 1st Bratunac lpr to Drina Corps Command, 26/07/95, no. 03-253-116. ICTY, (IT-98-33), 00706671. Working meeting of commander with command staff and battalion commanders, 16/10/95.

²²³ ICTY, (IT-98-33), D 102/a. Drina Corps Command, Deputy Commander of the Rear, Col. Lazar Acamovic, 24/07/95, no. 18-146/95.

²²⁴ *Dani*, Special edition, September 1998.

²²⁵ Nijaz Masic, *Srebrenica*, p. 209.

The table below shows the various types of small-bore ammunition used, together with the various calibres of artillery and mortar shells. On 17 July, the brigade also used 364 hand grenades and light mortar shells.²²⁶

Table: Ammunition used by the Zvornik Brigade of the VRS, 13-19 July 1995

	Small bore (infantry)	Large bore (artillery)
13 July	-	187
14 July	?	?
15 July	31,950	-
16 July	125,780	272
17 July	129,560	239
18 July	37,040	43
19 July	14,000	-

18. The fate of those remaining in Kamenica

The VRS took the largest number of prisoners on 13 July, along the Bratunac - Konjevic Polje road. It remains impossible to cite a precise figure, but witness statements describe the assembly points such as the field at Sandici, the agricultural warehouses in Kravica, the school in Konjevic Polje, the football field in Nova Kasaba, the village of Lolici and the village school of Luke. Several thousands of people were herded together in the field near Sandici and on the Nova Kasaba football pitch.²²⁷ The men who had surrendered were intimidated and bullied, both physically and verbally. They were searched and put into smaller groups. In a video tape made by journalist Zoran Petrovic, a VRS soldier states that at least 3000 to 4000 men had given themselves up on the Konjevic Polje - Nova Kasaba road. By the late afternoon of 13 July, the total had risen to some 6000. A radio communication intercepted at 17.30 hours that day states that there were indeed approximately 6000 prisoners at this time. The following day, Major Franken of Dutchbat was given the same figure by Colonel Radislav Jankovic of the VRS. Many of the prisoners had been seen in the locations described by passing convoys taking the women and children to Kladanj by bus, while various aerial photographs have since provided evidence to confirm this version of events.²²⁸

One hour after the evacuation of the women from Potocari was completed, the Drina Corps staff diverted the buses to the areas in which the men were being held. Colonel Krsmanovic, who on 12 July had arranged the buses for the evacuation, ordered the 700 men in Sandici to be collected. The soldiers guarding them made them throw their possessions on a large heap and hand over anything of value. During the afternoon, the group in Sandici was visited by Mladic who told them that they would come to no harm, that they would be treated as prisoners of war, that they would be exchanged for other prisoners and that their families had been escorted to Tuzla in safety. Some of these men were placed on the transport to Bratunac and other locations, while some were marched on foot to the warehouses in Kravica. The men gathered on the football ground at Nova Kasaba were forced to hand over their personal belongings. They too received a personal visit from Mladic during the afternoon of 13 July. On this occasion, he announced that the Bosnian authorities in Tuzla did not want the men and that they were therefore to be taken to other locations. The men in Nova Kasaba were loaded onto buses and trucks and were taken to Bratunac or the other locations.²²⁹

²²⁶ ICTY, (IT 98-33), OTP Ex. 540/a, 597/a, 612/a, 641/a, 676/a. Command of the 1st Zvornik pbr to Command of the Drina Corps, 13/07/95, no. 06-216, 15/07/95, no. 06-217, 16/07/95, no. 06-218, 17/07/95, no. 06-219, 18/07/95, no. 06-223.

²²⁷ ABiH Tuzla. ABiH 2nd Corps, report of 12/07/95, no. 02/8-10-1253, contents based on intercepts.

²²⁸ ICTY, (IT-98-33), Judgement, para. 64, 83, 171.

²²⁹ ABiH Tuzla. ABiH 2nd Corps, report of 12/07/95, no. 02/8-10-1253, contents based on intercepts; ICTY, (IT-98-33), Judgement, para. 171, 177.

In Bratunac, many were forced to spend the night in the buses and trucks which had brought them there. Some were locked in sheds and warehouses in Bratunac, where they spent the night. Throughout the night, VRS soldiers came to the places in which the men were being held, probably looking for people from certain villages, perhaps their own. The next day, 14 July, the prisoners were once again to be transported onwards. Most had not left the vehicles. Some remained in the buses and trucks until the afternoon when they were finally taken to the execution sites. What happened next is described in the following chapter.

It is not known precisely how many people gave themselves up to the Bosnian Serb forces. It is thought that up to one third of the original column, mostly the foremost sections, managed to reach Mount Udrc. According to witness statements, many reached Udrc only later, in some cases several months later. The testimony of the people who managed to avoid falling into the hands of the Bosnian Serbs at Kamenica reveals an atmosphere of absolute desperation and disorientation. Some descended from the mountains at Kamenica in order to drink fresh water from the streams and to rest a while. Others were unable to rest as the hunt went on.

At one point, the group heard the sound of a truck. This heralded the arrival of a large group of VRS soldiers, some 150 to 200 in number. About one in every three was accompanied by a sniffer dog. The VRS lined up and swept the area, forcing those present to head off in the direction of the tarmac road at Konjevic Polje. People were desperately looking for some hiding place; some of the Muslim men found a small hut, just two metres by two, used for smoking meat. They huddled inside hoping to find safety. They did not. The VRS merely shot straight through the hut.

Many people in the part of the column which had not succeeded in passing Kamenica did not wish to give themselves up and decided to turn back towards Zepa. Others remained where they were, splitting up into smaller groups of no more than ten. Some wandered around for months, either alone or groups of two, four or six men. Few knew the way and attempted to navigate by following overhead power cables or the paths which had obviously been trodden recently. They had exhausted their supplies. Occasionally they would walk for days only to arrive back where they had started. They often found corpses, by now in a state of decomposition. Sometimes one group met another group from Srebrenica who knew of a deserted Muslim village in the region. They would then proceed there together.

To feed themselves, the Muslim men took potatoes and other vegetables from the fields around the Serbian villages at night. The local Bosnian Serb population therefore began to mount patrols around their villages. The Muslims would generally sleep by day and wait for the cover of darkness before moving on. Some arrived in Tuzla after many months, having been wandering around the area between Srebrenica and Udrc with absolutely no sense of direction. This continued for a long time. For example, the people of Milici, a village on the route to Tuzla, discovered the disappearance of livestock in November 1995. A group of some ten to twenty of them went in search of stragglers from the column, armed with shotguns.²³⁰

Some of the Muslim men decided to retrace their steps towards the Srebrenica region, since this was familiar territory and they knew where to find food. From here, they would once again set out towards Zepa or attempt to reach Tuzla. A few hundred managed to reach Zepa just before the VRS occupied the enclave on 25 July. They were able to meet up with the local ABiH units. Once Zepa had succumbed to the Bosnian Serb pressure, they had to move on once more, either trying to reach Tuzla or crossing the River Drina into Serbia. (See the final Chapter of this part: 'The fate of the other eastern enclaves'.) Some men were able to join the refugee convoys which began to leave Zepa for Kladanj on 25 July, under the supervision of UNPROFOR.

There are countless stories recalling the experiences of those who lost contact with the column, their wanderings and the horrors they saw. They include the account of a 54-year-old engineer who lost touch with his group near to Kravica and who was attacked by a Bosnian Serb civilian wielding a metal

²³⁰ Interview Rajko Dukic, 14 /06/00.

pipe. The engineer was beaten unconscious and left for dead. When he came round, he went into hiding for a day before meeting a group of six other men from Srebrenica. Together, they lay low for another two days, living on mushrooms and the few rations they had remaining. During the next few days, this group grew to include approximately 50 men. They were surrounded by VRS troops who demanded that they should give themselves up. Most did so immediately, but the engineer and seven others managed to remain hidden. This group split up, later met yet another VRS patrol and once again managed to escape capture. Hunger forced them to turn back to Srebrenica in the hope of finding something to eat in one of the abandoned villages. Eventually, the engineer reached Zepa where he managed to find a place on one of the last buses to transport the evacuees out of the town. At first, VRS soldiers refused to allow him to board, but he was able to get onto another bus. Mladic was there to bid a personal farewell to the passengers, assuring them that no harm would come to them on the way. A CNN camera team was there to record the scene and the Bosnian Serbs thus managed to create the impression of being 'not that bad after all'.²³¹

During the night of 17 and 18 July, a group of approximately 40 men who had turned back from Kamenica towards Srebrenica were hiding in the former enclave close to Slatina (where OP-A had been). A VRS truck was here, with two VRS soldiers waiting for their colleagues to return. Most of the houses had been burned down. Close to a stream stood a Dutch vehicle. The men found some eggs and a little sugar in one of the houses; in another the oven was still hot. It transpired that it had been lit by another group of nine Muslim men. That night, the men ate fresh bread for the first time in over a week.

On the way to Zepa, the group of refugees arrived at an unidentified village. One of them knew how to open a beehive and extract the honey. This group included a man whose throat had been slit. In order to give him moisture, a length of corn grass was inserted into the wound like a straw. This man reached Zepa and was later treated in hospital in Sarajevo. By this time, the group had grown to include some 50 men and so they decided to split into two smaller groups. They now had a substantial supply of honey, flour, oil and potatoes, as well as some small livestock found wandering about. Fires were lit over which they made pancakes. Two goats were killed and skinned. Suddenly an anti-tank rocket exploded close by. The VRS had spotted the smoke from the fire. Bosnian Serbs shouted that the group was now completely surrounded. However, this proved not to be the case. The group knew the area extremely well and could therefore escape in the nearby woods. The VRS dared not take up pursuit. One of the group members had his family home in a house along the route and here they were able to find some clothing and more food in the form of walnuts and plums. The VRS was very close by but was far too busy looting other houses to take any notice of this group. The men then moved on towards Zepa and managed to enter the enclave some time later.²³²

Some men had remained behind in the former enclave of Srebrenica and had spent many days just wandering about. One reports seeing eight men killed during a *razzia* which took place in the village of Suceška, in the south-western corner of the enclave, on 10 August. On 18 August, the same man, together with about 30 others, found himself in the village of Pale, not far from the former UN compound at Potocari. They were assembled in a house, discussing the possibility of breaking out. That night, the house was surrounded. There was gunfire and then the house was set on fire. The man and six others managed to escape but they were chased and three of them were killed. The VRS continued to scour the area for another two days. The man later returned to Pale where he discovered that the bodies of his fellows had been mutilated. He and a few others remained in Suceška until 1 September before setting out for Tuzla.

On the way they discovered another group of six men from Zepa and Srebrenica. This group had been trying to find a way of crossing the front line at Olovo (between Tuzla and Sarajevo) but had lost their way and turned back to Srebrenica. Not far from Zepa they fell into an ambush. It was here

²³¹ *Refugee Report*, Vol. XVI, no. 5, 31/07/95, p. 6-7.

²³² Confidential interview (51).

that this man found their bodies, as his group was also forced to turn back through lack of food. On 18 September, the man whose testimony this is formed part of a group of ten trying once again to reach Tuzla. By this time he was forced to walk without shoes. The group moved only at night, thus successfully avoiding two ambushes. The group saw many corpses along the way, and it was particularly poignant that many had been killed only a few kilometres from the safe territory. Following a nine-day march, the group reached Tuzla, 75 days after the fall of Srebrenica.²³³

Yet others remained in hiding in Cerska for two full months. They would remain concealed by day and emerge at night to prepare food with whatever could be found in the village. The VRS searched the area on several occasions and some men were killed or taken prisoner. Eventually, those remaining decided to set out for Kladanj, despite not knowing the way. They arrived there on 12 September.²³⁴

A number of Muslim men were still wandering the immediate area months after being forced to turn back from their efforts to reach safe territory, while others found themselves in Serbia where they were arrested and transferred to various camps (from which 211 people were later released). One of these camps, Sljivovica near Uzice, had a particularly bad reputation. Muslims were physically and mentally abused here; they had to sleep on the floor and were given little food, despite provisions being supplied by the International Red Cross and UNHCR. These rations did not reach the prisoners. The prisoners were made to strike each other, perform certain sexual acts and to use Serbian names. Although the International Red Cross exercised due supervision and recorded all reports of abuse, the guards' attitude never changed.²³⁵

A particularly memorable story is that of three young men aged 17, 18 and 19.²³⁶ On several occasions they attempted to cross the main Konjevic Polje to Nova Kasaba road but were unsuccessful in doing so each time. They eventually managed to reach Zepa only after the enclave had fallen. They had set up camp in a couple of deserted Muslim villages where they managed to hide out for several months without attracting attention. They stole a cow from a Serbian village, slaughtered it and dried the meat. They were able to survive on this for several months, while also giving some to passers-by from Srebrenica. Sometimes the teenagers would escort groups of refugees as far as the next obstacle before eventually returning to their base. Finally, on 26 April 1996, a full six months after the signing of the Dayton Accord, they crossed the Drina into Serbia. They hid their rucksacks and pistol on the riverbank, intending to hitch-hike to Uzice. A driver stopped and they told him that they had come from Srebrenica. The man took them to the police station in Uzice where they made a statement. One of them was then required to accompany a police officer back to the Drina to look for the rucksacks and pistol. The rucksacks were recovered but not the weapon. The three youths were then taken to the camp at Sljivovica where they met other people from Srebrenica. In June 1996, the entire group was transferred to Padinska Skela, the largest prison in Belgrade. Here they met representatives of the International Red Cross and a number of senior Serbian politicians. They stated that they had been treated well at all times. The conversations were friendly in tone. They were asked to recount their experiences; they gave interviews to a Serb newspaper. Eventually, in October 1996 they were given the choice of returning to Bosnia or emigrating to Finland. Most of the people then detained in Padinska Skela, 23 in all, opted for Finland. The three young men chose Tuzla, where they were eventually reunited with their mothers.²³⁷

Another group of seven men wandered about in occupied territory for the entire winter. On 10 May 1996, after nine months on the run, they were discovered in a quarry by American IFOR soldiers. The seven men immediately surrendered to the Americans. They were searched and their weapons -

²³³ Hren, *Srebrenica*, pp 40-42.

²³⁴ Hren, *Srebrenica*, pp. 244-245.

²³⁵ Hren, *Srebrenica*, pp. 24, 149-151 and 201-203.

²³⁶ Witness statements given to the 'state Commission for the Collection of Facts Information concerning War Crimes committed in Bosnia Hercegovina.'

²³⁷ Interview Mevlida Salihovic, 10/12/99, who had produced a radio report on the group in question.

two pistols and three hand grenades - were confiscated. The men said that they had been in hiding in the immediate vicinity of Srebrenica since the fall of the enclave, and had set out for Tuzla only seven days previously. This story did not stand up to scrutiny: their clothes and footwear were reasonably clean and certainly not in keeping with having been on the road for seven days, let alone almost a year in hiding. Some of the men were clean-shaven and were wearing only parts of a uniform. They did not look like soldiers and the Americans decided that this was a matter for the police. The operations officer of this American unit ordered that a VRS patrol should be escorted into the quarry whereupon the men would be handed over. A unit of the International Police Task Force which happened to be in the area would supervise this operation.²³⁸ A Bosnian Serb court convicted the group - known as the Zvornik 7 - for illegal possession of firearms and the murder of four Serbian woodsmen. This conviction was later quashed (for 'procedural reasons') following pressure from the international community.²³⁹

19. The arrival of the men in Bosnian territory

Only a few journalists were present to witness the arrival of the column in Bosnian-held territory after its eventful march across country. Most attention was being devoted to the reception of the women and children at the Air Base in Tuzla. The few items that appeared in the press and on television described the arrival of 'an army of ghosts': men clad in rags, totally exhausted and emaciated by hunger. Some had no more than underwear, some were walking on bleeding feet wrapped in rags or plastic, and some were being carried on makeshift stretchers. There were men walking hand in hand with children. Many were still visibly frightened.²⁴⁰ Some were delirious and hallucinating as a result of the immense stress and privations they had endured. One soldier began to fire on his own unit as they arrived in Baljkovica; he had to be killed to prevent further bloodshed.²⁴¹ The medical station set up by the ABiH in Medjedja handed out large quantities of tranquilizers. As one survivor said, anyone who had not been on the march could not possibly begin to imagine what it had been like.²⁴²

When the men arrived in Bosnian territory they were not required to report in. UNPROFOR was not involved in the men's reception and had not been asked to provide any assistance.²⁴³ At Medjedja, the ABiH set up tents for the first refugees. The wounded were taken to hospital. For the others, there were trucks standing by to take them to Tuzla to meet up with family or friends.²⁴⁴ Many of the ABiH soldiers in the column were taken to an airfield near Zivinice where they were kept away from journalists by the ABiH. According to Othan Zimmerman, a reporter for the Dutch national daily *Algemeen Dagblad*, these men were forbidden to contact anyone, even their own families.²⁴⁵ However, this was certainly not the case for all ABiH troops.

While others were heading for family or friends, ABiH soldier Damir Skaler had no one to turn to: he was a Croat. He arrived in Tuzla between 21.00 and 21.30 hours, still armed, looking for the local barracks where he could rest and recuperate. He could barely walk. An elderly man approached him and said, 'You still have your weapon. You must be from Srebrenica.' Damir Skaler asked the way to the barracks. The old man said that it was some way further and saw that Skaler could not possibly hope to walk such a distance in his condition. He promised to arrange transport and flagged down a car

²³⁸ <http://www.linder.com/berserk/berserk.html> (on line 19/07/99). 'The Soldiers Who First Encountered the Zvornik Seven' and 'The Officer Who First Took Charge of the Zvornik Seven', 24/05/96.

²³⁹ *Ljiljan*, 04/02/98. For a first-person account, see Hren, *Srebrenica*, pp. 111-114.

²⁴⁰ Julian Borger, 'Return of the Ghosts of War', *The Guardian*, 18/07/95 and John Pomfret, 'Bosnian Soldiers Evade Serbs in Trudge to Safety', *The Washington Post*, 18/07/95.

²⁴¹ Interview Semsudin Muminovic, 17/05/99.

²⁴² Julian Borger, 'Return of the Ghosts of War', *The Guardian*, 18/07/95 and John Pomfret, 'Bosnian Soldiers Evade Serbs in Trudge to Safety', *The Washington Post*, 18/07/95.

²⁴³ Chris Hedges, 'Muslim Refugees Slip Across Serb Lines', *New York Times*, 18/07/95.

²⁴⁴ Interview Smail Mandzic, 18/05/99.

²⁴⁵ Interview Othan Zimmerman, 28/04/00.

on the street. The driver took Skaler to the barracks. The Officer of the Guard told him that he must relinquish his weapon before he could be given any help. Skaler did not wish to do so and the officer did not dare to take the gun from him by force. ‘The people from the enclaves were like wild men.’ Eventually, Skaler decided to hand over his weapon. He then telephoned a captain he had known in Srebrenica and who had been in Tuzla since 1992. He wanted to ask the officer to confirm his identity. For unknown reasons, Skaler had already been reported dead.²⁴⁶

When Damir Skaler left the barracks the next day, he was given a car and driver to help in the search for his wife, whose whereabouts he did not know, and to help him arrange accommodation. He first went to Tuzla Air Base where he found his wife almost immediately. She told him that she knew where to lay hands on a tractor to take them back to Tuzla. Skaler said that this really wasn’t necessary since he had a chauffeur-driven Mercedes standing by. His wife replied that it was nice to see that he was still alive, but that he was obviously delusional. When they arrived at the car to find the chauffeur stood holding its door open for them, she was forced to admit that he had no mental problems.²⁴⁷

Almost everyone who had arrived here from the enclave had contacts among the refugee population in Tuzla to whom they could turn for help. Alternatively, they would seek out relatives at Tuzla Air Base, where many of the women and children from Srebrenica had been taken. One witness, Muharem Mujic, reports having spent an entire day at the Air Base looking for his wife with no success. He spent that night in student lodgings. The next day he borrowed some money from a friend and took the bus to Kladanj where he did find his wife. It was while he was sitting on the bus from Tuzla to Kladanj that the effects of the long journey began to emerge. Having survived the harshest of privations, he had reached safety. Yet he completely forgot that you have to buy a ticket to travel on a bus and was visibly surprised when he was asked him to produce one. The bus driver said simply, ‘Oh, you must be from Srebrenica.’²⁴⁸

The men who had managed to reach safety spoke of little else besides the atrocities they had seen, the fighting they had endured and the fact that many of their comrades had been killed. The survivors felt a certain bitterness towards the UN because it had not been able to protect the ‘safe Area’.²⁴⁹ That bitterness and resentment was also directed towards the 2nd Corps of the ABiH. The column’s arrival on Bosnian soil was marked by a number of incidents. In one, a member of the 28th Division opened fire at his own Corps Commander, Sead Delic. A Military Police bodyguard was killed, while another returned fire and killed the sniper. The tensions were so great following the crossing of the line of engagement that staff officers of 2nd Corps removed their insignia so that they could not be recognized as staff officers at all. According to the Deputy Corps Commander, the division had turned against the 2nd Corps. In fact, the lack of confidence in the 2nd Corps was nothing new, as the 28th Division had felt abandoned in Srebrenica. This lack of confidence was increased by a general feeling that the 2nd Corps had done little to help the column as it fled the area.²⁵⁰

The Chief of Staff of the ABiH, General Hadzihasanovic, and ten other officers were sent to meet with the 2nd Corps to try to bring the situation with regard to the remaining members of the 28th Division under control. It now proved remarkably difficult to keep any form of military discipline among the 28th Division following their arrival in Tuzla. The 2nd Corps’ Military Police were called in to assist. The Deputy Commander of the 2nd Corps, Brigadier Makar, attributed the problems to poor

²⁴⁶ Interviews Damir Skaler and Muharem Mujic, 17/05/99.

²⁴⁷ Interviews Damir Skaler and Muharem Mujic, 17/05/99.

²⁴⁸ Interviews Damir Skaler and Muharem Mujic, 17/05/99.

²⁴⁹ Julian Borger, ‘Return of the Ghosts of War’, *The Guardian*, 18/07/95 and John Pomfret, ‘Bosnian Soldiers Evade Serbs in Trudge to Safety’, *The Washington Post*, 18/07/95.

²⁵⁰ UNGE, UNPROFOR, Box 42, File 2.2 Sector Command Matters General. Fax from Biser to Pedauye, info BH Commander, 23/08/95.

organization, lack of discipline and lack of any enforcement of discipline. No one had been able to tell Oric and his men what to do when they had been in Srebrenica, and that was still the case now.²⁵¹

20. The disbandment of the 28th Division.

There was indeed considerable bitterness concerning the fall of Srebrenica and the events that followed. This bitterness was felt by civilians and military personnel alike. The civilians brought together at Tuzla Air Base, considered themselves to have been used by the Bosnian Government as pawns in some political game. As far as the refugee problem was concerned, the government had passed the buck to UNPROFOR with the intention of laying the consequences of the fall of Srebrenica open to international scrutiny. This, it was felt, was why the refugees had been brought to Tuzla Air Base and accommodated in a hastily improvised 'tent city', despite more suitable facilities being available elsewhere in Bosnia. The people's disquiet was further fuelled by the fear among family members that the 28th Division was to be disbanded and its members posted to units in other parts of Bosnia much further afield.²⁵²

On 4 August 1995, a parade was held in Banovica, involving the 3651 remaining soldiers of the 28th Division (of the original 6500). This went some way towards reassuring people that the unit was to remain in existence. The 2nd Corps had re-equipped the men with weapons and uniforms. The ABiH Commander Rasim Delic led the parade and made an optimistic speech.²⁵³ The salute was taken by Brigadier General Naser Oric who also inspected the men. In his address, Rasim Delic said that despite the tragic losses of Srebrenica and Zepa - the responsibility of the international community- there was light at the end of the tunnel and that the beacon was being held up by the soldiers of the 28th Division. After all, it was they who had managed to break out of the VRS siege and it was they who had managed to reach Bosnian territory under the most arduous circumstances. These soldiers represented the guarantee that Srebrenica and the Podrinje would continue to exist. Delic said that it was an honour to command these men and the task was now clear: to return home. Delic stated that he could guarantee this return because he had the strength of the 28th Division behind him, strength which would be felt by the Bosnian Serbs who had never before proven able to erode down the 28th Division's resilience.²⁵⁴ The following day, during a council meeting of the SDA (Izetbegovic's political party) in Zenica, Delic said that the soldiers who had arrived in Tuzla (and those yet to arrive) would form part of the regrouped 28th Division. As long as there were still soldiers from Srebrenica and Bratunac, he said, it would be possible to show the people that Srebrenica had not been lost.²⁵⁵

Following all this heady rhetoric, the announcement that the 28th Division was indeed to be disbanded came as an even greater blow. However, given the incidents between the Srebrenica soldiers and the 2nd Corps staff officers at the front line, together with the general lack of discipline and of leadership during the march, the ABiH Command decision could hardly have come as a total surprise. The command of the 2nd Corps were of the opinion that the 28th Division was still operating at the level of professionalism it had shown at the very beginning of the war in 1992. Neither officers nor men had developed their tactical or technical skills.²⁵⁶

It is possible that the remaining 28th Division men were seen as a threat to the military and political elite, whereupon such arguments may well have played a role in the decision to decommission

²⁵¹ UNGE, UNPROFOR, Box 42, File 2.2 Sector Command Matters General. Fax from Biser to Pedauye, info BH Commander, 23/08/95.

²⁵² UNGE, UNPROFOR, Box 42, File 2.2 Sector Command Matters General. Fax from Biser to Pedauye, info BH Commander, 23/08/95.

²⁵³ Confidential interview (51).

²⁵⁴ BBC Monitoring Summary of World Broadcasts, 08/08/95, Source: Radio Bosnia-Herzegovina, Sarajevo, in Serb Croat, timed at 0000 GMT on 06/08/95.

²⁵⁵ *Dani*, Special edition September 1998.

²⁵⁶ BBC Monitoring Summary of World Broadcasts, 08/08/95, Source: Radio Bosnia-Herzegovina, Sarajevo, in Serbo Croat timed at 0000 GMT on 06/08/95.

the unit. However, the main argument was that the men of the 28th Division were so poorly disciplined. They seemed to regard the ABiH as an organization to be used to their personal advantage, rather than one which provided any leadership. The demise of the division led to some unrest. The soldiers demonstrated a strong loyalty to their unit but wished to fight only in those places where they had family. This gave rise to insurmountable organizational problems since families were scattered far and wide. Furthermore, there was a marked enmity towards the parent unit, the 2nd Corps, and towards the UN. The local population objected strongly to having members of the 28th Division in the immediate area, since this led to not only to the intimidation of Serb minorities in the Tuzla region, but to aggression towards Muslims as well, not to mention theft and looting.²⁵⁷

The General Staff of the ABiH determined that the 28th Division must be incorporated into the 24th Division before 17 September 1995. The 24th Division also comprised refugees from Eastern Bosnia, but was somewhat better drilled. The continued existence of the 28th Division as an independent unit was now beyond any discussion. The officers of the 28th were puzzled as to why their division was to be disbanded.²⁵⁸ Following their heroic march, many had hoped to be allowed to continue as an independent unit.

The survivors' resentment was directed not only at the military leaders but also at the politicians. During the night of 21 and 22 July, President Izetbegovic and General Rasim Delic were both in Tuzla where they held a two-hour meeting with the former staff of the *Opstina* of Srebrenica. The fall of the enclave was discussed, but Izetbegovic later refused to make any comment to journalists regarding what had been said.²⁵⁹ According to one source who had been at the meeting, Delic had not been given an opportunity to speak. Apparently, Izetbegovic was asked to set up an independent inquiry into the fall of Srebrenica to determine who had been responsible: the international community, the government, the army as a whole, the 2nd Corps or the civilian population. Izetbegovic is said to have been against any such investigation, saying only that a plan was now in existence for the return to Srebrenica.²⁶⁰

The hostile attitude of the refugees and the survivors of the march was also apparent when the Bosnian premier Haris Silajdic visited Tuzla Air Base: he was pelted with stones.²⁶¹ He had already committed a major faux pas in the eyes of the refugees in that he had failed to attend the parade on 4 August, he had been supposed to take the salute of ABiH Commander Rasim Delic after inspection of the division.²⁶² The episode with the stones would seem to be a demonstration of the refugee's feeling of having been 'left out in the cold'. This frustration went back a long way - not just to the final days of the enclave but many years previously, when the people felt confined as they lived under such abominable conditions.

21. Summary and conclusions

The men's breakout from the enclave and their attempts to reach Tuzla came as a surprise to the VRS and caused considerable confusion. The VRS had expected the men to go to Potocari. This explains why the first group was able to cross the main Bratunac to Konjevic Polje road with relative ease: at this stage the VRS was not yet adequately organized to start the battle.²⁶³ During the march, the VRS therefore left the foremost part of the column relatively unscathed. The second section was not so

²⁵⁷ NIOD, Confidential collection (5). Fax MIO Sector North East UNMO to BH Comd UNMO, Zagreb UNMO, 231415B Aug 95, Secret, 'Final Milinfo Update', 23/08/95, no. MIO.GEN/001.

²⁵⁸ Confidential interview (51).

²⁵⁹ BBC Monitoring Summary of World Broadcasts, 24/07/95, Source: Hiraqi News Agency, Zagreb, in English, timed at 0757 GMT on 22/07/95.

²⁶⁰ Interview Hakija Meholic, 02/02/98, with addition information supplied on 19/04/98 and 21/05/99.

²⁶¹ Confidential interview (51).

²⁶² Confidential interview (51).

²⁶³ Confidential interview (52).

fortunate. It was here that the privations were greatest and it was here that the majority of casualties fell.²⁶⁴ As a result of the ambushes, there was little unity or cohesion in this central section. As the march progressed, many people fell behind, lost the way or decided to turn back into more familiar territory in the Srebrenica region and to attempt to reach Zepa from there. Others tried to push onwards in the wake of the vanguard of the column, following the signs that people had passed here, which included corpses and abandoned possessions. Such signs remained visible for many months. The groups who managed to complete the journey to Tuzla took widely varying times to do so. In a few extreme cases, people reached Bosnian territory only after several months.

As described in Part III of this report, the 28th Division faced major problems following Naser Oric's departure in April 1995. There was a lack of good leadership and there was little cohesion in the division. There were conflicts between the commanders. Ramiz Becirovic had already complained to the 2nd Corps command that he could not keep his officers under control. The lack of adequate military leadership had major consequences for the breakout from the enclave: it proved impossible to arrive at any effective decision and there was no one who was clearly 'in charge'. Even where commanders did fulfil their responsibilities in this sphere, the internal relations were so poor that there could be no good, coordinated leadership as such. This seriously hampered communications between the various parts of the column, as well as that between the column and the various brigades.

The column was ready to depart shortly after midnight on 12 July, according to the radio message from Ramiz Becirovic to Tuzla. Initial progress was very slow, due not only to the mines along the first section of the route but also the disagreements and lack of decisiveness among the military leaders. Much valuable time was lost, whereupon the VRS was able to take measures as soon as word of the breakout was received. The rearmost section of the column thus came to suffer serious losses. The delays also hampered the column in passing Kamenica, as the VRS had been given the opportunity of laying ambushes which would form an insurmountable obstacle for the larger part of the column. The assaults on the column in the area around Kravica, Konjevic Polje and Nova Kasaba were therefore responsible for the heaviest death toll. A second area in which many victims fell was that around Baljkovica, the final obstacle standing between the column and Muslim-held territory.²⁶⁵

Many refugees later stated that the ABiH could and should have provided more assistance from Tuzla. The column's general route was known as it had been used for earlier journeys to Tuzla. However, because there was no radio contact between the column and the 2nd Corps headquarters throughout the march, the ABiH in Tuzla had to rely on little more than guesswork to determine the exact route and the men's progress.

Only at the very end of the journey was the column able to contact Tuzla using a radio set captured from the VRS. From intercepted VRS communications, the 2nd Corps had already deduced that a large number of men had been taken prisoner. As officers of the 2nd Corps later revealed, the 'intercepts' served to apprise the unit of the actions, ambushes and intentions of the VRS. The 2nd Corps also listened in to the orders issued to VRS units which were sent to lay ambushes along the major roads which the column would have to cross. It was frustrating for those at the headquarters in Tuzla to know what was happening without actually being able to do anything about it, as one of the officers concerned later stated.²⁶⁶

This situation has to be seen in the light of the fact that not all 'intercepts' could be interpreted immediately, the information becoming available only some time later. Intelligence concerning what actually happened between 12 and 15 July might have been scarcer than now supposed. Indeed, some intercepts became available only years later since, according to the Bosnian newspaper *Slobodna Bosna*, it

²⁶⁴ Interview Sefko Hodzic, 24/05/99.

²⁶⁵ Interview Hakija Meholic, 02/02/98 with additional material supplied on 19/04/98 and 21/05/99.

²⁶⁶ Interview Semsudin Muminovic, 17/05/99.

would otherwise be apparent how little support the ABiH had provided during the battle of Srebrenica and thereafter.²⁶⁷

The men in the column were embittered by the perceived lack of assistance from the ABiH. It was frequently claimed that the 2nd Corps did absolutely nothing to help the column, but this is not true: measures were indeed taken. Two battalions of the 2nd Corps were sent to the area from Sarajevo, as were various companies from nearby divisions. Pressure on the VRS units in Majevisa hills was increased so that they would be unable to offer support to the Zvornik Brigade. The 2nd Corps also successfully used hoax communications to persuade the VRS that an attack on Zvornik was imminent, whereupon VRS units were diverted to other regions. One group was sent to Snagovo with the intention of confusing the VRS. Such tactics met with some success as the VRS launched an attack on the wrong place. The 2nd Corps was also successful in opening up a breach in the VRS lines for the use of the column, although this was only temporary.

The units of the 2nd Corps which had been recalled from Sarajevo arrived too late to take any effective action. Only on 20 July, and with the fullest support of the 2nd Corps, could the assault on the VRS be renewed. This failed and no new corridor was opened. It can thus be seen that the 2nd Corps did attempt to provide appropriate support. However, Lieutenant Colonel Semsudin Murinovic, who had come from Tuzla to provide assistance, later said that he had never experienced such a shortage of weapons and ammunition as that he suffered during the period of 17 to 20 July. Murinovic declined to comment on whether Naser Oric had received adequate support from the 2nd Corps in his attempts to break through the lines at Baljkovica. He believed that the 2nd Corps became fully active only after it had been learned from the intercepts that the VRS had taken large numbers of prisoners.

Meanwhile, a number of volunteers had been assembled and, without the knowledge of the 2nd Corps command, proceeded to the front. They counted on receiving the support of the troops in the area. Small reconnaissance units were sent into the area, but it was only on Murinovic's initiative that a full brigade was later sent to the front line.²⁶⁸ (Murinovic was himself from Srebrenica). According to Naser Oric, and contrary to Sead Delic's testimony, it was not true that a substantial section of the 2nd Corps had attempted to²⁶⁹ drive a breach through the VRS lines in order to allow the troops and civilians from Srebrenica to pass. Oric claims to have done this himself together with fifteen volunteers²⁷⁰ The Deputy Commander Makar also denies that there was any large-scale assistance from the 2nd Corps.²⁷¹ However, some members of the column have pointed out that while the small number of ABiH troops sent from Tuzla could not have hoped to make much difference in forcing a breakthrough, they did indeed offer some help.²⁷²

The criticisms of the Bosnian politicians and military personnel have been persistent. Ibran Mustafic, a Srebrenica politician who survived being captured and held by Bosnian Serbs, finds it remarkable that no one has yet been called to account for the tragedy in Bosnia and its aftermath. Army Commander Rasim Delic has been accused of distancing himself from the conflict because he wished to have a full strength of men for the Sarajevo campaign. By contrast, Oric's reputation was enhanced when he came forward from Tuzla to provide assistance after the fall of the enclave. Oric is said to have complained to Sead Delic about the lack of support he received. This is alleged to be the reason for Oric's dismissal from the army, another reason was that Delic did not want a 'criminal' on his staff.²⁷³

²⁶⁷ Mehmed Pargan, "We have fifty of theirs in one grove, and we will have to kill them", *Slobodna Bosna*, 11/07/98 (FBIS translation).

²⁶⁸ Interview Semsudin Muminovic, 17/05/99.

²⁶⁹ Interview Naser Oric, 23/10/00.

²⁷⁰ Interview Naser Oric, 23/10/00.

²⁷¹ Interview Andjelko Makar, 21/10/00.

²⁷² Interview Hakija Meholic, 02/02/98 with additional material supplied on 19/04/98 and 21/05/99.

²⁷³ Interview Ibran Mustafic, 16/04/98.

The units of the 2nd Corps were deployed for too short a period and did too little to keep open the breach in the lines. Many blamed the large number of fatalities at Baljkovica on the 2nd Corps which, it is claimed, should have done more. There was said to be an air of complacency in Tuzla regarding the fate of Srebrenica.²⁷⁴ Likewise, the column should have told the 2nd Corps that the corridor must remain open, since those at the front knew that there was at least another 2000 or 3000 men following on behind. The 2nd Corps is said to have relinquished the corridor because of fears that the VRS would fire upon Tuzla itself.²⁷⁵

When confronted with such criticisms, Sead Delic stated that his Corps had done everything in its ability. However, there was no contact with the column; the Corps was constantly waiting for information and signs of life. Against this, it should be remembered that Delic had access to the 'intercepts' of VRS radio communications and must therefore have had some knowledge regarding the progress of the column. Delic claims that an attack was indeed launched to open up a corridor through the VRS lines as soon as it was known at which point the men were trying to reach Bosnian territory. The first attack, led by Oric, was unsuccessful. This was largely due to the lack of manpower. Later it was possible to open a breach in the lines by deploying 2000 men.²⁷⁶ There was also some criticism directed at Sead Delic in person: he is said to have moved forward only after he had heard that the column had reached safe territory. He remained far from the front line and was afraid of aggression on the part of the column because he had not offered adequate support.²⁷⁷ There is little evidence to support these claims. The 2nd Corps set up a forward command post to coordinate assistance to the 28th Division as early as 13 July.

There has also been fierce criticism of such people as President Izetbegovic, Premier Silajdzic and Commander Rasim Delic with regard to their lack of commitment. After all the emotional stress and loss of life, it would have been difficult for those in the column to appreciate the balance between what was desirable and what was actually possible. When the full extent of the mass murder began to emerge, rumours began to circulate among the refugees to the effect that the 'safe Area' had fallen as the result of some exchange of territory between President Izetbegovic and the VRS. (Part III of this report establishes that such rumours were already in existence prior to the fall of Srebrenica). Izetbegovic is said to have refrained from ordering assistance to the enclave with a view to this exchange. These rumours were further fuelled by the refugees' firm belief that no one had attempted to prevent the fall of the Safe Area. In their view, the government, the ABiH and the UN all failed to do anything to avoid the situation that developed.

The rumour that nothing was done to prevent the fall of the enclave was further based on the supposed order from some higher authority to evacuate the enclave. However, the actual decision to move out of Srebrenica was taken by the commanders of the 28th Division and the local political figures. As far as can be established, there was never any order from anyone at national or regional level.

Neither UNPROFOR nor Dutchbat played any part in the breakout or the subsequent march. The events took place without the knowledge of the United Nations. Dutchbat exerted no influence whatsoever on the decision to evacuate the enclave, nor did it influence the organization of the evacuation or the subsequent course of events. Dutchbat did not even know about the march, although the movement of a few small groups of men towards the north-western part of the enclave had been observed and reported. It may therefore be concluded that some groups left the enclave before the march to Tuzla was undertaken in earnest. During the hours in which the march was being planned and the departure prepared, Dutchbat was no longer in contact with the representatives of the 28th Division. Furthermore, Dutchbat was not in a position to see the area in which the people were

²⁷⁴ Interview Isnam Taljic, 18/05/99.

²⁷⁵ Interview Hakija Meholic, 02/02/98 with additional material supplied on 19/04/98 and 21/05/99.

²⁷⁶ Interview Sead Delic, 10/03/99.

²⁷⁷ Confidential interview (87).

assembled nor what happened to them thereafter. The observations post OP-M, nearest the assembly point, had already been abandoned.

The refugees in and around the compound at Potocari were, like Dutchbat, unaware of the whereabouts of the men. Only during the course of the next two days, 12 and 13 July, did the women who had been taken to Kladanj by bus or truck realize that the route taken by the column ran parallel to the Potocari - Konjevic Polje -Kladanj road for some distance. This was in fact the route taken by the men in the rear of the column who tried to cross this road after the VRS had blocked the more direct route to Tuzla.

It was in much the same way that a number of Dutchbat military personnel first noticed something of what was happening. However, like the women in the convoys, they caught no more than the briefest glances of the men as they assembled at the side of the road. The Dutchbat personnel who had escorted the convoys and those detained by the VRS in Nova Kasaba when their vehicles were confiscated, could not see very much of what was going on. They were kept away from the conflict areas with the argument that it would not be safe there. Because many Bosnian Serbs had by now donned United Nations gear and were driving Dutchbat vehicles, it was now almost impossible to tell the genuine Dutch peace-keepers from the Bosnian Serb impostors. Major Zoran Malinic, who had set up his headquarters in the school at Nova Kasaba, wanted to prevent the Dutchbat personnel from returning to Potocari, saying that it would not be safe there either. He told Lieutenant Egbers that there were Muslims waiting to blow themselves up with hand grenades, intending to take as many Bosnian Serbs as possible with them. For their part, the Dutchbat men considered the so-called MUP troops (units of the Ministry of the Interior of the Republika Srpska) who now occupied positions along the road to be extremely undisciplined.

The Bosnian Serbs were extremely tense, as Egbers saw for himself when the school in Nova Kasaba in which the Dutchbat troops were stationed came under attack from Bosnian Muslims. There were actually only a few men responsible for the attack, armed with small bore weapons. However, VRS major Malinic initiated a full-scale action in response. He took two Muslim men from a house where prisoners were kept and used them as a human shield for himself. He ordered machine gun fire and mortar shells to be fired in the direction of the source of the gunfire, and took a section of ten men to hunt down the attackers. Malinic later returned without having located the snipers. The two Muslim men used as a shield also returned. Egbers interpreted this VRS action as demonstrating a certain concern on the part of the VRS for the safety of the Dutch troops, although it may also have been prompted by a desire to ensure that no one could observe what the VRS was doing.²⁷⁸

The Bosnian army of 1995 did not include a place for the 28th Division as a separate entity. The level of training, organization and discipline of these men did not justify an autonomous position within the ABiH. Because both the Division and the civilian population demonstrated a strong enmity towards the military and political leaders following the fall of Srebrenica, it being thought that they had done too little to protect the enclave, the continued existence of the 28th Division would have entailed a serious threat to the unity within the ABiH as a whole. For the soldiers of the 28th Division, after the severe stress and privations of the preceding weeks, the decision to disband the unit came as a severe disappointment and one which was difficult to reconcile. It served to reinforce the feelings of dissatisfaction concerning ABiH leadership and this too had consequences in the long term.

²⁷⁸ Interview V.B. Egbers, 02/09/99.

Chapter 2

The executions

1. Introduction

‘The events of the nine days from July 10-19, 1995 in Srebrenica defy description in their horror and their implications for humankind’s capacity to revert to acts of brutality under the stresses of conflict. In little over one week, thousands of lives were extinguished, irreparably rent or simply wiped from the pages of history. The Trial Chamber leaves it to historians and social psychologists to plumb the depths of this episode of the Balkan conflict and to probe for deep-seated causes. Thus, the Trial Chamber concentrates on setting forth, in detail, the facts surrounding this compacted nine days of hell and avoids expressing rhetorical indignation that these events should ever have occurred at all. In the end, no words of comment can lay bare the saga of Srebrenica more graphically than a plain narrative of the events themselves, or expose more poignantly the waste of war and ethnic hatreds and the long road that must still be travelled to ease their bitter legacy.’²⁷⁹

It was with these words that the judges of the Yugoslavia Tribunal expressed their sentiments in their verdict in the case against the VRS General Krstic. Even in the context of the war in Bosnia, here was something truly extraordinary, both in the scale and in the degree of brutality displayed. It was some time before the full extent of the executions which had taken place after the fall of Srebrenica became known to the world at large. The process by which the international community became aware of the dreadful events is described elsewhere in this report. This chapter presents a brief account of the limited sources of information and forensic evidence available, followed by an attempt to explain the motives for the mass murder and an estimate of its extent. The locations of the mass executions are listed in chronological order together with an account of the methods employed. The chapter concludes with a consideration of the responsibilities of the VRS officers involved.

It will remain difficult to provide a concise description of the mass murders or any analysis of the motives while researchers continue to meet a wall of silence on the part of the Bosnian Serbs involved and other witnesses. Sources of information regarding the planning and the carrying out of the executions themselves are extremely scarce. Most of the scarce information that is available derives from a single Bosnian source: intercepted VRS messages. However, the forensic evidence gathered in later years provided irrefutable proof that mass murder had indeed been committed, although it could not yet prove the full extent of the atrocities.

Ten survivors of the executions at various locations came to play an important role in reconstructing events for the benefit of the Tribunal, in that they were able to recount the methods adopted. Although their evidence was not particularly detailed, it provided sufficient to have perpetrators such as Major General Radislav Krstic and soldier Drazen Erdemovic convicted for their war crimes. Krstic was the Commander of the attack on Srebrenica itself, while Erdemovic was proven to be a member of the firing squad which carried out the executions nearby the Pilica school.²⁸⁰ At the time of writing, other suspects including Vodoje Blagojevic (Brigadier of the Bratunac Brigade), Dragan

²⁷⁹ ICTY, (IT-98-33) Judgement, 02/08/01, para. 2.

²⁸⁰ ICTY, (IT-96-22), Judgement of 29/05/96.

Obrenovic (Deputy Commander of the Zvornik Brigade) and Dragan Jokic (Operations Officer of the same brigade) are in custody awaiting trial.

The criminal investigation served a purpose quite different to that of this historical survey. Nevertheless, the reconstruction made for the Tribunal is of great value given the paucity of other sources of information. In particular, the NIOD has been able to make good use of the information which emerged during the trial of VRS General Radislav Krstic, Chief of Staff and, after 13 July 1995, Commander of the Drina Corps. The trial was held between December 1998 and August 2001. Communications intercepted by the ABiH and subsequently made available to the Tribunal and to the NIOD also formed an important source of information. The Bosnian Serbs had by this time abandoned the caution which marked the careful preparations for the attack itself. The 'intercepts' contributed much to the overall picture of the events. Even so, the picture that has been constructed is not a particularly detailed one. In many cases, the only evidence available was a snippet of conversation, couched in vague or deliberately cryptic terms. However, once placed alongside each other and brought into context, the intercepts did provide an important source of evidence. The recurring word 'package' was recognized as code for a condemned man.

Much of what follows here is derived from the Krstic trial report. In some cases, the NIOD was also able to speak directly to survivors of the mass executions or could rely on the work conducted in 1995 by the organization Human Rights Watch. The most striking examples are Alexandra Stiglmayer (for *Time* and *The Boston Globe*) and David Rohde (for *Christian Science Monitor*). This report also draws upon the publication *Srebrenica: Het verhaal van de overlevenden*.²⁸¹ The NIOD had access to a number of VRS documents, most of which relate to orders and to the organizational aspects of the VRS brigades' persecution of the men from the column bound for Tuzla. However, of the few Bosnian Serbs who might be able to shed any light on matters and who agreed to an interview, there was absolutely no willingness to discuss events following the fall of Srebrenica. In this respect, the NIOD researchers met a wall of silence.

2. The extent of the mass murder and the number of missing persons

In the account of the journey to Tuzla given in Chapter 1, we have read that the Bosnian Serbs took a large number of prisoners on the road from Bratunac to Konjevic Polje on 12 and 13 July 1995. One estimate puts the number of men from Srebrenica held on the Nova Kasaba football field at between 1500 and 3000. Witnesses who gave evidence before the Yugoslavia Tribunal estimated that there were also between 1000 and 4000 men being held in a field near Sandici.²⁸² Other Bosnian sources talk of 'a few thousand men' in a field near Sandici and of 1500 men in the Nova Kasaba stadium.²⁸³ The estimates are therefore highly approximate. The exact number of people held at these two locations and elsewhere is impossible to state with any accuracy. The intercepted communications suggest that the Bosnian Serbs were holding between 3000 and 4000 prisoners by 15 July. This number would have increased over the ensuing days. The intercepts suggested that some 4000 to 5000 thousand people had been killed by 18 July. In all probability, this figure referred only to the victims of organized executions and did not include casualties of the fighting with the column on the march.²⁸⁴ Major Franken was told by VRS Colonel Jankovic that the VRS had taken 6000 prisoners of war. As far as he could later recall, Franken believes this statement to have been made on 14 July.²⁸⁵ Given his position as Intelligence Chief on the VRS general staff, it is reasonable to assume that Jankovic was well informed. A further group of men, numbering about 1000, had been separated from the women, children and elderly in

²⁸¹ *Human Rights Watch/Helsinki*, 'Bosnia-Herzegovina: The Fall of Srebrenica and the Failure of U.N. peacekeeping', Vol. 7, No. 13, October 1995; Hren, *Srebrenica*, passim. The anthology does not include the articles by Rohde and Stiglmayer.

²⁸² ICTY, (IT-98-33), Judgment, 02/08/01, para. 171.

²⁸³ ABiH Tuzla. ABiH 2nd Corps, report of 12/07/95, no. 02/8-10-1253. Contents based on intercepts.

²⁸⁴ ICTY, (IT-98-33), 18/07/95, OTP ex. 684/a bis.

²⁸⁵ ICTY, (IT-98-33), Franken, T. 2050, 04/04/00.

Potocari and were taken to Bratuna (see Chapter 4). There, they were grouped with the men taken from the column. The Bosnian Serbs made no effort to keep the two groups of prisoners apart.²⁸⁶ It is probable that Jancovic's figure of 6000 included the Potocari contingent.

The Yugoslavia Tribunal was able to conclude that some 7000 to 8000 men had been executed, not counting the murders committed in Potocari itself. The Tribunal did not attempt to set a figure on the number of victims in Potocari, but we may be certain that it was a substantial figure. This would also be true of the number of men killed in Bratunac between 12 and 14 July, during the night.²⁸⁷ The Tribunal's estimate of the total number of executions seems to be somewhat higher than can be substantiated on the basis of evidence, since it fails to take into account other causes of death among those on the road to Tuzla. Thus, the Tribunal's figure actually refers to the total number of missing persons.

Indeed, it is very difficult to put an exact figure on the number of 'missing' Bosnian Muslims. Various figures have been cited, and press publications occasionally offer some astonishing estimates.²⁸⁸ According to the Minister of Defence of the Republika Srpska, Manojlo Milovanovic, the Bosnian Serbs did not keep any record of the number of casualties following the fall of Srebrenica, neither was there any documentation recording the number of fatalities among Bosnian Muslims.²⁸⁹

The most prominent and reliable non-governmental organizations to have collected data concerning missing persons after the fall of Srebrenica include the International Committee of the Red Cross (ICRC) and Physicians for Human Rights (PHR). The International Commission of Missing Persons (ICMP) does not actually try to trace missing persons, but is mainly occupied with applying political pressure on those who have committed human rights violations, provides assistance to the families of victims and provides financing to trace missing persons.²⁹⁰

It was particularly difficult to estimate the number of missing persons in the first weeks following the fall of Srebrenica, there being no reports or testimony from family members on which to rely. In the first instance, the estimates were based on the assumed population of the enclave before the attack. However, the number at the time of the attack itself had never been accurately established, whereby all subsequent calculations were inevitably flawed. According to the Bosnian Government, the correct figure was 42,000 while UNHCR assumed a population of 42,600. This figure dated from 1993, but may have been artificially inflated in order to acquire more humanitarian aid for the enclave. According to the Secretary-General of the United Nations, the number of people in the enclave in July 1995 would have been between 38,000 and 40,000.²⁹¹

An additional problem was that the estimates of the number of missing persons soon were all equated with the number of people that the Bosnian Serbs were known to have murdered. As we have already seen, this is a false correlation since in addition to those executed, there were those who perished on the road to Tuzla. During the march, fighting between the VRS and ABiH, ambushes, fighting among factions within the column, suicide, exhaustion and the rigours of the journey would have claimed an unknown number of lives. The bodies of these people remained unburied in the woods. According to journalist Saleh Brkic, human remains could still be found along the road to Tuzla - the *route des mortes* - many years later. He claims to have seen hundreds of corpses with his own eyes.

²⁸⁶ ICTY, (IT-98-33), Judgment, 02/08/01, para. 66.

²⁸⁷ ICTY, (IT-98-33), Judgment, 02/08/01, para. 487-8.

²⁸⁸ In mid-2000, the German organization *Gesellschaft für bedrohte Völker* arrived at the figure of 10,701 missing persons, including 570 women and 1042 minors. No explanation for this very precise figure, which differs so markedly from that offered by the ICRC list, was given. See <http://www.gfbv-sa.com.ba/srebren.html>

²⁸⁹ Interview Manojlo Milovanovic, 18/11/98.

²⁹⁰ Interview ICMP (Erwin Böhi and Laura Bowman), 05/08/97.

²⁹¹ Report of the Secretary-General Pursuant to Security Council Resolution 1019 (1995) on Violations of International Humanitarian Law in the Areas of Srebrenica, Zepa, Banja Luka and Sanski Most, 27/11/95, No. S/1995/988, para. 4.

Add those found alongside the Zvornik to Vlasenica road and in the area around Baljkovica, and the figure could quite easily reach two thousand, he believes.²⁹²

It is thus impossible to arrive at even a general approximation of the number who perished on the road to Tuzla and in the areas of the major ambushes, nor of the number of persons who surrendered to, or were captured by, the VRS. The quoted figure of 6000 prisoners of war - the only 'hard' figure cited by any source - derives from the VRS itself. This, set against the figure of 7500 missing persons (calculated in the manner explained below) would suggest that approximately 1500 people died on the road to Tuzla, whether under gunfire, in combat, killed by mines, suicide or starvation. No reliable figure has ever been put forward by the Bosnians.

Following the events of July 1995, and under pressure from local people, the Bosnian State Commission for Tracing Missing Persons attempted to determine the number of victims on the march. However, the commission was unable to devote sufficient attention to this question, because shortly thereafter the problem of the Zepa enclave arose. It was not until the summer of 1996 that the commission's president, Amor Masovic, was able to join a Finnish mission in visiting the area to the north of Srebrenica. There he saw many human remains. It was not possible to retrieve these for burial. Some bodies had been eaten by animals or dragged away, while others had been burned, possibly deliberately to prevent identification. Later, in September and October 1996, the Bosnian Serbs permitted the retrieval of a limited number of remains, whereupon some 300 bodies were recovered. A further 400 bodies were found in the area of Milici, Nova Kasaba and Lazarici. It is likely that countless other corpses remained undiscovered, especially in areas such as the Ravni Buljim valley, where the shooting began, and in the woods around Burnice, near Nova Kasaba, where 300 men are known to have been killed. The Bosnian Serbs withdrew permission to search the area shortly thereafter. According to Masovic there were occasional 'exchanges' of remains following direct negotiations between the families concerned.²⁹³

The question of exactly how many people from Srebrenica went missing is one which two Norwegian demographers attempted to answer in a report they compiled at the request of the Office of the Prosecutor of the Yugoslavia Tribunal, on behalf of the Krstic trial.²⁹⁴ The researchers, Helge Brunborg and Henrik Urdal, took this opportunity to analyse the reliability of the figures compiled by the ICRC and PHR. It must be noted that the objectives of the two organizations were different, and hence the nature of the information kept was also different. The International Red Cross kept data with a view to assisting the families of missing persons, while the Physicians for Human Rights recorded missing persons information in the form of an *ante mortem* database to serve as an aid to identification, whereby the focus was on persons who went missing *after* the fall of Srebrenica. The International Red Cross has compiled a register of all missing persons in Bosnia between 1992 and 1995 but was not concerned with the question of whether the persons went missing before, during or after the fall of Srebrenica. The International Red Cross began its registration of missing persons immediately after the fall as it was believed at the time that these people were still alive and being held as prisoners of war. The advantage was that the data was still reasonably concise and uncontaminated, although it was derived at a time of enormous physical and emotional distress and exhaustion. In most cases, the information could not be corroborated due to the absence of identity papers. Physicians for Human Rights began its registration a year later. Here, the objective was to gather as much information as possible about the physical characteristics of victims and their clothing. Because relatives realized the emotional strain which could attach to such questions, most had prepared well and were often able to show the relevant identity papers.

Over the course of the ensuing years, the International Red Cross published four different versions of its list of missing persons. The final version appeared in July 1998 and lists 7421 missing

²⁹² Interviews Salih Brkic, 02/02/98.

²⁹³ Interview Amor Masovic, 5/08/97.

²⁹⁴ ICTY, (IT-98-33), OTP Ex. 276.

persons for Srebrenica alone, from a total 19,403 for Bosnia as a whole. Of this number, the fate of only 85 is known for certain: 22 are still alive and 63 are deceased. The list produced by Physicians for Human Rights includes fewer missing persons, its total being 7269. This is because the organization only registered missing persons around Tuzla and Sarajevo, not elsewhere in Bosnia. The conclusion that Brunborg and Urdal drew was that neither list was necessarily any better than the other. Each had strong points and weak points. Taken together, they offered more reliable information.

They then compared the lists with the electoral rolls for 1997 and 1998 and with the census of 1991. Nine persons proved to have been erroneously listed as missing. The ICRC's investigations found a further six of the listed people to be still alive. Eventually, the researchers were able to draw up a consolidated list of at least 7475 persons who were either known to be dead or whose current whereabouts were unknown. Brunborg and Urdal also considered the age groups of the missing persons. In the case of the males, there were 76 under the age of 16 and 629 over the age of 60. There therefore remained 6727 men between the age of 16 and 59. Forty-eight women were listed as missing, 26 of whom were over the age of 60.

The Norwegian researchers also addressed the criticisms which had been made by both the Bosnian Serbs and the Bosnian Muslims with regard to the way in which the Red Cross list had been compiled. One of the main objections on the part of the Bosnian Serbs was that no date of birth was listed for at least sixty per cent of the names, while this is something that the immediate family would be expected to be able to provide. The researchers determined that the proportion of missing persons for whom no *exact* date of birth had been given was only 24.5%, while the year of birth was known in every case. Another objection was that many people on the ICRC list had subsequently appeared on the voters' registers. As previously stated, this proved to be so in nine cases. To the researchers, this did not suggest that people having been wrongly reported as missing on any great scale. The Bosnian Serbs complained that the list included names of people who had died of natural causes. A list of 76 persons was provided, all of whom were said to have died of natural causes or as the result of hostilities between 1992 and early 1995. However, the researchers could find none of these names on the International Red Cross list.

The Bosnians claimed that the actual number of missing persons was greater than that suggested by the list. According to journalist Isnam Taljic, the Red Cross figure was simply too low. He pointed out that some families had been completely wiped out, whereupon there was no one left to report a missing person. This was particularly so in the case of families in villages outside Srebrenica itself. Some people would not have made a report in the hope that a family member would be found alive, while others had very little contact with family outside the immediate area. Many people in Sarajevo were totally unaware that they had relatives in Srebrenica. The actual number of missing persons would therefore be in excess of 10,000, Taljic claimed.²⁹⁵ Amor Masovic of the Bosnian State Commission for Tracing Missing People assumed a total of 7,500, but he too believed that many people had not been reported as missing because entire families had been killed. People had moved to Srebrenica from four large neighbouring towns. That made it very difficult for people to state with any certainty that, say, a neighbour had gone missing.²⁹⁶

Brunborg and Urdal had no ready response to the Bosnian arguments, but agreed with the view that if entire families had been killed, there might be no one left to report them as missing. They also conceded that there might have been single people without any family at all, people who were too old or too infirm to come forward, people who were too disillusioned or disoriented to do so, or people who had fled the country immediately after the events in question. They further believed that some families would have failed to report missing persons, being convinced that they were dead and that there was therefore no point in doing so. They therefore concluded that their figure of 7475 dead or missing should be regarded as the absolute minimum. They allowed that the actual number could

²⁹⁵ Interview Isnam Taljic, 18/05/99.

²⁹⁶ Interview Amor Masovic, 05/08/97.

indeed be higher, but were unable to give any indication of exactly how much higher. However, the conscientiousness with which they had carried out their work was reflected by the fact that only a very few of the bodies for which a positive identification had been made failed to match a name on either the International Red Cross or Physicians for Human Rights list.

The Norwegian researchers' estimate of 7475 was therefore lower than the 8000 to 10,000 that the Bosnians were suggesting. The higher estimate was not necessarily wrong, they concluded, but lacked conclusive evidence. An unknown number had not been reported as missing persons, and the number 7475 should be regarded as a minimum. Moreover, they pointed out that the number of casualties they had recorded was not vastly different to the number stated by the International Red Cross, i.e. 7421.²⁹⁷ There was no evidence that any deliberate deception or fraud had been committed, nor that missing persons from Srebrenica had been registered on the electoral roll in 1997 and 1998 to any significant degree.

It may be concluded that the ABiH troops had a slightly higher survival rate than the civilians in the column. Ramiz Becirovic estimated that 3500 soldiers had reached the free zone. If so, this means that just over half the soldiers survived the journey.²⁹⁸ Among the civilians, it seems that somewhat fewer than half did so. Given that no firm figures are available, it is impossible to make any further statement in this regard.

The casualties were not evenly distributed along the column, but this was for the troops no different than for the civilians. Casualties were by far the greatest among those in the rearmost section. Between 800 and 900 men were killed in the 282nd Brigade alone. They were bringing up the rear of the column and came under heavy artillery fire.²⁹⁹ The 281st Brigade under Zulfo Tursunovic was also at the rear and suffered many casualties.³⁰⁰

There is no evidence that any of the people from Srebrenica who were reported as missing had survived the fall of the enclave or the journey to Tuzla. The Norwegian researchers stated that all available information indicated that those missing could be presumed dead. Despite all the attempts of the International Red Cross and others to trace survivors, only six were ever found. Although many women from Srebrenica continued to hope that their husbands were still alive, perhaps wandering through the forests or held in some POW camp, the findings provided no cause for such optimism.

Such hopes were not readily dispelled. In late October 1995, UNPROFOR received reports from the local authorities in Tuzla to the effect that some 730 men from Srebrenica were being held in Serbian camps near Bajina Basta and Mitrovo Polje.³⁰¹ Soon thereafter, speculation and sensationalist reports in the media served to fuel further hopes that there were large numbers of survivors. There was even criminal activity which served to spawn false hope, as felons offered to go in search of the missing men - for a price, of course - having sent forged letters to family members. It was not difficult to find personal information in the abandoned houses in Srebrenica. An example of the sensationalist media reporting is an article which appeared in the publication *Globus* on 6 December 1996, which stated that some 700 men from Srebrenica were being held as forced labourers in the nearby mine at Sase. The newspaper cited Naser Oric as its source, which no doubt served to bolster the refugees' credulity. In addition, it was claimed that a further 3000 men were being held in four concentration camps in

²⁹⁷ According to the researchers, a correction was necessary in the case of 22 persons subsequently found to be still alive, as well as for a number of persons who had been reported missing *before* the fall of the enclave and a number who apparently went missing some distance from Srebrenica itself. On the list compiled by the ICRC, 7289 names matched those on the researchers' own list.

²⁹⁸ ABiH Tuzla. ABiH, 2nd Corps, statement by Ramiz Becirovic (b. 1956), 16/04/98, based on an earlier statement made on 11/08/95.

²⁹⁹ Interviews Damir Skaler and Muharem Mujic, 17/05/99.

³⁰⁰ Interview Vahid Hodzic, 8/03/99.

³⁰¹ UNGE, ICfY, Box 144, File Crypto Fax In 51, 10 – 31 Oct 95. Outgoing facsimile Pedauye, UNPROFOR HQ Sarajevo to Akashi, UNPF HQ, info Annan, Gharekhan, New York, Stoltenberg Geneva, Weekly Report, 23-29/10/95, 30/10/95/ No. COM0110, Z-2018.

Eastern Bosnia, while Serbian camps in such places as Nis, Aleksinac and Leskovac were holding another 2000.³⁰²

Other reports from around this time - late 1996 - suggested that 4300 men from Srebrenica had been put to work in the mines at Trepca in Kosovo. The International Red Cross emphatically denied such reports, having made a thorough search of the mine in question. Nevertheless, rumours persisted not least because other mines, such as those in Aleksinac and Sremska Mitrovica or, in the Republika Srpska itself, at Sase near Srebrenica and at Brezovo Polje near Brcko - had not been investigated.³⁰³

When the British newspaper *The Guardian* also ran a story about Muslims who were being held prisoner, the credibility of the reports was considerably enhanced. The newspaper relied on information provided by refugees from Srebrenica. In Germany, it was claimed that three thousand men were still being held in captivity. Relatives had been approached by Serbian intermediaries asking for money to secure these prisoners' release. An Albanian man from Kosovo persistently told a refugee in Austria that he could have his brother freed in return for a ransom equivalent to 2000 euros. Refugees in Dublin had been told that there were two camps in Serbia - at Sljivovica and Mitrovo Polje - in which men were being held, while information emanated from Guildford in England to the effect that men from Srebrenica could be found in the coal mines at Aleksinac and in the hospital at Padinska Skela, north of Belgrade. The mine at Trepca in Kosovo was again mentioned. That no one had yet found the men was explained by the fact that they had been given Albanian or Serbian names and identity papers.³⁰⁴

In early November 1995, the leader of the SDA, Izetbegovic's governing party, told the EU observers' mission in Tuzla that he had received information about missing men being held in two prison camps in Serbia, at Uzice and Krajevo. The reports had not been confirmed, but it was hoped that the number of missing people would be halved if they proved to be true.³⁰⁵

However, in no case could the number of missing persons be reduced at all. This much was confirmed by the Boltzmann Institute of Austria, which had conducted an investigation on behalf of the UNPROFOR Commission for Human Rights. Having visited and inspected a long list of possible locations, the institute concluded that no truth whatsoever could be attached to the reports about people being held prisoner there.³⁰⁶ In 1998, there were yet further reports of survivors having been found in Serbian prisons. The Bosnian Government acknowledged these reports but pronounced them to be beyond belief.³⁰⁷ None of the reports provided any evidence nor resulted in any of the missing persons being found alive.

Along the road from Srebrenica to Tuzla, there are still a number of human remains, widely distributed and often in very inaccessible terrain. Over the course of the time, bodies came to be spread even more widely, due to a number of factors. Even in the case of the more accessible mass graves, the process of establishing the number of victims was seriously impeded by the fact that many bodies had been exhumed and moved elsewhere in the period following the executions. In the terminology adopted by the Tribunal, they had been shifted from the larger 'primary' graves to the smaller 'secondary' graves. Thus, the first had been opened, and remains had become mixed up.

For these reasons, it remains impossible to state with any certainty how many men were executed following the fall of Srebrenica and how many perished during the march to Tuzla. It is likely that we shall never know.

³⁰² 'U rudniku kraj Srebrenice prisilno radi', *Globus*, 06/12/96.

³⁰³ *Balkan Press*, 09/10 and 12/10/96.

³⁰⁴ *The Guardian*, 25/08/96.

³⁰⁵ MID/CO. Developments in the former Yugoslav Federation, 57/95, 141000A, closed November 1995. Strictly Confidential.

³⁰⁶ Interview Manfred Nowak, 04/08/97.

³⁰⁷ *Reuters Report*, 26/02/98, see also *De Volkskrant*, 27/02/98.

3. The motives for the executions

As a wartime objective of the Bosnian Serbs, Srebrenica was not different to any other target: ethnic cleansing would be applied to bring about an ethnically homogenous region. However, the extent to which the population would fall victim to this policy took on unprecedented proportions, giving rise to widespread astonishment and disbelief. After all, UNPROFOR forces were there and it was their duty to break the spiral of violence into which the civilian population had been plunged. How was it possible that the war could nevertheless sink into the depths of sheer barbarism?

Originally, the primary objective of the VRS military operation which began on the 6th of July was to limit the territory of the Srebrenica enclave and to create an intolerable situation for the population within. In the fullness of time, this strategy would lead to such hardships that the population would be forced to move on elsewhere. The original plan of operation 'Kravija 95' made no provision for the civilian population whatsoever, although it did explicitly stipulate that the usual rules and conventions of war should apply. When the decision to take the entire enclave was made on the 9th of July, no guidelines for dealing with the civilians existed other than to state that the safety of the people in the area controlled by the VRS or the Bosnian Serb police should be guaranteed.³⁰⁸

The question of why the executions took place at all is not easy to answer. During the Krstic trial before the Yugoslavia Tribunal, the prosecution's military advisor, Richard Butler, pointed out in taking this course of action, the Bosnian Serbs deprived themselves of an extremely valuable bargaining counter. Butler suggested that the Bosnian Serbs would have had far more to gain had they taken the men in Potocari as prisoners of war, under the supervision of the International Red Cross and the UN troops still in the area. It might then have been possible to enter into some sort of exchange deal or they might have been able to force political concessions.³⁰⁹ Based on this reasoning, the ensuing mass murder defied rational explanation.

There is no surviving documentation concerning the organization of the executions. Indeed, it is unlikely that any orders so flagrantly flouting humanitarian law would be committed to paper in the first place. Even during the Krstic trial, it proved impossible to answer the question of when the decision to kill the men had been taken. The judges could not exclude the possibility that plans for the executions were originally hatched by the General Staff of the VRS, and that the Drina Corps which actually carried out the attack on Srebrenica had not been consulted about them beforehand. The Tribunal found that there was sufficient evidence to link Krstic with the organization of the removal of the women and children from Potocari, but that there was insufficient evidence that he actually made any arrangements for the executions. Because the Tribunal was unable to establish the date on which the decision to execute all able-bodied men was taken, it could not be determined whether the murders in Potocari on the 12 and 13 of July formed part of a larger plan. The men who were captured on the road to Tuzla were not admitted to recognised war camps (such as that at Batkovici) but were confined in appalling conditions in sheds, vehicles, sports halls, etc., without food or water. This suggests that a decision to execute the men had indeed been taken at some central level. As in Potocari, these men had their identification papers confiscated and burnt, which was also seemingly irrefutable evidence of malicious intent on the part of their captors.³¹⁰

Emotional factors such as revenge, anger and frustration seem to have gained the upper hand in prompting the executions. This column of men was on its way from the captured enclave to the safety of Tuzla, and seemed to be escaping the clutches of the Bosnian Serbs. Revenge for the murder of

³⁰⁸ Command of the Drina Corps to Commands of 1Zpbr, 1Bpbr, 2Rmtbr, 1Brlpbr, 1Mlpbr, Map, 2/07/95, no. 04/156-2. ICTY (IT-98-33) OTP Ex. 428/a. General Staff of the Army of the Serb Republic to the President of the Serb Republic, for information, Drina Corps IKM/Forward Command Post, Generals Gvero and Krstic, personally, 9/07/95, Strictly Confidential. No. 12/46-501/95. ICTY, (IT-98-33) OTP Ex 64B. See also ICTY, (IT-98-33) D 160/a, Radinovic Report, para. 3.8 and 6.15.

³⁰⁹ ICTY, (IT-98-33), Judgement of 2/08/01, para. 70.

³¹⁰ ICTY, (IT-98-33), Judgement of 2/08/01, paras 361, 362, 547, 573.

Bosnian Serb civilians in and around the enclave in 1992 and 1993 is frequently cited as a motive for the executions, both in the Muslim Croat Federation and in the Republika Srpska. There was, after all, considerable animosity between the various ethnic groups. According to a UN official, that animosity was so great that nowhere else in Bosnia was there so little peaceful negotiation between the combatant parties, and nowhere else were there so many skirmishes around a Safe Area as in that around Srebrenica.³¹¹

The situation obtaining at the time may also have contributed to the fateful decision. In the previous chapter, it was stated that the breakout from Srebrenica came as a complete surprise to the Bosnian Serbs who were totally unprepared. The conflict between the VRS and the 28th Division of the ABiH had taken a new turn by sundown on the 11th of July, by which time the VRS no longer knew exactly where the ABiH was positioned. On the orders of General Mladic, the VRS troops regrouped in the centre of the newly captured enclave. By noon the following day, they had left once more, en route to their next target, Zepa. Only reserve troops - a few MUP units and Military Police - remained in the enclave.³¹² This may well have contributed to the feelings of uncertainty or even panic on the part of the Bosnian Serbs, particularly when the VRS discovered that the ABiH troops had withdrawn and there was now to be a movement across Bosnian Serb-held territory without any prior preparation.

The sheer size of the party of men, both soldiers and civilians, which fell into Bosnian Serb hands soon thereafter would also have come as a great surprise. The rules and customs of engagement required that shelter, food, water and medical care be provided. This presented yet another unexpected problem: an extensive logistic operation would have to be launched at the very moment that the capture of the fleeing column was already causing so many problems. At the same time, it was necessary to ensure that the territory of the former enclave remained 'cleansed', while the operation against Zepa also demanded full attention. To establish the identity of each of these men, to question them as POWs and to determine any involvement in war crimes would take considerable time and would have exceeded the capacity of the VRS and Security agencies.³¹³

These factors suggest that there was no proof that the mass murder of the men may have formed part of the plans for the capture of Srebrenica before the operation itself. The Security and Intelligence units of the Drina Corps and the VRS Military Police had originally been ordered to assemble and guard prisoners of war upon the capture of Srebrenica.³¹⁴ There is therefore no indication that the VRS had harboured the intention of killing the ABiH soldiers and men in the column proceeding to Tuzla.

During the second meeting with the Dutchbat Commander Karremans in the Hotel Fontana, held on 12 of July, Mladic stated that all men of combatant age would be 'screened' for their part in war crimes. Such screening and the interrogation of prisoners of war is, under the international rules of engagement, permitted.³¹⁵ On the same day the VRS' Bratunac Brigade had made a list of Muslims who were suspected of war crimes. From notes made by members of the Bratunac Brigade, the Tribunal was able to deduce that some had indeed been questioned about their involvement in such crimes around this time.³¹⁶ Dutchbat sources were also able to confirm that this was done in Bratunac.³¹⁷ The VRS had a list of approximately 100 people from the enclave who were wanted for questioning in connection with war crimes.³¹⁸

³¹¹ Confidential interview (46).

³¹² ICTY, (IT-98-33), OTP Ex. 399/a bis, examination of Radislav Krstic, 18/02/00, p. 15-18 and 47.

³¹³ See also ICTY, (IT-98-33), Dannatt Report, OTP Ex. 385/a, para. 44 en 51.

³¹⁴ ICTY, (IT-98-33) OTP 428/a. Command of the Drina Corps to Commands of 1Zpbr, 1Bpbr, 2Rmtbr, 1Brlpbr, Map, 2/07/95, no. 04/156-2. See also ICTY (IT-98-33) D 160/a, Radinovic Report, para. 3.8.

³¹⁵ See Geneva Convention Relative to the Treatment of Prisoners of War, 12/08/49. (Geneva Convention III).

³¹⁶ ICTY, (IT-98-33), Judgement, 02/08/01, para. 360.

³¹⁷ NIOD Collection: Schouten's Diary and interview of 21/02/00. Schouten observed this on 15 July.

³¹⁸ Interview Milovan Multinovic, 20/03 and 22/03/00.

However, it soon became apparent that the Bosnian Serbs did not plan to interview the men in compliance with international law. At first, some were rounded up and interrogated, but the number involved soon became unmanageable for the Bosnian Serbs. This could well have influenced the decision to execute all male prisoners. Rather than spend any more time in interrogating people to establish guilt or innocence, they seized all men and boys, regardless of age. No exceptions were made, no distinction drawn between civilians and military personnel. All personal belongings and identity papers were confiscated and were subsequently destroyed to avoid any evidence being left.³¹⁹ This process, as it affected the men in the immediate vicinity of the compound at Potocari, is described in further detail in Chapter 4 of this section. The current chapter deals with the executions beyond the immediate area of the compound.

Exactly when was the decision made to discontinue screening and to execute the prisoners instead? During the Hotel Fontana meeting with Karremans on the morning of July the 12th, Mladic stated that it would be better for the ABiH troops to lay down their arms rather than be killed. If he was sincere in this belief, we may deduce that any plan for a mass murder could have emerged no sooner than the end of that morning. It was then that the Bosnian Serbs learned that the men were planning to escape, and that the disarmament envisaged by Mladic was unlikely to take place. There is little sinister in the statements made by Karadzic in Pale that day. Karadzic boasted that there had been no civilian casualties during the fighting and that he had no objection to the continued presence of UNPROFOR. He dismissed all admonitions from the international community, but did not make any threats with regard to the men fleeing to Tuzla.³²⁰

The Tribunal was of the opinion that the Bosnian Serbs eventually intended to kill as many men of combatant age as possible. Although a number of women and children were murdered, together with a relatively large number of older men, the main focus of the VRS was on able-bodied men between the ages of 16 and 60. The buses which transported the women and children were systematically searched for men. Some, although very few, exceptions were made. They included the casualties in Bratunac hospital who had previously been treated in the Dutchbat compound at Potocari. In these cases, it seems as though the Bosnian Serbs were doing their best not to attract international attention, particularly when Dutchbat personnel were present and observing the proceedings.³²¹

A key question is that of where the idea of the mass murders emerged, and where the detailed planning and execution of the plan took place. Given the scale of the atrocities, the decisions must have been made at the Drina Corps level, with the Zvornik Brigade in particular being implicated in much of the planning and subsequent action. All the marks of a well-planned military operation were present. Logistic preparations had to be made: firing squads and bulldozers had to be moved to the execution sites. Digging machines were already readily available throughout the area in question, but those used in the bauxite mines were not actually deployed in burying the executed Muslims.³²² Without detailed planning, it would not have been possible to slaughter so many people in such a systematic manner and in such a short time - the period between 13 and 17 of July. However, the fact that Krstic and many units of the Drina Corps were concentrating on Zepa at that time seems to contradict the hypothesis that this corps was the instigator of the murders. In this case, it would have been the various specialist units which did not form part of the Drina Corps - the Special Police and the 65th Regiment, for example - who were responsible for the initial executions. In the case of the 65th Regiment, revenge could have been a significant motive in that fourteen days earlier the regiment had been the target of an ABiH action launched from Srebrenica during the attack on Visnjica. According to the ABiH, the attack had claimed more than 40 casualties among the VRS, possibly as many as 71.³²³

³¹⁹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 360.

³²⁰ NIOD, Clingendael Collection, RC Belgrade Daily Report, 13/07/95.

³²¹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 86, 504, 547.

³²² Interview Rajko Dukic, 14/06/00.

³²³ ABiH Command of 28th Division (Maj. Ramiz Becirovic) to Command of 2nd Corps, Section for Moral and Political Guidance, 30/06/95, No. 01-114/95. ICTY (IT-98-33) D67/a.

The Specijalna Brigada Policije (Special Police Brigade) had been formed in 1992 as a unit falling under the direct command of the Ministry of Home Affairs of the Republika Srpska (MUP). It was intended to provide support to the regular police in the form of anti-terrorist units and riot squads which would intervene in the event of any disruption of public order or a hostage situation. It would also provide personal protection to politicians, including Karadzic. This could be regarded as its 'peacetime' role. In the wartime situation, the Special Police Brigade became an elite fighting unit, taking part in the vast majority of VRS campaigns. The brigade was then under the operational control of the VRS itself. However, relationships with the VRS were poor, largely as a result of the tensions between the political leaders and the senior military officers.³²⁴ Nevertheless, VRS units were actively involved in the executions. In particular, the Zvornik Brigade played a significant part. From 14 July onwards, this unit was involved in laying ambushes for the column on the road to Tuzla. One day earlier, it had started to seek out suitable locations in which to detain and eventually execute its prisoners.³²⁵

Although General Krstic was the de facto Commander of the operations against Srebrenica and the subsequent actions, General Zivanovic was formally in command of the Drina Corps until the afternoon of 13 July. Zivanovic did not enjoy a high reputation as a successful officer, which may well have been the reason that Krstic was put in charge of the Srebrenica operation. On 20 July, Karadzic promoted Zivanovic from Major General to Lieutenant General, to mark his early retirement from the military.³²⁶

Zivanovic actually came from Srebrenica, and Mladic is said to have asked him whose side he was on. According to one Bosnian Serb source, Zivanovic contacted the hospital at Milici prior to the attack on Srebrenica and instructed staff to keep a large number of beds free for the patients from Srebrenica.³²⁷ It has been claimed that Zivanovic took early retirement because he did not wish to collaborate in any programme of mass murder. However, there is little evidence to support this notion: his retirement had been announced some time previously.³²⁸ Furthermore, there is little doubt concerning Zivanovic's opinions of the Muslims. When the fall of Srebrenica was commemorated in Tuzla in 1996, Zivanovic was in Bratunac where he reminded the families of VRS troops of the purpose of the ethnic cleansing of Serbian territory: 'Our policy is crystal clear, there is no life for Turks here'.³²⁹

Interviewed by the NIOD, Zivanovic did not deny that a mass murder had taken place, nor that it was an action organized by the VRS. He cited revenge as a motive. Another explanation which Zivanovic offered for the mass murder was that it was a deliberate action on the part of only a few officers on the field who were supporters of General Manojlo Milovanovic, formerly the VRS Chief of General Staff. These officers, claimed Zivanovic, carried out the executions without the prior knowledge of Mladic, the aim being to discredit Mladic himself. Colonel Beara, the security officer of the General Staff, was named as the prime mover. Zivanovic sought to absolve Mladic from any blame for the killings, and placed responsibility squarely at the feet of Krstic.³³⁰ However, this version of events does not stand up to close scrutiny since Mladic was seen in person at a number of the execution sites. Had he been against the killings, he was certainly in a position to prevent them. The statement made by Zivanovic, an interested party, must be viewed with suspicion. The question of where responsibilities actually lay is considered in greater detail later in this chapter.

³²⁴ Confidential information (2).

³²⁵ ICTY, (IT-98-33), OTP Ex 401, Butler Report, 15/05/00, para. 7.3 and 7.5.

³²⁶ BBC Summary of World Broadcasts: 'Karadzic congratulates military on Srebrenica, Zepa 'victories'; Bosnian Serb news agency (SRNA) in Serbo-Croat, recorded at 16.21 hrs GMT on 20/07/95.

³²⁷ Interview Dusko Milovanovic, 13/09/01.

³²⁸ Confidential Interview (52).

³²⁹ 'srebrenica Commemorations Underline Bosnia's Rift', *The Associated Press*, 12/07/96. 'Turks' is a derogatory term for Muslims.

³³⁰ Interview Milenko Zivanovic, 17/09/01.

Among the UNPROFOR personnel, no one has been able to state how or why the situation escalated to one of large-scale executions. On 5 July, negotiations concerning the aftermath of the fall of Srebrenica were held between Bildt and Milosevic in Belgrade. On 19 July, similar talks were held between Smith and Mladic to discuss such issues as the withdrawal of Dutchbat forces. At this time, UNPROFOR knew nothing of the mass executions. Mladic stated that he had opened up a corridor through which the column could pass in safety. His exact words were ‘A corridor was agreed upon. Things went wrong in the dark. Columns did hit minefields and there was a lot of panic. Things went badly wrong hereafter and control was lost...’ when matters were left to the local commanders. Mladic drew a balloon shape by way of explanation: the circle to represent Srebrenica and the neck to represent the exit path for the column. Mladic conceded that ‘some skirmishes had taken place with casualties on both sides’ and that ‘some unfortunate small incidents had occurred’.³³¹ Mladic was clearly not at his ease during the Belgrade talks. He claimed that he had been divested of control and that that mistakes had been made, before hurriedly departing from Belgrade as matters threatened to get out of hand once more.³³²

On 21 July, Mladic would once again tell General Nicolai that he had opened up a corridor to allow refugees to escape to central Bosnia. According to his version of events, there had been many casualties among the ABiH soldiers who tried to escape from the corridor itself. Mladic also said that there had been occasional ‘abuses’³³³. General Smith said that he had never asked Mladic about the reason for the attack on Srebrenica, and that he had no answer to the question of whether the executions had been planned.³³⁴ Jovan Zametica, political advisor to Karadzic, was also asked about the motive for the executions, but he declined to comment.³³⁵

That a corridor had been opened but events in Srebrenica had then spiralled out of control was a version of events often heard from Bosnian Serb sources.³³⁶ However, Mladic’s claims regarding the opening of this corridor are palpably false. No corridor out of Srebrenica had been agreed upon, while the Baljkovica corridor (by which the column proceeding to Tuzla would be able to reach Bosnian territory) had yet to be opened on the 15th of July. Mladic had not been consulted about this beforehand. It is almost unimaginable that Mladic could have lost control over the events and that the ‘mistakes’ were made purely due to the actions of local commanders. Unlike the Bosnian Croat forces (the HVO) and the Bosnian Government’s army (the ABiH), the VRS had a very clear and effective command structure whereby officers of all ranks were fully aware of their tasks and responsibilities. The more senior VRS commanders were professional, well-trained officers who had been with the JNA. The VRS had good communications and there were regular reports made in both directions. The VRS preferred to operate according to the old Soviet ‘Befehlstaktik’ strategy, in which decisions are taken centrally at a more senior level, rather than the ‘Auftragstaktik’ model favoured in the west, by which commanders enjoy a marked degree of freedom within certain parameters.

The VRS commanders followed the orders from above and would not have arrived at such a far-reaching plan as that required for the mass executions on their own account.³³⁷ However, it is now almost certain that a number of smaller-scale executions were carried out in addition to the mass executions discussed here. These may well have been individual actions on the part of VRS or MUP personnel, prompted by any of a number of reasons, from personal revenge to theft.³³⁸ And so the question of the motives and background to the mass murder has yet to be satisfactorily answered.

³³¹ NIOD, De Ruiters Collection. ‘Meeting Gen Smith/Gen Mladic – 19/07/95, report prepared by Lt. Col J.R.J. Baxter, 19/07/95.

³³² Interview Jim Baxter, 16/10/00.

³³³ NIOD, De Ruiters collection: De Ruiters to DCBC and KL Crisis Staff/SCO, 14/08/95.

³³⁴ Interview R.A. Smith, 12/01/00.

³³⁵ Confidential interview (80).

³³⁶ Confidential interview (5).

³³⁷ ICTY, (IT-98-33), OTP Ex. 385/a, Dannatt Report.

³³⁸ Confidential interview (65).

Before considering this in further detail, it will be useful to determine exactly where the executions took place.

4. The executions

The majority of the missing men were killed during the mass executions. However, not all executions could be described as 'mass'. Some Muslims were murdered individually or in small groups by the troops who had taken them prisoner. Some were murdered at the temporary prison camp locations. The executions began on 13 July. In the ensuing days, prisoners were transported to the execution sites to the north, where most executions took place between 14 and 17 of July.³³⁹ The Tribunal established that the executions had followed a set pattern. The men were first transported to disused schools or warehouses where they were held for several hours. Then they were loaded onto transport and taken to some remote location. Measures were taken to ensure that there was little or no resistance: the men were required to remove their footwear and their wrists were tied behind their backs. The prisoners were then lined up and killed, one at a time, with rifle fire. If any appeared to have survived, they were then shot again. In a few cases there were survivors who managed to 'play dead' convincingly enough and, although wounded, could later make good their escape. They reported that directly after - and sometimes during - the executions, earthmoving equipment would arrive to bury the victims where they lay, or in some convenient spot nearby.³⁴⁰

On the 12 and 13 of July, buses which were transporting the women and children to Kladanj were taken out of the convoy in Potocari. These were to transport the men from Potocari to Bratunac, where some were confined for between one and three days in various sheds and a disused school, others in the buses and trucks which had brought them there. The prisoners were given neither food nor water and suffered a torrent of abuse and other indignities.³⁴¹ According to witnesses, the people of Bratunac used to take men from these groups at night, and shots and screams could be heard. The events would appear to be a repetition of those which took place in the spring of 1992, shortly after the outbreak of the war in Bosnia. After 1995, the bullet holes could still be seen in the stands of the football stadium at Bratunac and in the classrooms of the Vuk Draskovic school.³⁴²

³³⁹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 67.

³⁴⁰ ICTY, (IT-98-33), Judgement, 02/08/01, para. 68-9.

³⁴¹ Confidential information (77).

³⁴² Confidential interview (64).



The buses and trucks which had transported the women and children to Kladanj became available on 13 July. On the two subsequent days, the Military Police of the Bratunac Brigade escorted prisoners to locations farther to the north. The conditions under which the men were held in the trucks in Bratunac were atrocious. Having spent the night in the trucks, a group of approximately six hundred men proceeded to Kravica on the morning of the 14th of July. As the convoy reached the village, the vehicles halted and the men were left for hours under the tarpaulin of the trucks in the full heat of summer. Some passed out. In the afternoon, the trucks proceeded to Karakaj, north of Zvornik. Here the convoy stood outside a school for two hours. When the men were ordered out of the trucks to be held in the school, some were found to be dead.³⁴³

The Bosnian Serbs employed several methods to keep the prisoners as quiet and compliant as possible, using lies and deceit where necessary. Mladic was certainly guilty of such practices. For example, the men who were found attempting to escape by the Bratunac-Konjevic Polje road were told that the Geneva Convention would be observed if they gave themselves up. In Bratunac, men were told that there were Serbian personnel standing by to escort them to Zagreb for an exchange of prisoners. The visible presence of UN vehicles and UN vehicles, stolen from Dutchbat, were intended to contribute to the feeling of reassurance. Bosnian Serbs wearing Dutchbat uniforms encouraged the men to give themselves up. At the same time, individual VRS soldiers continued to intimidate the captives with both words and actions, taking pot-shots in the dark with weapons taken from the prisoners themselves.³⁴⁴

5. The morning of 13 July 1995: executions alongside the River Jadar

The first small-scale executions took place on the morning of 13 July 1995, alongside the River Jadar near Konjevic Polje. One survivor later told of how he was taken prisoner at Konjevic Polje earlier that morning, and then taken to a house for interrogation. He was then taken to another house, and later still to a shed by the Jadar where he was beaten. A bus then arrived at the shed. It transported the

³⁴³ ABiH Sarajevo. Arnautovic archive, 20/05/99, 'Report of 14/07/95'; ICTY, (IT-98-33), Judgement, 02/08/01, para. 66, 180, 184.

³⁴⁴ Interview Omer Subasic, 19/10 and 20/10/97; confidential information (76).

seventeen men a short distance to a spot by the river, where they were lined up and shot. The surviving man had been hit in the hip, and managed to jump into the river and escape. This execution site was behind the headquarters building of the 5th Engineering Battalion of the Drina Corps, which had various facilities in Konjevic Polje. It is not possible to state with any certainty who actually carried out this execution: possibly personnel from the engineering battalion or perhaps a company of the MUP's Special Police.³⁴⁵

6. The afternoon of 13 July 1995: executions in the Cerska valley

The first large-scale mass executions began on the afternoon of 13 July 1995 in the valley of the River Cerska, to the west of Konjevic Polje. One witness, hidden among trees, saw two or three trucks, followed by an armoured vehicle and an earthmoving machine proceeding towards Cerska. After that, he heard gunshots for half an hour and then saw the armoured vehicle going in the opposite direction, but not the earthmoving machine. Other witnesses report seeing a pool of blood alongside the road to Cerska that day. Muhamed Durakovic, a UN translator, probably passed this execution site later that day. He reports seeing bodies tossed into a ditch alongside the road, with some men still alive.³⁴⁶

Aerial photos and excavations later confirmed the presence of a mass grave near this location. Ammunition cartridges found at the scene reveal that the victims were lined up on one side of the road, whereupon their executioners opened fire from the other. The bodies - 150 in number - were covered with earth where they lay. It could later be established that they had been killed by rifle fire. All were males, between the ages of 14 and 50. All but three of the 150 were wearing civilian clothes. Many had their hands tied behind their backs. Nine could later be identified and were indeed on the list of missing persons from Srebrenica.

For the prosecutors in the Krstic trial, these executions provided the first evidence of prior planning. The headquarters of the Drina Corps must have been involved, since these executions corresponded precisely with information gained from an intercepted communication in which Colonel Milanovic, the Drina Corps' air defence officer, had requested an earthmoving machine to be sent to Konjevic Polje. However, this in itself did not provide any evidence that units of the Drina Corps actually carried out the executions in the Cerska valley.³⁴⁷

7. The late afternoon of 13 July: executions in the warehouse at Kravica

Later that same afternoon, 13 July 1995, executions were also conducted in the largest of four warehouses (farm sheds) owned by the Agricultural Cooperative in Kravica. Between 1000 and 1500 men had been captured in fields near Sandici. They were brought to Kravica, either by bus or on foot, the distance being approximately one kilometre. A witness recalls seeing around 200 men, stripped to the waist and with their hands in the air, being forced to run in the direction of Kravica.³⁴⁸ An aerial photograph taken at 14.00 hours that afternoon shows two buses standing in front of the sheds. At around 18.00 hours, when the men were all being held in the warehouse, VRS soldiers threw in hand grenades and opened fire with various weapons, including an anti-tank gun.³⁴⁹ In the local area it is said that the mass murder in Kravica was unplanned and started quite spontaneously when one of the warehouse doors suddenly swung open.³⁵⁰

Supposedly, there was more killing in and around Kravica and Sandici. Even before the murders in the warehouse, some 200 or 300 men were formed up in ranks near Sandici and then mown

³⁴⁵ ICTY, (IT-98-33), Judgement, 02/08/01, para. 196-198.

³⁴⁶ Interview Muhamed Durakovic, 20/11/99.

³⁴⁷ ICTY, (IT-98-33), Judgement, 02/08/01, para. 201-204.

³⁴⁸ ABiH Sarajevo. Arnoutovic archive, 13/07/95.

³⁴⁹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 205, 208.

³⁵⁰ Confidential interview (65).

down with machine guns.³⁵¹ At Kravica, it seems that the local population had a hand in the killings. Some victims were mutilated and killed with knives. The bodies were taken to Bratunac or simply dumped in the river that runs alongside the road. One witness states that this all took place on the 14th of July.³⁵² There were three survivors of the slaughter in the farm sheds at Kravica. One recalls:

‘...all of a sudden there was a lot of shooting in the warehouse, and we didn’t know where it was coming from. There were rifles, grenades, bursts of gunfire and it was – it got so dark in the warehouse that we couldn’t see anything. People started to scream, to shout, crying for help. And then there would be a lull, and then all of a sudden it would start again. And they kept shooting like that until nightfall in the warehouse.’³⁵³

Armed guards shot at the men who tried to climb out the windows to escape the massacre. When the shooting stopped, the shed was full of bodies. Another survivor, who was only slightly wounded, reports:

‘I was not even able to touch the floor, the concrete floor of the building (...) After the shooting, I felt a strange kind of heat, warmth, which was actually coming from the blood that covered the concrete floor, and I was stepping on the dead people who were lying around. But there were even people who were still alive, who were only wounded, and as soon as I would step on one, I would hear him cry, moan, because I was trying to move as fast as I could. I could tell that people had been completely disembodied, and I could feel bones of the people that had been hit by those bursts of gunfire or shells, I could feel their ribs crushing. And then I would get up again and continue.’³⁵⁴

When this witness climbed out of a window, he was seen by a guard who shot at him. He then pretended to be dead and managed to escape the following morning. The other witness quoted above spent the night under a heap of bodies. The next morning, he watched as the soldiers examined the corpses for signs of life. The few survivors were forced to sing Serbian songs, and were then shot. Once the final victim had been killed, an excavator was driven in to shunt the bodies out of the shed. The asphalt outside was then hosed down with water. In September 1996, it was still possible to find hair, blood, human tissue and traces of explosives on the walls to be used in evidence. Some remnants of bones were discovered near one of the outer walls.³⁵⁵

Ammunition cartridges found at the scene established a link between the executions in Kravica and the ‘primary’ mass grave known as Glogova 2, in which the remains of 139 people were found. No blindfolds or restraints were found. In the ‘secondary’ grave known as Zeleni Jadar 5, there were 145 bodies, a number of which were charred. Pieces of brick and window frame which were found in the Glogova 1 grave that was opened later also established a link with Kravica. Here, the remains of 191 victims were found.³⁵⁶

Precisely which Bosnian Serb units were involved in the Kravica executions cannot be stated with any certainty. There were certainly personnel of the Drina Corps in the area at the time, and the headquarters of one of the Bratunac Brigade battalions was only four hundred metres from Glogova. However, there are also indications that a detachment of Military Police could have been involved in

³⁵¹ Confidential interview (55).

³⁵² ABiH Sarajevo. Arnoutovic archive, 14/07/95, witness Kasim Mustafic.

³⁵³ ICTY, (IT-98-33), Judgement, 02/08/01, para. 205.

³⁵⁴ ICTY, (IT-98-33), Judgement, 02/08/01, para. 206.

³⁵⁵ ICTY, (IT-98-33), OTP Ex. 140, Manning Report, p. 6. ICTY, (IT-98-33), Judgement, 2/08/01, para. 207-8.

³⁵⁶ ICTY, (IT-98-33), OTP Ex. 140, Manning Report, p. 4-7. ICTY, (IT-98-33), Judgement, 02/08/01, para. 210-4.

burying the victims. One Bosnian Serb witness observed soon after the executions that both VRS and Special Police could well have been involved. Given the proximity of the headquarters, the request for the earthmover, and the fact that military transport was making regular use of the road through Kravica, it is almost inconceivable that the Drina Corps could have been unaware of what was going on in the area.³⁵⁷

8. 13 and 14 of July 1995: executions at Tisca

Tisca was the place at which the buses from Potocari stopped, whereupon the women and children were forced to proceed to Kladanj on foot, crossing the demarcation line as they did so. Some men had also managed to find a place on these buses, particularly on the first convoys of 12 July. This had been possible because the matters were not yet being organized according to the VRS plans: the men had not yet been separated from the women, while the presence of (Bosnian) Serb camera teams in Potocari may also have played a role. When the buses arrived in Tisca, they were searched by VRS troops who forcibly removed the men.

A survivor recalls that he and 22 others were escorted to a school in the vicinity of Tisca on the 13th of July. Their wrists were tied with telephone wire. A Muslim woman (called 'Turk') was ordered to identify the men, but recognized only one of them.

In the late evening, everyone was ordered to board a waiting truck which, escorted by a stolen UN vehicle, proceeded to an execution site. In transit, the prisoners overheard the order that the truck had to head to a specific location, which had been the destination of a previous transport.

On arrival, two of the men attempted to escape. They were shot on the spot. One of the men had managed to free his wrists and to loosen the tarpaulin at the side of the truck, thus making his escape. Shots were fired, but he managed to reach the nearby woods. About half an hour later, he heard salvos of gunfire. While still in the truck he had recognized the road to Vlasenica, and could thus orient himself to find the road towards Mt. Udrac. There he met several people from the column, together they arrived in Tuzla fifteen days later.³⁵⁸

The Chief of Staff of the VRS' 1st Milici Brigade, Major Sarkic, was in Tisca at the time. His presence was duly noted by Dutchbat personnel. However, it could not be established beyond doubt that he or any of his men were involved in the murders in Tisca. Likewise, it is not known whether the executions were carried out by MUP units or by the Military Police.³⁵⁹

9. 14 July 1995: executions at the Grabavci school and elsewhere in Orahovac

In the early morning of 14 July 1995, a convoy of thirty vehicles arrived at the Grabavci school in Orahovac. On board were prisoners who had been held overnight in Bratunac. Among them were many men who had been forced to leave the UN compound at Potocari. Part of this group had originally been held at the Nova Kasaba football stadium where they heard Mladic announce that the younger men would be part of a prisoner exchange scheme and the older men would be taken to Tuzla and to safety. This did not happen: instead they spent the entire night in Bratunac, confined inside the trucks with no food or drink.³⁶⁰ Two survivors later recalled seeing a UN armoured vehicle carrying soldiers in UN uniforms (who happened to speak fluent Serbo-Croat) escorting six buses out of Bratunac. The intention would seem to have been to make the prisoners believe that they were being taken under UN escort to some place where an exchange of prisoners would take place.³⁶¹

³⁵⁷ ICTY, (IT-98-33), Judgement, 02/08/01, para. 211-5.

³⁵⁸ Confidential interview (74).

³⁵⁹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 216.

³⁶⁰ Hren, *Srebrenica*, p. 53; ICTY, (IT-98-33), Judgement, 02/08/01, para. 220.

³⁶¹ David Rohde, 'Bosnia Muslims Were Killed by The Truckload', *The Christian Science Monitor*, 02/10/95. According to Surem Huljic, some 300 to 400 men were involved. The other witness was Mevludin Oric.

This was very far from the truth. On arrival at the Grabavci school, a survivor noticed that the school gymnasium was already half full of men who had arrived earlier that morning. Within a few hours, the entire school was crowded. Survivors give various estimates of the number of people there, from 2000 to 2500, including some teenage boys and many old men, but at least 700 to 800 men of combatant age. In any case, the gymnasium was overcrowded and cramped. Every now and then, one of the guards would fire a shot into the ceiling in an attempt to quieten the panicking prisoners. There were two men walking around in UNPROFOR uniforms, accompanied by a 'civilian' who was posing as an interpreter. This would seem to be another ploy to persuade the men that the proceedings were under UN supervision. Some prisoners were taken outside where they were killed. Eventually, General Mladic himself arrived and announced, 'Well, your government does not want you, and I have to take care of you'. Another survivor recalls seeing Mladic at the execution site, where he witnessed several executions.³⁶²

Having been held in the gymnasium for several hours, the men were taken outside in small groups. Each was blindfolded and given a mouthful of water. They were told that they were being taken to a camp in Bijeljina. In reality, they were being taken to an execution site only one kilometre away. There, they were lined up and shot from behind. Those who survived the first round were shot again. The execution site comprised two adjacent fields. Once one was full of bodies, the firing squads simply moved into the other. The digging machines began work while the executions were still in progress.³⁶³ A survivor later recalled:

'When we reached the location, I jumped down from the truck and pulled the blindfold from my eyes. I saw that the field was full of people who had been shot dead. They had brought us here to kill us too. We were formed up in two ranks with our backs to the Cetniks. To our left was a yellow bulldozer. I stood close to the people that had already been shot before us. I grasped my amulet and fell to the ground among the other bodies just before they began to shoot. There was screaming and shouting all around me. I heard the command, 'Fire!' and then again: 'Fire!' The young lads were crying out for their parents, the fathers for their sons. But there was no help.

I lay motionless between the bodies and heard the Cetniks ask: 'Is anyone wounded? We'll take him to the hospital. If anyone replied, they would go over to him and finish him off. I remained silent. The man who had fallen on top of me was still alive. They came closer and finished him off. He convulsed and kicked my shoe off. They stopped shooting. I heard laughing and talking. Another truck arrived and then the bulldozer started up. It began to move the bodies into a heap and to crush them. It came very close to me and though it was going to crush me too. Then it would have been better to have been killed with a bullet. Suddenly the bulldozer stopped and a tall, stocky man got out and lit a cigarette. I could see everything because the light of the reflectors was on him. He turned and walked over to the group of Cetniks who were now in the middle of shooting another group of prisoners. I thought: this is the right moment. I pushed away the man who lay on top of me, found my shoe and began to crawl towards the woods, pulling myself over dead bodies all the way.'³⁶⁴

³⁶² ICTY, (IT-88-33), Witness L., 10/04/00. ICTY, (IT-98-33), Judgement, 02/08/01, para. 220-1.

³⁶³ Hren, *Srebrenica*, pp. 53-54. ICTY, (IT-98-33), Judgement, 02/08/01, para. 221.

³⁶⁴ Hren, *Srebrenica*, pp. 53-55.

These executions began in the afternoon of 14 July and were completed shortly before midnight. The process of burying the victims was then stopped and resumed the next morning. As the executions started, the Zvornik Brigade of the VRS had not yet engaged in combat with the column from Srebrenica on its way to Tuzla. At this time, the column was approximately nine kilometres from the execution site at Orahovac. Fighting began at 1800 hours, and a few hours later the column saw the opportunity to break through the ambushes and reform. It then proceeded in a string of about two to three kilometres in length, passing only three kilometres from Orahovac where the executions were being carried out.³⁶⁵

Two primary mass graves were later discovered in this area: 'Lazete-1' and 'Lazete-2'. In the former, 130 bodies were found, together with 138 blindfolds. Lazete 2 contained 243 bodies and 147 blindfolds. The vast majority of the men had been killed by a rifle shot. Bodies had been removed from Lazete 1 and 2, and re-interred some time between 7 September and 2 October 1995 in secondary graves designated Hodzici Road 3, 4 and 5. At least 184 bodies were found here, and again the vast majority had been killed by rifle fire.³⁶⁶

The Zvornik Brigade of the VRS was responsible for these deaths. Not only was Orahovac in this brigade's area of responsibility, but a vehicle belonging to the Zvornik Brigade was positively identified. It is also known that a detachment of the brigade's Military Police had been sent to Orahovac. Later, attempts were made to obscure this fact by means of forged duty rosters. Moreover, a survivor identified a former colleague, one Gojko Simic, Commander of the anti-tank platoon of the Fourth Battalion, 1st Zvornik Brigade, who was heard to say, 'Collect your ammunition and let's go to the meadow to kill the men.' Logbooks of the Zvornik Brigade's engineering section reveal that a truck belonging to the unit made two trips to Orahovac that day, while another towed an excavator. The logbook also states that a machine spent five hours digging and that 200 litres of diesel oil was issued for this purpose on 14 July. In addition, on both 15th and 16th of July, an excavator and a bulldozer belonging to the Zvornik Brigade's engineering section were deployed in Orahovac and a truck made three or four journeys between the base and Orahovac. Survivors report seeing these two vehicles with their lights on, working at the execution site.³⁶⁷

10. 14th and 15th of July 1995: executions at the school and the dam in Petkovici

On the 14 and 15 July 1995, another large group of prisoners numbering some 1500 to 2000 were taken from Bratunac to the school in Petkovici. The conditions under which these men were held at the Petkovici school were even worse than those in Grabavci. It was hot, overcrowded and there was no food or water. In the absence of anything else, some prisoners chose to drink their own urine. Every now and then, soldiers would enter the room and physically abuse prisoners, or would call them outside. A few of the prisoners contemplated an escape attempt, but others said it would be better to stay since the International Red Cross would be sure to monitor the situation and they could not all be killed.³⁶⁸

The men were called outside in small groups. They were ordered to strip to the waist and to remove their shoes, whereupon their hands were tied behind their backs. During the night of 14th of July, the men were taken by truck to the dam at Petkovici. Those who arrived later could see immediately what was going on there. A large number of bodies were strewn on the ground, their hands tied behind their backs. Small groups of five to ten men were taken out of the trucks, lined up and shot. Some begged for water but their pleas were ignored. A survivor described his feelings of fear combined with thirst thus:

³⁶⁵ ICTY, (IT-98-33), OTP Ex 401, Butler Report, para. 7.66.

³⁶⁶ ICTY, (IT-98-33), Judgement, 02/08/01, para. 222-3.

³⁶⁷ ICTY, (IT-98-33), Judgement, 02/08/01, para. 224.

³⁶⁸ ICTY, (IT-98-33), Judgement, 02/08/01, para. 226.

‘I was really sorry that I would die thirsty, and I was trying to hide among the people for as long as I could, like everybody else. I just wanted to live for another second or two. And when it was my turn, I jumped out with what I believe were four other people. I could feel the gravel beneath my feet. It hurt. (...) I was walking with my head bent down and I wasn’t feeling anything. (...) And then I thought that I would die very fast, that I would not suffer. And I just thought that my mother would never know where I had ended up. This is what I was thinking as I was getting out of the truck. (...) I was still very thirsty. But it was sort of between life and death. I didn’t know whether I wanted to live or to die anymore. I decided not to call out for them to shoot and kill me, but I was sort of praying to God that they’d come and kill me. But I decided not to call them and I was waiting to die.’³⁶⁹

After the soldiers had left, two survivors helped each other to untie their hands, and then crawled over the heap of bodies towards the woods, where they intended to hide. They spent the night on a hillside. As dawn arrived, they could see the execution site where bulldozers were collecting the bodies. On the way to the execution site, one of the survivors had peeked out from under his blindfold and had seen that Mladic was also on his way to the scene.³⁷⁰

Aerial photos confirmed that the earth near the Petkovici dam had been disturbed, and that it was disturbed yet again some time between 7 and 27 September 1995. When the grave here was opened in April 1998, many bodies appeared to have disappeared. Their removal had been accomplished with mechanical apparatus, causing considerable disturbance to the grave and its contents. At this time, the grave contained the remains of no more than 43 persons. Other bodies had been removed to a secondary grave, ‘Liplje 2’, prior to 2 October 1995. Here, the remains of at least 191 individuals were discovered. One remarkable discovery in this grave was that of pages from Dutch newspapers, also found at three other burial sites.³⁷¹

It is not known precisely who carried out these executions. However, it is known that the Zvornik Brigade was involved, with two of its trucks driving between Petkovici and the dam no fewer than ten times on 15 July, presumably to transport the prisoners to the execution site. It is also known that two diggers belonging to the Brigades’ engineering company were deployed at the scene on the days in question. The execution site was only two miles from the command post of the 6th Battalion of the Zvornik Brigade in Baljkovica.³⁷²

11. 14 to 16 July 1995: executions at the Pilica school and the Branjevo Military Farm

On 14 July, the prisoners from Bratunac were taken even further to the north. Buses took them to a school in the village of Pilica, some twenty kilometres north of Zvornik. Here too, the 1000 to 1200 prisoners were denied food and water, some dying of dehydration in the gymnasium of the school itself. The men were confined for two full days.³⁷³ Although the executions at Orahovac and Petkovici had already taken place, the officer commanding the Zvornik Brigade, Lt. Col. Vinko Pandurevic, who on 15 July had been recalled from Zepa where his unit and others had been active, complained about

³⁶⁹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 227.

³⁷⁰ ICTY, (IT-98-33), Judgement, 02/08/01, para. 228.

³⁷¹ ICTY, (IT-98-33), OTP Ex. 140, Manning Report, p. 44, Annex C, p. 4/17, 9/17, 11/17 and 13/17. Pages from Dutch newspapers were also found at Hodzici Road 5 and at Cancari Road 3 & 12. In one case it could be established that the newspaper dated from April 1995. In the grave at Konjevic Polje 1, a Dutchbat Laundry ID Card #15 in the name of Muminovic was found. This bore the photograph of a woman. No conclusions were drawn with regard to this find.

³⁷² ICTY, (IT-98-33), Judgement, 02/08/01, para. 229-31.

³⁷³ ICTY, (IT-98-33), Judgement, 02/08/01, para. 233, 236.

the onerous burden which had been placed on his shoulders. He was required to find room for large numbers of prisoners in his area, guard them and dispose of the dead. His unit was no longer able to perform this task satisfactorily, lacking as they did the necessary resources. Pandurevic threatened to release the prisoners if no one else could be found to take responsibility for them. Even after the executions, Pandurevic declared it incomprehensible that ‘someone’ should have sent 3000 men to be confined in the schools, while he was also expected to deal with the fleeing column and engagements in which his units were being attacked by the ABiH.³⁷⁴

It may have been due to the lack of resources that the VRS did not remove the men from the school until 16 July. The prisoners were loaded onto buses, their hands tied behind their backs, and transported to the ‘Branjevo Military Farm’ (the farm bred pigs to supply the VRS). The prisoners were lined up in groups of ten and then shot. The 10th Sabotage Detachment, under the direct command of the General Staff of the VRS, carried out these executions.³⁷⁵ During the morning of 16 July, Drazen Erdemovic and other members of the 10th Sabotage Detachment were given orders for the executions, and proceeded via the headquarters of the Zvornik Brigade to the Branjevo Military Farm. They were accompanied by two officers of the Drina Corps’ Military Police and a Lieutenant Colonel without any distinguishing insignia, but the latter departed again shortly after their arrival. About half an hour after his departure, the first busloads of prisoners began to arrive. The Military Police escorted the buses (which belonged to *Centrotrans Sarajevo* and *Drinatrans Zvornik*) and supervised the disembarkation of the prisoners in groups of ten, and their last steps to the site of the execution. The first shots were fired at 10.00 hours and the entire procedure was completed by 15.00 hours. An additional ten VRS soldiers arrived to assist some time between 13.00 and 14.00 hours. It was said that they had come from Bratunac, which could also be deduced from the fact that they appeared to know some of the Muslims. Forensic examination of the ammunition cartridges found here failed to establish any similarity with the rifling marks on cartridges found elsewhere. It therefore seems likely that these were not the troops which formed the firing squads at other execution sites.³⁷⁶

Drazen Erdemovic, later convicted of war crimes by the Tribunal, was one of the VRS soldiers active here. According to his account, ‘the men in front of us were ordered to turn their backs. When those men turned their backs to us, we shot at them. We were given orders to shoot.’ Erdemovic reports that only one of the victims was in military uniform. Another had put up some resistance and had attempted to escape, but the remainder had shown full compliance. On occasion, the members of the Sabotage Detachment displayed remarkable cruelty. If they happened to recognize one of the prisoners, he would be humiliated and beaten before being put to death. Machine guns were used, which tended to cause wounds rather than being immediately fatal, thus serving to prolong the suffering.³⁷⁷ On this point, one of the survivors recalls:

‘When they opened fire, I threw myself on the ground. (...) And one man fell on my head. I think that he was killed on the spot. And I could feel the hot blood pouring over me. (...) I could hear one man crying for help. He was begging them to kill him. And they simply said “Let him suffer. We’ll kill him later.”’³⁷⁸

Between 1000 and 1200 men were killed at this site on 16 July. The killing continued the next day. Aerial photographs taken on 17 July show a large number of bodies around the Branjevo Military Farm

³⁷⁴ ICTY, (IT-98-33), OTP Ex 401, Butler Report, para. 7.71 and 7.75. From this number, it could be concluded that the executions in the area under Zvornik Brigade control (Orahovac, Petkovici, Branjevo Military Farm, Pilica Dom Kultura and Kozluk) involved some 3000 victims in all (Butler Report para. 9.33).

³⁷⁵ ICTY, (IT-98-33), Judgement, 02/08/01, para. 233-4.

³⁷⁶ ICTY, (IT-98-33), OTP Ex. 140, Manning Report, p. 17. ICTY, (IT-98-33), Judgement, 02/08/01, para. 239-40.

³⁷⁷ ICTY, (IT-98-33), Judgement, 02/08/01, para. 234.

³⁷⁸ ICTY, (IT-98-33), Judgement, 02/08/01, para. 235.

site and the tracks of an earthmoving machine which had been collecting the bodies together. In the mass grave at the Branjevo Military Farm, the bodies of 132 men were later discovered. These victims ranged in age from 15 to 61. At least 130 had died as the result of gunfire. It was possible to establish that thirteen men were from Srebrenica. Another grave, known as 'Chanceri Road 12', proved to be a secondary grave connected with the Branjevo Military Farm. Here, 174 bodies were found.³⁷⁹ In other words, only a small proportion of the total number of bodies were ever discovered.

That units of the Drina Corps were involved in the executions at the Branjevo Military Farm is beyond any doubt. The farm fell under the direct control of the 1st Battalion of the Zvornik Brigade. An earthmoving machine belonging to the Zvornik Brigade spent more than eight hours at the site on 17 July, the aerial photographs shown that a pit had been dug on that day. Moreover, intercepts established that the staff of the Drina Corps were involved. On the afternoon of 16 July, the Zvornik Brigade requisitioned 500 litres of diesel fuel for the use of Lt. Col. Vujadin Popovic, Security Officer of the Drina Corps, who had threatened to stop the 'work' he was doing if this was not forthcoming. The diesel was to be transported to Pilica and Col. Krsmanovic, the Transport Officer of the Drina Corps, was to make the necessary arrangements. The fuel was required to move prisoners from Pilica to the Branjevo Military Farm.³⁸⁰

It is noteworthy that two of the three survivors of the executions at the Branjevo Military Farm were arrested by local Bosnian Serb police on 25 July and sent to the prisoner of war compound at Batkovici. One had been a member of the group separated from the women in Potocari on 13 July. The prisoners who were taken to Batkovici survived the ordeal and were later able to testify before the Tribunal.³⁸¹

12. 16 July 1995: executions in the Dom Kultura in Pilica

The 10th Sabotage Detachment completed the executions at the Branjevo Military Farm at approximately 1500 hours on 16 July 1995, whereupon Erdemovic and his companions-in-arms refused to carry out any more executions. They were told that a group of five hundred prisoners had tried to escape from the Dom Kultura in nearby Pilica. The soldiers were then ordered to proceed to a café in Pilica where they were to await the arrival of the Lieutenant Colonel without identifying insignia who has already been mentioned in this chapter. While in the café, they could hear gunfire and grenades being detonated. This noise continued for 15 to 20 minutes, whereupon an soldier from Bratunac arrived and reported that 'everything' was over.³⁸²

There were no survivors to explain exactly what had happened in the Dom Kultura. However, it is remarkable that this was no execution at some remote spot, but one in the centre of town on the main road from Zvornik to Bijeljina. Over a year later, it was still possible to find physical evidence of this atrocity. As in Kravica, many traces of blood, hair and body tissue were found in the building, with cartridges and shells littered throughout the two storeys. It could also be established that explosives and machine guns had been used. Human remains and personal possessions were found under the stage, where blood had dripped down through the floorboards.³⁸³

The personnel of the Bratunac Brigade were involved in this incident. Two platoons of the Bratunac Brigade had been attached to the Zvornik Brigade, and a section of the Military Police platoon was in Pilica to guard prisoners. They carried out the executions in Pilica after those at the Branjevo Military Farm had been completed.³⁸⁴

³⁷⁹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 236-8.

³⁸⁰ ICTY, (IT-98-33), Judgement, 02/08/01, para. 241-2.

³⁸¹ ICTY, (IT-98-33), OTP Ex 401, Butler Report, para. 7.42.

³⁸² ICTY, (IT-98-33), Judgement, 02/08/01, para. 244.

³⁸³ ICTY, (IT-98-33), OTP Ex. 140, Manning Report, p. 1-3.

³⁸⁴ ICTY, (IT-98-33), Judgement, 02/08/01, para. 246.

13. Kozluk

The exact date of the executions at Kozluk is not known, although it can be narrowed down to the period of 14 to 17 July 1995. The most probable dates are the 15 and 16 July, not least due to the geographic location of Kozluk, between Petkovici Dam and the Branjevo Military Farm. It therefore falls within the pattern of ever more northerly execution sites: Orahovac on 14 July, Petkovci Dam on 15 July 1995, the Branjevo Military Farm and the Pilica Dom Kultura on 16 July. Another indication is that a Zvornik Brigade excavator spent eight hours in Kozluk on 16 July, and a truck belonging to same brigade made two journeys between Orahovac and Kozluk that day. A bulldozer is known to have been active in Kozluk on 18 and 19 July.³⁸⁵

Among Bosnian refugees in Germany, there were rumours of executions in Kozluk, during which the five hundred or so prisoners were forced to sing Serbian songs as they were being transported to the executions site. The interest subsequently shown in Kozluk can be explained by the fact that most of the six thousand inhabitants of the village (which had been 'ethnically cleansed' in 1992) were Muslim.³⁸⁶ Although no survivors have since come forward, investigations in 1999 led to the discovery of a mass grave near Kozluk. This proved to be the actual location of an execution as well, and lay alongside the Drina accessible only by driving through the barracks occupied by the Drina Wolves. The grave was not dug specifically for the purpose: it had previously been a quarry and a landfill site. Investigators found many shards of green glass which the nearby 'Vitinka' bottling plant had dumped there. This facilitated the process of establishing links with the secondary graves along Cancari Road.

The grave at Kozluk had been partly cleared some time prior to 27 September 1995, but no fewer than 340 bodies were found there nonetheless. In 292 cases, it was clear that they had died as the result of rifle fire: 83 by a single shot to the head, 76 by one shot through the torso region, 72 by multiple gunfire wounds, five by wounds to the legs and one person by gunfire wounds to the arm. The ages of the victims were estimated as between 8 and 85 years old. Some had been physically disabled (occasionally as the result of amputation) or had suffered from chronic disorders such as curvature of the spine or arthritis. Many had clearly been tied and bound using strips of clothing or nylon thread.³⁸⁷

Along the Cancari Road are twelve known mass graves, of which only two - Cancari Road 3 and 12 - have been investigated in detail. Cancari Road 3 is known to have been a secondary grave linked to Kozluk, as shown by the glass fragments and labels from the Vitinka factory. The remains of 158 victims were found here, of which 35 bodies were still more or intact and indicated that most had been killed by gunfire.³⁸⁸ Cancari Road 12 was the site of the re-interment of at least 174 bodies, moved here from the mass grave at the Branjevo Military Farm. Only 43 were complete sets of remains, most of which established that death had taken place as the result of rifle fire. Of the 313 various body parts found, 145 displayed gunshot wounds of a severity likely to prove fatal.³⁸⁹

14. Other execution sites

In addition to the mass executions, various smaller scale executions took place. They include those conducted in the immediate vicinity of the Dutchbat compound in Potocari.³⁹⁰ The executions of 12 and 13 July in Bratunac are discussed elsewhere in this chapter.

After the closure to the corridor at Baljkovica, several groups of stragglers nevertheless attempted to escape into Bosnian territory. Most were captured by VRS troops in the Nezuk -

³⁸⁵ ICTY, (IT-98-33), Judgement, 02/08/01, para. 252.

³⁸⁶ ABZ, DEU 508363. Memorandum DIO/JS to DEU/OE, DPV/PZ, DAV/MS, JURA, nr. 643/92, 28/09/92.

³⁸⁷ ICTY, (IT-98-33), OTP Ex. 140, Manning Report, p. 45-7. ICTY, (IT-98-33), Judgement, 02/08/01, para. 249-50.

³⁸⁸ ICTY, (IT-98-33), OTP Ex. 140, Manning Report, p. 48-51. ICTY, (IT-98-33), Judgement, 02/08/01, para. 251.

³⁸⁹ ICTY, (IT-98-33), OTP Ex. 140, Manning Report, p. 19-21.

³⁹⁰ See Chapter 4.

Baljkovica area and killed on the spot. On 19 July, for example, a group of approximately eleven men were killed at Nezuk itself by units of the 16th Krajina Brigade, then operating under the direct command of the Zvornik Brigade. Reports reveal that a further thirteen men, all ABiH soldiers, were killed at Nezuk on 19 July. The report of the march to Tuzla includes the account of an ABiH soldier who witnessed several executions carried out by police that day. He survived because some ABiH soldiers were needed for an exchange of prisoners following the ABiH's capture of an VRS officer at Baljkovica.³⁹¹

15. Obscuring the evidence

The attempts to obscure the extent of the mass murders began in September 1995. They involved opening the mass graves at the execution sites and moving the bodies from these 'primary' graves to several 'secondary' graves. Immediately following the executions, victims' bodies were buried in fourteen primary graves. In September and October 1995, re-internment in the secondary graves, usually in more remote locations, took place.³⁹²

This suggests an orchestrated attempt to obscure evidence as Srebrenica became the focus of increasing world interest. Such measures would not have been found necessary if the victims had all been killed in combat, in which case the bodies could have been returned to the enemy forces under the usual customs and conventions of warfare.

Why the operation to 'cover the tracks' took place when it did remains a mystery. The aerial photographs which suggested that executions had taken place had been presented to the Security Council by the American Permanent Representative Albright some weeks previously, on 10 August 1995. The Bosnian Serbs had therefore known for some time that the existence of the mass graves was no secret. However, it should be noted that at this time, only the graves at Konjevic Polje were known to the UN, not those at more northerly locations. It soon became clear that there had been survivors of the executions, able to testify to the events that had taken place. Their stories gradually emerged.³⁹³ The manner in which the executions became public knowledge is discussed in the following chapter. It remains the case that it was several weeks after the publication of the aerial photographs that a start was made to the removal of remains from the mass graves. No witnesses to the extensive activity of excavation, exhumation and re-internment have ever been found. Neither is there any firm evidence indicating who was responsible for the decision to undertake such activity. However, a letter dated 14 September 1995 and signed by Mladic reveals that the General Staff of the VRS issued five tons of diesel fuel to the Drina Corps and the Zvornik Brigade. The Tribunal believed this to be in connection with the excavations. Fuel was a scarce commodity for the VRS, while the involvement of the Zvornik Brigade (familiar with the locations of the graves) and the VRS' security department indicated a deliberate effort to cover up the mass killings. Aerial photographs confirm that there was considerable activity at the original grave sites during this period. It is also known that a meeting of the Bratunac Brigade staff took place on 16 October 1995, at which the Security Officer Major Momir Nikolic indicated that activities involving the re-internment of human remains were being conducted on the orders of the General Staff. All in all, the excavation of the primary graves, the removal and reburial of bodies in the secondary graves must have involved considerable effort. There would also have been many truck movements over distances of up to forty kilometres.³⁹⁴

³⁹¹ Confidential interview (55). ICTY, (IT-98-33), Judgement, 02/08/01, para. 254-5.

³⁹² ICTY, (IT-98-33), Judgement, 02/08/01, para. 71, 78, 80.

³⁹³ ABZ 00797. Code Biegman 721, 11/08/95.

³⁹⁴ ICTY, (IT-98-33), Judgement, 02/08/01, para. 257-60.

16. Excavations and exhumations

In 1996, the Yugoslavia Tribunal began its own excavations. Graves at Cerska, Nova Kasaba, Orahovac and the Branjevo Military Farm in Pilica were opened. A further eight graves followed in 1998: Petkovci Dam, Cancari Road 12, Cancari Road 3, Hodzici Road 3, Hodzici Road 4, Hodzici Road 5, Lipje 2, Zeleni Jadar 5. Yet another five were opened in 1999: Kozluk, Nova Kasaba, Konjevic Polje 1, Konjevic Polje 2 and Glogova 2, followed by a further four in 2000: Lazete 1, Lazete 2C, Ravnice and Glogova 1.³⁹⁵ (See map in section four) According to the official forensic reports, these graves have so far yielded the remains of no more than 2028 persons. In mid-2001, the locations of a further 18 graves were known, but had yet to be investigated. The experts believe that these must contain at least a further 2571 bodies, bringing the provisional total number of execution victims to 4599.³⁹⁶ By February 2000, only 73 had been positively identified, this number rising to 144 by the end of that year.³⁹⁷ Identification has proven to be a labour-intensive and expensive undertaking, made all the more difficult by the deliberate disturbance of the mass graves by the Bosnian Serbs.

Only when all the graves have been opened and fully investigated will it be possible to state exactly how many men were executed. Even then, there will remain some doubt regarding the accuracy of the count in the secondary graves, not only because these contain a number of incomplete corpses, but also because it is possible that some of the remains here belong to those killed in combat. So far, it has been possible to confirm the cause of death in only half the victims. In five cases, the cause of death was clearly shrapnel from grenades, which may indicate that they met their end during combat rather than as the result of the executions.

However, it is known that hand grenades were used during the executions in at least two places. In many of the graves, a large number of blindfolds and various restraints - mostly fashioned from iron wire and used to bind wrists or arms - were found. This clearly indicates executions, yet in the mass graves at Nova Kasaba and Konjevic Polje few such clues were found. There had also been combat in this area, and so it is possible that these victims fell on the battlefield. It will never be possible to distinguish victims of the executions from 'regular' casualties of war.³⁹⁸

Although it has been assumed thus far that all the victims of the executions were men and boys, not all the remains in the graves are male. Although in many cases it is impossible to establish gender at all, in at least one case the remains are of a woman. The majority of victims appear to be over the age of 25, but the remains of a number of boys aged between eight and twelve have also been found.³⁹⁹ There is a certain correlation between the ages of the missing persons and those of the bodies exhumed. The proportion of the listed missing persons aged between 13 and 24 is 26.4%, while the proportion of remains clearly in this group is 17.5%. In the over-25 category, the figures are 73.6% of the missing persons list and 82.8% of the actual remains. Identity documents, other papers and possessions have established a link with Srebrenica. In a few cases, the identity of a body could be determined by means of jewellery, photographs or prostheses. Some victims had been disabled and were therefore definitely never part of a combatant military unit.⁴⁰⁰

³⁹⁵ ICTY, (IT-98-33), Judgement, 02/08/01, para. 71.

³⁹⁶ ICTY, (IT-98-33), OTP Ex. 140, Manning Report, p. 3/21. How the investigators arrived at such an exact figure is not explained.

³⁹⁷ BBC Worldwide Monitoring. Bosnia-Herzegovina Federation TV, Sarajevo, in Serbo-Croat and timed at 18.30 hrs GMT on 04/12/01.

³⁹⁸ ICTY, (IT-98-33), Judgement, 02/08/01, para. 76.

³⁹⁹ ICTY, (IT-98-33), OTP Ex. 140, Manning Report, p. 3/21, 28/21.

⁴⁰⁰ ICTY, (IT-98-33), Judgement, 02/08/01, para. 74.

17. Responsibility

During the Krstic trial, a significant issue on which prosecution and defence differed, was that of where responsibility lay during the fall of Srebrenica, and more especially in the period immediately thereafter. The military operation would have relied on the close involvement of General Mladic and the officers of the VRS General Staff. This would be particularly true in the case of deliberate and orchestrated mass murder.

There was yet another complication, in that command of the Drina Corps had been transferred from General Zivanovic to General Krstic around the time that the executions commenced. Clearly, this has a great bearing on the question of responsibility.

As stated previously, there is no firm evidence to suggest that the Drina Corps drew up plans for the killings or actually instigated the physical measures required. In all probability, the planning fell to the General Staff under Mladic. Officers of the General Staff were indeed seen at various locations around the enclave during the killings. Mladic was in charge of the proceedings in Potocari: the separation of the men and women, and the imprisonment of the men at various sites close to the UN compound. Mladic was seen in the field at Sandici, and was also seen on 13 July at the football stadium in Nova Kasaba, where thousands of Muslim men were being held prisoner. Mladic was also present at Grabavci School and in Orahovac, where he witnessed the executions of 14 July. Colonel Beara, head of the General Staff's Security and Intelligence department was a prominent figure seen at various locations, as were several other members of the General Staff.⁴⁰¹

It was striking that the VRS security forces had a major part in the proceedings. Not only were the security organs of the General Staff involved, but also those of the Drina Corps, whose Assistant Chief of Staff for Security, Lt.Col. Popovic, was in charge. The activities of the security forces were, according to the Krstic's defence lawyers, carried out independently and autonomously. It was thus claimed that the Commanders of the Drina Corps, first Zivanovic and later Krstic, knew nothing of any criminal activity, even if this had taken place within the Corps' area of responsibility.

Another person must be identified as having a hand in all this, albeit in a minor role. Following the fall of Srebrenica, President Karadzic made Miroslav Deronjic (the Commissioner for Srebrenica whom Karadzic had previously appointed) responsible for prisoners and refugees. Deronjic had previously been a teacher at a Yugoslav school in France, and had been president of the SDS (Karadzic's party) in Bratunac since 1990. However, the Tribunal was not offered evidence that Deronjic had any degree of authority which would have enabled him to exert influence on the activities of the Drina Corps.⁴⁰²

In an interview, Deronjic told the NIOD that he had received Karadzic's phone call appointing him Civilian Commissioner for Srebrenica on 11 July. He told Karadzic that the VRS had entered a deserted town, the civilian population having left for Potocari. Karadzic said that his written instructions would follow. Deronjic claims that he immediately set out for Pale in order to obtain a full explanation of the role he was to play as 'civilian commissioner'.⁴⁰³

Deronjic was apparently put in charge of the civilian population of Srebrenica and of the organizational aspects of the civilian administration and the police force. Karadzic had instructed Deronjic to hold a meeting with representatives of UNPROFOR at which Muslims were to be offered the opportunity of remaining in Srebrenica under Bosnian Serb control. Deronjic did not consider this to be a viable option, if only because the Muslims themselves would never agree. Moreover, the civil authorities could not guarantee that Muslims and Serbs would be able to live alongside each other in harmony. However, according to Deronjic's statement, Karadzic wished his idea to remain among the options and to be put to the Muslims. Deronjic says that he was not particularly pleased to have been told to find a solution for the civilian population. He realized that any negotiations with Mladic would

⁴⁰¹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 290.

⁴⁰² ICTY, (IT-98-33), Judgement, 02/08/01, para. 263.

⁴⁰³ Interview Miroslav Deronjic, 03/11/99.

be difficult because of the ongoing conflict between the military and the political forces in the Republika Srpska. He returned to Bratunac and attempted to contact Mladic that same evening, 11 July. Mladic was not available.⁴⁰⁴

That the Bosnian Serbs intended to allow the civilian population to remain in Srebrenica was confirmed by the vice president of the Serb Republic, Nikola Koljevic, during talks with the UNHCR representative John Ryan on the evening of 11 July. At that time, the military authorities were still in charge, as Deronjic was not due to become responsible for the civilian population until 12 July. Koljevic also stated that humanitarian organizations would be allowed full access to Srebrenica. This later proved not to be the case, there being strong resistance from the military forces.⁴⁰⁵

On the morning of 12 July, Deronjic received another telephone call: Mladic wanted to see him. He was to go to the Hotel Fontana where they had breakfast together. According to Deronjic, Mladic was not happy to negotiate with a civilian authority. He had already heard 'through the grapevine' that he was expected to do business with Deronjic. For his part, Deronjic promised not to interfere in any military operations, and stated that he understood that the military action would continue. He therefore did not count on the assistance of the military in performing his duties as civilian commissioner. Mladic was assured that Deronjic had all the assistance he needed in the form of the police.

On the very first night after the fall of Srebrenica, prisoners were taken to Bratunac. Deronjic told Mladic that he considered this unacceptable; there was no proper prison in Bratunac. Miladin Simic, the mayor of Bratunac, had informed Deronjic in disguised form that the prisoners were to be held in a school building. Deronjic allegedly told both Mladic and Karadzic that the prisoners must be accommodated elsewhere. According to Deronjic, he was in constant telephone contact with Karadzic at this time. Karadzic is alleged to have told Deronjic that 'the goods must be placed in a storeroom', which is understood to mean that the captive men must be moved to a prison camp. This message was passed on to the military commanders, whereupon the prisoners were placed on trucks with the destinations Konjevic Polje, Kladanj, Zvornik and Bijeljina.

According to Deronjic's account, there was then considerable uncertainty about what happened in the following days. Moreover, he claims that this was a military matter and thus entirely out of his hands. However, this standpoint does not chime with this orders to care for the civilian population of Srebrenica. To Deronjic, the most important thing was that the prisoners had been taken out of Bratunac; no more prisoners would be taken there.

Deronjic claims that there is no evidence of executions having taken place in Bratunac itself, although he does concede that some reprisal action was taken against individuals. After the fall of Srebrenica, there was an almost hysterical elation among the troops in Bratunac. Srebrenica was the first town of any appreciable size to be 'liberated' by the VRS. The soldiers felt the need to celebrate and to demonstrate their triumph, at the expense of the civilians.⁴⁰⁶

On 14 July Karadzic declared a state of war in Srebrenica and the immediate vicinity. In principle, this automatically made the civilian authorities subordinate to military rule. The purpose of this move was to ensure that VRS forces within the Drina Corps' area of responsibility had access to the personnel and resources which would enable 'final victory over the enemy'. Deronjic was now subject to military authority. Karadzic issued orders that both VRS forces and the civilian organs should

⁴⁰⁴ Interview Miroslav Deronjic, 03/11/99.

⁴⁰⁵ UNNY, UNPROFOR, Box 87717, File 7-8-1, Srebrenica 11/07-31/07/95. Fax UNHCR Pale to UNHCR Zagreb, 11/07/95, Note John Ryan to Akashi, Zagreb, Moussali, HC Zagreb, Corwin, BHC, 11/07/95.

⁴⁰⁶ Interview Miroslav Deronjic, 03/11/99. It has not been possible to corroborate Deronjic's account using other sources. Deronjic further claims that as he was proceeding to Pale via Konjevic Polje on 11 July, a Muslim man emerged from the woods and wished to surrender to him.

⁴⁰⁷ ICTY, (IT-98-33), OTP p. 00892574. Radovan Karadzic: Decision on the Proclamation of a State of War in the Srebrenica-Skelani Municipality, 14/07/95, No. 01-1372/95.

observe international law and conventions. However, they had not done so to date and continued to flout the law even after Karadzic's proclamation.⁴⁰⁷

In Belgrade, the coterie of Serbian intellectuals around the former president Cosic realized that revenge was likely to rear its head. This seemed even more likely in that the units involved in Srebrenica were made up of local men, whereupon one's opponent could well hail from the same small village. Cosic feared that the events in and around Srebrenica would escalate into a full-scale crisis. Among his circle, there was a concern that the Serbs would become embroiled in such a crisis to the extent that further ethnic conflicts and widespread fighting would become inevitable. It was therefore decided to observe the situation on the spot.

Vladimir Matovic, a former journalist and advisor to Cosic, was asked to go to Srebrenica since he was most familiar with the local situation. He also knew Karadzic and Mladic from the time that Cosic was still president. Matovic first went to the bureau of the Republika Srpska in Belgrade. The staff there knew nothing. It therefore seemed more useful to proceed directly to Bratunac and Srebrenica. On 12 July, Matovic managed to reach Potocari. What he saw here was enough: Muslims were lined up on one side of the road, VRS soldiers on the other. There was general confusion among both the VRS troops and their Dutchbat counterparts. The situation reminded Matovic of the film he had seen about the evacuation of Saigon. There were plenty of people and soldiers milling around, but there was no political figure in charge. The senior Muslim representatives had left and there was no sign of any agreements having been reached. Matovic attempted to contact the VRS and the Muslim leaders. He wished to arrange talks with the VRS commanders before reporting back to Belgrade on exactly what was happening here. However, he did not get to meet Mladic or any of his generals.

Matovic travelled on to Pale where he was able to meet with Karadzic and the ministers of the interior and defence, but these had no ready answers either. Matovic gained the impression that Karadzic was genuinely unaware of what was happening in and around Srebrenica. Rather than providing answers, Karadzic was asking questions. Matovic then decided to return to Belgrade. He arrived there in the early morning of 14 July, whereupon it was decided that the patriarch Pavle and former president Cosic would each write a letter to Mladic and Karadzic.

Matovic rushed to the monastery where Pavle lay on his sickbed and explained what the group had decided. Pavle proceeded to write to Mladic and Karadzic. Cosic did likewise. Although worded differently, the letters had the same general intent, pointing out that the situation was likely to lead to a full-scale crisis. They incited Mladic, as Commander of the Armed forces, to display civilized behaviour with regard to the ABiH prisoners of war. In his letter, Cosic referred to Serbian military traditions. With the letters, Matovic departed once more for Bratunac where he arrived on the evening of 14 July. He was again unable to find Mladic, but met with another VRS General, Dordje Djukic, responsible for logistics.⁴⁰⁸ Matovic explained the views of the Belgrade group and that he was going to visit Karadzic to deliver the letter. Karadzic told him later that he had obtained no further information since Matovic's earlier visit. In fact, he claimed to gain all his information from watching CNN.

Matovic returned to Potocari on 16 July. Here, the first rumours of killings reached him. He met Djukic again and asked him whether he had passed on the letter to Mladic. Djukic assured him that he had. As far as the killings were concerned, Djukic said that these were rumours and nothing more. It seemed even more essential that Mladic should be fully apprised of the standpoint held by the Cosic group, but yet again it was impossible to find him. Matovic states that the chaos he observed around Srebrenica and the fact that Karadzic seemed to know nothing made him very apprehensive about what could happen next. Cosic never received a reply to his letters from either Karadzic or Mladic.

⁴⁰⁷ ICTY, (IT-98-33), OTP p. 00892574. Radovan Karadzic: Decision on the Proclamation of a State of War in the Srebrenica-Skelani Municipality, 14/07/95, No. 01-1372/95.

⁴⁰⁸ Djukic was indicted by the Yugoslavia Tribunal on 29/02/96, charged with shooting civilians during the siege of Sarajevo, after the Bosnian Muslims had taken him as a prisoner of war. However, he died on 04/03/96. The charges against him did not relate to Srebrenica.

However, he had not expected an answer: the letters were intended as an appeal to their sense of moral responsibility.⁴⁰⁹

Thus, the intervention of Cosic and his followers had no effect. However, it is an illustration of the fact that not everyone was confident of the Srebrenica situation being resolved satisfactorily, and that there were indeed fears in some Serbian quarters that taking the enclave would squander Serbian interests and lead to more blood-letting. It remains unclear whether Karadzic knew about the mass murders at the time, but in view of the manner that he was briefed about the progress of the VRS by his General Staff on 11 July, it seems unlikely that news of local events would not have reached him in the ensuing days.

18. The involvement of the General Staff

Clearly, it is important to establish the extent to which the General Staff of the VRS had direct control over the Drina Corps' activities in and around Srebrenica in order to determine who was responsible for the treatment the prisoners received and their execution. Therefore, the Tribunal examined this question in some detail. According to Krstic's defence, the General Staff intervened on several occasions. The first of these was alleged to have been on 9 July, when Mladic arrived at the VRS command post which had moved forward to Pribicevac, whereupon he took de facto command of the attack on Srebrenica. He would then also be responsible for ensuring that the original objective of operation 'Krivaja 95', that of reducing the enclave was changed to full capture of the enclave. The second General Staff intervention was in directing the movement of the population from Potocari, which again fell to Mladic. And it was Mladic (rather than the Corps Commander Zivanovic) who put Krstic in charge of the operation against Zepa on 11 July. A further intervention of the General Staff was the appointment, on 17 July, of Lt. Col. Keserovic to lead the operation to clear the territory around Srebrenica, this having previously been coordinated by the Drina Corps. Moreover, Mladic had stated that locating the 28th ABiH Division after the fall, when the Drina Corps did not know where it was to be found, was his responsibility.⁴¹⁰

In any event, the Krstic defence considered it clear that the General Staff had continued to issue a series of orders and instructions even after the fall of Srebrenica, and that those in charge of the Drina Corps had not always been informed or consulted about the activities of the General Staff in the region. Indeed, there were several indications to support these claims. In the early evening of 13 July, for example, the Drina Corps Commander Zivanovic was still investigating ABiH war crimes, while the first executions had already taken place at Konjevic Polje and Cerska, and were just about to begin at Kravica. Mladic had announced this investigation during the talks at the Hotel Fontana.

Further, the orders which Krstic carried out on 13 July in connection with the search for personnel remaining in the enclave had been changed. Another example is that Colonel Beara of the General Staff had issued orders directly to the officers of the Drina Corps. From an intercepted communication between Zivanovic and Beara it could be deduced that Mladic had issued direct orders concerning executions to the members of the 5th Podrinje Brigade, on or about 13 July 1995. The same communication suggested that Zivanovic was not aware of the action further to those orders before he had spoken with Beara. Zivanovic seemed to have very little say in matters after that: this was his last day as commanding officer.⁴¹¹

⁴⁰⁹ Interviews Vladimir Matovic, 16/12/99 and Dobrica Cosic, 13/09/01. In Belgrade several groups were active, comprising academics, writers, renowned professors, members of peace groups and various non-governmental organizations, all of which wished to contribute to the peace process in one way or another. The exact composition of the Cosic group depended on the occasion. In this case, it included Prof. Ljubomir Tadic, Prof. Smilja Avramov, Prof. Ekmecic (a Serb from Sarajevo), and Prof. Mihailo Markovic.

⁴¹⁰ ICTY, (IT-98-33), Judgement, 02/08/01, para. 264-5.

⁴¹¹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 265.

In an intercepted communication of 17 July, Krstic was heard to ask an unidentified person on whose orders troops had been moved somewhere or other. The answer was: the General Staff. This provides another indication that the General Staff was issuing direct orders without informing the responsible officer of the Drina Corps. After July 11, various units which did not form part of the Drina Corps itself were active in arresting and executing Muslim men. They included the Police Battalion of the 65th Regiment, the Special Police of the Ministry of Home Affairs (MUP) and the 10th Sabotage Detachment.⁴¹²

Further questions concerning the command structure were also raised with regard to the units which are known to have played a major part in the executions. These were units which fell under the General Staff and not under the Drina Corps itself. The 10th Sabotage Detachment was involved in the executions at the Branjevo Military Farm, while the Military Police Battalion of the 65th Regiment was involved in taking and holding Muslim prisoners at Nova Kasaba. The MUP units, including both regular police and the Special Police, also conducted operations in the area. MUP units were certainly present at Potocari on 12 and 13 July, and were involved in capturing Bosnian Muslims at Nova Kasaba on 13 July. MUP personnel are also thought to have been involved in the executions alongside the Jadar river on the morning of 13 July.⁴¹³

On 11 July, soldiers of the 10th Sabotage Detachment were present in Srebrenica, as was their Commander, Lt. Miso Pelemis. The detachment had arrived on 9 or 10 July. With only 30 men, this unit would not have made very much impact one way or the other as the VRS prepared to take Srebrenica. However, the situation was somewhat different at the Branjevo Military Farm, where these men played a very significant role alongside counterparts from the Bratunac Brigade. Whether the detachment was by this time officially under the command of the Drina Corps cannot be determined, there being no documentation to this effect. However, the Yugoslavia Tribunal considered it reasonable to assume the presence of the unit, in that Krstic reported seeing its members in Srebrenica.⁴¹⁴

The Military Police Battalion of the 65th Regiment was stationed in Nova Kasaba. On or about 15 July, it was under the direct command of the Bratunac Brigade and was involved in activities intended to halt the progress of the column to Tuzla. However, there is no hard evidence to show that the 65th Regiment was involved in any executions after 15 July.⁴¹⁵

A number of companies of the Special Police of the Ministry of Home Affairs (MUP) were assigned to the Drina Corps as reserves for the 'Kravija 95' operation. These units were under the command of Lt. Col. Ljubisa Borovcanin, Deputy Commandant of the Special Police Brigade, and arrived in Bratunac on 10 or 11 July. Here too, it is unclear whether they were placed under the direct command of the Drina Corps at any time. Their deployment required the express permission of the Minister of the Interior of the Republika Srpska. There was clearly mutual cooperation and coordination. Whether these units were actually used in their reserve capacity during the attack on Srebrenica is not known, but it seems unlikely. However, these units did have a task following the fall itself. The Special Police were present in Potocari and along the road from Bratunac to Konjevic Polje, where on 13 July they took a large number of prisoners from the column and probably killed them as well.⁴¹⁶

Nevertheless, none of these examples and the presence of the units directly under the General Staff can be taken as definite proof that the General Staff was entirely responsible for the operations in and around Srebrenica, or for the events which followed the fall of the enclave. The units were placed under the command of the Drina Corps, which made this Corps ultimately responsible for their actions. The General Staff enjoyed the authority to deploy the resources of the brigades in times of

⁴¹² ICTY, (IT-98-33), Judgement, 02/08/01, para. 265.

⁴¹³ ICTY, (IT-98-33), Judgement, 02/08/01, para. 277.

⁴¹⁴ ICTY, (IT-98-33), Judgement, 02/08/01, para. 278.

⁴¹⁵ ICTY, (IT-98-33), Judgement, 02/08/01, para. 282.

⁴¹⁶ ICTY, (IT-98-33), Judgement of 02,08/01, para. 283-6.

emergency, but not without informing the Corps command. According to General Krstic, this is exactly what had gone wrong after the fall of Srebrenica: Colonel Beara, the General Staff's Security Officer, had deployed the resources of the Zvornik Brigade on operations without informing the commanders of the brigades or of the Drina Corps. Krstic denied that Beara had acted through the usual chain of command in order to involve the Zvornik Brigade in the executions. Krstic also stated that Beara had definitely not reported the use of its personnel and vehicles to the Drina Corps.⁴¹⁷

VRS regulations did not permit the General Staff to intervene in the chain of command, whereupon the principle of unity of command would be violated. In a reasonably well-organized army, it would certainly not have been usual practice. However, the fact that the General Staff did apparently intervene indicates that the VRS may have been rather less well organized than was generally believed, which complicates the question of responsibility and makes it somewhat more difficult to find evidence against the Commander. Whatever the VRS regulations may have said, this did not prevent Mladic, a dominant personality, from issuing orders and instructions following his arrival on 9 July. He did so in the background and also publicly, as the video footage of 11 July shows, and did so with regard to certain aspects of the operation such as the continuation of the attack, the transport of the population out of Potocari and the executions themselves. Mladic also led the discussions in the Hotel Fontana, from which representatives of the Drina Corps were explicitly excluded. He was also seen in Potocari and at various execution sites. Nevertheless, this does not necessarily imply that the command of the Drina Corps did not know about the operations or that the usual authority with regard to the deployment of their own units had been removed from them.⁴¹⁸

It is seen as particularly significant that it was the Drina Corps and not the General Staff which organized the buses which arrived at Potocari. On 13 July, the General Staff informed the Drina Corps' Intelligence unit that the transport of women and children had been completed. The General Staff issued the orders to intercept the column but that was done via the Corps' command, although the Brigades directly received a copy of the order. It cannot therefore be claimed that the Drina Corps' chain of command was ignored or passed over. Col. Beara certainly consulted with General Krstic, and on 15 July requested him to supply extra personnel. Krstic referred Beara to Colonel Blagojevic, Commander of the Bratunac Brigade, to request the deployment of the 'Red Berets', a reconnaissance unit of the 3rd Battalion of the Bratunac Brigade. The brigades reported directly to the Drina Corps and not to the General Staff. The Corps was constantly informed of the progress of the column and of the number of prisoners taken.⁴¹⁹

According to the Tribunal, the senior members of the Drina Corps were aware of the events within the Corps' own area of responsibility at least. It would not have been possible for the executions to have taken place without the knowledge of the Corps command. The usual position in the chain of command remained unaltered by the interference of the General Staff of the VRS and the involvement of any security units, the Tribunal concluded.⁴²⁰ While the Drina Corps was in a sense 'overruled', its officers accepted the new status quo and continued to play their customary role.

In this context, two related questions remain. Firstly, were the prisoners the exclusive domain of the VRS security organs? Secondly, did the security organs of the Drina Corps and the General Staff have their own chain of command, independent of that of the Corps command? If so, was this able to act in secret? During the Krstic trial, the defence and prosecution clashed on this very point. According to the defence, the VRS regulations would have allowed security officers at Corps level to determine what was to remain secret, yet only the security organ of the General Staff could determine what should be made public knowledge. Lt. Col. Popovic is therefore likely to have received orders relating to the prisoners directly from Col. Beara without being allowed to inform the Corps command. It is thus

⁴¹⁷ ICTY, (IT-98-33), Judgement, 02/08/01, para. 267, 277.

⁴¹⁸ ICTY, (IT-98-33), Judgement, 02/08/01, para. 268.

⁴¹⁹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 269-70.

⁴²⁰ ICTY, (IT-98-33), Judgement, 02/08/01, para. 272 en 276.

possible that the commanders of the Corps and the brigades were not aware of the crimes perpetrated by the security organs, which in principle would exculpate Krstic.⁴²¹

The prosecution challenged this view. VRS regulations actually laid down that the Assistant Commander for Security was subordinate to the Unit Commander. Lt. Col. Popovic therefore answered to the Corps Commander and not to Colonel Beara. Within the security organs there was no question of parallel chains of command. Even had Beara and Popovic carried out criminal activities on the direct orders of Mladic, there would have been ongoing consultation and coordination with the staff of the Drina Corps with regard to such matters as personnel deployment and the allocation of vehicle fuel and other supplies.⁴²²

This view was supported by the contents of a message intercepted on 15 July, which indicated that Beara had spoken to Krstic about extra personnel to be assigned to the work on which he was then engaged. Beara requested Krstic's cooperation only after the MUP commander had refused. Apparently, Beara was able to act upon his own initiative, but when this proved unsuccessful he relied upon Krstic to issue orders. It could therefore not be claimed that the security organs operated in isolation and in secret, without the knowledge of the Drina Corps command.⁴²³

As stated in the previous paragraph, all indications are that there was close cooperation between the General Staff and the Drina Corps in carrying out the operations which followed the fall of Srebrenica. The fact that the troops taking part were under the direct command of the General Staff and that MUP units were also involved helps to add weight to this argument. Moreover, the presence of Mladic and officers of the General Staff suggests that some importance was attached to the Srebrenica. Because the General Staff did not have its own troops or physical resources with which to achieve its own objectives, it was very much dependent on the Drina Corps in this respect.⁴²⁴

19. Who was in command of the Drina Corps?

Soon after the fall of Srebrenica, the command of the Drina Corps changed hands, with General Zivanovic handing over to his Chief of Staff General Krstic. The exact moment that this occurred could not be determined during the Krstic trial and remained a bone of contention. Obviously, this would have a significant bearing on the question of responsibility. Krstic claimed that he had been Chief of Staff until 20 July, and that Mladic officially appointed him commanding officer during a ceremony in a restaurant in Han Kram. General Zivanovic remained in his post until this moment. Furthermore, Krstic was fully occupied with the operations against Zepa until 2 August, whereupon he had not been involved in any planning or operational aspects of the Drina Corps prior to this date. Accordingly, Krstic could not have known about the executions.

Clearly, it was in his own interests to say this. He also claimed that he eventually heard about the executions in late August or early September, and only then had he heard about the interventions on the part of the General Staff. The defence claimed that there had been separate and parallel chains of command. The executions were not common knowledge throughout the entire Drina Corps: this was confirmed by other witnesses. Sometimes, personnel learned of the executions from the general media.⁴²⁵

The prosecution took a different view of events, setting the transfer of command very precisely at 20.00 hours on 13 July 1995, i.e. at a time that the executions had just commenced. The defence stood by its version: the transfer of command took place in Han Kram on 20 July. General Mladic and General Tolimir had arrived there by helicopter, and only then did he read Karadzic's orders placing General Zivanovic at the disposal of the General Staff. Krstic was then appointed Commander of the

⁴²¹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 273.

⁴²² ICTY, (IT-98-33), Judgement, 02/08/01, para. 274-5.

⁴²³ ICTY, (IT-98-33), Judgement, 02/08/01, para. 287.

⁴²⁴ See also ICTY (IT-98-33), OTP. Ex. 385/a, Dannett Report, para. 43.

⁴²⁵ ICTY, (IT-98-33), Judgement, 02/08/01, para. 307.

Drina Corps, while Colonel Andric moved up to fill the vacant position of Chief of Staff. By this time, the executions were finished.⁴²⁶

However, the Tribunal also heard evidence from members of the Drina Corps who stated that Krstic was already in command on the afternoon of 13 July. Mladic had assembled all officers in the headquarters of the Corps earlier that day, and had officially announced Krstic's appointment as Corps Commander, as well as that of Colonel Andric as Chief of Staff.⁴²⁷ Krstic's predecessor, General Zivanovic also stated that the transfer of command took place during the afternoon of 13 July, although it should be remembered that it was in Zivanovic's own interests to establish the moment of transfer as early as possible in order to minimize his responsibility for the executions.

On the afternoon of 13 July, Krstic arrived at the Drina Corps headquarters in Vlasenica wearing a Dutchbat helmet. He had been driven there in a Dutchbat APC. The mood was exuberant and the Dutchbat-issued headgear equipment was passed around the 25 or 30 people present. Mladic then gave a speech in which he proclaimed Krstic the new Commander of the Corps. Krstic had no desire to call the roll, although this was usual on such occasions. According to Zivanovic, Krstic behaved in a rather haughty and arrogant fashion throughout. Following this meeting, Radenko Jovicic, the Drina Corps' Personnel Officer, produced a document to confirm the transfer of command.⁴²⁸

It was not until April 2001 that the prosecution at the Yugoslavia Tribunal was able to lay hands on this document confirming the appointment of Krstic as commanding officer with effect from 13 July. This had been obtained through General Zivanovic. However, in the view of the prosecutors themselves, the document contained a number of irregularities and could well have been produced at a later date or for another purpose. The irregularity was that it referred to a Decree issued by the President of the Republika Srpska. However, the decree in question had not been signed before 14 July, and stated the date of the transfer of command as 15 July. The only person with the statutory authority to appoint a Corps Commander was Karadzic, not Mladic. A possible explanation is that Mladic appointed Krstic following consultation with Karadzic and with the latter's approval, and that the paperwork had been completed the following day.⁴²⁹

The last written order known to have been signed by Zivanovic is timed at 17.30 hours on 13 July, while the first signed by Krstic is timed at 20.30 hours that same day. This ordered units of the Bratunac and Milici Brigades, together with the Skelani Battalion, to scour the Srebrenica enclave in search of any remaining civilian personnel. Krstic signed this order with his name and the word 'Commander', thus indicating that he had indeed assumed command. The defence contended that Krstic had signed this order in his capacity as the Commander of the Zepa operation, not as that of the entire Corps. This seems a very tenuous argument in that Krstic should then have signed as Commander of the Zepa operation and not as Commander of the Corps.

It is also far from clear that the 'cleansing' operation he thus ordered bore any relation to the operation against Zepa. Krstic claimed that it did because, in his opinion, the enclave had to be cleared before the operation against Zepa could begin on 14 July. Not only is this an illogical argument, it is irrelevant to the question of his formal position.⁴³⁰

Another cause of confusion regarding the exact moment of the transfer of command is that even after signing his last order, Zivanovic continued to exercise authority with regard to the interception of the column near Zvornik on 14 July, and on at least one occasion he stated explicitly that his instructions had the status of an official order. This can be deduced from a number of intercepted communications. The prosecutor was of the opinion that, even though Zivanovic had been relieved of his command, he found himself the senior officer in a situation in which urgent decisions

⁴²⁶ ICTY, (IT-98-33), Judgement, 02/08/01, para. 311.

⁴²⁷ ICTY, (IT-98-33), Judgement, 02/08/01, para. 312-313.

⁴²⁸ Interview Milenko Zivanovic, 17/09/01.

⁴²⁹ ICTY, (IT-98-33), Judgement, 02/08/01, para. 314-6.

⁴³⁰ ICTY, (IT-98-33), Judgement, 02/08/01, para. 318-20.

had to be made. Krstic was unavailable, being out of Srebrenica that evening. The question of whether such decisions should have been taken by the recently appointed Chief of Staff was not addressed.⁴³¹

Another intercepted communication served to explain Zivanovic's presence. He was indeed at the command post but was there to pack in connection with this transfer. This scenario is also suggested by the response that Zivanovic gave to Col. Beara's request for additional manpower: that it was something he was no longer able to arrange. He advised him to call the telephone exchange of the Drina Corps. Shortly hereafter, Beara repeated his request to Krstic, who promised to 'see what could be done'. Even before 15 July there were several examples of suggestions and requests put to Krstic, then at the command post in Pribicevac. On 16 July, Col. Blagojevic, Commander of the Bratunac Brigade, sent Krstic a report. Krstic acted as one would expect the commanding officer to act, not only in issuing orders for the operations against Zepa but also those for postings and troop rotations which had no connection with Zepa whatsoever.⁴³²

Even the arrangements for Zivanovic's farewell party were used as evidence in the important question of who bore responsibility and when. A handwritten note of 14 July, typed up on 17 July, announced a date for a farewell gathering of the Bratunac Brigade and local authorities. On 17 July, Zivanovic announced his farewell lunch to be held in Han Kram on 20 July. The heading of this document was that of the Corps Commander, but the body described Zivanovic as the 'former Commander'. Furthermore, Zivanovic did not sign this document as Corps Commander, as had been his practice on all documents signed before 13 July. General Krstic's defence attempted to show that the meeting in Han Kram represented the formal transfer of command. According to the prosecution however, this was nothing more than a farewell lunch - a social gathering.⁴³³ In fact, there was something else to celebrate: Zivanovic's promotion to Lieutenant General to mark his early retirement from active service.⁴³⁴ The VRS general Manoljo Milovanovic, who attended the lunch, later confirmed that the occasion was intended to mark Zivanovic's retirement rather than any transfer of command.⁴³⁵

The Tribunal concluded that General Krstic had been *de facto* Corps Commander since the beginning of July 1995. It was he who planned and led the Kravija 95 operation until Mladic appeared on the scene on 9 July. While Zivanovic was indeed at the first meeting in the Hotel Fontana, it was Krstic who had attended the other two. The Tribunal accepted that this was proven by the transfer ceremony which took place in the Vlasenica headquarters on 13 July. Exactly why this took place before president Karadzic had formally signed his decree is not clear, but there have been several other examples of VRS regulations being 'bent' during times of extreme necessity caused by the exigencies of war. It was therefore held that Krstic had been commandant since the late afternoon of 13 July and that there had been no doubt or confusion on this point within the Drina Corps itself. His orders were duly carried out. The conclusion was therefore that, in the capacity of Commander of the Drina Corps which he had assumed on the afternoon of 13 July, Krstic bore responsibility for the executions. At no time did Krstic actually deny that mass executions had taken place.⁴³⁶

The Tribunal's findings were based on the military conventions observed in all Western countries, whereby there is a formal transfer of command and a farewell after command transfer. To read out a presidential decree during a lunch cannot, despite the contentions of the defence, be regarded as a formal transfer of command. In any case, it seems likely that this decree was nothing to do with the transfer of command as such, but related to Zivanovic's early retirement and his promotion. There is no reason to suppose that the transfer of command of the Drina Corps did not take place on 13 July, whereupon Krstic was responsible for all events which took place within the area

⁴³¹ ICTY, (IT-98-33), Judgement of 02/08/01, para. 321-2.

⁴³² ICTY, (IT-98-33), Judgement, 02/08/01, para. 322-5.

⁴³³ ICTY, (IT-98-33), Judgement, 02/08/01, para. 326-7.

⁴³⁴ BBC Summary of World Broadcasts, 'Karadzic congratulates military on Srebrenica, Zepa 'victories'', Bosnian Serb news agency SRNA in Serbo-Croat, recorded at 16.21 hrs GMT on 20/07/95.

⁴³⁵ Interview Manoljo Milovanovic, 18/11/98.

⁴³⁶ ICTY, (IT-98-33), Judgement, 02/08/01, para. 328-30, 486.

controlled by the Drina Corps. In arriving at this judgement, the Tribunal had still not addressed the question of who was responsible for the executions in the Cerska valley which had commenced on the morning of 13 July, or those in Kravica which took place at roughly the same time as the transfer of command.

20. Review

Following the fall of the Srebrenica enclave, thousands of Muslim men were put to death by Bosnian Serb military units. Most of the victims were taken from the column which was attempting to reach Tuzla via woodlands and forests. It has not yet been possible to determine the exact number of people who were executed. The Norwegian demographers Brunborg and Urdal arrive at a total of at least 7475 missing persons, although this includes those who died as the result of fighting during the march to Tuzla. The Yugoslavia Tribunal concluded that between 7000 and 8000 men were executed, although this does not allow for the possibility that some will have died during the march for any of a number of other reasons. Based on the Bosnian Serb figure of approximately 6000 'prisoners of war' captured by the VRS, it seems that of the 7500 missing persons, approximately 6000 faced execution while the others met their end through some other cause.

There is absolutely no doubt that the mass murder was committed by Bosnian Serb military units. It is however difficult to answer most of the questions relating to their motives. It is hardly surprising that the information available on the Bosnian Serb side is extremely scarce. Even where available, it is not particularly reliable and frequently contradictory. Most of the available information was collected by and on behalf of the Yugoslavia Tribunal, most notably in the case against the Bosnian Serb General Krstic. It is this information, together with some information obtained further to the NIOD's own investigations, which forms the main source for the current chapter. This review section considers the questions of motive, the degree of preparation and the responsibility for the executions in greater detail.

There can be little doubt that the mass executions were carefully planned and organized. The hypothesis that they were more or less spontaneous as things 'got out of hand' is untenable. This said, certain of the smaller scale killings, such as those at Kravica, Konjevic Polje, Bratunac and Baljkovica, may have fallen into this category. It has not yet been determined who gave the order for these mass executions and whether the decision to proceed in this manner was a political or a military one. The larger scale executions certainly demanded a degree of prior planning and organization. In a generally well-structured and disciplined army such as the VRS, this would have required the foreknowledge and cooperation of the commanders. Transport had to be arranged for both prisoners and firing squads. Bulldozers had to be deployed to - literally - cover up the consequences. It may still be possible to contend that the first executions were carried out by special units on the orders of the General Staff and by units of the Ministry of Home Affairs. However, it is clear that regular VRS units became embroiled in the crimes, supplying both personnel and equipment. These units would also have been involved in seeking locations for temporary detention of the men and suitable locations for executions, these locations being found at ever greater distances from Srebrenica.

It seems improbable that the mass murder was planned well in advance, although some Bosnians believe otherwise. Premier Silajdzic thought that the executions were part of a 'grand plan'. He said that Srebrenica was far from an isolated incident and claimed that an even greater number of people had been killed at Prijedor earlier in the war.⁴³⁷ The Minister for UN Affairs, Hasan Muratovic, also pointed to the general practice of killing men between the ages of 18 and 55. 'We knew that the men and women would be separated. That was a premeditated plan and an old VJ (Yugoslav Army) strategy which had previously been employed in Croatia and Zvornik.'⁴³⁸ The former Foreign Minister

⁴³⁷ Interview Haris Silajdzic, 16/04/98.

⁴³⁸ Interview Hasan Muratovic, 30/01/98.

Sacirbey was nevertheless puzzled why so many people had been put to death. He had not expected the killing to be on this scale.⁴³⁹

Western Intelligence Services, however, point out that mass executions were not common practice. Their analysts therefore concluded that the operation was commanded and organized from above.⁴⁴⁰ However, this does not tell us who was doing the commanding and organizing, nor how far in advance the planning commenced. There are no indications that the plans for the attack on Srebrenica included a specific plan whereby the population would be put to death. As described at length elsewhere in this document, the initial plans with regard to Srebrenica were developed in early July, whereupon the decision to take the enclave in its entirety was not taken until 9 July. In the relevant written orders, the need to comply with and enforce the usual laws and conventions of war was explicitly mentioned.

On 11 July and even on the morning of 12 July, Karadzic, Koljevic and Mladic still seemed to have assumed that suitable arrangements could be made for the civilian population and that the ABiH troops would surrender. The problem was that the Bosnian Muslims had very little trust in such arrangements. Whether the VRS' intentions were honourable and whether they genuinely intended to transfer the ABiH troops to prisoner of war camps after 'screening' for war crimes cannot be established one way or the other. No arrangements for the movement of prisoners were laid down in the written orders. However, the fact that the interrogations were commenced may indicate that such an intention did exist, but was abandoned soon thereafter.

It is therefore plausible that the decision to execute all Muslim men of combatant age was taken some time after 11 July 1995. Very broadly speaking, the motive may have been to 'ethnically cleanse' Serbian territory, which was seen to include Eastern Bosnia. Murder would not have been the only means of accomplishing such an aim, but history has shown that parties in the region did not shrink from massacring the enemy in their search for solutions. In this specific instance, we may confidently state that revenge was also a contributory factor: revenge for the events of a dim and distant past, but also for the events of 1992 and 1993, and for the violent excursions from the enclave made by the ABiH in 1995 in particular. When the Bosnian Serbs seemed set to capture the enclave in April 1993, there were already fears that this would end in a bloodbath due to the desire for revenge that had emerged in the very first year of the conflict. Even Milosevic himself feared that the Bosnian Serbs' arrival in the town would lead to mass murder, given the mutual hatred that existed. It is said that Milosevic personally instructed Karadzic not to take the town at this time, whereupon it could be declared an official 'safe Area' shortly thereafter.⁴⁴¹

Besides the revenge motive, there was a further complication in that on 12 and 13 July, the VRS found themselves in a situation which no one had foreseen. The attempts of the ABiH to break out of the enclave and to reach Tuzla came as a complete surprise. It had been assumed that the ABiH and the civilian population would surrender, and that the problem of transport and screening the men for involvement in war crimes could be settled from Srebrenica and Potocari. Indeed, on the evening of 11 July, Mladic announced in Bratunac that now operation 'Krajiva 95' had been completed, the attack on Zepa could go ahead. In this light, the ABiH escape was far from convenient for the VRS. Suddenly, it became necessary to engage in combat with the column and to 'cleanse' an extensive area beyond the confines of the enclave itself. Furthermore, there was now a large contingent of prisoners of war for whom arrangements had to be made.

Although no explicit (written) order for the mass executions has ever been discovered, it seems likely that the accumulation of motives and problems led to a deliberate and premeditated decision. To kill all these men required organization and logistic preparations. In other words, there was indeed planning - not very far in advance, but more in the nature of an improvised way out of an unexpected

⁴³⁹ Interview Carl Bildt, 13/12/00. Bildt expressed some surprise that Sacirbey had reacted so calmly when the mass murder was revealed.

⁴⁴⁰ Confidential interview (52).

⁴⁴¹ Confidential information (43).

problem. There were many indications that the order had been given centrally, whereupon first the special troops and later the regular VRS units (the Drina Corps in particular) were dragged by the VRS General Staff into a plot to 'settle old scores' by murdering thousands of men from Srebrenica.

That the intention was to execute all captives became obvious when no further measures were taken to establish whether any had been involved in alleged war crimes and when no preparations were taken to set up prisoner of war camps or arrange prisoner exchanges. The men were denied food and drink, their identity papers were burnt, and the VRS did not make any distinction between military personnel and civilians. Logistic problems prevented the plans being implemented immediately, which prolonged the men's suffering in that they would sometimes have to wait two or three days for their execution without food or water, even though the Bosnian Serbs with Mladic at their head tried to make them believe otherwise. Only when the evacuation of the women and children from Potocari was complete did sufficient transport become available to transport the men to the ever more remote execution sites.

Once the process of mass executions had begun, it built up an unstoppable momentum. The executions in Kravica and in the Dom Kultura in Pilica were particularly bestial in their savagery, carried out by herding the prisoners, tightly packed, into a closed room and then opening fire with machine guns and throwing hand grenades among them. Atrocities of such magnitude were unheard of, even for the war in Bosnia. Media reports soon began to draw comparisons with the razzias and other horrors of the Second World War. That the executions in Bosnian represent the most terrible mass murder in Europe since that war seems very likely.

Apparently, it was eventually realized even among the Bosnian Serbs themselves that this had been an excessive and culpable outburst of violence. This much is suggested by the efforts that were made to obscure the true extent of the slaughter by exhuming bodies and re-interring them in graves in more remote locations. Such activities could not escape the keen eye of satellites and reconnaissance aircraft, nor above all the expertise of those who analyse aerial photographs. A lack of communication security when using radio communications revealed who had been involved in the mass murder. Furthermore, because many of the executions had been carried out in a rather haphazard manner, there were survivors who were later able to testify against those responsible.

Although it is not (yet) possible to point to the persons and organizations responsible, some general comments regarding involvement can be made. It seems likely that the overall decision to proceed with this mass murder was made by the General Staff of the VRS. It must then be asked whether there was any coordination with the political authorities of the Republika Srpska or possibly even those in Belgrade.

Indeed, some have expressed a suspicion that the attack on Srebrenica was coordinated with Belgrade, or in any event could not have been undertaken without the prior knowledge of Belgrade. Given the many close ties between the Republika Srpska and Serbia, such foreknowledge certainly seems possible. However, there is no evidence to suggest participation in the preparations for the executions on the part of Yugoslav military personnel or the security agency (RDB).⁴⁴² In fact, there is some evidence to support the opposite view: when the executions became public knowledge, the mood in Belgrade was one of incredulity and total disbelief. That the column should have been intercepted was understandable; that the prisoners should be murdered in cold blood was not. According to the Western liaison officer in Belgrade at the time, VJ officers had great difficulty in accepting that executions had taken place. At first, senior Yugoslav officers denied that these gruesome events had occurred. Soon afterwards, the Srebrenica affair was totally overshadowed by the Croatian attack on Krajina, with all attention diverted to the 150,000 Serb refugees there.⁴⁴³

Later, there were clear indications of the annoyance felt in VJ circles regarding the killings. Milosevic is reported to have told the European Commissioner Hans van den Broek and the Spanish

⁴⁴² Confidential information (3).

⁴⁴³ Confidential interview (2).

EU President Javier Solana, 'I cannot find words for what had happened there.'⁴⁴⁴ The Dutch Ministry of Foreign Affairs interpreted Milosevic's words as implying that he was aware of what had happened following the fall of Srebrenica, even though this was not explicitly stated in his words.⁴⁴⁵ The VJ officers considered that the UN and NATO had been needlessly provoked. It was then doubtful whether Mladic could be kept under control. The VRS had manoeuvred itself into a particularly tricky situation in that, after Srebrenica, no ABiH soldier would be likely to give himself up for fear of facing the firing squad.⁴⁴⁶

The extent of the coordination with senior political figures of the Republika Srpska regarding the executions is not known. As Commander-in-Chief, it was Karadzic who issued the formal instruction to keep Srebrenica and Zepa separated and to reduce the size of the enclave. He also gave his approval to the decision to capture the entire enclave, but whether he was actively involved in instigating the that took place after that, is not clear. The strained relations between Karadzic and Mladic suggest that communication was not exactly intensive. The onus of responsibility seems to lie in military circles.

Within those military circles, the key role played by Mladic is not open to question. Although as Chief of Staff he would not have had direct authority to intervene in the chain of command, he was a person who tended to dominate any situation. He gave the central orders, and he maintained a high profile by ensuring his personal presence at various locations. Those locations included the execution sites. He was also seen at various assembly points, sometimes playing the part of the competent senior figure there to reassure the prisoners. But that was pure deceit and deception.

The central role played by Mladic does not detract from or mitigate the involvement of other people and units. Both the special units and the Drina Corps played a prominent part throughout the operation as, of course, did their commanders. During the cases so far considered by the Yugoslavia Tribunal in The Hague, two of the most senior figures - the Generals Krstic and Zivanovic - have attempted to shift the blame and to minimize their own responsibility. Clearly, they are unable to do so, as are such persons as Col. Blagojevic the Commander of the Bratunac Brigade, Lt. Col. Obrenovic, second-in-command of the Zvornik Brigade, and Major Jokic, the Staff Operations Officer of the Zvornik Brigade.

Most is known about General Krstic since the first phase of his trial has already been completed. His defence mainly relied on the contention that his role was a limited one: he had been in charge of the attack on Zepa and nothing more, whereby he had no knowledge of the executions. Furthermore, he claimed, he took command of the Drina Corps only at a much later stage in the proceedings, i.e. 20 July. Until that date, General Zivanovic had been the Commander. Krstic stated that Zepa had demanded his full and undivided attention and that he was therefore completely unaware of the events in and around Srebrenica, and was equally unaware that Mladic had assumed control. Krstic further claimed that the prisoners had been executed on the direct orders of General Mladic and Colonel Beara. He did not know what their motives were.⁴⁴⁷

Mladic had assembled a group of confidants around him: people he had known from the earliest days of the conflict and who had served under him in Knin. He had appointed them to different posts. They now occupied various posts and played a prominent part during the executions. They included General Tolimir (Deputy Chief of Staff for Security and Intelligence), Colonel Ljubo Beara (head of the General Staff's Security Force) and Lieutenant Colonel Vujadin Popovic (head of the Drina Corps' Security Force). The Commander of the Military Police of the General Staff, Lt. Col.

⁴⁴⁴ ABZ, DPV, ARA 00797. Code Bon COREU 649, 23/08/95.

⁴⁴⁵ ABZ, DPV, 499488. Code Hag COREU 501, 24/08/9595. The Spanish presidency was again to have approached Milosevic to request that he use his influence in Pale and among the ranks of the VRS to gain further information regarding the fate of the missing refugees.

⁴⁴⁶ MID/CO: Developments in the former Yugoslav Federation, 47/95, closed 141200B, September 1995. Strictly Confidential.

⁴⁴⁷ ICTY, (IT-98-33), OTP Ex. 399/a bis, Interview of Radislav Krstic, 18/02/00, p. 65.

Keserovic, was also in command of the command post which Mladic set up in Nova Kasaba.⁴⁴⁸ As one Bosnian Serb later described them, this was a group of murderers whom Mladic had assembled around him and who followed him like faithful dogs.⁴⁴⁹

Of course, it was firmly in Krstic's own interests at his trial to claim that the prisoners had been killed on the orders of Mladic and Beara, and this statement cannot answer the question of who bore prime responsibility for the executions.

The Tribunal did not accept this defence. Neither did Krstic's claims sway the Tribunal, which proceeded to convict him for his part in the mass murder of the men of Srebrenica. He thus became the second and by far the most senior military figure to have been held to account for his part in the atrocities which followed the fall of Srebrenica (the other being Drazen Endomovic, a soldier of the 10th Sabotage Detachment). However, others will undoubtedly follow, and it is to be hoped that the evidence produced at future trials will serve to clarify the situation yet further.

For the time being, this report concludes that the executions were prompted by circumstances (partly unforeseen) and by pressure from the senior officers of the VRS, particularly Mladic, shortly after the fall of Srebrenica. All military units present had a part in carrying out the relevant orders, whereby all commandants are jointly responsible, or in more legal parlance 'contributory parties'. During the operation itself, feelings of hate and the desire for revenge were given free rein. This led to extremely violent scenes of slaughter, with many thousands of deaths.

⁴⁴⁸ ICTY, (IT-98-33), OTP Ex. 399/a bis, Interview of Radislav Krstic, 18/02/00, p. 38. Major Malinovic was Commander of the Military Police battalion in Nova Kasaba but he was not among the inner circle of confidants.

⁴⁴⁹ Interview Rajko Dukic, 14/06/00.

Chapter 3

The news of the executions and the mass graves

1. Introduction

Today the name of Srebrenica is indissolubly linked with what is sometimes called the biggest massacre in Europe since the Second World War. In 1995, however, it proved very difficult to piece together a picture of what had happened there. It took a considerable time before the outside world became aware that executions really had taken place there on a large scale and proof of these atrocities could be made available. Knowledge of the events in Srebrenica only developed very gradually, and it was a long time before not only the scale of the executions but in particular the location of mass graves could be ascertained.

This chapter describes how this knowledge developed and what sources played a role. In broad terms, a distinction must be drawn here between organizations such as UNPROFOR, UNHCR and the ICRC (International Red Cross) as sources and public sources like articles by journalists who had spoken with witnesses and survivors of executions. These witnesses and survivors were of crucial importance because they provided information that allowed the Americans to make reconnaissance flights and satellite images showing traces of mass graves.

The interaction between the various kinds of sources did not make the search for further knowledge any easier. The image emerging from these sources was initially confusing and fragmentary at best. For example, it was thought for a long time that the missing men had been detained by the Bosnian Serbs.

While satellites and reconnaissance flights did deliver pictures of men who had been taken captive, there are no pictures taken from the air showing the executions. The reason for this must be sought in the poor weather conditions prevailing in the region in question after 13 July. The initial reports about a possible massacre therefore initially met with disbelief from Western Intelligence services, since the general practice had been that exchanges of prisoners would ultimately lead to the release of those who had been taken captive.⁴⁵⁰ Full details of precisely what the Intelligence services know about the news of the mass executions as it broke are given in the separate Intelligence Appendix of this Srebrenica report.

2. The search for the facts

It took several days after the first executions before Bosnia-Herzegovina Command could start piecing together a picture of what had happened in Srebrenica. No one at all was thinking about the possibility of executions. Just how unprepared UNPROFOR was for the idea of a massacre appears from the following passage, taken from a study of the consequences of the fall of Srebrenica: ‘the Bosnian Serbs have, from their point of view, attempted to act in a humanitarian manner, probably in an attempt to avoid too much international intervention’.⁴⁵¹

Bosnia-Herzegovina Commander General R.A. Smith initially thought that the fatalities reported had occurred in battle or in ambushes after the troops had made contact with one another, and that the corpses had been collected *en route*. He assumed that the Bosnian leadership had initially also been unaware of the murders. In response to a query about the massacre to Sarajevo, he was

⁴⁵⁰ Confidential interview (8).

⁴⁵¹ NIOD, Smith Collection, ‘Effects of BSA Action in Srebrenica’, UN Confi, undated, no registration number.

informed that the Bosnian government also knew nothing about it.⁴⁵² It was not until 22 July that the Bosnian premier Haris Silajdzic phoned General Smith to inform him that 4000 men must have been murdered to the west of Srebrenica. It seemed as if, up to this point, the Bosnian Muslims had not known what had happened to the men held captive in Bratunac, though Bosnia-Herzegovina Command found this difficult to believe: it was suspected that the Bosnian Muslims must have known more about the events that had occurred.⁴⁵³

However, the Bosnian government did not know at this time that the massacres had started on the afternoon of 13 July. While it is true that the first indications of 'alarming news' came on 13 July from the Bosnian Foreign Minister Sacirbey, his statements at this time referred only to a few murders committed by 'serb criminals' and 'Arkan Tigers'. Sacirbey had also stated that women between 15 and 35 had been separated from the men and sent to camps. All that was known about the men at that time was that they were being 'screened for war crimes'.⁴⁵⁴

It was common practice in Bosnia to separate men from women. According to General Smith, the ABiH did precisely the same thing when they had captured large villages. He had thus not been unduly alarmed when he received reports about the separation of men and women in Srebrenica. The same was true of mediator Carl Bildt: he had heard of such cases before, and thus did not regard the reports as exceptional. In fact, he felt quite reassured, taking this as a sign that the men would be treated as prisoners of war. The VRS was often keen to exchange prisoners to fill up the gaps in its ranks, while the ABiH with its much larger forces sometimes refused such proposals. It was certainly not an automatic reaction for captors to kill prisoners of war, although there was a constant fear of excesses. The flight of large numbers of people was not remarkable either: it had not occurred to anyone that this might lead to massacres.⁴⁵⁵

However, it became clear soon after the Bosnian Serbs had deported the last refugees from Srebrenica on 13 July that something was wrong. The number of people arriving at Kladanj differed very appreciably from the estimated population of the enclave. The ICRC had counted the people brought to Kladanj in the refugee convoys on 12 and 13 July, and noticed in addition that 90 to 95% of these were women, children and the elderly. This meant that the destination of roughly ten to twenty thousand persons – mainly men – was unknown.⁴⁵⁶

This finding led to a search for the missing persons. The Bosnian Minister for UN affairs Hasan Muratovic said on 13 July that he had summoned the American ambassador in Sarajevo and had asked him whether the United States could do anything with the aid of their satellites and spy planes to offer protection to the men who appeared to be on the run. Muratovic said that he phoned the ambassador every day to ask whether there had been any signs of the men: 'you can discover where they are, they will all be killed'. The first information that Muratovic claimed to have received was the well known images of mass graves which the American ambassador to the United Nations Madeleine Albright showed the Security Council on 10 August.⁴⁵⁷

The first news of executions did not reach Washington until after rumours to this effect had been circulating in Tuzla. The authorities in Washington had also not been unduly concerned about reports of the separation of men and women, since they were aware that this had happened before in Bosnia and was thus not particularly surprising in the present case. While it is true that rumours of terrible deeds committed in Srebrenica were quick to arise, no one had any idea how many of these rumours was true or how many executions had taken place.

⁴⁵² Interview R.A. Smith, 12/01/00.

⁴⁵³ Interview Jim Baxter, 16/10/00. Baxter answered the phone on 22/07/95 for General Smith in the latter's absence.

⁴⁵⁴ FOIA, US Dept. of State, Code Amembassy London to Secstate, 131620Z Jul 95. The announcements came from the Bosnian Foreign Minister Sacirbey during a visit to London; he had received the information from President Izetbegovic.

⁴⁵⁵ Interviews R.A. Smith, 12/01/00 and Carl Bildt, 13/12/00.

⁴⁵⁶ ICFY, Box 234, File 6/15, Code Cable Akashi to Annan, 15/07/95, No. Z-1170.

⁴⁵⁷ Interview Hasan Muratovic, 30/01/98.

The Bosnian Muslims did not pass on to the Western Intelligence services the messages from the VRS that had been intercepted by the ABiH, referring to the hunt for escaped prisoners.⁴⁵⁸ These intercepted messages were not made public until several years later, which helps to explain why it took so long for more detailed knowledge of the massacres to appear. But even in the days following the executions, very little was known about them: the ABiH had never noticed any preparations, and the Bosnian Muslims were thus unable to derive any indications about the fate awaiting the men from the messages they had intercepted at that time.⁴⁵⁹

Possible ways of gaining information about the situation were also being examined at the UN headquarters in Zagreb. On 12 July, General Janvier discussed the possibility of using NATO reconnaissance aircraft for this purpose. These aircraft were available, and included Dutch F-16s equipped for photo reconnaissance. Subsequent to this internal discussion, Janvier and his deputy Ashton had a teleconference with NATO Commander Admiral Smith at 6 pm the same day, dealing with the events in Srebrenica and possible ways of gaining information. The main focus at that time was on Zepa and Gorazde, which were thought to be the next targets that might be attacked by the VRS. It was, however, decided not to use NATO reconnaissance aircraft over Srebrenica in view of the risks to which they might be exposed, since the Bosnian Serbs still had usable anti-aircraft guns.⁴⁶⁰ This was also the reason why the Netherlands did not want to use its own F-16s for that purpose (see Chapter 9).

The next question was how an unmanned aerial vehicle (UAV) could be deployed above the region. While there seemed to be a window of opportunity for this in the morning of 13 July, air reconnaissance over Western Bosnia was considered to have a higher priority on that day. The poor weather conditions over Eastern Bosnia also influenced this decision. However, a C-130 Hercules plane equipped with infrared cameras did detect the presence of prisoners late in the evening of 12 July. These C-130 aircraft were carrying out nightly flights over Bosnia from bases in Italy if the situation permitted this. The infrared equipment was intended to track the advance of the VRS towards Zepa and Gorazde. The infrared photos taken that night showed campfires by the roadside, and the warm motors of tanks and trucks. It is not known, however, what happened to this information regarding the presence of prisoners.⁴⁶¹

Another unmanned aerial vehicle (a Predator) appears to have flown over Eastern Bosnia during the night of 14 July. However, priorities were still on the region round Zepa and Gorazde. Potocari and the column making its way to Tuzla had a lower priority. On 15 July, a Predator was used again to see whether men were still being held captive in the football stadium at Bratunac. However, the image quality was too poor to allow any conclusions to be drawn. Satellites were not being used to look for traces of a massacre at this time, since there were still insufficient indications of this possibility.⁴⁶²

High-level contacts with the Bosnian Serbs which could be used to gain information about prisoners did not yet exist at this time. General Smith, who had returned to Sarajevo in the meantime, wanted to arrange a talk with General Mladic on 13 July, but disagreement with Janvier seems to have arisen about this. Janvier handled all the talks with Mladic for some time, because Smith and Mladic had not been on speaking terms since the hostage crisis at the end of May. The problem solved itself, however, since Mladic was not prepared to talk to any senior staff member at UNPROFOR.⁴⁶³

On 14 July, the UN headquarters in Zagreb announced that no information was available on about four thousand able-bodied men. The headquarters staff assumed that these men were being held captive in Bratunac, and repeated this assumption on 16 July. In view of the large numbers involved, it

⁴⁵⁸ Confidential interview (52).

⁴⁵⁹ Confidential interview (5).

⁴⁶⁰ Interview Barry Ashton, 30/05/00.

⁴⁶¹ Confidential interview (54).

⁴⁶² Confidential interview (54).

⁴⁶³ Interview Barry Ashton, 30/05/00.

was considered of vital importance that UNPROFOR, UNHCR and the ICRC should be granted access to Bratunac and Srebrenica for the purposes of an investigation about these men. The Bosnian Serbs refused categorically to grant access to these regions, however, and maintained this stance for a long time.⁴⁶⁴

The presumed presence of several thousand men in Bratunac also influenced the departure of Dutchbat from Srebrenica. The Dutch peacekeepers could not leave before the fate of these men had been ascertained. The Dutch permanent representative to the UN, Biegman, therefore informed The Hague that 'at my suggestion' Deputy Secretary-General Kofi Annan had taken active steps on 13 July to study the problem of the men who had been moved to Bratunac. To this end, Annan contacted Sommaruga, president of the International Committee of the Red Cross, and UN High Commissioner for Refugees Sadako Ogata.⁴⁶⁵ Prime Minister Kok sought support from his British counterpart John Major to get UN observers sent to the region round Bratunac.⁴⁶⁶ The Dutch Defence Staff had already made similar suggestions to Biegman.⁴⁶⁷ Nevertheless, the sending of UN observers to Bratunac was not high on the agenda at UN headquarters in Zagreb; according to Carl Bildt, the fear that these observers could be taken hostage made this idea a non-starter.⁴⁶⁸

It thus remained uncertain for some considerable time whether there were a large number of men in Bratunac. UNPROFOR's Civil Affairs department and UNHCR still assumed on 14 July that 5000 men between the ages of 16 and 60 were being held captive in the football stadium at Bratunac. Another possibility that was considered was that not all the inhabitants of Srebrenica had left the enclave.⁴⁶⁹ During discussions in Belgrade on 15 July, Stoltenberg, Bildt and Milosevic talked, as requested by Boutros-Ghali, about aid for the population of Srebrenica and access to the enclave. Mladic was also present at this meeting. The mediators Bildt and Stoltenberg still assumed that the men had been collected at Bratunac for registration and screening for war crimes and that those who had not committed war crimes would be released while the others would be put on trial in the Republika Srpska or transferred to the War Crimes Tribunal in The Hague.⁴⁷⁰

Those taking part in the discussions in Belgrade had hardly any idea what had happened in Srebrenica. It could be concluded from the reports received from Dutchbat that some murders had been committed, while the refugees in Tuzla quite soon gave indications that they had witnessed terrible scenes on their way there; there was however as yet no suspicion that massacres had taken place. This was not revealed in Belgrade either. Mladic claimed that the men were being held prisoner because they were soldiers. He initially refused the ICRC the access to Srebrenica they had requested. General Smith was convinced, however, that not all the prisoners could be soldiers. Mladic finally gave way, promising that the International Committee of the Red Cross would be able to visit the prisoners.

Although Milosevic had put pressure on Mladic, Carl Bildt was not convinced that this was decisive: according to him, Mladic made the decision himself. While it cannot be denied that Milosevic could exert a certain degree of influence on Mladic, it was unclear how far this went. It would indeed appear later that Milosevic had little influence on the granting of access to the region where the massacres had occurred – or he may have been pretending that this was the case.⁴⁷¹

⁴⁶⁴ ICFY, Box 234, File 6/15, Code Cable Akashi to Annan, 14/07/95, No. Z-1168; *Cable News Network*, 16/07/95 5.00 pm ET.

⁴⁶⁵ ABZ, DPV, ARA 00797, Biegman 619, 13/07/95.

⁴⁶⁶ AZ, 95moo5637. Ambassador Sir David Miers to W.J.P. Geerts, Raadsadviseur Min v. AZ (Counsellor at the Dutch ministry of General Affairs), 19/07/95.

⁴⁶⁷ DCBC No. 714, '*Concept Dagboek Van den Breemen*' (Draft diary of Van den Breemen), 14/07/95. (Subsequently published in an abridged, edited form as 'Dutch diary' in *NRC Handelsblad* of 22/07/95).

⁴⁶⁸ Interview Carl Bildt, 13/12/00.

⁴⁶⁹ FOIA, US Dept of State, Zagreb to State, 'srebrenica update: refugee movements, stranded Medevacs, lack of cooperation on every side', 14/07/95, No. Zagreb 02648, 142038Z.

⁴⁷⁰ ICFY, Box 234, File 6/15, Cryptofax Stoltenberg to the Secretary-General, 15/07/95.

⁴⁷¹ Interviews R.A. Smith, 12/01/00 and Carl Bildt, 13/12/00.

According to the participants at the Belgrade discussions, the International Committee of the Red Cross was in no hurry to visit Srebrenica. Both Carl Bildt and the US Assistant Secretary of State Richard Holbrooke put pressure on the organization to go, but it was not keen to do so because of the fact that access had been granted on the basis of agreements at a political level. This might give the impression that the ICRC was being used as a political tool – which the organization naturally wished to avoid. The International Red Cross did not want to be put under pressure by the Bosnian government either.⁴⁷² It should not be thought, however, that the International Red Cross had not made any attempts itself to gain access to the area; these attempts will be discussed later on in this chapter.

Even after General Smith and Mladic had reached an agreement on 15 July, it did not look as if the ICRC was impatient to visit Bratunac to see what was going on there. During a meeting in Jahorina between representatives of UNHCR and the International Red Cross on 18 July, Lieutenant Colonel Baxter showed the signed agreement between Smith and Mladic and pointed out to the Red Cross representatives that this agreement did give formal permission to visit Bratunac. But even in this case, no one could tell the International Red Cross what to do. Moreover, the organization complained of a shortage of manpower.⁴⁷³ Arrangements for the International Red Cross to visit the prisoners were thus not made on 18 July, while the UN headquarters in Zagreb still believed that large numbers of prisoners were being held in Bratunac. It was not yet known that they had already been murdered.⁴⁷⁴

How confusing the reports about the possible presence of male prisoners were appears from the communications from *Médecins Sans Frontières* which reached the outside world. The organization reported on 15 July that from seven hundred to a thousand men who had been captured *en route* to Tuzla were being held in the football stadium at Bratunac. The day after that, *Médecins Sans Frontières* had even heard that there were as many as seven thousand prisoners, though they did not state where these numbers came from.⁴⁷⁵

The search for information about the missing persons continued. Sector North East headquarters drew up a new balance for UNPROFOR on 16 July. They estimated that from seven to eight thousand men had managed to leave the enclave. The column of men coming from Srebrenica had not yet reached Tuzla at that moment. It was suspected that from two to three thousand men were still in the mountains, while from four to five thousand may have been picked up by the Bosnian Serbs and brought to Bratunac for ‘screening for war crimes’. Requests from Dutchbat, Sector North East, the ICRC, UNHCR and UNPROFOR headquarters for information about or access to the men in Bratunac had so far been turned down by the Bosnian Serbs. The only worrying indication that something different might be going on was that since 13 July, sporadic salvos of rifle fire could be heard at the compound in Potocari coming from the direction of Bratunac. However, whatever was happening was out of sight of Dutchbat.⁴⁷⁶

UNPROFOR actively continued the search for further information. Its Civil Affairs department had contacted a wide variety of international and non-governmental organizations that were operating in Eastern Bosnia. A fact-finding team collected data from the refugees in Tuzla, in cooperation with UNHCR and the UNPROFOR Centre for Human Rights. The International Red Cross had also started collecting data that could be used to track down missing persons,⁴⁷⁷ and talks were held with members of Dutchbat who had arrived in Zagreb (see Chapter 5). A Joint Action Crisis team set up in

⁴⁷² Interview Carl Bildt, 13/12/00.

⁴⁷³ Interview J. Baxter, 16/10/00.

⁴⁷⁴ NIOD, Banbury Collection, Banbury’s diary, SRSG’s briefing 18/07/95.

⁴⁷⁵ CRST, Sitrep Srebrenica - Potocari, period 06/07 - 22/-7/95. Compiled by Christina Schmitz and Daniel O’Brien (MSF), 24/07/95. Akashi passed this estimate on to New York in Code Cable 15/07/05, No. Z-1170.

⁴⁷⁶ DJZ, werkarchief (operational archives), G5 Civil Military Operations Sector North East (Major Guy Sands-Pingot) to Distribution List, 16/07/95.

⁴⁷⁷ DJZ, Srebrenica dossier, Update No. 9 on ICRC activities in the former Yugoslavia, 17/07/95, No.

COMREX/FIN95/1305. DCBC, No. 1063, Interoffice Memorandum, Moussalli to Akashi, 31/07/95, ‘srebrenica Human Rights Report’.

Tuzla tried to shed more light on the number of missing persons on 19 July. The 2nd Corps of the ABiH had reported in the meantime that 4000 persons, mainly soldiers but also including some civilians, who had set off for Tuzla on foot had reached their destination and that another 4000 to 5000 were expected. That would indicate that the number of missing persons lay somewhere between 4000 and 8000. However, Yasushi Akashi, the head of UNPROFOR, asked New York not to publish this figure yet as long as it was so uncertain. He believed that a more accurate estimate could be obtained as soon as access had been obtained to the men held by the Bosnian Serbs. It was thus still believed on 19 July that the missing men were alive.⁴⁷⁸

Reports about men being held prisoner in Bratunac could not be verified. While the ICRC was allowed to visit the sick and wounded in the hospital at Bratunac and in the compound at Potocari on 17 July, the organization was not allowed into the areas where the murders had been committed. Stories about the existence of camps, 'execution style' murders and rapes could not be confirmed either at that moment. The head of Civil Affairs at UNPROFOR therefore considered it desirable to draw the attention of the media and public opinion to these matters.⁴⁷⁹

In any case, it was not particularly difficult to bring human rights violations to the attention of the media. Reports on this topic were appearing daily in the international press. The many statements by witnesses recorded by UNHCR at Tuzla Air Base the first few days after the fall of Srebrenica gave a reliable first impression. The activities of UNHCR and the ICRC at Tuzla Air Base are dealt with in Chapter 5.

The problem remained, however, that neither the ICRC nor UNHCR were allowed access to the region round Srebrenica to verify these stories. The authorities in Pale persisted in their firm denials that any brutality had occurred during the forced departure of the population. But if that was the case, it would also be in the interests of the Bosnian Serbs to have the stories verified by an independent body, and it might be expected that they 'would welcome an objective observer to the area'. UNHCR Protection Officer Cynthia Burns used such arguments in vain in an attempt to gain access to the region round Srebrenica.⁴⁸⁰

A week after the fall of Srebrenica, the Bosnian government still had little knowledge of what had really been going on. This can be deduced from a statement by the Bosnian Minister for UN affairs, Hasan Muratovic, who pointed out the existence of prison camps in Bratunac, Konjevic Polje and Nova Kasaba. He was unable to say how many men were held there, though he did state that 293 men from Potocari had ended up in the Bosnian Serb prisoner-of-war camp at Batkovic.⁴⁸¹

Ten days after the fall of Srebrenica, the British premier John Major once again urged 'immediate access for UNHCR and ICRC to the male detainees from Srebrenica' in his communiqué at the close of the big international conference in London on 21 July.⁴⁸² The Americans also lacked precise information about the existence of the supposed prison camps. The US Assistant Secretary of State for Human Rights, John Shattuck, stated as late as 19 July that 4000 to 5200 men were being held prisoner in Bratunac. In addition, according to American sources 3000 ABiH soldiers had been killed while fleeing Srebrenica. It seems likely that this information was obtained from men from the column making for Tuzla after they had reached their destination.⁴⁸³ It was not until 25 July that the Americans began to realize that the men who had been held captive in Bratunac were no longer alive. The American ambassador in Zagreb, Peter Galbraith, came to this conclusion on the basis of the testimony of a survivor of the executions who had managed to reach Tuzla after having been held captive in

⁴⁷⁸ ICFY Box 234, File 6/15, Code Cable Akashi to Annan, 19/07/95, No. Z-1198.

⁴⁷⁹ ICFY Box 234, File 6/15, Code Cable Akashi to Annan, 17/07/95, No. Z-1187.

⁴⁸⁰ CRST, UNHCR Protection Officer Bosnia and Hercegovina (Cynthia Burns) to Commissioner for Refugees and Humanitarian Aid (Ljubisa Vladusic), 19/07/95.

⁴⁸¹ CRST, UNHCR/ICRC, Code Cable Akashi to Annan, 19/07/95, No. Z-1204.

⁴⁸² NIOD, Smith Collection, 'Bosnia: International Meeting, London 21 July 1995, Chairman's Statement'.

⁴⁸³ FOIA US Dept of State, Information Memorandum Shattuck to The Secretary, 19/07/95.

Bratunac. If this report were to be believed, then according to Galbraith none of the men who had been captured by the Bosnian Serbs were still alive.⁴⁸⁴

The efforts of the various UN organizations in Tuzla to collect information about the missing persons revealed that the column that had left Srebrenica had contained between 8000 and 15000 persons. About 6000 had reached Tuzla, and 3000 may have died *en route*. However, the UN did not yet dare to publish an estimate of the number of missing persons.⁴⁸⁵ The UN special rapporteur on Human Rights, Tadeusz Mazowiecki, on the other hand, did give an estimate of 7000 persons missing or taken prisoner.⁴⁸⁶

On 31 July, Michel Moussali, the head of the Civil Affairs department of UNPF in Zagreb, sent a report to Akashi in which he sketched the state of affairs. It was already clear, according to him, that an unknown number of men had been executed in Potocari. He stated further that it was impossible to determine the extent of human rights violations in the column making for Tuzla, as long as the Bosnian Serbs were not prepared to grant access to the men they were holding prisoner. While it was true that some men had managed to reach Tuzla, they had only been able to observe what went on in their immediate vicinity. Moreover, the presence of soldiers in the column made it impossible to determine whether particular individuals had been killed or wounded as the result of acts of war or human rights violations. It was not until survivors of the mass executions reached Tuzla that the first reliable reports of these events were heard. They told of executions (subsequently known as the Orahovac executions) in the vicinity of a school near Karakaj (later known as the Grbavci school) and of mass executions near Nova Kasaba. The evidence gradually started to accumulate. The problem remained, however, that the Bosnian Serbs continued their refusal to allow verification on the ground.⁴⁸⁷

The variety of problems associated with attempts to gain access to the region may be illustrated with reference to the experience of the International Red Cross. Their initial requests on 12 July and then on 16 July met with the response from the Bosnian Serb authorities on 22 July that all such requests should be directed to the military authorities. On 26 July, the organization received permission to pick up the sick and wounded from Bratunac and Potocari, and to visit the detention centre in Batkovic. They only found 166 persons from Srebrenica there, including 22 wounded from Potocari.⁴⁸⁸ This number differed very appreciably from the 3000 who according to relatives were captured in Tuzla and the 5000 who were probably captured on the way to Tuzla. On 6 September, the International Red Cross submitted a list of 3070 missing persons to Nikola Koljevic, the Vice-President of the Republika Srpska, as a basis for further applications for access to the region. It was thought that these 3070 persons might have been arrested by the Bosnian Serbs. A week later, the ICRC submitted a new list with the names of no fewer than 8000 missing persons, 3046 of whom had been captured in Potocari while 5000 had disappeared on the way to Tuzla.⁴⁸⁹

The Bosnian Serbs continued to refuse to produce any clarification or to grant access to the region. No access to the prisons in the regions was granted either. The ICRC had got no further than the registered prison camps in Batkovic and Rogatica. Forty-four persons from Zepa were found in the latter camp. No detention sites for men were found in Bratunac. The ICRC was surprised at the low numbers of prisoners found: it was hard to believe that so few men were in Bosnian Serb hands. The ICRC had, however, no indications as to what might have happened to the missing persons. In the meantime, 34532 persons were registered in the Canton of Tuzla as having come from Srebrenica. On

⁴⁸⁴ NIOD Confidential Collection (1), Amembassy Zagreb to SecState Wash DC, 251907Z Jul 95, No. Zagreb 002788.

⁴⁸⁵ UNGE, UNPROFOR, Box 42, File 2.2. Sector Command Matters General, Human Rights Update Sector North East, undated, compiled by P. Hicks, sent by fax Biser to Moussali UNPF HQ, 21/07/95, No. 151-3062.

⁴⁸⁶ UNGE, UNPROFOR, Box 25/77, File 1.1.57, SNE, 04/04-23/08/95, 'Press Conference of Special-Rapporteur on Human Rights', sent by fax Biser to Moussali UNPF HQ, 21/07/95.

⁴⁸⁷ DCBC, No. 1063, Interoffice Memorandum Moussalli to Akashi, 31/07/95, 'srebrenica Human Rights Report'. Akashi forwarded the report to New York (Akashi to Annan, 12/08/95, No. Z-1406).

⁴⁸⁸ ABZ, DIO, JS, *VN mensenrechten, Zendbrief HUM/PV Genève aan Min. van Defensie/DAB*, (UN Human Rights, Letter HUM/PR Geneva to Dutch Min. of Defence) 30/11/95, No. gev/hum-3683/1995.

⁴⁸⁹ NIOD: Questionnaire ICRC, Sujet 11 Demarches. (Int. Red Cross questionnaire No. 11: Marches).

the basis of the number of 42500 inhabitants of Srebrenica used by UNHCR, this meant that 7968 were unaccounted for.⁴⁹⁰ This estimate is not so far from the number of 7421 missing persons that was finally established.⁴⁹¹

The International Red Cross was still in the same situation in February 1996: the organization had still been unable to carry out any inspections in the region. The only difference was that there was no longer any hope that the 3046 persons who had been captured in Potocari were still alive.⁴⁹²

3. American impetus for further investigation

The visit to Tuzla by the American Assistant Secretary of State for Human Rights, John Shattuck, on 31 July and 1 August provided a powerful stimulus for further investigations. While he was there he talked to, among others, a seventeen-year-old young man who had survived the executions. The young man could not say where this had happened, but it was thought at the time that it was near Konjevic Polje. However, it may be deduced from his description that it must have been near Petkovici, which is a long way from Konjevic Polje. This also illustrates the difficulty of tracing the location of the execution sites.⁴⁹³

Shattuck concluded that violent acts had occurred on a 'massive scale' and that hundreds if not thousands of unarmed refugees had been killed – many of them during mass executions. He put the number of missing persons at ten thousand. An unknown number were thought to be held in prison camps. Shattuck wanted to get together international support for putting pressure on Pale to release information about the situation and to grant access to the prisoners.⁴⁹⁴ To this end, he visited the UN High Commissioner for Refugees Sadako Ogata on his way back to Washington. He asked her to send UNHCR Protection Officers to Srebrenica and Zepa, to discover what had happened to the missing persons and to redouble the efforts to interview people who had been evacuated from Srebrenica, so as to find out more about the missing persons and their whereabouts. Ogata told Shattuck that the efforts had already been redoubled, but that the Bosnian Serbs were hindering investigation on the ground.⁴⁹⁵

Shattuck's action did not lead to results in Pale, but it did put the problem of the missing persons on the agenda of the American State Department. This resulted in a search for evidence in the State Department's files, and eventually in the release of a number of air reconnaissance photos which gave an indication of what might have been happening in the region round Srebrenica. The release of these photos was not directly due to the efforts of Shattuck himself, however.

The events preceding the publication of these images are described in full in Chapter 8 of the Intelligence Appendix to this report. It will suffice to mention here that the American ambassador to the United Nations Madeleine Albright briefed the members of the Security Council on 10 August and showed them photos that indicated the existence of mass graves in the vicinity of Konjevic Polje. Albright showed these photos not only to provide proof of the atrocities but also to get Washington to take up a harder stance towards the uncooperative Bosnian Serbs.⁴⁹⁶ According to a preliminary estimate, the graves that had been discovered so far probably contained between 2000 and 2700 bodies.⁴⁹⁷ The images were in agreement with the testimony of survivors of the executions, ten of whom had been traced in the meantime.⁴⁹⁸ Refugees had also stated that while they were on their way

⁴⁹⁰ SMG, map OPS/BLS, Sector NE Civil Affairs (Ken Biser) to Acting Deputy Head of Political and Humanitarian Affairs UNPROFOR Sarajevo (John Ryan), 09/08/95. 'Rode Kruis telt slechts 208 Moslim-mannen' (Red Cross can only find 208 Muslim men), *De Volkskrant*, 01/08/95. The number 164 was also mentioned, as well as 166.

⁴⁹¹ 'U.S. Reveals Photographs of Apparent Mass Grave', *International Herald Tribune*, 10/08/95.

⁴⁹² NIOD Questionnaire ICRC, Sujet 11 Demarches.

⁴⁹³ Confidential information (76).

⁴⁹⁴ FOIA, US Dept of State. Information Memorandum John Shattuck to The Secretary, 04/08/95.

⁴⁹⁵ Confidential information (77).

⁴⁹⁶ Interview M. Albright, 28/09/01.

⁴⁹⁷ 'Up to 2,700 Massacred by Serbs UNPROFOR is told', *International Herald Tribune*, 11/08/95.

⁴⁹⁸ ABZ 00797, Code Biegan 721, 11/08/95.

from Potocari to Kladanj they had seen executions at Nova Kasaba, and Bosnian Serbs dressed as UN peacekeepers driving a UN vehicle.⁴⁹⁹

When inspected in greater detail, the photos produced by Madeleine Albright showed indications of the presence of six hundred men on a football field at Nova Kasaba, and of four hundred by the roadside near Sandici. Freshly dug earth in Sandici suggested the presence of a mass grave there. Photos taken two weeks later showed two large areas and one small one where the soil had been disturbed. The images also showed a large barn near Nova Kasaba that might have been used as a detention centre. It should be noted that all this evidence referred to the southernmost group of mass graves: the mass graves situated further to the north had not yet been discovered.

The publication of the air reconnaissance photos moved the Dutch government to urge the High Commissioner for Human Rights, the High Commissioner for Refugees and the chairman of the ICRC to take 'visible and active steps' to clarify the fate of the missing men. The Ministry of Foreign Affairs stated that the Netherlands had a particular interest in elucidation of the facts, in view of the role Dutchbat had played in Srebrenica.⁵⁰⁰ President Sommaruga of the ICRC stated during a briefing held on 14 August that clarification of the fate of the missing men was his top priority. Eight thousand men and a small number of young women were registered as missing, and according to the Bosnian government many of them might still be alive. An estimate of five thousand survivors was quoted, but the International Red Cross could not confirm this figure on the basis of its own observations. Sommaruga found it difficult to give estimates, but he told the Dutch *chargé d'affaires* in Geneva, T.P. Hofstee, that the number of murdered men might be about a thousand. According to Christophe Girod, the ICRC delegate for the former Yugoslavia, most of the five thousand missing persons named by the Bosnian government had probably joined the ranks of the ABiH, and had not been allowed to contact their relatives for military reasons.⁵⁰¹

The Bosnian Serbs had forbidden the ICRC to set foot on the territory of the Republika Srpska without permission from Pale.⁵⁰² The question was therefore whether the attempts of the ICRC and UNHCR to gain access to the region were ever going to bear fruit. The DAV (Directorate for Atlantic Cooperation and Security of the Dutch Foreign Ministry) therefore proposed that it should play a more active role and get independent observers into the region as quickly as possible. The Netherlands might be able to do this on its own or might act within the framework of the European Union to put pressure on Russia and the United States to take steps to secure admission for independent observers.⁵⁰³

The Americans were in fact already taking steps in this direction, but along other paths than those proposed by the Netherlands. On 16 August, the American ambassador in Bosnia was given orders to urge the Bosnian Serb authorities in Pale to grant the ICRC access to men being held captive, no matter where they might be.⁵⁰⁴ Although they were already aware of the existence of some mass graves, the Americans clearly thought that some men must still be alive. But these American attempts to gain access to the region were also unsuccessful.

The presentation of the American aerial reconnaissance photos to the Security Council led to the passage of Resolution 1010, demanding that the Bosnian Serbs should give UN and ICRC observers access to Srebrenica. Akashi then received orders from New York to request permission from the Bosnian Serbs to visit the site of the mass graves that were visible in the photos shown to the Security Council. He was also instructed to collect all the information that had become available via Dutchbat, after New York became aware that film and video records of the events existed. Collection

⁴⁹⁹ ABZ, DAV 999.241, Message from PRNATO to DAV, 09/08/95, No. 119761.

⁵⁰⁰ ABZ, 499488, Code Celer 103, 10/08/95.

⁵⁰¹ ABZ, 499488, Code Hofstee 292, 14/08/95.

⁵⁰² ABZ, 499488, Code Hofstee 292, 14/08/95.

⁵⁰³ ABZ, DAV 999.241, Vertrouwelijk memorandum wnd DAV aan M via S en wnd DGPZ (Confidential memorandum from deputy DAV to M via S and deputy DGPZ), No. DAV/MS 55/95, 15/08/95.

⁵⁰⁴ Confidential Coll. (1). US Dept of State. Secstate WashDC to Amembassy Sarajevo, 160135Z Aug 95.

of this material should be treated 'as a matter of urgency'.⁵⁰⁵ This request was also passed to the Dutch mission in New York via the Secretary-General's military advisor, General Van Kappen. The Netherlands promised to collect this material and to have the records of the debriefing in Assen translated.⁵⁰⁶ The debriefing had not started yet, however. After the UN Secretariat had been briefed by the American delegation to the UN (after the briefing of the Security Council by Madeleine Albright), a little more information was available which Akashi could use as a basis for his search: the precise coordinates of the graves near Nova Kasaba and the names of a number of witnesses.⁵⁰⁷

On receipt of these orders from New York, Akashi wrote to the Bosnian Serb leader Radovan Karadzic on 12 August asking the latter to cooperate with UNPROFOR in an investigation of the existence of the reported mass graves, and to grant the ICRC permission to visit prisoners.⁵⁰⁸ Akashi had previously pointed out to Milosevic, during a meeting with the latter, that Mladic had promised Bosnia-Herzegovina Commander General Smith that the ICRC would be allowed to visit the prisoners. Milosevic undertook to convince Mladic to do this, commenting that Mladic should keep his promises.⁵⁰⁹ Little came of this, however; a fortnight later, Milosevic once again promised Akashi that he would discuss the matter of access to Srebrenica with Mladic.⁵¹⁰

Neither Karadzic nor Mladic reacted, however. When the UNPROFOR *Chef de Mission*, Antonio Pedaue, reminded Karadzic about the letter from Akashi again, the latter replied that he had not had time to deal with it because of all the crises that had arisen, but he promised once again to consider Akashi's request.⁵¹¹ The mediators Stoltenberg and Bildt also mentioned this topic during a meeting in Geneva with the Bosnian Serb leaders Momcilo Krajisnik and Jovan Zametica. The two Bosnian Serb leaders replied that they were not aware of the request from Akashi, or of the agreement between Generals Smith and Mladic granting the ICRC access to Srebrenica.⁵¹²

The Bosnian Serb reactions were not very credible. Nor was the formal Yugoslav reaction from Vladislav Jovanovic, former Foreign Minister under Milosevic and temporary *chargé d'affaires* at the UN, who tried to get the Security Council to believe in December 1995 that the ABiH had carried out the murders themselves as a result of internal disagreements. This 'monumental lie' merely aroused the anger of the Security Council.⁵¹³ Jovanovic also claimed that journalists had been given access to Srebrenica, and there was a grain of truth in this. A few journalists had indeed been allowed to visit Srebrenica at the end of August; it cannot be said, however, that they were given free access to the town. The visit of the journalists grew out of a statement made by the Mayor of Srebrenica that anyone was free to come and have a look, but that no one had asked to. In response to this, many journalists did apply for permission to visit the town, and a few were admitted. The statement was not however true in the form in which it was made: there was no question of free reporting, and the area where the mass graves were situated was kept out of bounds by the Bosnian Serbs.⁵¹⁴

⁵⁰⁵ DCBC No. 2748, Code Cable Annan to Akashi, 10/08/95, No. 2665.

⁵⁰⁶ ICFY, Box 140 (47), Cryptofax In 01/08/95 - 14/08/95, Code Cable Annan to Akashi, 11/08/95, No. 2686.

⁵⁰⁷ ICFY, Box 141, Cryptofax In 48, 14-29 Aug 95, Code Cable Annan to Akashi, 15/08/95, No MSC-2720.

⁵⁰⁸ ICFY, Box 140 (47), Cryptofax In 01/08/95 - 14/08/95, Code Cable Akashi to Annan, 14/08/95, No. Z-1416, with attached letter Akashi to Karadzic, 12/08/95.

⁵⁰⁹ ICFY, Box 140 (47), Cryptofax In 01/08/95 - 14/08/95, Code Cable Akashi to Annan, 14/08/95, No. Z-1416, with attached letter Akashi to Karadzic, 12/08/95.

⁵¹⁰ ICFY, Box 234, File 6/15, Code Cable Akashi to Annan, 29/08/95, No. UNPF Z-1540.

⁵¹¹ UNGE, UNPROFOR, Box 120, File UNPF Civil Affairs Sector NE, BHC Weekly Sitreps, UNPROFOR HQ Sarajevo, Weekly Situation Report, No. 132, 21-27/08/95.

⁵¹² ICFY, Box 234, File 615, Cryptofax Stoltenberg to the Secretary-General, copy Goulding, Annan, Gharekhan, Akashi, 16/08/95.

⁵¹³ ABZ, ARA DEU 05279, Code Biegman 1238, 19/12/95.

⁵¹⁴ ICFY, Box 147, Crypto Fax In 54, 12/12/95-19/01/96, Code Cable Annan UNPF Zagreb to Kittani United Nations New York, 20/12/95, No. UNPF Z-2734.

4. New efforts

All pressure exerted by the UN on the Bosnian Serbs had thus been in vain. Pale simply granted no access to the region to anyone at all. The only person who managed to visit Nova Kasaba in mid-August was the journalist David Rohde from *The Christian Science Monitor*, and that was more or less by accident: he was not escorted, was sent in the wrong direction at a particular moment, got lost, and suddenly realized that he must be in the area containing the mass graves that had been visible in the aerial reconnaissance photos. The local inhabitants and passing soldiers left him alone. After a prolonged search, in the course of which he followed the tracks of a number of trucks, Rohde found unmistakable evidence of a mass execution: one grave 100 metres square, another measuring 80 by 70 and a third measuring 30 by 15 metres; he further discovered a decomposing leg, remnants of clothing in the recently dug up soil, prayer beads, diplomas bearing Muslim names, countless scraps of paper with 'srebrenica' written on them, and empty ammunition boxes. Traces of blood were also visible in the Nova Kasaba football stadium, while Rohde further came across traces of blood and bullet holes in the football stadium at Bratunac.⁵¹⁵

By the end of August, organizations like the UN and the International Red Cross had been able to add little to the scant evidence of mass graves and executions, since Eastern Bosnia still remained off bounds to them. Somewhat greater insight had however been gained into the events that had taken place round Potocari, and there were reports from refugees and Dutchbat which suggested that mass executions had been carried out. Observations by Dutch soldiers who had been taken hostage confirmed that 300 to 500 prisoners had been kept on the football field at Nova Kasaba; most of these appeared to be in uniform. A pile of bodies had also been seen nearby, and one Dutchbat soldier reported having seen a row of shoes and rucksacks near the football field which appeared to have belonged to an estimated 120-150 men; he also observed two vehicles carrying corpses. Refugees travelling between Bratunac and Nova Kasaba had seen bodies lying by the roadside, most of whom were described as civilians. Some had had their throats cut or bore signs of mutilation. There were also the reports of the survivors of mass executions, and the aerial reconnaissance photos. Though it had so far proved impossible to verify the observations, all the indications led the UN special rapporteur for Human Rights to the 'chilling conclusion' that mass executions had taken place.⁵¹⁶

There were no further developments in September that helped to pinpoint the location of the mass graves. Nevertheless, evidence of the atrocities grew as more and more reports from survivors appeared in the media and locations were named. Insight into the events that had occurred along the way from Bratunac to Kladanj grew somewhat as journalists talked to Dutchbat soldiers about what they had seen *en route*. As a result, even before the report of the debriefing of Dutchbat in Assen appeared the media debate about the executions was increasingly marked by comments on the behaviour of Dutchbat. Headlines left little to the imagination: 'Witness to atrocity: UNPROFOR troops stood by', 'Dutch troops ignored Bosnia killings', 'Thousands died at Srebrenica. Dutch peacekeepers welcomed the Serb killers'.⁵¹⁷ However, these reports did not throw any new light on the mass murders or the existence of mass graves: Dutchbat had not actually witnessed either of these. The debriefing in Assen did not yield any indications of the existence of mass graves either.⁵¹⁸ For the moment, the few survivors could only give indications of the possible location of mass graves other than those visible on the American aerial reconnaissance photos.

⁵¹⁵ David Rohde, 'Evidence Indicates Bosnia Massacre', *The Christian Science Monitor*, 18/08/95, and 'How a Serbs Massacre was Disposed', *The Christian Science Monitor*, 25/08/95.

⁵¹⁶ SMG, map OPS BLS, Code Cable Goulding to Akashi, 25/08/95, No. 2825, attached (draft) Report of the SecGen pursuant to Security Council Resolution 1010. See further 30/08/95, No. S/1995/755 for the definitive version. For further examples of observations by Dutchbat troops, see the *Rapport gebaseerd op de Debriefing Srebrenica* (Report based on Srebrenica debriefing) issued on 04/10/95.

⁵¹⁷ See *Boston Globe*, 01/10/95 and *Independent*, 24/09/95.

⁵¹⁸ Debriefing report, § 4.29.

Journalists, citing UN sources, claimed that the low rate of progress in tracing the mass graves was due to reduced American interest in this topic. Locating the graves no longer fitted in with US policy, since it could hinder the progress of the peace talks which had started up in the meantime, and where the Americans played a leading role. Moreover, evil tongues claimed that the aerial reconnaissance photos had only been published in early August to distract public attention from the Croat offensive against the Serbs in Krajina which had enjoyed covert American support.⁵¹⁹

Nevertheless, it was not true that the Americans had lost interest. The search continued on the basis of eyewitness reports at the instigation of the Yugoslavia Tribunal, and images of three possible mass graves near Zvornik were discovered. These images were not published, possibly from fear of revealing too much about American military capabilities.⁵²⁰ Officials ascribed the low rate of progress in finding the new photos to the vast amounts of material that had to be gone through.

This new knowledge, supported by extensive coverage of the fall of Srebrenica in the *New York Times* and *Washington Post*, led to a discussion of the events after the fall of the enclave in the Security Council at the end of October. It may be noted that this discussion, initiated by Germany, was the fourth time the Security Council had devoted attention to this topic. The Germans urged the Council to produce a report on the missing persons from Srebrenica, Zepa and Banja Luka (the last-mentioned group resulting from the Croat offensive against the Krajina Serbs). This proposal was supported by Madeleine Albright, who pointed out how difficult it had been to get information from the UN after the publication of the aerial reconnaissance photos. She feared further that the Bosnian Serbs were destroying evidence: aerial reconnaissance photos had revealed that the graves had been interfered with in September and October. She therefore stated that it was important to take steps to ensure that the parties to the conflict would work together with the Tribunal in the Dayton peace talks that were due to begin on 1 November, and she wanted the Security Council to demand that the Tribunal should be granted access to the areas controlled by the Bosnian Serbs. Akashi received orders from New York to prepare a new report.⁵²¹

The Bosnian Serbs did not make life easy for Akashi. Pressure on the Bosnian Serbs from the ICRC, Akashi, the UNPROFOR *Chef de Mission* and Sector North East to gain access to the region had been without success. Letters from the personal representative of the High Commissioner for Human Rights remained unanswered.⁵²² At the end of October, Akashi made a third attempt to get Milosevic to use his influence on Mladic to get access to Srebrenica and its surroundings.⁵²³

In the run-up to the Dayton peace talks, both the Bosnian Muslims and the Yugoslav government exerted political pressure to gain access for international observers to areas where prisoners might be present. In fact, the Bosnian Muslims went so far as to make their participation in the Dayton negotiations dependent on this access. It should be noted that the areas in question were not only those round Srebrenica but also those near Banja Luka, where wide-scale ethnic cleansing (also affecting Krajina Serbs) had taken place as a result of the Croat offensive. Now that Serb interests were at stake, Milosevic was also demanding free access for humanitarian organizations to all areas in Bosnia.⁵²⁴ This led the Security Council to pass Resolution 1019 on 9 November, once again demanding that the Bosnian Serbs should grant the International Red Cross and UNHCR access to

⁵¹⁹ David Rohde, 'Eyewitnesses Confirm Massacres in Bosnia', *The Christian Science Monitor*, 05/10/95.

⁵²⁰ Elizabeth Neuffer, 'signs of mass graves found anew in Bosnia', *The Boston Globe*, 03/11/95.

⁵²¹ Michael Dobbs, 'New Proof Offered of Serb Atrocities: U.S. Analysts Identify More Mass Grave', *The Washington Post*, 29/10/95. Stephen Engelberg and Tim Weiner with further reporting from Raymond Bonner and Jane Perlez, 'Massacre in Bosnia: Srebrenica: The Days of Slaughter', *The New York Times*, 29/10/95. DPKO, Code Cable Annan to Akashi, 30/10/95, No. 3414.

⁵²² ABZ, PR New York, Fax PR New York to Min of Foreign Affairs, attn. DPR/PZ, 11/10/95, No. NYV-6299.

⁵²³ ICFY, Box 144, File Crypto Fax In 51, 10-31/10/95, Code Cable Akashi to Annan, 24/10/95, No. UNPF Z-1977.

⁵²⁴ ICFY, Box 144, File Crypto Fax In 51, 10-31/10/95, Code Cable Akashi to Annan, 30/10/95, No. 3413 with letters attached Muhamed Sacirbey to President of the Security Council, 30/10/95 and Vladislav Jovanovic to President of the Security Council, 26/10/95, No. 1058/95.

persons 'detained or reported missing' in Srebrenica, Zepa, Banja Luka and Sanski Most.⁵²⁵ As with so many previous resolutions, the Bosnian Serbs simply ignored this demand.

The charges against Karadzic and Mladic formulated by the War Crimes Tribunal on 16 November 1995, made it necessary to collect the relevant evidence on the ground. Not that there was any real doubt at this time that mass murders had been committed and that mass graves existed, but it had not yet been possible to set up an investigation on the spot. Besides, eyewitness reports and aerial reconnaissance photos had so far only led to the identification of six mass graves. Nevertheless, as UN Secretary-General Boutros-Ghali wrote in a report issued on 27 November (the raw material for which had been contributed by Akashi), detailed evidence was available. There were eyewitness reports from Dutchbat and from survivors of the executions, aerial photographs of the mass graves and material actually taken from the graves.⁵²⁶ The last-mentioned evidence was gained thanks to the efforts of David Rohde. He had managed not only to track down seven survivors of executions and to record their story, but also to gain some insight into the events at Bratunac and, as mentioned above, to visit the mass graves near Konjevic Polje.

During a new trip to Belgrade via Eastern Bosnia, Rohde had hoped to stop off at Zvornik to inspect the mass graves there before slipping over the Drina into Serbia. In order to gain access to the area round Zvornik, Rohde had changed the date on an old press accreditation, but his ruse failed: this time he was arrested as a suspected CIA agent, charged with spying, subjected to prolonged interrogation and imprisoned for ten days. His film material was impounded. The whole affair was an unwanted complication during the first few days of the Dayton peace talks: Milosevic had to intervene to secure his release. As Richard Holbrooke put it later, 'showing more courage than wisdom, he [Rohde] began digging in the red dirt of the mud dam near Zvornik'.⁵²⁷

After his release, Rohde wrote about what he had found in the loose earth near the Petkovići Dam: shoes, spectacles and other articles of clothing, along with three walking sticks and a crutch. The stench of rotting corpses still hung in the air. He also found piles of wind-jackets, leather jackets and T-shirts in the nearby woods. The local population and Bosnian Serb police claimed that the bodies in the graves were those of ABiH soldiers killed in battle, but the walking sticks and crutches argued against this claim. An identity card issued in Srebrenica and photos with Muslim names established a link with Srebrenica.⁵²⁸

As long as the Bosnian Serbs continued to claim that all the corpses were those of soldiers killed in battle, further forensic investigation was needed to verify or disprove this statement. The Dayton Accords granted investigators from the War Crimes Tribunal access to all areas in Bosnia, but made no provisions for protection of their work. These activities were potentially not without risk, since the Bosnian Serbs might see fit to prevent them. It was the Americans who, fearing mission creep, had stipulated that this should not be a task for the NATO-led Implementation Force (IFOR). According to David Rohde, the Americans went so far as to suggest that the Netherlands should supply troops to protect the experts during the excavations. In the end, such a request was not put to the Netherlands: after the fall of Srebrenica, it would have made the Dutch forces too vulnerable to further humiliation by the Bosnian Serbs.⁵²⁹

The search for evidence did not get a new impulse until after the Dayton Accords. NATO Commander Admiral Smith and Judge Richard Goldstone, the chief prosecutor at the War Crimes Tribunal in The Hague, reached agreement about cooperation in mid-January 1996. NATO troops would protect the teams who were investigating the graves. The Secretary General of NATO, Javier Solana, promised NATO resources for regular inspection by reconnaissance aircraft and patrols on the

⁵²⁵ S/RES/1019 (1995), 09/11/95.

⁵²⁶ Report of the Secretary-General Pursuant to Security Council Resolution 1019 (1995) on Violations of International Humanitarian Law in the Areas of Srebrenica, Zepa, Banja Luka and Sanski Most, 27/11/95, No. S/1995/988.

⁵²⁷ Holbrooke, *To End a War*, pp. 242-243 and 254.

⁵²⁸ David Rohde, 'Graves Found That Confirm Bosnia Massacre', *The Christian Science Monitor*, 16/11/95.

⁵²⁹ David Rohde, 'Prosecutors Seek Access to Graves', *The Christian Science Monitor*, 14/12/95.

ground to ensure that the graves were not tampered with.⁵³⁰ The most noteworthy development was however that the Bosnian Serbs finally gave the American Assistant Secretary of State for Human Rights, John Shattuck, permission to make a tour of inspection of the execution sites and the known mass graves. Shattuck's visit once again concentrated all attention on the existence of the mass graves. He was accompanied by the first representatives of the War Crimes Tribunal. The sites visited included the warehouse in Kravica, where the bloodstains and the remnants of the clothing of the men who had been murdered could still be seen, and the nearby mass grave in Glogova. 'It is far more chilling to see this in reality than I was prepared for', Shattuck said.⁵³¹

After the ice had been broken in this way, it became easier to visit Eastern Bosnia. The Dutch Minister for International Development Jan Pronk also visited Kravica on 1 March, in the company of a UNHCR delegation. The group was unable to find the mass grave at Glogova.⁵³² Some time later, a group of staff members from the Dutch embassy in Zagreb together with some Polish journalists and Bart Rijs, the correspondent of *De Volkskrant*, did manage to find the mass grave at Glogova. Numerous bones were observed there. The group also made a trip to the hills near Kamenica, where bundles of clothing were found which proved on closer inspection to contain parts of skeletons. Various objects were also scattered around, varying from Korans to a Dutchbat T-shirt, school exercise books and family photos. At other sites the group found skulls and bones all jumbled up together, amidst bundles of clothing and an unexploded hand grenade – silent witnesses of the terrors that the men in the column from Srebrenica to Tuzla had been exposed to.⁵³³

Early in April 1996, investigators from the War Crimes Tribunal started opening up the eleven mass graves whose existence seemed to have been confirmed by then. By the time the excavations started, it was already clear that the graves had been tampered with. NATO had only been given permission to protect the investigators, not the evidence.⁵³⁴ Reports that the Bosnian Serbs had tried to destroy the evidence of the massacre, e.g. by scattering chemicals on the corpses and scattering body parts in the six graves that had been identified at the time, appeared as early as October 1995.⁵³⁵ Air reconnaissance photos of the grave closest to Srebrenica, the 'Tatar' grave near Glogova which was only five kilometres from Bratunac and was the largest found so far, seemed to indicate that the grave had been completely emptied.⁵³⁶

5. Conclusion

Today the name of Srebrenica is indissolubly linked with the mass murders committed in the vicinity of this former Bosnian enclave, but this was not so self-evident in the days immediately following the fall of the enclave. It was, however, soon known that murders had been committed at sites along the road to Nova Kasaba and Konjevic Polje, which had been passed by the deported women and children who travelled along the same road on 12 and 13 July, and round the UN compound in Potocari which will be dealt with in greater detail in the next chapter.

For quite a long time, however, the Bosnian government and UNPROFOR were under the impression that large numbers of the men from Srebrenica had been captured *en route* to Tuzla, and that they were being held in Bratunac for interrogation and registration. This proved to be an illusion: they

⁵³⁰ Eve-Ann Prentice, 'Nato joins forces with war crimes teams to seek out mass graves', *The Times*, 23/01/96.

⁵³¹ ICFY, Box 148, Cryptofax In 55, Code Cable Annan to Goulding, 29/01/96, No. UNPF-Z-148.

⁵³² Slm@world.std.com, 'This week in Bosnia', 23/01/96, consulted 27/08/98. See also Bart Rijs, 'serviërs in Srebrenica weten van geen massamoord' (Serbs in Srebrenica know nothing about massacre), *De Volkskrant*, 24/01/96.

⁵³³ ABZ, DPV 499488, Code Pronk circ. 147, 05/03/96.

⁵³⁴ ABZ, DPV, UNPROFOR, NL deelname (NL participation). Secure fax Ambassade Sarajevo aan Min. v. B.Z. t.a.v. DMP/NH (Sarajevo embassy to Min. Foreign Affairs, att. DMP/NH), 06/05/96, No. SAR 092/96.

⁵³⁵ 'UN investigators begin opening mass graves', *Calgary Herald*, 03/04/96. .

⁵³⁶ Tim Weiner, 'U.S. Says Serbs May Have Tried to Destroy Massacre Evidence', *The New York Times*, 30/10/95, .

⁵³⁶ Confidential document. [US Secret]

had been murdered, long before the idea of a massacre gained ground. Even after that, it took some considerable time before evidence of the massacre could be produced. The first indications did not come to light until more than a month after the fall of Srebrenica.

Chapter 4

Potocari – Dutchbat and the fate of the local population

1. Introduction

Apart from the terrible journey to Tuzla that cost the lives of a large part of the male population of the Srebrenica enclave as a result of shelling or executions after being captured, the events in Potocari form the centre of the humanitarian disaster that took place in East Bosnia in July 1995. This chapter provides a description and analysis of what happened in Srebrenica and especially in Potocari from 10 July 1995 onwards, with particular focus on the fate of the population and the role that Dutchbat played in the outcome of that fate. The latter especially involves the question of Dutchbat's responsibilities and the manner in which it discharged its responsibilities under the circumstances prevailing at the time. The majority of questions that were asked in the aftermath of (events in) Srebrenica, can be traced back to these two intimately linked themes. Examples are: did it or did it not report executions, did Dutchbat possibly collaborate in separating men from women, did it draw up and pass on to the VRS lists of names of Displaced Persons (refugees), did it fail to resist the deportations, and so on. As a consequence of this, in describing certain subjects, the events are partially dealt with in the light of the role they played during the aftermath. For that reason, chronology and themes alternate.

It was decided to give one cluster of subjects and questions extensive treatment in a separate Appendix to this report, under the heading 'Dutchbat and the local population: medical issues'. That was done because the subjects discussed in this separate supplement are mutually related.

Before going any further, a word on the terminology used in this report. As early as the autumn of 1995, the Committee of Dutch Lawyers for Human Rights in a reaction to the debriefing report questioned the terminology employed in that report. Among other things, the Committee expressed doubts that the term 'refugees' was technically correct under the terms of the Refugees Convention of 1951. After all, in this particular case, the people concerned were still in their own country and, therefore, should really be described as 'Displaced Persons' or 'homeless'.⁵³⁷ However, this conclusion masks other complex issues that have to do with the status of the Safe Areas in relation to the self-styled independent republic of Bosnia-Herzegovina and the Republika Srpska. In any case, the term 'Displaced Persons' or 'displaced' was used by organisations such as *Médecins Sans Frontières* and UNHCR. However, because the word 'refugees' was most often used in the sources and in common parlance at the time and in subsequent years, we decided to use the same word in this report as well.

The first part, discussing the events in Potocari, focuses especially on what happened on July 10 and 11 and takes a close look at the emergence of a refugee problem as a result of the collapse of the enclave. The way in which Dutchbat handled this problem and what kind of motivations influenced its performance will be studied. That sets the stage for the events that followed, after the enclave had officially fallen on July 11.

This section is followed by one that deals with the negotiations between General Mladic and Lieutenant Colonel Karremans about the fate of the people in Potocari, and the unexpected start of the removal of the refugees. Here, too, the problem of terminology arises and again it was the Committee of Dutch Lawyers for Human Rights that pointed out its implications. The Committee disagreed with the VRS' use of the term 'evacuation' of the refugees in the compound and, therefore, also objected to the fact that Dutchbat went along with this terminology in its official contacts with the VRS. This

⁵³⁷ DCBC, 1995, Dr. B.C. Labuschagne, chairman NJCM, to dr. J.J.C. Voorhoeve, Minister for Defence, Leyden, 18/12/95.

happened, for instance, when on 17 July 1995 Deputy Dutchbat Commander R.A. Franken signed a Bosnian Serb document that said the ‘evacuation’ had taken place without problems.

The Committee questioned the use of this term. The lawyers defined evacuation as ‘a purely humanitarian measure that is almost always taken with the agreement of the people concerned’. The lawyers believed the aim of such a measure was to safeguard ‘the interests, health and safety’ of these people. On the other hand, ‘deportation’ was ‘an instrument in the hands of a hostile government to act in a repressive manner against the local population’. That put it almost on par with ethnic cleansing, which in United Nations resolutions had been described as a form of genocide ‘and elsewhere as a breach of international human rights’. But even if this is a genuine evacuation, the universally accepted standards of scrupulousness as laid down in the Fourth Geneva Convention⁵³⁸ should always be complied with.

The Committee bluntly declared that Srebrenica had been a clear case of ‘deportation’, a conclusion that can be endorsed by this report. That is why this term is also used in this text. Yet this is still not as simple as it may seem: among other things, we will talk about the fact that the people living in the enclave were themselves keen to get out. There are good indications in this context that the Bosnian Government as well as local authorities had discouraged evacuations for political reasons in the past because otherwise the Safe Area would literally be emptied.

To what extent the wish of local people to leave was dictated by the circumstances and therefore made free will a relative concept, as it were, is an added complication in trying to determine which term covers the nature of the events in Srebrenica best. This theme will come to the fore particularly in the discussion of the behaviour of Mladic on July 11 and 12, when he gave the local population pro forma the choice of either staying or leaving. However, against the background outlined above, his actions may well be interpreted as a conscious attempt to create an excuse against any accusations that he was guilty of deportation, ethnic cleansing and mass executions. For the same reason, Karadzic also emphatically claimed then and afterwards that people had been given a free choice: ‘Immediately after Mladic entered the city on July 11, residents were asked whether they wanted to stay or leave. Most people chose to leave, ‘just like the Serbs [sic] who did not wish to stay in occupied Sarajevo’.⁵³⁹ Soon after the fall of the enclave, Karadzic declared on television that people were ‘free to go anywhere they wanted’.⁵⁴⁰ It seems fair to say that because of the manipulative, intimidatory and sometimes even violent nature of the removal of the refugees, most of those involved did in actual fact have no real free choice in the matter at all. In regards to the terminology that has been used both in this and in the following chapters, the justification for using it should really be provided in the course of the account and we have, therefore, not tried to artificially avoid the concept of deportation.

The second part of this chapter concludes with the last refugee transports on July 12, but partially overlaps the detailed third part because of the formulation and definition of the problem that forms the basis of that part. This involves the question which flagrant violations of human rights, murders in particular, have taken place in and around Potocari and Srebrenica, and what individual members of Dutchbat or the battalion as a whole, in the person of its commanding officer, Lieutenant Colonel Karremans, have seen and reported any of these violations. To be able to answer these questions, it is necessary to follow the events as they began to unfold from the afternoon of July 12.

Part 3 in particular will take a strongly thematic approach because too many separate elements demand comprehensive treatment. However, in doing so an attempt is made to keep things in chronological order as much as possible. Because many issues are being discussed that began to play an

⁵³⁸ DCBC, 1955. Dr. B.C. Labuschagne, chairman NJCM, to dr. J.J.C. Voorhoeve, Minister for Defence, Leyden, 18/12/1995.

⁵³⁹ J. Pak, ‘Karadzic: Moslims gingen zelf weg uit Srebrenica’ (‘Karadzic: Muslims left Srebrenica of their own volition’), *Haagsche Courant*, 12/07/00. Quoted in: Military History Section SMG, 1002. RNLAf Deny Flight intsum, dtg 131330Z JUL 95.

⁵⁴⁰ Quoted in: SMG, 1002. RNLAf Deny Flight intsum, dtg 131330Z JUL 95.

important role in the aftermath of the events at Srebrenica and Potocari, it is hard to avoid touching on a number of these issues at different levels. Where possible, the way certain problems from the aftermath were dealt with has been discussed in later chapters.

The first part that follows now, will describe the measures Dutchbat took to get ready for providing shelter to the stream of refugees, and the problems that occurred at that particular stage. Attention will be paid to the formal framework that was in place for this kind of situation. Next, the flight from Srebrenica to Potocari and the possible incidents that may have taken place at that time will be discussed. The chapter concludes with the manner in which the refugees were received in Potocari and the problems involved in estimating the number of people that were there.

2. The rules regarding allowing refugees into the Potocari compound

Even when Dutchbat still fully believed in the deterrence value of Close Air Support, the battalion had to allow for the possibility of certain worst case scenarios. There are no indications that it had made any plans before the assault on Srebrenica for dealing with a wholesale flight of refugees to Potocari. In early June Karremans did express fears about the possibility of a Serb attack on the southern part of the enclave, particularly the Swedish Shelter Project (SSP). However, this did not lead to a plan to take care of any refugees.⁵⁴¹ However, the chance that a massive flow of refugees would move northwards in the direction of the Dutchbat compound was very real on July 10. That presented the battalion with a huge problem. What would it have to do to deal with these potential masses of tens of thousands of desperate people, and how might they be afforded the best possible protection? That question became relevant at the end of the afternoon of July 10 when it became clear that people were beginning to flee from the shelling of Srebrenica.

The decisions about how to deal with the refugees and, in particular, their admittance to the compound in Potocari became a loaded subject in the aftermath of the fall of the enclave, when 'srebrenica' began to look like becoming a major (political) affair. One of the questions that were repeatedly asked by former refugees in particular, concerned Dutchbat's decision to set a maximum number of people that would be admitted to the compound. The background to that question had to do with the poor protection of people who were forced to seek shelter in surrounding factories and the Potocari bus depot.

Another question linked to the theme of the Dutchbat chain of command during the fall and the days after the fall of the enclave, especially the roles of Karremans and Franken, and the question of how the command (structure) had functioned. In regards to the admittance of refugees to the compound, it was already claimed on the battalion's return to Zagreb - during the first debriefings of key officers of Dutchbat - that there may possibly have been problems between the commanding officer and his deputy in this area. Karremans is supposed to have rejected a request by B Company to be allowed to accept refugees but was subsequently 'overruled' by Franken.⁵⁴² As a result, this alleged incident later also became part of the sensitive questions asked about the command situation within Dutchbat, and particularly about the actions of Lt-Col Karremans. This question became a central theme of the first debriefing of the battalion in Zagreb, immediately after its return from the enclave on July 22 (see the following chapter), but it was conspicuously absent during the debriefing in Assen and certainly in the debriefing report. It only mentions that after consultation with the battalion it was decided to take the refugees to Potocari (see Chapter 7).

⁵⁴¹ 'In that case, SSP will be lost and about 3000 refugees either killed or expelled', Karremans wrote on June 4 in a letter to BH Command in Sarajevo (SMG/Debrief. TK9588, 'Deteriorating situation in Srebrenica'). The same message also went to the Netherlands. See SMG/Debrief. Th.J.P. Karremans, 'The situation in Srebrenica', appendix to letter number TK9589, 5 June 1995, from C-Dutchbat to C-Army Crisisstaf, bgen F. Pollé. Both letters have been included as supplements in: Karremans, *Srebrenica*, pp. 312-321.

⁵⁴² SMG 1007. 'Debriefing Sergeant Major Van Meer, added S3 Dutchbat III, Camp Pleso 220795, 22.45-24.30 uur'.

Dutchbat's commanding officer as well as his deputy deny the incident took place, but confirmed that a discussion had taken place. In fact, Karremans did say at one point that he was opposed to admitting refugees to the compound.⁵⁴³ When he is supposed to have said this exactly is not clear, because B Company's request to be allowed to admit refugees could have been made either on July 10 or 11. In any case, on July 11 an order was given that said that for the time being refugees should not be sent away.

In a small diary kept by the Intelligence and security officer of the battalion, Rave, it says in an entry for July 14 - looking back on the previous hectic days - that he was told on July 11 that refugees were not being admitted because of the threat of shelling by the VRS.⁵⁴⁴ Lieutenant Koster remembers the same decision as being a 'standing order'.⁵⁴⁵

There was in fact a formal framework for this kind of situations. And although Karremans later said he had not in first instance based his decisions on formal considerations, it is important to take a closer look at the rules and regulations that were in force at the time to deal with such situations. A refusal to admit so-called non-combatants was in fact in accordance with the guidelines that UNPROFOR itself had laid down in its so-called Standing Operating Procedures (see Chapter 1 of Part I), which, in turn, had been partially included in the so-called permanent instructions, the Standing Orders of the battalion.⁵⁴⁶ However, in practice, and therefore also during these days, the Standing Operating Procedures were of little value because there were situations when the rules simply did not provide any clear and unambiguous solutions.⁵⁴⁷ Moreover, the Standing Operating Procedures, dating from 1993, were constantly being changed and updated - it was as 'growth document' as an introduction to the battalion Standing Orders called it.⁵⁴⁸ Nevertheless, these Standing Operating Procedures are relevant because they show the rules and responsibilities formally laid down on the one hand, as against the unruly realities that existed on the other. The Standing Operating Procedures were provided to every commanding officer of a deployed unit. He had to distribute these among his company commanders and section heads, who, in turn, passed on a simplified version to their subordinates.⁵⁴⁹ In practice, however, Dutchbat relied on its own Dutch-language Standing Orders, which incorporated those Standing Operating Procedures that were deemed most relevant.

In the case of admitting refugees (In the Standing Operating Procedures referred to as non-combatants) Standing Operating Procedure number 206 applied: 'Protection of persons seeking urgent assistance', translated in the battalion's Standing Orders as 'Criteria in regards to assistance to non-combatants in distress'.⁵⁵⁰ The accompanying explanation emphatically says that it is an UNPROFOR principle to protect non-combatants threatened by physical violence. It even stresses the point that the primary mandate of the peacekeepers and the limited resources at their disposal should not be allowed to be used as an excuse to do nothing. That addition, incidentally, had not been included in the battalion's Standing Orders.

The possibility of confusion about the duty to protect people becomes clear from the basic principle that UNPROFOR would take action only if local authorities, UNHCR or the International Red Cross could not or would not offer the required protection. After all, UNPROFOR was - as is mentioned elsewhere - 'not responsible for the protection of the population in the "Safe Areas"', although 'it (...) could make a contribution to this'.⁵⁵¹ Once the listed conditions were met, any threat

⁵⁴³ See: Wind, *Debriefing*, p. 33; interview Th.J.P. Karremans, 30/11/00 en 01/12/00 and R.Franken, 18/05/01.

⁵⁴⁴ Notebook B. Rave. Loaned to NIOD for perusal.

⁵⁴⁵ Interviews E. Koster, 06/10/99 en 19/10/99.

⁵⁴⁶ SMG/Debrief. Standing Order 1 (NL) VNINFBAT.

⁵⁴⁷ For meaning of the SOPs, see Part II, Chapter 1.

⁵⁴⁸ SMG/Debrief. Standing Order 1 (NL) VNINFBAT, p. 3.

⁵⁴⁹ Interview E.A.W.Koestal, 24/05/00. Koestal was acting Military Attache at the time at the Permanent Representation of the Netherlands at the UN in New York.

⁵⁵⁰ SMG/Debrief. Standing Order 1 (NL) VNINFBAT, Chapter 3 Operations, par 3.2, subpar 5c, Behaviour when personnel and/or equipment were under threat.

⁵⁵¹ SMG/Debrief. Standing Order 1 (NL) VNINFBAT, Chapter 3 Operations, par 3.2., subpar 4, Safe Areas.

to the people concerned had to be regarded as a threat to UNPROFOR, in which case the normal Rules of Engagement applied. That immediately led to the stipulation that ‘after providing assistance, nobody could be sent away if that would mean they faced a physical threat as a result’. The definition of non-combatants that had to be applied in this included unarmed civilians but also former combatants who no longer carried any weapons ‘and who, because of injury, incapacity or other reason is *hors de combat* [out of action]’. The battalion Standing Orders translated this as ‘Unarmed ex-combatants who have been put out of action (wounded, undernourished or other causes)’. This last stipulation was decidedly problematic because any soldier who for whatever reason declared himself *hors de combat* and was under threat could seek refuge with the UN. In a situation where the demarcation between soldiers and civilians was already a major problem, this could only make things even more complicated.

The Standing Operating Procedures (and the battalion Standing Orders) make an attempt to list a number of criteria based on which decisions needed to be made on ‘what to do’. First, the threat in question had to be analysed and it had to be ascertained whether assistance was really necessary and whether there was no other organisation that could help. Then followed a criterion that in the context of the events in Potocari also turned out to be not insignificant. It had to be ascertained whether assistance could be provided in a manner that did not expose own personnel to ‘unacceptable risks’ or would lead to UN personnel becoming ‘too deeply involved in the conflict’. Moreover, whatever assistance was provided was not allowed to interfere with the main tasks of UNPROFOR.

These stipulations meant that those who had to translate the sometimes mutually contradictory rules into decisions faced great difficulties. Because the people who drew up the original Standing Operating Procedures⁵⁵² and the battalion Standing Orders had foreseen this, they provided three sample situations that would turn out to apply to Dutchbat’s situation in Potocari extremely well. They concerned, firstly, the case where non-combatants would seek access to a UN facility, secondly, the scenario in which they would ask for UN transportation to help them get out of the dangerous area, and, lastly, ‘UNPROFOR personnel encountering a situation in which physical violence is being used against a non-combatant’. Later in this chapter we will talk about these latter two in more detail in regards to the significance they had to the practical reality faced by Dutchbat.

Admittance to a what was in this case a UN compound was permitted for people who were wounded or ‘seriously ill’. People eligible for assistance were also immediately told that they would have to ‘leave again as soon as their condition had stabilised and they faced no immediate danger’. People who were not wounded or seriously ill were not admitted into the compound. This stipulation came with the added provision that if or when this was necessary *and* possible, the battalion commander ‘(had) to provide protection and assistance outside the compound’. He was supposed to designate a location for this purpose outside the UN area that could serve as a temporary refugee shelter. In the Standing Operating Procedures there is an added stipulation that setting up this temporary shelter had to be combined with a protection plan, but the battalion’s Dutch-language Standing Orders did not include any such instruction.

The background to the restrictions on permitting refugees into the compound was not explained in the Standing Operating Procedures. Undoubtedly the stance of strict neutrality that the UN tried to maintain played a role in this, but possibly considerations of operational freedom of movement, safety and security were also involved. Telling enough was the translated Standing Operating Procedure 206 in the battalion’s Standing Order under the heading ‘What to do when personnel and/or equipment/ordnance are threatened’. It was, however, already clear from the start that these Standing Operating Procedures were of very limited practical use, because the introduction to the battalion’s own Standing Order indicated that the Standing Operating Procedure, as drawn up by the Bosnia-Herzegovina Command, was a ‘standing procedure’ aimed at providing a solution ‘and therefore was not a standard solution’: ‘In many cases a Standing Operating Procedure will have to be

⁵⁵² One of them was David Harland, who worked at that time at BHC in Sarajevo and was one of the people involved in 1999 in the UN investigation into the events taking place in Srebrenica. Interview D. Harland, 14/12/99.

used in conjunction with a correct application of the Rules of Engagement and a dose of common sense'.⁵⁵³ In Potocari, it would be the latter, in particular, that was sorely needed.

3. July 10: admitting (refugees into the compound) in practice

Just before 19.00 hours on July 10, Karremans sounded the bunker alarm as a result of his request for Close Air Support and the possible response to this by the VRS. Everybody moved into the shelters. By this time, the fences of the compound in Srebrenica had given way under the pressure of great numbers of terrified refugees who had panicked because the VRS began to approach the city. Because of the danger of shelling, the compound's commanding officer, Groen, tried to convince as many people as he could to flee in the direction of Potocari. This became even more urgent because just then he received word of the request for air support - which in fact never eventuated. Just after 19.00 hours, Groen urgently requested permission to carry out his plans.⁵⁵⁴

At that moment, a decision had to be made on whether the refugees would be allowed to continue to the compound. Karremans' decision not to admit refugees to the compound was strongly influenced by practical considerations. He feared that if the compound was swamped by refugees, all kinds of security problems would ensue. Karremans did not want refugees in or anywhere near a number of sensitive locations within the compound, such as the Ops rooms (the command posts), the armouries, the work shops and soldiers' barracks. In addition, it was extremely important to him to maintain the battalion's operational freedom of movement.⁵⁵⁵ Franken shared this view. Even back in May, when the situation deteriorated, measures had been taken to be able to defend the compound. Defensive walls were built and vehicle positions were dug. The APCs would need to be able to move freely between these positions. However, if the compound became filled to overflowing, it would become impossible for vehicles to freely manoeuvre around the area. Dutchbat would then literally become trapped.

There was another aspect of the threat of the VRS that also played a role. The entrance gate to the compound was within view of the Bosnian-Serb guns and mortars which could easily cause carnage among densely packed masses of refugees. Important in this context were the VRS statements that no refugees were allowed to enter the compound in Potocari. It was difficult to determine whether Karremans had already heard this threat when he made his decision. The first recorded mention found in the Ops Room log book (and therefore probably also the only incidence Karremans himself talks about in his book⁵⁵⁶) dates from just after 20.30 hours and came from '4 E'⁵⁵⁷. The man behind this code was Sergeant Bos who was kept in Bratunac as a hostage and who was forced to pass on a number of statements by a VRS commander (probably Major Nikolic) via the on-board radio of his APC. The first of these was that 'Muslims would not be tolerated in the compound, but NGOs, on the other hand, would be. Furthermore, he announced the VRS would take on the job of demilitarisation that Dutchbat had proved to be incapable of.⁵⁵⁸ The next day, when the first refugees had already arrived, another VRS statement refusing refugees permission to enter the compound would follow.⁵⁵⁹

The time of sergeant Bos' announcement was well after the decision was made not to admit refugees to the compound, but it is likely that the battalion's officers had already formed the notion

⁵⁵³ SMG/Debrief. Standing Order 1 (NL) VNINFBAT, Chapter 3 Operations, par 3.1.

⁵⁵⁴ SMG, 1004/61. Monthly register Ops Room Dutchbat, 10/07/95, entry 19.10, reported by 61R (Groen)

⁵⁵⁵ Statement in writing Th.J.P. Karremans, 16/07/01.

⁵⁵⁶ Karremans, *Srebrenica*, p. 187.

⁵⁵⁷ SMG, 1004/61. Monthly register Ops Room Dutchbat, 10/07/95, entry 20.45, report by 41R and a similar report, just before that but without time noted, by 4 E.

⁵⁵⁸ The exact reconstruction remains a problem. According to Karremans, the ban was lifted less than 10 minutes later and permission was also given to freely move in and out of their compound with vehicles. (Karremans, *Srebrenica*, p. 188) However, the Monthly register of Ops Room Dutchbat reports at 20.45 hours a message from Nikolic that refugees were allowed to go to Potocari but could not enter the compound.

⁵⁵⁹ Based on personal log book notes of major Otter, this was at 2.20 pm. Notes given to NIOD for its perusal.

very large numbers were involved, the logical conclusion was that some of the refugees could be best accommodated in the compound itself. The risk that opening the compound itself to refugees would simply swamp the whole area and basically eliminate Dutchbat as an effective force as a result was very real in this option, as we have mentioned earlier. So the discussion between Karremans and Franken very quickly began to focus on numbers. It was decided to let the total amount be determined by the number of people that could be accommodated in the compound's large vehicle hangars. That would leave the battalion's freedom of movement intact and the refugees would be out of the VRS' sight as well. When the time finally came, refugees were also admitted to the first floor of the compound building, until an army engineer warned that the floors would not be able to bear the weight of any additional people. So no absolute limit had been set beforehand.

The question as to how many refugees would be able to reach the compound without coming within sight of the Bosnian Serb guns was answered soon after. The refugee columns would be diverted just before they would come within view of the VRS gun crews, via a so-called covered route to the south-west side of the compound. The point where the refugee flow would be diverted was planned to be near the bus terminal in Potocari because the Bosnian Serbs' field of vision ended just before that. Dutchbat soldiers were posted at that point to tell people to turn right to be able to walk on to the Dutchbat complex under cover of the factories situated between the compound and the bus terminal. The whole route would be marked by way of ribbons and groups of Dutchbat soldiers acting as guides. Other Dutchbat soldiers would then have to take over when people arrived at the compound and lead them into the vehicle hangar that was hidden from view by the compound's main building. To do this, it would be necessary to create a new, covered entrance. Franken gave instructions to this effect to compound Commander Major Otter and Lieutenant Koster, who had a hole cut in the fence at the most south-westerly corner of the compound. For practical reasons, this entrance would be moved a little the next day.

Otter was ordered to put together a group of 30 - three lieutenants each with nine men - whose job it would be to receive the refugees.⁵⁶⁴ Lieutenant Jansen was designated as the officer responsible for dealing with the refugees within the compound, while Lieutenant Koster was given the same job in areas outside the compound.⁵⁶⁵ At about 20.00 hours., all preparations had been completed for something that in the end turned out to be no more than a preliminary exercise.

There has been some confusion since about the question whether or not there had been any refugees in the Potocari compound on the night of July 10.⁵⁶⁶ The conclusion that was already drawn in the debriefing report was that this had not been the case.⁵⁶⁷ Dutchbat soldiers were posted at the bus terminal, the location where the refugees would leave the road and which will hereinafter be referred to as diversion point. They had positioned themselves there to direct refugees when they were approached by Bosnian soldiers who told them that they had already sent people back in Srebrenica.⁵⁶⁸ About half past nine, captain Groen told the Ops Room that soldiers of the ABiH (Bosnian Muslim military forces) who at that time were still in Srebrenica had sent the refugees back to Srebrenica after consulting their commanding officer, Ramiz Becirovic. With the assistance of Becirovic, Groen's own compound was also cleared of refugees who had entered it. The Ops Room noted: 'our reception

⁵⁶⁴ Interview J. Otter, 26/05/99

⁵⁶⁵ Debriefing statement A.H. Jansen, 07/09/95; interview E. Koster, 06/10/99 and 19/10/99.

⁵⁶⁶ In Karremans' book his account is quite vague on this point and judging by other statements, probably partially incorrect. For instance, he says that refugees in first instance entered the compound, but left it again at 21.30 hours, after which the hole in the fence is supposed to have been closed again. He probably confuses the Potocari compound with the Srebrenica one. Karremans, *Srebrenica, who cares?* pp. 187 and 189. However, in his letter NIOD, dating from 17 July 1995, Coll. Karremans. TK95118, 'short summary of the events of the past week', he himself already says: '19.00 hours (...) first stream of refugees direction (sic) Potocari, but was able to send them back later'.

⁵⁶⁷ Wind, *Debriefing*, p. 41.

⁵⁶⁸ Dijkema, *Vredesnaam*, pp. 318-319.

committee has been cancelled and is on standby'.⁵⁶⁹ To be on the safe side, one team was kept outside the compound so it could deal with any refugees that might come across.

Why the soldiers of the ABiH decided to stop the refugees is not clear. At that time, a large number of military personnel were present near the post office building where the ABiH head quarters were, to demand a meeting with Becirovic to discuss the question whether they should give up the enclave and disappear.⁵⁷⁰ It is possible that they had heard about the permission issued by Nikolic at about quarter to nine to allow people to go north, and saw this as an indication that the enclave's fate was sealed. Both and Honig, who were among the first to put together an integral picture of the Srebrenica drama, provided a more cynical interpretation of the events that could fit this particular situation. In their view, the local population played a role in the attempts by the ABiH soldiers to ensnare the UN in battles with the VRS. That was supposed to be done not just by keeping the UN in the front line, but if possible also by involving the civilian population in the fighting. Mayor Salihovic is also supposed to have opposed moving the population out of the city. People who were already on their way to Potocari were therefore forced to turn back.⁵⁷¹

We could find no confirmation for this interpretation. It seems equally possible that other motives played a role. The departure of the inhabitants of Srebrenica could have been taken by hesitating defenders as a signal that it would indeed be better to disappear. Another possible explanation is that blind panic breaking out among the local population, and the possible consequences thereof, had to be prevented.

In any case, the measure turned out to have an effect for only a short while. About 30 minutes after midnight, the Ops Room received word from Srebrenica that 400 men, some of them armed, had left for Potocari. Fifteen minutes later, another message followed to report that a 'stream of refugees' was on its way to Potocari, including 'young people' (soldiers): 'hundreds of people passing behind and in front of the compound'.⁵⁷² However, these were probably mostly people belonging to groups gathering for an attempt to break out of the enclave. Dutchbat did not see any refugees near the Potocari compound and it was a relatively quiet night until the bunker alarm sounded at 06.00 hours because of the long-awaited air strike.

4. July 11 – the flight to Potocari

In the aftermath of Srebrenica, there were accusations that Dutchbat personnel's own attitudes to the local population had a negative effect on the way they handled themselves (in the crisis). Part II discusses this in detail, but this theme surfaces continually in accounts of what happened during and after the fall of the enclave. That applies to, among other things, the description and analysis of the flight of the civilian population to the Dutchbat compound in Potocari. The Dutch soldiers, who for military reasons were forced to pull back to Potocari as well, ended up becoming part of the general flow of refugees during this retreat. Most of them belonged to B Company, whose members were later criticised most heavily for their alleged anti-Muslim attitude. On July 11, their compound became the assembly area and starting point for the desperate residents of Srebrenica and the refugees from the southern part of the enclave who had had been the first to flee from the Bosnian Serb advance.

The halt in that advance had calmed the local population again somewhat, aided by Karremans' promises about air strikes. When these strikes initially failed to eventuate and the VRS resumed its advance, this caused the population to take to the road again on the afternoon of July 11. Even before

⁵⁶⁹ SMG, 1004/61. Monthly register Ops Room Dutchbat, 10/07/95, entry 21.29, noted by 61R. See also: Debriefing statement A.H. Jansen, Assen, 07/09/95; SMG, 1007. G. Bastiaans (debriefeer) and C. Klep (report), 'Report debriefing major Otter (C-Ststcie), 23/07/95, Camp Pleso'. Otter thought that there was a message at about 10 pm from a 'BiH fighter' that no refugees would be coming.

⁵⁷⁰ Rohde, *A safe area*, pp. 126-127.

⁵⁷¹ Honig & Both, *Srebrenica*, p. 42

⁵⁷² SMG, 1004/61. Monthly register Ops Room Dutchbat, 11/07/95, entries 00.25 en 00.43.

14.00 hours, B Company's compound was swamped again by refugees who had been kindly removed just the day before. Half an hour later a Bosnian Serb shell hit the compound, probably in response to a small mortar being fired by an ABiH soldier among the refugees outside the compound.⁵⁷³ Fortunately the shell landed between the parked armoured vehicles of the Dutch, as a result of which the explosion did not have the full destructive force it might have had. Just the same, there was one fatality and a number of people were seriously wounded. The way these wounded were treated is discussed in the Chapter entitled 'Dutchbat III and the population: medical matters'.

Just before 14.30 hours, even before the air strikes took place, captain Groen decided that the refugees outside the compound should be taken to Potocari, escorted by Dutchbat personnel.⁵⁷⁴ Some claim that a woman standing on top of an APC and using a megaphone urged people to leave for Potocari.⁵⁷⁵ By making it clear that the Dutch themselves were going (to Potocari), they managed to get people to move. The anti climax of the air strikes and the subsequent intensification of the shelling of Srebrenica had caused enormous panic among the population and acted as an extra incentive to flee from Srebrenica. At 15.00 hours, shortly before the VRS had threatened that if the air strikes continued it would kill the OP crews it had taken hostage, the decision was made to abandon the whole compound.⁵⁷⁶

Close to 16.00 hours, an endless ribbon of refugees slowly wound its way along the road from Srebrenica to Potocari. B Company did all it could to provide proper escort. Captain Groen had been ordered to protect the tail end of the procession against the advancing VRS by retreating slowly. At 15.45 hours he radioed the Ops Room that the refugee stream was moving very slowly in the direction of Potocari.⁵⁷⁷ Soldier S. van der Veer:

‘We wanted to help people as much as we could. So we walked with them and drove our vehicles staying close to the long procession, making sure that we were clearly visible to the Serbs. Just to let them know: there are UN blue helmets here, don't get it into your head to fire at civilians.’⁵⁷⁸

Dutchbat soldiers who were on foot dragged people along with them and urged them to keep pace and stay ahead of the VRS.⁵⁷⁹ ‘There were people sitting on the side of the road, exhausted. We tried to haul them to their feet. “To Potocari, Cetniks come!” we yelled, according to soldier J. Honig.⁵⁸⁰ To some extent, the Dutchbat soldiers were aided in their efforts to keep people moving by the constant gun and mortar fire shells landing in the areas along the road. In at least one case a soldier managed to get hold of a wheelbarrow, put a wounded woman in it and his weapon on top of her and subsequently walked the five kilometres to Potocari in this way. ‘You can't imagine what it is like,’ he later told a journalist in the safe haven of Camp Pleso in Zagreb. ‘When I arrived in Potocari with my wheelbarrow, people began to clap. Women kissed my hand.’⁵⁸¹

⁵⁷³ See the interview soldier Jord Honig in: W. Kieskamp, “‘We konden niet al die vluchtelingen op onze rug nemen’” (“‘We couldn't carry all those refugees on our backs’”), *Trouw*, 29/07/95. ‘Just past 4 o'clock in the morning, new groups of ABiH troops were reported to have arrived in the centre of Srebrenica, including someone with a small mortar. SMG, 1004/61. Monthly register Ops Room Dutchbat, 11/07/95, entry 04.17.

⁵⁷⁴ SMG, 1004/61. Monthly register Ops Room Dutchbat, 11/07/95, entry 14.21: ‘Locals in front of B company on their way to Potocari, en masse under escort of (not noted down)’.

⁵⁷⁵ Interview Mira Budisa, 19/06/00.

⁵⁷⁶ SMG, 1004/61. Monthly register Ops Room Dutchbat, 11/07/95, entries 15.01 en 15.07.

⁵⁷⁷ SMG, 1004/61. Monthly register Ops Room, 11/07/95, entry 16.15.

⁵⁷⁸ P. van Gageldonk, ‘Hoe oorlog is in het veld. Srebrenica door de ogen van blauwhelm Steve van der Veer’ (‘What war is like in the field. Srebrenica through the eyes of UN soldier Steve van der Veer’), *Nieuwe Revu* 33, 9-16/08/95.

⁵⁷⁹ Description by Captain J. Groen in: Dijkema, *Vredesnaam* pp. 303-304; interview J.R. Groen, 05/07/99.

⁵⁸⁰ W. Kieskamp, “‘We konden niet al die vluchtelingen op onze rug nemen’”, *Trouw*, 29/07/95.

⁵⁸¹ Statement by sld 1 Rikwin van Damme, quoted in: “‘Ik zag zo tien mensen neervallen.’” (“‘I saw 10 people fall in this way’”), *Het Parool*, 24/07/95.

The Dutchbat soldiers faced painful dilemmas along the way. Refugees placed a stretcher with a wounded woman in front of the wheels of corporal Pijfers' truck to force him to take her with him. But there was absolutely no room left on his truck and he had to carefully manoeuvre the vehicle around the stretcher.⁵⁸² Soldier Van der Veer was involved in a similar incident, when he had to suddenly brake hard because a woman placed a wheelbarrow carrying her severely injured son in front of his vehicle. However, there was just no room for him: 'Our truck was completely full. People sat on the roof of the truck, they were lying between the battery boxes, we really could not fit any more in. I later heard that they made it. She continued to walk those four-and-a-half kilometres to Potocari with her wheelbarrow and her son was treated there by the doctors'.⁵⁸³

Soldier F. Kossen was in the rearguard with his APC. In Srebrenica he had been kept in a blocking position, but a mortar shell destroyed the house standing next to the APC, causing debris to crash into the vehicle. After that, they had retreated slowly, firing over the heads of the advancing VRS a few times hoping to slow down their advance and give refugees the time to get away. Some of them tried to climb onto the APC, but Kossen had been ordered to keep moving.⁵⁸⁴

APCs ahead of him and who had not been directly involved in the rearguard fight did, however, take on board as many refugees as they could that they found sitting exhausted on the side of the road. People were put inside as well as on top of the vehicle.⁵⁸⁵

Sometimes orders were ignored to be able to help someone. One of the last, if not THE last APC to complete the journey to Potocari was the vehicle of Sergeant R.H. van Beukering. He had been ordered to evacuate the Joint Commission Observers and the commandos who had been sent in as Forward Air Controller for the air strike. After these had made a hasty escape down the mountain, under fire, to where the armoured car was waiting for them, they hit the road for Potocari as quickly as possible. In view of a possible renewed air strike, Major Franken had ordered them to continue their FAC duties from the roof. Later this turned out to be unnecessary.

When the armoured car passed the compound in Srebrenica, it had already been abandoned. The APCs that had maintained blocking positions had already left. When they set out for Potocari, the road from Srebrenica was empty. They only saw some older people sitting here and there on the side of the road. Suddenly they saw an old woman standing in the middle of the road. Van Beukering:

'By the way my driver was holding the handles, I knew he wanted to stop. But I had orders to take those Forward Air Controllers to Potocari as quickly as possible, so I said: 'Keep going!' It still looked like he wanted to stop, but he drove around the little old lady. Ten metres on, he suddenly braked. The guys inside went crazy. When the tail gate went down, seven rifle barrels poked out of the vehicle! Then I said: 'OK, we'll take her with us.' That woman was dragged into the vehicle over a three-metre distance, she even hit her head on my seat. After that, we drove off like maniacs.'

After a few hundred metres he saw his first Dutchbat colleagues who were walking behind the refugees. Honking its horn loudly, the APC moved through the crowds to subsequently reach the compound in Potocari with a smoking, blown out engine.⁵⁸⁶

To what extent the observations in regards to the events between Srebrenica and Potocari are influenced by the hectic and sometimes seemingly life-threatening situations is a problem that occurs in almost all memories of the events of July 1995. The journey from Srebrenica to Potocari, too, was full

⁵⁸² "Ik zag zo tien mensen neervallen.", *Het Parool*, 24/07/95.

⁵⁸³ P. van Gageldonk, 'Hoe oorlog is in het veld. Srebrenica door de ogen van blauwhelm Steve van der Veer', *Nieuwe Revu* 33, 9-16/08/95.

⁵⁸⁴ "Bataljon weerde zich voortreffelijk" ("Battalion did an excellent job"), *Defensiekrant (Defence Journal)*, (1995)9.

⁵⁸⁵ ICTY (IT-98-33-I) Testimony L.C. van Duijn, 30/03/00.

⁵⁸⁶ Interview R.H. van Beukering, 14/12/00; debriefing statement sgt 1 R.H. van Beukering, Assen, 11/09/95.

of menace. The VRS was continually firing its guns and mortars, with the shells - according to the witnesses' depositions - landing mostly on either side of the road. Therefore, an analysis that was presented at the Krstic trial concluded that the shelling had been a conscious attempt to lead the refugees into a kind of funnel to Potocari.⁵⁸⁷ Even earlier, the debriefing report of 1995 had already recorded Dutchbat personnel's impression that 'shelling took place solely to keep the stream of refugees moving into the direction of Potocari, not to create casualties'.⁵⁸⁸

5. The issue of people getting knocked down (by Dutchbat vehicles)

The matter of how the journey to Potocari on July 11 proceeded was the umpteenth controversial theme that during the aftermath became intertwined with the whole issue of Dutchbat's performance in Srebrenica. In the summer of 1998, there was a lot of noise about enclave residents being run over by Dutchbat vehicles. Although the main focus in 1998 was on an incident that involved the crew of OP Mike and that until then had not attracted any publicity, other possible incidents involving local people getting knocked down were also being dragged up again.⁵⁸⁹ Among other things, the politicians' panic about the 'knock-downs' theme that resulted from this even led to investigations by the Military Police who set up the separate, so-called 'sebra team' for it.

The fuss was especially indicative of the short memories of politicians as well as the media. Dutchbat soldiers themselves have - contrary to later claims and suggestions - never made a secret of their fears and even conviction that they may possibly have run over people on the road between Srebrenica and Potocari. Four-tonne trucks were sent to the city on July 11 to pick up sick and injured people who had been taken from the hospital to B Company's compound. When they arrived, they were stormed by desperate refugees who had no other thought than to save themselves. To some extent, there was a repeat of the shocking scenes of the spring of 1993 when part of the population got a chance to be evacuated with the UN to Tuzla. There, too, it became a matter of the law of the jungle prevailing and the hope of escape gave rise to scenes that filled UN soldiers and journalists with horror. On 11 July 1995, many Dutch soldiers were angered by the lack of solidarity that they sometimes observed, especially among young men. For instance, Rave intervened when some of these young men ordered an old woman who was being pushed in a wheelbarrow to get out of her improvised mode of transport. They had a stereo installation with them and wanted the wheelbarrow so they wouldn't have to carry it.⁵⁹⁰

In July 1995, the urge for self-preservation meant that most of the sick and wounded didn't stand a chance against the panicked mass of people who stormed the trucks as soon as they arrived. One Dutchbat soldier would later refer to this as a 'panic of biblical proportions'.⁵⁹¹ Video scenes recorded by warrant officer Dijkema of whole bunches of people hanging from the trucks when they arrived in Potocari were later shown all over the world.

A number of drivers and soldiers escorting the trucks who took their human cargo to Potocari, already had a definite impression along the way that people fell from the trucks and ended up under the wheels or were run over by following trucks, or that they themselves hit people who fell off trucks ahead of them. Shocked and deeply disturbed they told colleagues about their experiences even when they first arrived at the compound. Members of the KHO team who left the enclave on July 15 as the

⁵⁸⁷ ICTY, Prosecutor versus Radislav Krstic, *Judgement*, par.123. This was in line with the suspicion that was also already expressed in the Debriefing report. See: 'Report based on the Srebrenica' debriefing, p. 55.

⁵⁸⁸ Wind, *Debriefing*, p. 55. In view of the large role that the OP-M incident played in the aftermath, this theme will be discussed in Part IV, Chapter 8.

⁵⁸⁹ See for instance: 'Onvolledige weergave incidenten Srebrenica' ('Incomplete accounts of Srebrenica incidents'), *NRC-Handelsblad*, 14/08/98.

⁵⁹⁰ Interview B. Rave, 13/12/00.

⁵⁹¹ Army medic Guido den Hertog, quoted by Robert Block, 'They were led away and they were all killed', *The Independent*, 21/09/95.

first to be allowed to do so, were debriefed following their arrival in Zagreb and already then told the team of psychologists as well as general Couzy who was also present about the stories regarding the possibility of people being hit by the Dutchbat trucks.⁵⁹²

Later suggestions of Dutchbat personnel deliberately keeping quiet about this subject were incorrect. The stories became public knowledge very quickly. On July 22, emotional Dutchbat soldiers in Zagreb openly talked to journalists about the events. A journalist of *Het Parool* (Dutch daily newspaper), for instance, recorded the experiences of corporal D. Pijfers with a truck full of refugees on the journey to Potocari: 'Perhaps there were 80 people on the truck, you just don't believe it when you see that truck. They were hanging from it, they were on it, under it. Two small boys were lying on the batteries. There were people who got under the wheels, but I couldn't stop, I had to keep going'.⁵⁹³

The really major publicity on this subject came a month and a half later. Appearing on the television programme *Zembla* on 6 September 1995, Sergeant W. Reussing said: 'we have made it clear in Zagreb, in writing, that people fell under the wheels of our truck and that we simply ran over them and killed them'. Reussing, whose willingness to speak in all candour cannot be faulted, also said in the same *Zembla* programme that as far as he was concerned 'everything can be out in the open'.⁵⁹⁴ However, *Zembla* producer R. van den Hout said the Ministry of Defence had known about this for nearly two months but did not wish to comment as long as its own major debriefing investigation was still in progress.

Van den Hout's claim that the Ministry of Defence kept quiet about the incident was incorrect. Possibly based on statements similar to those of Pijfers, Minister Voorhoeve also touched on this theme in a letter that he wrote to Parliament on August 3. In this letter, he told Parliament that during the evacuation of Srebrenica, refugees had perhaps fallen off the trucks and had ended up under (the wheels of) the vehicles.⁵⁹⁵

The debriefing report of the autumn of 1995 provided no definite answer to this question. The debriefers left open the possibility of people - either still alive or already dead - getting run over by the Dutchbat vehicles. For instance, soldier W.F. van den Dungen who on the afternoon of July 11 helped to provide shelter to refugees at the petrol station on the road between Srebrenica and Potocari, said that he saw two bodies of people who showed signs of having been run over by four-tonne trucks. Also, looking down the road from where he was stationed, he saw more bodies on the road itself as well as beside it. He could not make out whether they were actually dead, or people who had been temporarily knocked out because of sheer exhaustion - as in fact can be concluded from other statements as well. However, his superior did not give him permission to investigate.⁵⁹⁶

When they were asked about this, many Dutchbat soldiers, especially those who were among the last to cover the route on July 11, later declared they had not seen any dead bodies lying on or beside the road.

Sergeant Major Rave later told military police that at the Potocari compound he had heard from his colleague Dijkema about a certain soldier having the impression that he had perhaps run over people. However, Rave had immediately dismissed that as being unlikely. He himself had left Srebrenica in his Mercedes late in the afternoon of the same day and he had not seen any dead or wounded either on or beside the road. At the advice of Dijkema, Rave had subsequently discussed the matter with the driver concerned, who told Rave that he had not actually *seen* people being run over, but did have a strong impression that this had happened. Rave's reassuring reaction that it seemed

⁵⁹² The story about people possibly being run over came from colonel G. Kremer, MD. Interview H.A. Couzy, 04/10/01. The debriefings in Zagreb and Couzy's role in them is discussed in detail elsewhere.

⁵⁹³ "Ik zag zo tien mensen neervallen.", *Het Parool*, 24/07/95.

⁵⁹⁴ 'Dutchbat reed moslims dood tijdens evaluatie' ('Dutchbat ran over and killed Muslims during evacuation'), *Haagsche Courant*, 07/09/95.

⁵⁹⁵ Reported in: 'Onvolledige weergave incidenten Srebrenica' ('Incomplete accounts of Srebrenica incidents'), *NRC-Handelsblad*, 14/08/98.

⁵⁹⁶ Debriefing statement W.F.W. van den Dungen, 18/09/95.

highly unlikely because he himself had taken the same road after the four-tonne trucks had gone ahead of him and had not seen any corpses or injured people, did not really lead to relief, but more to a sort of resignation.⁵⁹⁷

Rave's findings were the same as those of Lieutenant Colonel P. Sanders, the battalion's psychologist. Because of the standard psychological debriefing that took place at the end of every mission, he had temporarily moved to the compound in Srebrenica just before the assault began. When captain Groen ordered the evacuation of the compound on July 11, he (Sanders) had hitched a ride on an APC for about 100 metres, until he saw an exhausted old woman. Because they didn't succeed in lifting her onto the APC, he decided to join the refugees on the road and walk with them. Sanders was later also interviewed as part of the military police investigation and was one of the last people to walk the entire length of the road, together with soldiers of the recovery team. They did not come across any people who had been run over, nor did they see blood on the road. They did find exhausted people sitting beside the road here and there that they had to spur on to keep moving: 'We'd tell them, come on, the Serbs are coming!'⁵⁹⁸

The findings of Sanders and those of other Dutchbat soldiers were confirmed to the Netherlands Institute for War Documentation (NIOD) by a member of a VRS reconnaissance unit that had advanced along the same road from the south. He, too, had not seen any corpses exhibiting signs of having been run over, nor had he heard anything about it from colleagues who had covered the same road.⁵⁹⁹ Dutchbat personnel, UNMO Kingori and Christina Schmitz, coordinator of *Médecins Sans Frontières*, who drove back to Srebrenica a few days later to pick up people who had stayed behind, have never reported seeing such bodies, either.

The Military Police eventually dropped its investigation because it was impossible to form a clear picture.⁶⁰⁰ The Public Prosecutor's Office had investigated nine cases where people had possibly been run over. In eight of these, statements by witnesses provided no confirmation. In one case, three witnesses declared that an APC had run over the legs of an ABiH soldier who had been resting beside the road, together with a group of other people, just after a bend in the road.⁶⁰¹

In media reports following the broadcast with Reussing in 1995, the question of refugees having been run over by Dutchbat vehicles provided further ammunition for the growing chorus of criticism and denigration of the battalion: 'A number of Dutchbat soldiers hasn't been nearly so heroic in Srebrenica as is generally assumed'.⁶⁰² These sort of reports created shock waves in the media and among politicians because in assessing Dutchbat they measured these events by the criterion of 'heroism' that had dominated the discussion until then. At least with hindsight that was misplaced because this news had already been in the papers on July 24, without causing any shock. Nor did it prevent people hearing the same kind of stories in 1998, when the issue was back in the limelight, claiming Dutchbat soldiers had behaved in a very reprehensible manner when they escorted the refugees. Added to that was the suggestion that they had deliberately kept quiet about it all.

Only one journalist, in this case René van der Lee of the *Brabants Dagblad*, commented in 1998 that a number of stories about people getting run over had 'already been told three years earlier'. He quoted his own newspaper that on 1 September 1995 had published an interview with Dutchbat soldier M. Koper: 'The truck was jam-packed with people. Refugees crammed the road, in front of us and beside us. Then, we had to stop. Someone said: someone is lying on the road in front of us. I got out to have a look. The person who was lying there was dead. We couldn't manoeuvre around him. So we just

⁵⁹⁷ OM-Arnhem, Kmar Sebra-team, P. 584.F003/1998. Report of interview of witness E.A. Rave on 08/12/98. Incidentally, Rave also said that he had not talked about this incident in Assen.

⁵⁹⁸ Interview P.F. Sanders, 12/12/00 and 13/12/00.

⁵⁹⁹ Interview Mile Stanojevic, 02/11/99.

⁶⁰⁰ 'No (convincing) evidence was found for any of these alleged incidents'. See: Stam report, OM Arnhem, KMar Sebra-Team, nr. 586/1998, file 2, 'Other incidents involving people being run over', p. 5 e.v.

⁶⁰¹ Ditto; Media reports Public Prosecutor's Office Arnhem district, 24/03 and 21/12/99.

⁶⁰² 'Dutchbat reed moslims dood tijdens evaluatie', *Haagsche Courant*, 07/09/95.

ran over him.⁶⁰³ A week later, the day after the Zembra broadcast on 7 September 1995 with Reussing, the *Brabants Dagblad* again raised the issue. The paper anonymously quoted two Dutchbat members who feared to have run over people: 'It was chaos. There were huge swarms of people, and the vehicles were going at full speed. But that doesn't make us murderers'.⁶⁰⁴

The complaint by these soldiers is understandable. The Dutch soldiers on the trucks and in the APCs on the road from Srebrenica to Potocari made their observations under severe stress and it is natural that they were sometimes in an emotional state. It is not for nothing that some of them were prepared to make their stories public. So it is entirely possible that, as a result, conjecture and assumptions sometimes took on the mantle of firm conclusions. It also looks like some comparable cases of possible knock-downs on the road between Srebrenica and Potocari escaped the attention of investigators. But even if there were accidents, there is no suggestion that they occurred intentionally. More than anything, the incidents concerned illustrate the impossible situation that the Dutchbat soldiers found themselves in, trying to salvage whatever they could. That had nothing to do with cowardice. Many soldiers made huge efforts to take refugees to safety. Some of them did so because they sympathised with the refugees' plight, others simply because they saw it as their job and their duty. Despite the many criticisms that Dutchbat has also had from former refugees, there are also others among them who have expressed their high regard for the assistance they received during the flight to Potocari.⁶⁰⁵

6. Reception in Potocari

The first refugees to arrive at the bus terminal were met by Lieutenant Koster and his men, who had positioned themselves there at around two in the afternoon. They were accompanied by an interpreter. Initially the first small groups trickling in were kept in the depot area. As mentioned earlier, Rave linked this to a threat that the compound would be shelled, possibly relating to a new message from the VRS in the person of 'Jovo', the guard of Yellow Bridge, to say that the refugees were not allowed to enter the compound in Potocari.⁶⁰⁶ The origin (sender) of this message was not clear to the person who kept the Ops Room log book, justifying the assumption that once again the VRS had broken into the battalion's network via one of the stolen APCs. It is, however, likely that Rave is talking about the VRS ultimatum that arrived at 15.50 hours in response to the air strike. The ultimatum not only threatened that the Dutch hostages would be killed, but also that the VRS would employ its entire arsenal of weaponry against the compound in Potocari and the town of Srebrenica.⁶⁰⁷ As mentioned before, the first refugees - those who came in with the four-tonne trucks - had according to major Otter already arrived and in that respect the die had been cast already. Probably there was a temporary delay during which time they were looking to see how things would develop at the bus terminal.

To do this, Koster was initially ordered to produce an estimate of the number of refugees there. In the beginning this was fairly simple because there weren't very many people yet, but it became difficult when the large crowds approached the depot. Koster:

'It's not difficult to work out whether there are 100 or 1000 people. But it gets much more difficult to say whether you're looking at 1000 or 5000. Based on this, I think they evaluated the situation: isn't the pressure getting too great? I

⁶⁰³ René van der Lee, 'Recycling van een gruwelverhaal' ('Recycling a horror story'), *Brabants Dagblad*, 15/08/98. Judging by the report on the KMAR investigations into knockdowns on the road, Koper was not heard. KMAR Sebra Team, no. 586/1998, file 2, 'Other incidents involving people being run over'.

⁶⁰⁴ René van der Lee, 'Recycling van een gruwelverhaal', *Brabants Dagblad*, 15/08/98.

⁶⁰⁵ This impression was formed during the many contacts that NIOD investigators have had with former residents of the enclave.

⁶⁰⁶ Monthly register Ops Room Dutchbat, 11/07/95, entry 14.26.

⁶⁰⁷ NIOD, Coll. Karremans. Letter TK95118 of commander Dutchbat, 17 July 1995, 'short summary of the events of the past week'.

myself told them a number of times: “Listen! I really can’t keep them here much longer!”⁶⁰⁸

When eventually the battalion commanders gave their permission, people were sent on in small orderly groups of about 20 persons via the covered route, with Dutchbat personnel showing the way.

Even before that time, when the main body of refugees first appeared, Koster had begun to get worried. He was stationed with only a small group of soldiers at the point where the covered route to the compound veered away from the main road and therefore he asked for reinforcements to prevent people from simply keeping to the main road and walk on in the direction of Bratunac. In fact, some of the refugees said that’s what they wanted to do anyway. Koster:

‘They often said: ‘Are we going to Bratunac?’ They would also talk about towns and cities whose names I didn’t know and can’t even repeat now. Then I would say: ‘I am sorry. I don’t know. But I wouldn’t do that just now, it’s too dangerous.’ Then they would turn around and walk away again.’⁶⁰⁹

Why people wanted to go to Bratunac was a mystery to Koster. He was not aware that just past 14.30 hours there had been another message from ‘Jovo’, who promised the people of Srebrenica that they could leave the enclave, ‘safety guaranteed’. People could go to ‘Tuzla or anywhere else’.⁶¹⁰ The incongruence between that statement and the rather unconcerned remarks that Koster got from the refugees via his interpreter are difficult to explain, but did fit in with the general pattern of the rumour mill that was operating among the local population.⁶¹¹

There were more surprises in store for Koster. He sometimes saw heartbreaking scenes of armed fighters saying goodbye to their families before they walked off in a westerly direction, into the hills. The usually older men who stayed behind had almost no weapons. It was probably known that soldiers would not be admitted, although the several pistols were later found in the toilets at the compound in Potocari. Some handed their weapons in to Dutchbat soldiers. One time, a group of five or six ‘really old men’ approached Koster. One of them spoke a little German and for the umpteenth time he was asked what was going to happen. Koster:

‘I said: “No idea. But whatever happens, we are going to protect you.” And he said: “If something happens, you will see me standing over there! But for now, here is a hand grenade for you. Then you can have a go at them with this!” The pin was still in it.’⁶¹²

Just past 16:00 hours things began to accelerate. At 16.10 hours, the Ops Room noted that about 1000 refugees and 25 injured people had been admitted to the compound and that about 7000 refugees were concentrated at the bus terminal. Ten minutes later, the log records that Srebrenica was in the hands of the VRS and there is a revised refugee count of 4000 people at the compound and 16,000 to 20,000 in the bus terminal area and the adjacent factories. At 16.30 hours, Koster called in an army engineer to open the gates of one of the factory sites and give the refugees access to the complex.⁶¹³ The improvised gate at the Potocari compound had been closed by then. Rave, who had come in from

⁶⁰⁸ Interview E. Koster, 06/10/99.

⁶⁰⁹ Interview E. Koster, 06/10/99.

⁶¹⁰ SMG, 1004/61. Monthly register Ops Room Dutchbat, 11 July 1995, entry 14.35.

⁶¹¹ Various statements show that some people had portable radios with them, as a result of which they knew what was happening outside the enclave. It could not be determined whether this also applied in this specific case.

⁶¹² Interview E. Koster, 06/10/99.

⁶¹³ SMG, 1004/61. Monthly register Ops Room Dutchbat, 11/07/95, entries 16.10; 16.20 en 16.30.

Srebrenica, also helped to stop the stream of refugees and to open the gates and break down doors at other factories near the compound.⁶¹⁴

Although some refugees sought shelter in nearby houses on the slopes behind the factories, most of them overran the factory sites, looking for the best spots. The bus terminal and the bus wrecks on the site had been occupied by them.

The factory areas were on either side of the main road. Some of the refugees who belonged to the small group of original Srebrenica inhabitants had worked here before the war. The *Energoinvest* factory was on the west side of the road, with the large zinc factory standing north of there. The bus terminal was opposite the zinc factory, on the east side of the road. All buildings almost directly backed onto forests and fields, where later bodies would be found - about which there will be more later in this chapter. The 'Potocari' map (section 15) shows the area surrounding the compound in Potocari.

After strips of farm fields and some scattered individual houses here and there, there were some other buildings north of this conglomeration of factory buildings. The largest complex, separated from the bus terminal by a forested strip of land, almost directly bordered the Dutchbat compound. They included the 'Feros Building', an office building, and the so-called 'Blue Factory'.

No refugees were housed in these buildings. During the trial against Krstic at the Tribunal, there was speculation about the question why the 'Blue Factory' had not accommodated any refugees. The theory that was advanced was that after the VRS moved in on July 12, the building was put to use as the VRS headquarters and that the refugees that had been in the building before were chased away.⁶¹⁵ The former is not impossible, but Dutchbat never regarded the factory as an option for housing refugees. Long before, an inspection of the 'Blue Factory', an old factory that used to produce brake shoes, had uncovered large quantities of loose asbestos, mountains of which were lying about in the corners of the sheds.⁶¹⁶ Moreover, it would have stretched the mini Safe Area to such an extent that it would have become impossible to keep proper control over the area with the limited resources at Dutchbat's disposal. It did, however, lead to a situation whereby at a distance of about 200 metres from the compound there was a sort of island full of refugees.

Access to this 'island' was barred on the south side by a few APCs of Bravo Company. Because at that time there was no imminent threat of VRS troops advancing from the north, the access road from Bratunac was guarded with a few APCs by Koster and his men of C Company, still at the location where the covered escape route branched off the main road at the bus depot. Soldiers were also posted at a few other locations around the perimeter of the 'island'. In the course of the evening, a casualty centre was set up at the bus depot and this was manned on a rotation basis by medical personnel of Dutchbat. Before that, any injured people that had been found had been transferred to the Potocari compound that was, by now, inaccessible to the other refugees.

Surprisingly, dealing with the refugees there had gone reasonably well in the beginning, but later, when numbers began to grow and panic struck among people who feared they would have to stay outside, the situation became increasingly chaotic. There were people among the refugees that streamed into the compound who really were in a blind panic. One desperate mother pushed her baby into the arms of a soldier standing at the gate, and then disappeared into the crowds again.⁶¹⁷ Alerted by a *Médecins Sans Frontières* midwife, another soldier found a stillborn baby in a garbage bin - it was buried in the compound.⁶¹⁸ Older people as well as children suffered in the stifling heat of more than 40 degrees Celsius and the Dutchbat soldiers did all they could to improve the situation. There was just one tap with running water and only one water purification device. The battalion also had only one water pump left to pump water out of the creek into a water truck. In the Netherlands, major Otter had sometimes seen firemen keeping large numbers of people at major outdoor events cool by spraying them with

⁶¹⁴ Notebook B. Rave. Loaned to NIOD for its perusal.

⁶¹⁵ ICTY (IT-98-33-T). Testimony J.-R. Ruez, 13/03/00.

⁶¹⁶ Interview R.A. Franken, 18/05/01.

⁶¹⁷ Debriefing statement R.G.D. Zomer, 07/09/95.

⁶¹⁸ Debriefing statement R.H.B. Raghbir, 15/09/95.

water. He told the soldiers operating the water truck to do the same with the refugees. However, these didn't understand the good intentions at all and in fact were less than grateful for the efforts of the Dutch.⁶¹⁹

Otter then proposed to give at least pregnant women and small children in diapers the chance to take a shower. Otter:

'At one stage, I also went to talk to *Médecins Sans Frontières* about the idea to at least give several hundreds of people who were in a really bad way to have a wash. That Christina [Schmitz] of *Médecins Sans Frontières* said: 'That simply cannot be done.' And the interpreters said: 'How are we going to tell them about that? There are 5000 people in there. Do we have to stand there shouting: all women and children can take a shower? That's not going to work.' And the doctors also said: 'After that, you may as well throw the showers away altogether because the damn things will then be full of all sorts of diseases and other miseries. Give it up! For the time being, just don't do it.' We then collected all the towels that we could find and soaked them in water. We loaded them onto a cart that we wheeled it into the hall. I think all towels were gone in 10 minutes.'⁶²⁰

The plan Otter drew up to help the refugees involved all sorts of other measures. He organised a sick bay, had soldiers rig emergency lights, and mobile toilets, 'Dixis', were placed in various locations. Even so, it took quite some time before the refugees had calmed down somewhat.

7. Numbers of refugees

Making an estimate of the number of refugees in and around the compound was not an easy task. Counts by those who tried to arrive at a number differed widely and were sometimes adjusted. On July 12, Karremans reported to his superiors that there were no more than 17,500 refugees.⁶²¹ *Médecins Sans Frontières* and UNMO, however, were at that moment already working on the assumption that there were about 30,000 people around the compound.⁶²² In that same report by Karremans, he initially estimated the number of people in the compound at 2750. Later the battalion command adjusted that estimate to the much higher figure of 4000-5000 people. This is supposed to have been the result of an estimate that was carried out only on July 13 by representatives of the refugees, at Franken's request. The reason for this request was that he wanted a list of all able-bodied men in the compound.⁶²³ Counts taken at the exit of the compound when the refugees left on July 13 arrived at 5100 and 5200 respectively.⁶²⁴ Why there was such an important difference between the first and the last figures remained a mystery.

Just as important as the confusion about the total number was the erroneous impression (as would be shown later) that there were almost no able-bodied men among the thousands of refugees. Without going into the complicated issue of numbers here, we can assume that there were probably

⁶¹⁹ Outrage was expressed to NIOD investigators in various discussions with people who had been in Potocari.

⁶²⁰ Interview J. Otter, 26/05/99.

⁶²¹ SMG, 1004. CO Dutchbat to Janvier, TK95114, 12/07/95.

⁶²² Of these, 10,000 were in the compound and 20,000 outside. Referring to MSF, quoted as a source in: UNGE, ICFY, Box, 234/6/15. Telegram Akashi to Annan, Z-1152, 12/07/95.

⁶²³ 'srebrenica lijst 242' ('srebrenica list 242'), Letter Hasan Nuhanovic to Mient-Jan Faber, part 2, in: *Trouw*, 13/07/99.

⁶²⁴ SMG/Debrief. *Account of the facts*, pp. 242, 252. There were lower counts as well, which possibly relate to the times when counts began or can be explained by mistakes in writing statements down. For instance, psychologist P. Sanders said that he arrived at the figure of 2000 when he counted people at the gate (Debriefing statement P. Sanders, Assen, 13/09/95). Another soldier had 3200-3500. SMG/Debrief. *Factual Account*, p. 224.

about 2000 men in Potocari, three-quarters of whom were of able-bodied age (16-60).⁶²⁵ Of those, it later turned out that about 300 were among the refugees in the Potocari compound. The ‘dilution’ of these numbers within the total number of refugees made them invisible as a group for a long time. Sergeant J. Zwiers of the Royal Netherlands Marechaussee, for instance, who arrived at the enclave together with his colleague M. Moek on July 4, later declared that ‘the only thing’ that had particularly struck him at the time was that among the refugees that he saw in the compound there were ‘only women, young children to about 14-15 years of age, and old men’.⁶²⁶ That men in the ‘able-bodied’ category perhaps deliberately kept out of sight for fear of reprisals can explain why Dutchbat personnel both in the compound and outside had the distinct impression that the majority of men that they saw were of old age – an impression that turned out to be incorrect.

8. The meetings of Mladic and Karremans: introduction

The picture of the visibly timid Lieutenant Colonel Karremans and the conqueror of Srebrenica, General Ratko Mladic, glass in hand for a toast, has become a symbol of the humiliation of Karremans, Dutchbat and the United Nations. On a personal level, it would be Dutchbat’s Commander, in particular, who would suffer the effects of the power of that picture. Almost any subsequent media mention of Dutchbat’s performance and that of Karremans in particular would be accompanied by this ignominious image, as a photograph or short video fragment. To some sections of the media, Karremans became a ‘synonym for cowardice’.⁶²⁷ Only when the ‘Mladic tapes’ - as they were soon called - were shown to the general public for the first time in 1999, did it become possible to form a better picture of how the negotiations went. It was the first time that the ‘Mladic treatment’ that a select number of *peacekeepers*, diplomats and journalists had already experienced before was given a complete - and unpleasant - face. Instead of the short fragment that had begun to dominate the picture in people’s minds, the longer fragments showed proceedings during a number of negotiations where the Bosnian Serb general took on the role of director and producer. These images were unearthed by the British producers of the documentary film ‘A cry from the grave’ and were later also acquired by the Dutch current affairs programme Nova. They made it possible to arrive at a more accurate reconstruction of the decisions that sealed the fate of the Srebrenica enclave. In addition to the images, transcripts were now available of the texts of the discussions that took place. Up until this moment one had to rely on verbal accounts of some of the participants, particularly that of Karremans himself.

No matter how illuminating they were, even the more comprehensive video images do not in themselves tell the whole story. Literally not because the three meetings that were recorded do not appear to have been filmed in their entirety and, on top of that, were edited for the purpose of public screening.⁶²⁸ Therefore, it remains necessary to turn to other sources to reconstruct the discussions that took place at Hotel Fontana in Bratunac on 11 and 12 July 1995. However, in regards to all events that took place in Srebrenica and Potocari in July 1995, including these, we need to remember that all sources have to be treated with circumspection. All written statements that left the enclave were based on observations and impressions arrived at in a situation where freedom of movement was often

⁶²⁵ ‘The number of missing persons from Potocari, Srebrenica, 11 – 13 July 1995’, internally produced extrapolation by staff of the Prosecutor of the ICTY for the trial of Krstic, made available to the NIOD. The extrapolation is based on information from: Helge Brunborg and Henrik Urdal, *Report on the number of missing and dead from Srebrenica*, 12/02/00. ICTY Krstic (IT-98-33-T), OTP Ex. 276.

⁶²⁶ OM Arnhem, KMar Sebra-Team, P 506 (1998), file 1 OP-Mike. Report of interview witness J. Zwiers, Assen, 01/09/98.

⁶²⁷ Interview Th.J.P. Karremans in the *Süddeutsche Zeitung*, ‘Reise rückwärts ohne Ziel’, 10/07/00.

⁶²⁸ NOVA published transcripts of broadcasts on 27 November 1999 of the ‘Mladic tapes’ on its internet site at the time. In addition, the transcripts were used as evidence in the Tribunal proceedings against general Krstic (ICTY, IT-98-33-T, OTP 39a). However, the set of NOVA transcripts that, as a whole, are less complete than those of the Tribunal, strangely enough include important paragraphs that are missing from the Tribunal transcripts. In particular, this involves parts of the conversation that Karremans had with Mladic about how the evacuation would be carried out. Even stranger is the fact that these gaps are not explained; in the Tribunal version the text concerned simply runs on without interruption.

limited and stress was a major factor. These limitations make it more difficult to answer the questions around the performance of Dutchbat in the enclave, such as those relating to Dutchbat personnel observing and reporting war crimes.

Other limitations also play a role. In view of the speed of the developments that took place, Karremans as well as various contact persons outside the enclave spent a lot of time on the telephone. Those involved made, often very short, notes of some of these telephone conversations, but often they didn't do so at all. Later that would lead to major difficulties in trying to reconstruct important decisions because those involved remembered different versions of the events. Misunderstandings were possible as a result of the stress of the moment, but also because of the limitations inherent in an unsecured connection combined with the near-certainty that the VRS was monitoring Dutchbat communications.

An extra complication arose only afterwards when 'srebrenica' increasingly took on the characteristics of a game of 'pass the buck' in the efforts to try to establish who had been responsible for what decision. Without wishing to infer that the urge for self-preservation or the salvaging of reputations led to conscious attempts to twist the facts, we cannot rule out the possibility that psychological mechanisms that play a role in people's memories had an effect on how they presented their accounts later.

Statements that were made about the same subject over a period of years sometimes show remarkable differences. In a number of cases we can probably trace these back to those psychological mechanisms. Chronologies shift and telescope and get re-arranged into a story that retains logical coherence, but doesn't necessarily continue to correspond with the reality as reconstructed by the investigators. As time goes by, people remember fewer and fewer details and as a result, they display the very human tendency to try and fill in the gaps in their memory in other ways. In this context, hearsay or factual knowledge obtained at a later date is then treated as a personal memory. Some people who kept diaries also have that tendency, in an urge to answer their own questions. They filled in the blanks afterwards, as it were, inadvertently reducing the value of their work as a reliable historical source.⁶²⁹

Apart from these more or less 'normal' phenomena, we have the problem of witness statements made by people who at the time of their original observations were undergoing traumatising events or even a succession of a number of shocking experiences in a short time. However, just as difficult in a reconstruction is the evaluation of memories presented in later statements that for the person concerned are more favourable than earlier statements. Objectively, these reduce their own responsibility and potentially make someone else responsible, without it being possible to say whether the person concerned is conscious of doing it. For that reason, the investigator can often do no more than note the phenomenon and weigh up the consequences. It also means that in some cases, it is impossible to provide the definitive 'last word' and only the discrepancy as such can be highlighted, where, if possible, marginal comments can be placed on the basis of scarce indications from other sources.

9. The events leading to the first meeting of Karremans and Mladic

The imminent fall of the Srebrenica enclave also led to feverish activity in Sarajevo. Chapter 9 of Part III deals with General Nicolai's vain attempts to reach Mladic. He did not get any further than a fruitless exchange with VRS General Gvero, who laid all blame for the events squarely at the feet of the UN. The VRS had no intentions whatever to halt the assault and Gvero had held Nicolai personally responsible if the air strikes were not called off. He made it look as though the fate of Dutchbat and the local population was at that moment in the hands of the Dutch general.

⁶²⁹ This problem occurs especially in the notes that are described as 'the diary of Brantz'. The author, colonel Ch. Brantz, constantly kept working on his notes and adding comments to them, which sometimes makes it difficult to establish what is authentic and what was added later. To a lesser extent, that also applies to the diary notes of former Defence Minister J.J.C. Voorhoeve.

After the definite cancellation of air support and the subsequent fall of the Srebrenica Safe Area, all attention was focused on the future of the local population and the Dutch peacekeepers. For a short time - priorities would change soon – the Dutch Government, particularly Minister Voorhoeve, was especially worried about the latter.

About 17.30 hours on July 11, the Minister talked to Nicolai, when the possibilities of evacuating Dutchbat, if necessary with force, were discussed for the first time. Soon after, De Ruiter took notes of a meeting with acting UNPROFOR Commander Gobillard where General Nicolai reported on discussions between Minister Voorhoeve and Akashi about a plan for the withdrawal of the battalion and in that context the – obvious problems of - ‘civilians getting mixed up with Dutchbat’.⁶³⁰

The term ‘evacuation’ in the discussions between Nicolai and Voorhoeve didn’t just pop out of thin air, because earlier that day the VRS had already made such an offer to Karremans, who had rejected it.⁶³¹ It was more or less a repeat of an offer on the evening of July 10, when the word was that between the morning of July 11 and 06.00 hours in the morning of July 13, all Muslims could report to the Yellow Bridge to say where they wanted to go, provided they surrendered their weapons.⁶³² So it was pretty evident in what direction the situation was developing. In a later comment on the debriefing report, Voorhoeve would make it clear that he had not wished to create the impression that he was only concerned with the fate of Dutchbat.⁶³³

About the same time there was a discussion between Force Commander Janvier and Nicolai’s superior, General Gobillard, who was UNPROFOR Commander in the absence of Smith. Janvier had received a lightning visit that day from Chief of Defence Staff Van den Breemen and acting Commander Van Baal, who had dashed to Zagreb to take stock of the situation. Van den Breemen, who on Voorhoeve’s orders made Dutchbat’s safety his main priority, discussed the options that the battalion had. Chapter 9 of Part III has shown that Van den Breemen and Van Baal were quickly convinced by Janvier that evacuating Dutchbat over land, using force, was impossible, and that a secret departure was just as unworkable. According to the latest reports, there were an estimated 27,000 refugees in and around Potocari who would make that impossible.

The group agreed that the only realistic possibility was to negotiate about the withdrawal of Dutchbat, with weapons and equipment, either together with the refugees, or separately. Janvier agreed with this, too. It was ‘unthinkable’ to leave the refugees behind without protection, it was agreed. Janvier said he expected evacuation to take time and he announced that a UNHCR representative would go to Potocari the following day, although that would never happen. Janvier turned out to be very conscious of ‘the fact that the refugees can end up becoming a real threat to Dutchbat, certainly if humanitarian aid fails to eventuate’.⁶³⁴

The subsequent deliberations with Gobillard at UNPROFOR in Sarajevo outlined the tasks that the Dutchbat commander would have to be given. Nicolai was given the job of verbally informing Karremans, ahead of the confirmation in writing by fax. According to Karremans, who based his recollections on the notebooks that in the following years would continue to be his main point of reference in all discussions about his performance, Nicolai telephoned him at 17.55 hours on July 11. Before that, he had already made several fruitless attempts himself to contact the higher echelons.⁶³⁵ However, both Nicolai and his assistant, Major De Ruiter, remember there having been earlier contacts between Karremans and Nicolai, probably soon after the enclave had fallen. De Ruiter says that

⁶³⁰ Quotes from notes of A. de Ruiter, loaned to the NIOD for its perusal; interview A.de Ruiter, 29/06/00.

⁶³¹ NIOD, Coll. Clingendael. UNMO daily sitrep 110000-112000 July 95, dtg 111210B; SMG, 1004. The Monthly register of the Ops Room Dutchbat reported at 12.08 pm on that day that the VRS had offered to meet Dutchbat (representatives) in Bratunac.

⁶³² Karremans, *Srebrenica*, p. 188.

⁶³³ Interview C.H. Nicolai, 11/06/99.

⁶³⁴ SMG, 1004/85. Short report of meeting of the CDS and PBLs bi FC UNPF (also present: COS UNPF) 11.07.95’.

⁶³⁵ Karremans, *Srebrenica*, p. 197.

Karremans telephoned during a ‘panic phase’ and is supposed to have said he wanted to surrender along with the battalion. De Ruiter claims that before he put Karremans through to Nicolai, he ‘rather did his nut’ to make it clear to him in no uncertain terms that surrendering was out of the question.⁶³⁶ In a later reconstruction, Nicolai also referred to this episode early on the evening of July 11. However, when we read Nicolai’s reconstruction very carefully, a problem with the chronology becomes apparent. According to Nicolai, Karremans’ motive for wanting to surrender was that his entire compound in Potocari was ‘completely encircled’.⁶³⁷ But this situation did not develop until July 12. Moreover, Nicolai’s account contains elements of the telephone conversation he had with Karremans after the latter’s first meeting with Mladic on the night of July 11.

The combination of these ambiguities provides the impression that either Nicolai has possibly mixed up two separate conversations, or there was in fact just one conversation that afternoon, as Karremans claims. What’s more, he remembers from that afternoon conversation that there were no ‘comforting, encouraging or comradely words’.⁶³⁸ A remark by Karremans to Mladic shows that in that telephone conversation, Nicolai had also mentioned the request for a departure under safe conduct for the civilian population, the battalion, *Médecins Sans Frontières* and other NGOs. Karremans said that in this, the Chief of Defence Staff had acted on instructions from Janvier as well as ‘the civilian authorities’.⁶³⁹ In view of the fact that the Bosnian authorities were opposed to evacuation, it is likely that this referred to the contacts between Nicolai and Voorhoeve.

Gobillard’s instructions in the fax that arrived in Potocari at 18.45 hours strangely omitted the one about asking for a safe conduct. It also confirmed the impression that Karremans had already formed as a result of his conversation with Nicolai. That he was given the order to start negotiations with local VRS commanders about an immediate ceasefire stood to reason. The second point, b, said that he was to concentrate all his units, including those of the Ops at ‘camp Potocari’, into one area – whether this meant the area of the compound was not clear – and that he also had to take ‘all reasonable measures’ to protect the ‘refugees and the civilians’. Furthermore, he was to provide medical assistance and assist local medical authorities. The battalion also had to get itself organised to be able to receive all sorts aid supplies and coordinate their distribution. The penultimate guideline, d, ordered him to use ‘all means possible to defend your forces and installation’ against an attack. Karremans later thought he detected a ‘touch of cynical humour’ in the added comment: ‘This is to include the use of Close Air Support if necessary’.⁶⁴⁰

In the margin of the fax, which he would send on again later, Karremans wrote at points b and d ‘not possible’. The intimidating shell hits around the Potocari compound earlier that afternoon made it clear that carrying out such an order would not be feasible. The masses of refugees and the Dutchbat soldiers who were concentrated in and around the compound, not to mention the hostages in VRS hands, were too big a target. ‘Battle-captain’ Franken, who was responsible for Dutchbat’s operations, later told the Tribunal (and the NIOD) that he had briefly considered making a stand at Potocari, but had almost immediately rejected the notion again. The reasons he advanced for this decision were that he had only 150 soldiers to fight with – and the sort of condition some of these were in after five exhausting days of war he didn’t even say – who had only 16% of the ammunition they would need, even less for some of the weapon systems like anti-tank weapons and mortars. On top of that, Dutchbat was right in the middle of thousands of civilians. Judging by the artillery bombardments of Srebrenica and the road to Potocari, Franken felt sure the VRS would not have any qualms about using the same means against the local population again. According to information available to Dutchbat at the time, the VRS had 35 heavy-calibre guns as well as Multiple Rocket Launch Systems and tanks. ‘so

⁶³⁶ Interview A. de Ruiter, 29/06/00. This message is also supposed to have been passed on to the Netherlands.

⁶³⁷ CRST. C.H. Nicolai to DCBC and Army Crisis Staff/SCO, ‘Last days Dutchbat Srebrenica’, 16/08/95.

⁶³⁸ Karremans, *Srebrenica*, p. 198. The fax concerned has been included in this book as Appendix 34, p. 340.

⁶³⁹ ICTY (IT-98-33-I), OTP Ex. 39a. Transcript meeting Mladic-Karremans.

⁶⁴⁰ Karremans, *Srebrenica*, p. 198.

they didn't have to fight us, they could simply withdraw and shoot us to pieces without us being able to do anything about it', Deputy Battalion Commander Franken said.⁶⁴¹

As if to illustrate Franken's point, shots from a tank gun rang out just when Karremans was on the phone to Brantz in Tuzla to discuss the instructions with him. Karremans is supposed to have said: 'Oh, they're trying to scare us again'.⁶⁴² Brantz later had some hard words to say about the ignorance of 'sarajevo' that failed to understand who was really calling the shots in the enclave.⁶⁴³ He implied that he shared Karremans' analysis, but this is only partially true. Conspicuous in the comments that Brantz ordered to be faxed to the UNPROFOR headquarters just before midnight (in other words, after the meetings that Karremans was going to have with Mladic), was that he at that stage still recommended 'CAS and air strike' as the only way of protecting Dutchbat and the local population. That had to be done 'in a way aimed at destroying all the heavy weapons which can possibly be used against the Dutchbat and civil population, otherwise retaliatory fire will be directed against the Potocari Camp which shall have grave consequences'.⁶⁴⁴ Franken later declared that he had never taken this option - which, incidentally, looked like a repeat of what Karremans had repeatedly and fruitlessly asked for before July 11 - seriously after the failure of the air support on July 11.⁶⁴⁵

About 19.00 hours, just after talking to Brantz and with the same fear about the battalion's vulnerability in the back of his mind, Karremans asked the VRS for a meeting. This turned out to be impossible because the responsible commander had not arrived yet. But he did get the message that the local ABiH commander was also welcome to attend.⁶⁴⁶

Soon after that, he received the message that Karremans and his liaison officers had to go to Bratunac. The request was conveyed by the Bosnian Serb UNMO interpreter Petar Usumlic, a brother-in-law of major Nikolic. He went to the OP-P and rang the Dutchbat Commander from there via the landline.⁶⁴⁷ Karremans told Brantz as well as Nicolai about the request and conferred with them one last time. 'He said: "I have to go in a minute. Do you still have any specific instructions?" So we talked about it again for a moment', Nicolai said later.⁶⁴⁸ It is not impossible that the agenda item about the evacuation, that as we mentioned earlier did not feature in Gobillard's fax, was raised by Nicolai only at this point. After this, Lieutenant Colonel Karremans, major Boering and sergeant Rave left the compound at 18.55 hours, on their way to Bratunac.⁶⁴⁹

We can only guess at Karremans' state of mind. He himself would later say that he was 'completely exhausted' at the time.⁶⁵⁰ That's not surprising. Over the last few days, Karremans had made non-stop efforts - constantly on the phone and sending faxes - to keep his lines of communication with the outside world intact. During this time, he was constantly being badgered by Dutch (Government) agencies and departments who kept trying to get information directly from him without going through the formal channels and responsibilities. Brantz as well as Nicolai had urged The Hague to exercise restraint. 'I do know that I made a bad-tempered phone call to The Hague on July 11 to tell them those direct telephone calls to Srebrenica had to end immediately', Nicolai said later:

⁶⁴¹ ICTY (IT-98-33-T) Testimony R.A. Franken, 04/04/00.

⁶⁴² Interview Ch. Brantz, 11/06/99.

⁶⁴³ NIOD, Coll. Brantz. Diary of Brantz (version May 1996) p. 103. Brantz notes 19.30 hours as the time when the discussion took place, but this was probably a second conversation, when Karremans confirmed that he could go to Bratunac. Karremans probably telephoned shortly after the fax of 18.45 hours was received because the Monthly register van de Ops Room has an entry from 18.50 hours that a tank at Yellow Bridge was firing in the direction of Budak.

⁶⁴⁴ DCBC, without number. Fax HQ SNE to HQ UNPROFOR, dtg 112359 B JUL 95, subject 'orders for defence of Dutchbat and protection of refugees- Srebrenica'.

⁶⁴⁵ ICTY (IT-98-33-T), Testimony R.A. Franken, 04/04/00.

⁶⁴⁶ SMG, 1004/61. Monthly register Ops Room Dutchbat, 11/07/95, entry 19.01.

⁶⁴⁷ Interview Petar Usumlic, 14/09/99.

⁶⁴⁸ Interview C.H. Nicolai, 11/06/99.

⁶⁴⁹ SMG, 1004/61. Monthly register Ops Room Dutchbat, 11/07/95, entry 19.55

⁶⁵⁰ Interview Th.J.P. Karremans in: 'Reise rückwärts ohne Ziel', in: *Süddeutsche Zeitung*, 10/07/00.

“They asked for details that I couldn’t even know myself at that point. If this continues, the man (Karremans) cannot do his job any more. One moment he reports to Sector North East, only to find himself on the phone to me the next, which is already extra pressure. If he then also has to answer questions from Zagreb and The Hague, he still has to run a battalion. If he has to be on the phone all day to answer all sorts of difficult questions, he won’t be able to do the job he is there for. So I asked them to cease and desist! If there was something that they wanted to know, they should ask us instead! (...) The moment when I really did make a somewhat bad-tempered call to The Hague was when those people in The Hague started asking where the Forward Air Controllers were. It really is too ridiculous for words that they already want to know that kind of thing in The Hague. That’s when I told them: “Stop this! If you want to know something, ask us (in Sarajevo). We will try to answer those questions for you.”⁶⁵¹

Incidentally, having returned to Tuzla, it was Brigadier General Haukland’s turn to talk to Nicolai in the same vein on July 15: he responded to complaints from Brantz that Sarajevo regularly interrupted the normal chain of command by ringing the enclave directly.⁶⁵²

Quite apart from this mental and physical stress, Karremans had had to endure other problems. He had been firmly convinced that the air strikes that he hoped would save the day would in fact come and he had done his utmost to overcome the scepticism of the local authorities. The poor excuse for the real thing that finally, far too late, did take place must have filled him with shame. However, at the same time he also felt left in the lurch by the ABiH. In the six months that Dutchbat had been in the area, the ABiH had manifested itself in an increasingly open fashion, proudly showing off their new uniforms and weaponry to further cultivate their image of die-hard indomitability. Despite his annoyance about this macho display and the strict neutrality Dutchbat had to maintain, Karremans had proposed that if the worst came to the worst, they should defend the enclave together. Undoubtedly he was aware of the heroic stories, partially based on truth, about the courage of ABiH soldiers refusing to yield an inch. However, in his view they failed spectacularly to live up to their reputation. Not only did he feel that the ABiH didn’t make a serious stand at all, in some places it had even made Dutchbat’s job more difficult.⁶⁵³ The same criticism, incidentally, was also levelled at the local ABiH forces by the Bosnian Commander in Chief Rasim Delic after the fall of the enclave, although we can’t rule out that other motives also played a role in this.⁶⁵⁴

Anger and despondency were mixed with uncertainty when Karremans left OP-P. Added to that was the feeling of being in danger. The shelling of the Potocari area at a time when it was already known that there was going to be a meeting fits in quite well with the image of the VRS as an army that was quite adept at psychological warfare. Whether this was all part of the same (psychological) strategy or regular military activity is impossible to say now, but just after passing Yellow Bridge, Karremans spotted two mortar platoons who had taken up positions in a farm field along the road, with the compound within their range. As a former mortar platoon Commander himself, he knew from experience the horrific effects mortar fire has.⁶⁵⁵ Just before he left, the Ops Room had also received a message reporting that Karremans had been taken prisoner.⁶⁵⁶

⁶⁵¹ Interview C.H. Nicolai, 11/06/99.

⁶⁵² NIOD, Coll. Brantz. Diary of Brantz 1998.

⁶⁵³ Interview Th.J.P. Karremans, 15-17/12/98.

⁶⁵⁴ Of course questions about public responsibility were also asked on the Bosnian side and all sorts of interests came into play, quite apart from the implications of the dark scenarios that ‘did not take long to start circulating about the fall of the enclave.

⁶⁵⁵ Interview Th.J.P. Karremans, 15-17/12/98.

⁶⁵⁶ Karremans, *Srebrenica*, p. 203. A similar report was doing the rounds in the afternoon about captain Groen. See: DCBC, 528. Day reports, report Brantz 111603.

The threatening atmosphere was boosted by the countless number of units present in Bratunac. When the vehicle carrying the Dutch officers stopped at the central crossing where the Hotel Fontana was located, they heard a radio message coming in to say that the VRS had encircled OP-C as well.

10. The first meeting of Karremans and Mladic

Just on nine o'clock in the evening, the Dutch trio were led into a poorly lit room that was thick with cigarette smoke. The scene that developed then can be reconstructed as follows.

A gathering of six VRS field officers and a number of non-commissioned officers and body guards were in the room.⁶⁵⁷ This group also included some civilians and a film crew with video cameras.

Karremans made the first move by introducing himself as the Commander of Dutchbat. Interpreter Emir Suljagic, who worked in the enclave for UNMO, later heard from his Bosnian Serb colleague Petar Usumlic, the UNMO interpreter who was employed in all negotiations with Dutchbat in July, what took place next. One of those present, who would later turn out to be general Mladic, reacted furiously. According to the reports, he said: 'You are not a Commander. You are nothing. I am in charge here.' In a later interview with the NIOD, Suljagic provided an unexpurgated version of Usumlic's account. It boiled down to: 'You are a nobody and I am God'.⁶⁵⁸

Major Boering entered the room five minutes after his colleagues because he had gone to the toilet first.⁶⁵⁹ He later said that as soon as he walked in, a number of body guards crowded around him 'which led to a bit of pushing and shoving between the person concerned and the body guards, with the person concerned trying to keep the circle around the BC (battalion commander) as wide as possible in order to prevent the atmosphere in the room from becoming even more tense than it already was'.⁶⁶⁰ The 'person concerned', Boering, who because of his large stature and awe-inspiring feet had been compared to a 'large L' by enclave residents,⁶⁶¹ managed to rescue Karremans, but the tone had been set. His colleague, Rave, noted in a sort of diary a few days later that the three Dutchmen had been firmly convinced during the first 10 minutes that they could be taken outside any moment to be summarily executed.⁶⁶² According to interpreter Usumlic, Mladic did in fact express this threat.⁶⁶³ Ranting and raving, Mladic verbally assailed all three Dutchmen, one by one, although Karremans obviously got the worst of it.⁶⁶⁴

The Dutchmen were extremely confused, especially because it took a while - as Karremans later said - before the three of them fully realised that the bellowing man in question was general Mladic himself, no less. They really had assumed they would be dealing with general Zivanovic, who, incidentally, was in fact present as well. Karremans did not know him (Zivanovic) personally, but had heard about him from his predecessor at Dutchbat I, Lieutenant Colonel Chris Vermeulen. Vermeulen had painted the general as 'a bit of a peasant type: quiet, someone who did not get too excited and who Vermeulen described as someone you could easily sit down with'.⁶⁶⁵ Which is why Vermeulen had tried a few times to arrange a meeting, in the hope to be able to achieve more than with the local commanders. Those attempts had been unsuccessful. As member of the reconnaissance group, Rave had once attended a meeting with Zivanovic that had lasted several hours, together with the military-civilian relations section of Dutchbat II: 'We sat there with Zivanovic for at least eight hours. He had a

⁶⁵⁷ The officers were later identified as Colonel General Mladic, Major General Zivanovic (commander of the Drina Corps), Colonel Jankovic (attached to the G2 section of the General Staff of the VRS), Lieutenant Colonel Kosoric (chief of staff G2 Drina Corps) and colonel Milutinovic of the press and information section of the VRS staff, who led the camera team.

⁶⁵⁸ Interview Emir Suljagic, 23/11/97. This story is, broadly speaking, confirmed by Petar Usumlic. Interview 14/09/99.

⁶⁵⁹ Interview P. Boering, 14/12/01.

⁶⁶⁰ Debriefing statement P. Boering, Assen, 12/09/95; interview P. Boering, 14/12/01.

⁶⁶¹ Interview Muhamed Durakovic, 21/11/99.

⁶⁶² Notes B. Rave. Loaned to NIOD for its perusal.

⁶⁶³ Interview Petar Usumlic, 14/09/99.

⁶⁶⁴ Interview B. Rave, 13/12/00.

⁶⁶⁵ Interview Th.J.P. Karremans, 15-17/12/98.

clear message: the enclave belonged to him. In any case, he wanted the southern part. That was his and his alone'.⁶⁶⁶ Other than that, the meeting had not been particularly tense. Boering had even met Zivanovic twice before; which is why he later said that when he first came into the room he did in fact realise from the beginning who the ranting individual was.⁶⁶⁷

Because appearance-wise the two generals looked very similar, it took a while for Rave, at least, to work out who was putting the knife into them like that:

'We had not expected to be dealing with Mladic at all. We were just not at that level. When we came in, there were a lot of people milling about, many of whom we didn't know, television. Only after a few minutes we realised: 'Hey! There is another general here! He wouldn't be ...?' It was simply disbelief because we had not expected Mladic at all.'⁶⁶⁸

It was not the only thing that made their introduction to Mladic such a surprise. Although Zivanovic and Mladic did look somewhat similar, that definitely did not apply to the way they behaved. Later critics have sometimes suggested that Karremans allowed himself to be intimidated by Mladic's brutish display too easily because he should have known the general's reputation. However, that is doubtful: not only in Dutchbat but throughout the Yugoslav conflict generally very little structured information was available about the people that the peacekeepers would be dealing with, and certainly not in the way of psychological profiles and negotiating tips. According to De Ruiter in Sarajevo, people at the level that would normally conduct negotiations with Mladic sometimes did exchange experiences, but that was about the extent of it, even in preparations for a mission:

'Once we knew that we would be going to Bosnia, we did not receive any information about what kind of guys Karadzic or Mladic really were. We didn't know that command structure at all. We knew that Mladic was in charge. But what sort of people were operating below that level?'⁶⁶⁹

Karremans said that the summary that the Dutch Military Intelligence Service had given him before the mission, showing the army units (order of battle) that he could expect to come across in his area of operations, did not even go above Zivanovic's level. After all he was the Commander of the Drina corps that was responsible for Srebrenica.⁶⁷⁰ Conversely, Zivanovic was a stranger to Nicolai.⁶⁷¹

Initially, there was no systematic effort to gather information about Mladic as a person and as a negotiator, let alone to pass on what little that was known - in any kind of structured fashion - whenever new UNPROFOR officers arrived to take over the duties of their predecessors. That negotiating with Mladic about peace was akin to 'hand-feeding red meat to a Rottweiler', as someone noted in 1993 from his own experience, was not something that had become general knowledge.⁶⁷² Only when someone had to deal with him on a regular basis was it possible to get to know his moods and tricks. General Rose would later refer a few times in his memoirs to the 'usual' behaviour involving

⁶⁶⁶ Interview B. Rave, 13/12/00.

⁶⁶⁷ Interview P. Boering, 14/07/01.

⁶⁶⁸ Interview B. Rave, 13/12/00.

⁶⁶⁹ Interview A. de Ruiter, 29/06/00.

⁶⁷⁰ Interview Th.J.P. Karremans, 15-17/12/98.

⁶⁷¹ NIOD, Coll. Kreemers. Note DAB to Minister, D96/421, 'Major General Zivanovic', 06/09/96. Reason for this note was a Network broadcast the day before, when Zivanovic warmly greeted the 'great guys' of Dutchbat, who he invited to a holiday in the 'liberated area around the Drina'. AVRO, Network, N.1, 20.24 hours.

⁶⁷² NIOD, Coll. Kreemers. HQ BH Command to BHC fwd Sarajevo, 'COS and DC UNMO meeting at Sokolac 28/10/93 with general Ratko Mladic', 30/10/93.

constantly changing moods that Mladic let loose on his discussion partners, but, comparatively speaking, he had a lot of experience in dealing with Mladic.⁶⁷³

Anyone who didn't have that experience or wasn't prepared for Mladic's ways ran the risk of being manipulated. The photo showing Mladic and Karremans raising their glasses after the discussions became notorious. Slightly getting ahead, for a moment, of the rest of the story about their first meeting, it's of more than mere anecdotal value to pause here and look at how the then future NATO Commander in Chief SACEUR Clark was outmanoeuvred by Mladic in a similar fashion. That happened when Clark made an orientation visit to Bosnia when a meeting with the Bosnian Serb general was also on the agenda. The British Bosnia-Herzegovina Commander Rose, who accompanied Clark, had urged his American colleague beforehand 'to avoid smiling in Mladic's presence, as it did no good to be seen fraternising with him'.

However, when Clark met Mladic, the VRS Commander first made an opening statement and then treated him to a litany about the position the United States had taken in the conflict. With armed body guards standing threatening behind him, Mladic worked himself up into a frenzy of rage, threatening to destroy anyone who stood in his way. The completely bewildered American general tried to take a different tack by telling Mladic that he definitely respected the Serbs as soldiers. Mladic calmed down and after that a businesslike discussion ensued. Towards the end of the meeting, Mladic steered the conversation to the subject of the American uniforms that he claimed ABiH soldiers were wearing. He said he admired the American equipment and displayed special interest in Clark's cap. Seemingly spontaneous, he offered to exchange headgear. A relieved Clark agreed. Mladic subsequently shepherded his guest outside where the media that had been summoned for the occasion lost no time recording for posterity the sight of an American general wearing Mladic's cap. At the end of the luncheon, Mladic was in a good humour again and expressed his confidence in Clark, saying that he was even prepared to disarm for him. He demonstratively removed his pistol and handed it to Clark. Engraved on the pistol was: 'From general Mladic'.⁶⁷⁴ Incidentally, Rose who recounted this incident in his memoirs, would himself be photographed in 1995 smilingly shaking hands with Mladic.⁶⁷⁵

However, this kind of incidents were not discussed very much in UNPROFOR circles.⁶⁷⁶ Later an attempt was made to get detailed information about Mladic, i.e. to get a better idea of what made Mladic tick. This attempt was strongly dependent on what national Intelligence services told them about the man's personality. As is discussed extensively in the Intelligence supplement that accompanies this report, UNPROFOR did not have an Intelligence gathering capability of its own. But in the spring of 1995 there was a German-language biography and analysis of Mladic that circulated at least in UNMO circles. Among other things, it talked about his 'recognisably degradable use of language' which was often accompanied by deeds that matched the rhetoric, especially breaches of human rights and war crimes.⁶⁷⁷

An evaluation on July 12 showed that Karremans was quite aware that he had been manipulated by Mladic. In any case, Rave wrote in his notebook: 'If TK had known [that] TV would be there, TK would not have gone (objections to cameras)'.⁶⁷⁸ It was also quite clear to Karremans himself that he was no match for the general, if only because the political weight of the negotiations clearly belonged to a higher level. At his meeting with Mladic, Karremans already asked whether he was permitted to ask for the presence of a representative of the UNPROFOR high command.⁶⁷⁹ That's why he said in the report on his meetings with Mladic that he wrote during the night of July 11 that negotiations at the

⁶⁷³ Rose, *Fighting for peace*, p. 33.

⁶⁷⁴ Rose, *Fighting for peace*, pp.165-166.

⁶⁷⁵ See photo in: Sells, *A bridge betrayed*, p. 132.

⁶⁷⁶ Interview A. de Ruiter, 29/06/00.

⁶⁷⁷ NIOD, Coll. Segers. 'General Ratko Mladic', author not mentioned. Date on this fax, coming from Belgian Major J. Segers, who worked at HQ UNMO in Zagreb at the time, is 20/04/95.

⁶⁷⁸ Notes B. Rave, 12/07/95. Loaned to NIOD for its perusal.

⁶⁷⁹ ICTY (IT-98-33-T), OTP Ex. 39/a. Transcript first meeting with Mladic, 11/07/95.

highest level were the only way out.⁶⁸⁰ In the following days, several fruitless attempts were indeed made to have higher-level negotiators take the place of Karremans. Nicolai remembers talking to Chief of Defence Staff Van den Breemen about this and that the latter had strongly urged ‘to become partner in the negotiations (...) To take over from Karremans. We were all in agreement on that. The reality is that someone who has been read the riot act like that is not exactly in any position to talk tough.’⁶⁸¹

Minister Voorhoeve also understood this. On July 12, he considered sending in Deputy Commander of the Army Van Baal, who together with Chief of Defence Staff Van den Breemen had flown to Zagreb the day before for a meeting with Janvier. As a former Chief of Staff at UNPROFOR in Sarajevo he had some experience with Mladic, but Van Baal told him he did not think it would be very useful because the general would not be interested in him.⁶⁸² Van Baal was also on the ‘advice list’ that the Defence Crisis Management Centre put together in flying haste on July 13, of people who ‘knew’ Mladic. Van Baal would add some marginal notes to a profile of Mladic drawn up by the Military Intelligence Service. Quite apart from the timing, – ‘too late to be of any use’ was a red thread in the communication with Karremans – it is questionable that the information ever reached its destination. Rave, who by virtue of his job would have known about it, cannot remember ever having seen Mladic’s profile.⁶⁸³

The attempt to provide Karremans at least with some degree of assistance was the result of Mladic’s blunt refusal to deal with any other negotiator than Karremans. A plan to take Nicolai to Srebrenica by helicopter was impracticable. The head of Civil Affairs in Tuzla, Ken Biser, did not get permission to enter the enclave either. In Sarajevo, De Ruiter tried to establish a line to Milosevic via Zagreb and obtain permission for a high-level negotiator that way, but this attempt failed.⁶⁸⁴ Even a direct attempt by Janvier on July 12, in a letter to Mladic that would be delivered by Karremans did not achieve anything.⁶⁸⁵ He offered to send two full colonels as his personal envoys, the Frenchman Paillard and the Russian Ratsouk, who had even travelled to the border crossing at Zvornik already. Serb camera man Zoran Petrovic, who in the days of the fall of the enclave shot the images that were to become notorious later, and a female staff member of MSF saw the two colonels there.⁶⁸⁶

Mladic undoubtedly knew exactly what he was doing. The Dutch lieutenant colonel was a handy tool that could be used as a buffer against politically more adept negotiators, and at the same time could act as a middleman to pass on his demands. The laborious communication at this low level may also have been adopted as a result of his wish to gain time for the final act that Mladic was already planning then: the lightning removal of all Muslim citizens from the former enclave. It was the best way of placing his opponents before a fait accompli.

The carefully targeted intimidation of Karremans and his men was designed to stamp out any resistance that was left, and, as mentioned earlier, that resistance had already been seriously affected anyway. It probably did not take Mladic very long to realise that his tactics were successful. Initially, the Bosnian Serb Commander went on at great length about the air strike on his troops, after which

⁶⁸⁰ Karremans, *Srebrenica*, p. 207

⁶⁸¹ Interview C.H. Nicolai, 11/06/99.

⁶⁸² Diary Voorhoeve, pp. 112-113.

⁶⁸³ Interview B. Rave, 13/12/00.

⁶⁸⁴ Interview A. de Ruiter, 29/06/00.

⁶⁸⁵ Letter from Lieutenant General B. Janvier to gen. Mladic, 12 July 1995, included as Appendix 36 in: Karremans, *Srebrenica*, p. 343.

⁶⁸⁶ Letter B. Janvier to R. Mladic, 12/07/95, included as Appendix 36 in: Karremans, *Srebrenica*, p. 343. ; MSF, Brussels. Capsat MSF Belgrade to Christina Schmitz, 14/07/95, 19:38:38; interview Zoran Petrovic-Pirocanac, 31/03 and 30/04/98. On 14 July, he saw at ‘Iron Bridge’ a French and a Russian colonel who said they were waiting for a chance to talk to the VRS. In 2001, Janvier gave the French Parliamentary Commission of inquiry into (the events in) Srebrenica a different interpretation (of his reasons) for sending two representatives; the reason is supposed to have been messages from Dutch soldiers about specifically targeted massacres (‘assassinats’). See: Loncle, *Rapport d’information*, Tome 1, par. C2, ‘11/17 juillet: “le grand massacre”’. This seems highly unlikely in view of the date of his letter to Mladic (July 12) and the first reports (July 13).

Karremans immediately denied responsibility for the order 'to murder my soldiers.' Mladic angrily labelled these statements 'fantasies', after which Karremans reluctantly admitted that he had only acted in 'self-defence'.⁶⁸⁷

After the general fairly abruptly changed the direction of the discussion by asking Karremans what he really wanted, the subtle threats kept coming back with some regularity, by allusions to a last cigarette, a question whether Karremans would like to see his children again,⁶⁸⁸ and statements like: 'UNPROFOR (...) is not a target as yet. Your soldiers and officers have only one life, just like yourself. I don't think you wish to lose your life'. Mladic subsequently magnanimously offered his 'help', 'even if you don't deserve it': 'But I do it for those boys, those children of UNPROFOR, because I don't want them to be sent back to their mothers in coffins'.

Even the only concrete result from the meeting was accompanied by a threat. Mladic said he didn't want to regard the local population as a target, either. Therefore, he asked Karremans to come back with representatives of the civilian population. If there were still any representatives of the 'Muslim army' in the area, they would be welcome, too. Mladic asked, 'if possible', for Zulfo Tursunovic; he knew that Naser Oric was no longer in the enclave. Karremans was asked to find one or more representatives of the local population and come back with them the same night before 23.00 hours. Their safety was guaranteed. The purpose was to talk about a 'peaceful solution'. But Mladic again added a threat to his stated wish to reach agreements: 'You can all get out of this, or you can all stay, or you can all die. I do not wish you to die'.⁶⁸⁹

Karremans said he did not know where the civilian authorities were, but that with the interpreters' help he would try to find someone.

Mladic had already said 'see you later' when the meeting took another turn yet that, in hindsight, proved to have been fatal for Karremans. Probably trying to be diplomatic in an attempt to pacify Mladic a little, the Dutchbat Commander had - earlier in the meeting - thanked the 'serb military leadership (...) for treating the soldiers well'. He was referring to the OP crews who had fallen into the hands of the VRS. A number of them were held in Hotel Fontana at the time and Karremans did not want to leave without talking to them for a moment. When he asked Mladic permission for this, the latter switched back to the jovial mode that was also part of his unpredictable personality. He gave orders for the Dutchbat soldiers to be taken out of their rooms and then ordered a round of beer for everyone. Via the interpreter, Karremans was also offered a beer. Apparently the Dutchbat Commander became confused but eventually declined. Karremans was asked why he didn't want a beer and his subsequent reply leaves room for speculation about the question whether he realised the danger. Karremans did not wish to appear impolite, but hesitated and seemed to look for an excuse: 'If I... That is not good. I would be happy to have a beer with you if I... I appreciate it very much, but my soldiers don't drink beer, so I think I shouldn't drink beer either.' But Mladic didn't take no for an answer. In his own mind, it was quite clear: an officer drinks, 'we'll have a beer together'. The venom returned briefly: 'And make sure there are no aircraft flying about here'. It subsequently turned out the hotel had only wine and mineral water, after which Mladic concluded: 'No beer here. It'll be wine with mineral water'. Glasses were pushed into the hands of Karremans and his escorts, while video cameras recorded the scene.

⁶⁸⁷ This and the following is based on transcripts provided by the NOVA programme of the so-called 'Mladic tapes', (three discussions). In addition, we have used the transcripts presented at Krstic's trial (IT-98-33-T) as exhibits OTP Ex. 39a, 40/a and 49/a. The less complete NOVA set of transcripts, however, contains passages that strangely are missing in the Tribunal transcripts. These transcripts do not actually say that these particular passages, which are a record of Mladic and Karremans' discussion about how the evacuation would be handled, have been skipped in the Tribunal's version; the text concerned runs on without interruption.

⁶⁸⁸ Under pressure, Karremans replied with 'yes' although he does not have children himself.

⁶⁸⁹ Karremans interpreted this as a threat that the compound in Potocari and its surrounding area would be shelled, although the transcripts show that Mladic did not say this in so many words. See: Debriefing C-Dutchbat 3, copy own text LCol Karremans, Deventer, 6 September 1995 (Stg confidential/permanent) p. 13. 'At the end of the meeting, Mladic indicates that if his demands are not met, he will start shelling the compound in Potocari and its surrounding area.'

Whether this was a coincidence that Karremans unwittingly became the victim of as a result of his request to talk to his men, or whether Mladic had only waited for the right moment to execute a pre-arranged plan, cannot be determined with certainty. It cannot be ruled out that he was set up, also in view of the other propaganda activities around the fall of the enclave, including the manipulation of statements by Dutchbat soldiers who had been taken hostage: in the course of the second meeting, later that same evening, the Dutch were startled by the sound of a pig that was being slaughtered nearby.⁶⁹⁰ Later claims that Mladic might have been using the pig to hint at the possible fate of all who stood in his way were incorrect according to those concerned.⁶⁹¹ But everything points to it having been another test of the Dutchmen's nerves. Boering thought the same applied to the stolen APC that was constantly being driven backwards and forwards in front of the Hotel Fontana.⁶⁹²

Whether the meeting had really come to an end when Mladic said it had is also open to debate. Mladic's seemingly rambling approach undoubtedly had a hidden agenda. That became clear after the now-notorious 'toasting scene'. As if in an afterthought, Mladic casually asked Karremans if he could provide buses, either himself or via Nicolai. A surprised Karremans replied that this could probably be arranged.

By this time the Dutchbat hostages had arrived and Karremans had a chance to talk to them briefly. With a 'I expect you back here at 23.00 hours. See you then', Mladic indicated the meeting had ended.

11. The second meeting with Mladic

By the time Karremans returned to Potocari, the refugee problem had literally grown. While Karremans, Boering and Rave were in Bratunac, the crew of OP-M had arrived in Potocari with another few thousand refugees after a difficult journey (see Chapter 8). 'Huge problem' was the remark in the Ops Room's log book.⁶⁹³ The refugees had been taken to the site of the bus depot. Other refugees had come down from the northern part of the enclave around Budak that had still been under fire that afternoon. Dutchbat now estimated that more than 4000 people were in the compound, including more than 80 wounded, and 16,000 to 20,000 in the factories on either side of the road.⁶⁹⁴

Karremans talked to Brantz and Nicolai briefly to report on his meeting with Mladic. Nicolai, who probably sensed that Karremans had had a tough time, later said he referred to his own experiences during the Gorazde crisis and the 'scenario' there:

'I told him that I was certain the VRS would not dare to create a bloodbath among [sic] innocent civilians right under the gaze of international community. I ordered him to take a 'robust' position, not to allow himself to be intimidated, not to surrender with the battalion under any circumstances, not to surrender any weapons, to keep reporting to us about the developments and to stay near the refugees to continue to protect them as much as possible in this way.'

Nicolai said these guidelines had been 'endorsed' by Minister Voorhoeve.⁶⁹⁵ He would later declare that 'taking part in ethnic cleansing was better than standing around helplessly and watch ethnic murder'.⁶⁹⁶

After discussing it with Franken, Boering set off on a search for a suitable local representative to take along to the next meeting with Mladic. Nothing more had been heard from the official local

⁶⁹⁰ Notes B. Rave, 11/07/95. Loaned to NIOD for its perusal. Rave wrote 'window/curtain open', apparently believing that the purpose was to intimidate the Dutchmen and Mandzic.

⁶⁹¹ Interview Th.J.P. Karremans, 15- 17/12/98 and B. Rave, 13/12/00.

⁶⁹² Interview P. Boering, 14/12/01.

⁶⁹³ SMG, 1004/61. Monthly register Ops Room Dutchbat, 11/07/95, entry 20.10

⁶⁹⁴ NIOD, Coll. Karremans. Brief Karremans TK95118, 'short summary of events in the past week', 17/07/95.

⁶⁹⁵ CRST. C.H. Nicolai to DCBC and Army Crisis Staff/SCO, memo "Last days" Dutchbat Srebrenica', 16/08/95.

⁶⁹⁶ 'Dutchbat handelde in strijd met orders' ('Dutchbat acted against orders'), *NRC Handelsblad*, 21/10/95.

authorities since that afternoon and it was difficult to determine who could speak on behalf of the refugees. Boering knew, probably via the interpreters, that the director of the high school in Srebrenica, Nesib Mandzic, had been seen. He knew him and Mandzic had made a good impression on him.⁶⁹⁷ Mandzic was found in the factory '11th March' after an interpreter had called his name with a megaphone. He was taken to the compound where Karremans explained to him what was expected of him. Mandzic was not keen on the job the Dutch Commander was trying to throw in his lap. The risk to be turned into 'official leader' and as a result to be held responsible for everything that had happened in recent weeks was clearly not something he looked forward to. However, pointing out there was very little time, Karremans managed to persuade him. They quickly put a few points on paper that would have to be discussed with Mladic.⁶⁹⁸

Slightly late, the delegation arrived back at the Hotel Fontana. The atmosphere was quite different from what it had been earlier that night. Karremans was able to get down to business almost immediately. At the earlier meeting, he had already told Mladic that the main wish of the local population was to be evacuated. Dutchbat soldiers who had tried to alleviate the misery among refugees had talked to some women who spoke English. These had indicated that they were waiting for buses to take them out of the enclave.⁶⁹⁹ As we mentioned earlier, Koster had met people who wanted to walk on directly to Bratunac, probably as a result of the VRS offer to provide transport (a lot of information reached the refugees via portable radios). As an aside, we can note here that later accusations directed at Dutchbat claiming that people had been taken away against their will are difficult to sustain. At worst, that could have applied to the original inhabitants of the area.

Karremans outlined to Mladic his ideas about the evacuation and sketched a picture of the size of the refugee influx, who were still continuing to stream in. He also touched on the composition of the refugee masses, commenting that there were 'almost no men' among them; but as was already pointed out, this was not true. After that he listed some of the most immediate shortages, such as food, medicines and fuel. Karremans also referred to the necessity to draw up an evacuation plan according to a set order of priorities, the details of which he would work out later. The Dutchbat Commander also told Mladic that he could arrange transport. The local representative of UNHCR in Srebrenica, Almir Ramic, had informed earlier that the UNHCR could provide 30 trucks from the 'Russian trucking team'.⁷⁰⁰ Karremans would also try to find out whether there was a possibility of getting more buses. He also indicated that Dutchbat wished to provide escort for the evacuation and that the battalion or the International Red Cross should be responsible for transportation. Mladic promised that the wounded would be treated in accordance with the Geneva Convention and he declared his willingness to bring them in.

Karremans asked Mladic to announce a ceasefire, and the general acceded, until 10:00 hours. The Dutchman also let it be known that he regarded the area in and around the compound as a temporary Safe Area and that he could not admit any VRS soldiers and vehicles. At the same time, he asked for the release of the captured Dutchbat soldiers and the safe return of the men who were still held at observation posts. Mladic made notes of all this.⁷⁰¹

At one point, Mladic had turned his attention to Mandzic who, according to notes that Rave wrote down a few days later, 'was given a terrible roasting'.⁷⁰² Mladic dictated an ultimatum: weapons had to be laid down and anyone who did would stay alive - he gave his word on that. The international conventions would be honoured. He demanded a clear and unambiguous statement from refugee representatives to say 'whether they wanted to survive, stay or disappear'. Mladic said he was prepared to receive a delegation the following day to discuss 'saving your people'. He then asked if 'Nesib' had

⁶⁹⁷ Interview P. Boering, 14/12/01.

⁶⁹⁸ Interview N. Mandzic, 14/09/99.

⁶⁹⁹ ICTY (IT-98-33-T), OTP Ex. 39a. Transcript meeting Mladic-Karremans.

⁷⁰⁰ CRST. Capsat UNHCR BH desk Belgrade to UNHCR Srebrenica, 11/07/95, 19:22.

⁷⁰¹ Karremans, *Srebrenica*, p. 205

⁷⁰² Notes B. Rave, 14 juli 1995. Made available to NIOD for its perusal.

understood him completely, and told him, that the future of his people was now in his hands. Mandzic demurred for a moment by trying to make the point that he was only a representative by accident, but Mladic cut him off quickly by telling him that was his problem: 'Bring people who can guarantee weapons will be laid down and save your people from destruction'.⁷⁰³

Back at the compound, Karremans gave his senior officers an account of what happened at the meeting and also rang Brantz again, who subsequently called Minister Voorhoeve at 02.30 hours in the morning to tell him about Mladic's demands.⁷⁰⁴ After that, Brantz went back on the phone to Karremans to inform him of his conversation with the Minister. Karremans remembers Brantz telling him that Voorhoeve had promised to seek international support and had urged him to treat giving humanitarian aid as the main priority. A joint departure from the enclave of Dutchbat together with the refugees was second priority.

As Karremans said himself, after hearing those words, he felt was getting support and set down at his computer long after midnight to write a report on his discussions with Mladic and the ultimatum the latter had issued. He concluded he was unable to provide either the local population or even his own battalion with the protection he had been asked to give. He also wrote that it was impossible to find the local representatives that Mladic wanted because all official authorities had disappeared without trace. The same applied to ABiH commanders. Which meant he was in no position to force the ABiH to lay down their weapons. Karremans urgently asked for negotiations to be conducted at the highest level and take all possible measures to alleviate the lot of the refugees.⁷⁰⁵ A sleepless night followed.⁷⁰⁶

12. July 12: the third meeting with Mladic

At eight o'clock the following morning, Karremans talked to Minister Voorhoeve on the phone by accident when he happened to be in touch with the Defence Crisis Management Centre. The Minister seized the opportunity to say some personal words of encouragement to the harassed battalion Commander. Brantz had told him the night before that Karremans had made a 'very stressed impression'.⁷⁰⁷ In recording the telephone call, the Defence Crisis Management Centre's day report also noted that Voorhoeve had had the impression that Karremans was 'downcast, confused' and was in a 'chaotic and depressing situation'.⁷⁰⁸ Later that morning he commented in the Ministerial Council that the Battalion Commander needed 'political as well as psychological support'.⁷⁰⁹ The conversation early on the morning of July 12 was only brief and it is unlikely that Voorhoeve wanted to add to Karremans' burdens by telling him about his own gloomy expectations that he was now having about the fate of the population. Later that morning, the Battalion Commander told Mladic that he had been ordered by his Minister to assist 'as much as possible' in efforts to solve the situation.⁷¹⁰

There was one thing that Karremans probably had to worry about a little less by that time, because it started to look like there might be a delegation to represent the refugees at the meeting with Mladic, after all. A preliminary discussion took place at 08.30 hours, attended by two other people apart from Nesib Mandzic. Mandzic had gone looking and had first approached Ibros Nuhanovic, a former businessman who had worked in Srebrenica. He had also been chairman of the SDA, Izetbegovic's party, in Vlasenica.⁷¹¹ Together with a woman refugee, they had gone looking for Camila Omanovic, an economist who had worked at the Feros factory in Potocari before the war. They found her among the

⁷⁰³ ICTY (IT-98-33-T), OTP Ex. 40/a.. Transcripts second meeting Mladic-Karremans.

⁷⁰⁴ Diary Voorhoeve, p. 112.

⁷⁰⁵ Karremans, *Srebrenica*, p. 207.

⁷⁰⁶ Ditto.

⁷⁰⁷ Diary Voorhoeve, p. 112.

⁷⁰⁸ DCBC, 528. Dagrapport DCBC 120805.

⁷⁰⁹ Diary Voorhoeve, p. 130.

⁷¹⁰ ICTY (IT-98-33-T), OTP Ex. 40/a. Transcript second meeting Mladic-Karremans.

⁷¹¹ Bosnian State Commission for the Collection of Facts on War Crimes, (24).

refugees on the site of the zinc factory. She had sought refuge there with her son, daughter and grandchild, after a hasty escape and an emotional parting from her husband who had decided to take a chance and try to reach Tuzla. She herself would later say that she had probably been asked to join the delegation 'as a mother, a woman and a literate person'.⁷¹² Omanovic was asked to come to the Dutchbat compound to discuss the situation among the refugees, but it would appear that she did not know exactly what was being asked of her beforehand. In any case, some kind of consultative group was needed to help solve the problems that could arise while waiting for an evacuation that probably would take a few more days to eventuate.⁷¹³ Karremans, too, had that sort of job in mind for them, but his immediate problem was to persuade the refugee committee to come along with him to the meeting with Mladic. Like the day before, Karremans had to employ all his powers of persuasion to convince the trio.⁷¹⁴

According to Karremans, Mladic had also asked him the previous night to contact the Bosnian Government about the ceasefire. However, attempts via UNPROFOR in Sarajevo had been unsuccessful. Karremans remembered that for a while he had been standing with one of the interpreters who was trying to get a connection with Sarajevo. Apparently that finally happened only later.⁷¹⁵

Although an accurate reconstruction is made more difficult because of the usual problems of conflicting memories and more than one incident possibly telescoping into a single event, the possibility emerges that one or more committee members also tried to get instructions from either Sarajevo or Tuzla. Both Omanovic and Mandzic later referred to such attempts.⁷¹⁶ The notes in Rave's notebook of those days refer to a telephone conversation with Muratovic, the Minister who was responsible for the relations with the UN, and the request for instructions from him, President Izetbegovic and Prime Minister Silajdzic.⁷¹⁷ Mandzic later told Intelligence officers of the 2nd Corps of the ABiH that he had had contact with Silajdzic at about 10:00 hours on July 12. However, it is not known what they talked about in that conversation.⁷¹⁸

Whatever happened, the attempts did not - on the face of it - achieve anything. Franken himself says he again made desperate attempts to track down Muratovic that same night on July 12, when events had taken a dramatic turn: 'We managed to find out where he was so we could call him. But when we rang, we were brushed aside with the story that he was at a dinner and did not wish to be disturbed. That was a real morale boost for Mandzic'.⁷¹⁹

The background to Muratovic's attitude can possibly be explained by the Bosnian Government's initial opposition to all plans for an evacuation. At a meeting early on the morning of July 12, Minister Muratovic emphatically declared that the local authorities in Srebrenica did not have a mandate to negotiate on behalf of the Government, at least not as long as it was not possible to set up proper lines of communications with them. The Bosnian Government also let it be known that it would only support medical evacuations. All new refugees would have to be taken care of on the spot.⁷²⁰

It would appear that the Bosnian Government reluctantly changed tack as the day's events unfolded. Rave's notes, at least, show that at some point, possibly not even until July 13, Mandzic managed to get a representative of the Bosnian Government on the phone. 'Order: not in bus without

⁷¹² ICTY (IT-98-22-T). Testimony C. Omanovic, 22/03/00.

⁷¹³ Debriefing C-Dutchbat 3, copy own text Lt-col Karremans, Deventer, 06/09/95 (Stg confidential/permanent) p. 13.

⁷¹⁴ Karremans, *Srebrenica*, p. 208.

⁷¹⁵ Karremans, *Srebrenica*, p. 209.

⁷¹⁶ Interview Camila Omanovic, 18/05/99.

⁷¹⁷ Notes B. Rave. Loaned to NIOD for its perusal.

⁷¹⁸ ABiH, Tuzla. 'Report of events in Srebrenica for the General Staff of the ABiH in Sarajevo', doc.nr. 24, 28/08/95.

⁷¹⁹ Interview R.A. Franken, 21/05/01.

⁷²⁰ SMG, 1004. Code cable Akashi to Annan, nr. Z-1142, 12/07/95, 'situation in Srebrenica'. See also: UNGE, UNHCR, file Srebrenica. Statistics etc., fax hcbsna to HCYUGBE, 'Meeting with Muratovic on Srebrenica', 12/07/95.

escort', Rave wrote.⁷²¹ Muratovic himself later declared in a conversation with Minister Voorhoeve in 1997 that he had had 'long discussions' with the 'Bosnian leaders' in the compound. He is supposed to have told them not to evacuate until the UN itself could arrange transportation. However, the reply was that the evacuation was taking place very quickly 'and they could not wait for that'.⁷²² A report on a conversation that General Rupert Smith had with Silajdzic also shows that Muratovic asked on July 13 for a list of names for each bus.⁷²³ It remains unclear whether he also told Mandzic about that requirement.

On the morning of July 12, the delegation had, in the end, no instructions when they accompanied Karremans and Boering to Bratunac. As a result of a delay at Yellow Bridge, caused by problems over letting the refugee representatives through, they arrived half an hour late. Once again the signs did not look good. As the deadline for the end of the ceasefire approached, some tanks had assembled threateningly at Yellow Bridge.⁷²⁴ A soldier at OP-P, where the delegation made a brief stop on July 11 as well as on July 12 before moving on to the meeting at the Hotel Fontana, later remembered the dejected mood his Commander was in; this soldier claimed Karremans 'said it was all over'.⁷²⁵

The gathering that awaited them at the Hotel Fontana this time included a larger number of civilians. One of them was an old school mate of Omanovic's by the name of Miroslav Deronjic, who Karadzic had given the job of representing him in the proceedings. To this end, he had been appointed civilian commissioner for Srebrenica.⁷²⁶ When Deronjic got ready to begin a discussion, Mladic stopped him. He then gave Omanovic and Nuhanovic the chance to introduce themselves. Full of admiration, Karremans listened to her (Omanovic) painting a picture for Mladic of the refugees' dire situation, presenting herself solely as a representative of the women and children. She also emphasised that the committee members were ordinary civilians who had nothing to do with politics or military matters.

After Nuhanovic had also introduced himself, Mladic launched into another monologue. Again he offered assistance. The refugees only needed to tell him what they wanted. They could go anywhere they liked, or stay. The general said he would provide vehicles for those who wished to leave – a surprising statement in view of the fact that just the night before he had still given the impression that he wanted Karremans, or the UN, to arrange that. Yet the threats were back again a little later: as trophies, Mladic had the place-name sign of Srebrenica brought into the room, as well as the town's birth, death and marriage records. He said he knew who had been the last people to get married and repeated that whoever wanted to leave could do so, 'or simply disappear'.⁷²⁷

A number of subjects were discussed in his conversation with Karremans. Once again, the disarming of ABiH soldiers came up. Mladic also demanded that Dutchbat would give him the diesel fuel for the vehicles to be used in the evacuation and said that VRS soldiers would provide the escort. However, this was rejected by Karremans, who apparently felt a little stronger again. The order of priorities for the evacuation was important, something that had already been discussed briefly the night before. Mladic said that men in the 17-60 age category would have to report first. Karremans asked him the question, that he would later present as a form of protest,⁷²⁸ why it was this category in particular that he wanted to see check themselves in first. Deronjic provided the reply, saying this group would be screened for the possible presence among them of war criminals. Like the night before, the Dutchbat

⁷²¹ Notes B. Rave, 12/07/95. On loan to NIOD for its perusal.

⁷²² DCBC, 68. (J.J.J.C. Voorhoeve), 'Conversation with dr. Hasan Muratovic on 20/10/95 in Sarajevo about the fall of Srebrenica'.

⁷²³ CRST. Fax col J.R.J. Baxter to HQ UNPF, 'BiH Statement on Srebrenica', 131653B Jul 95.

⁷²⁴ CRST. UNMO Srebrenica sitrep dtg 120950.

⁷²⁵ Debriefing statement B.H. Vos, 08/09/95. Vos said that Karremans said this at 09.00 hours on July 12, when he stopped at OP-P on his way to Bratunac.

⁷²⁶ Interview M. Deronjic, 03/11/99.

⁷²⁷ ICTY (IT-98-33-I), Testimony C. Omanovic, 22/03/00.

⁷²⁸ ICTY (IT-95-18-R61/IT-95-5-R61) Testimony Th.J.P. Karremans, 03/07/96.

Commander then said that as far as he knew there were hardly any able-bodied men in Potocari.⁷²⁹ Omanovic later remembered that Karremans also asked for the International Red Cross to be involved in the evacuation, and Mladic had said that this was no problem at all. Mladic is also supposed to have asked the refugee committee to draw up a list of names, probably for the purpose of separating people into groups for the evacuation.⁷³⁰ Rave had also already recorded the item 'list of names' at the Hotel Fontana that morning in his jotted notes on the meeting with the refugee committee.⁷³¹

There has been a lot of speculation afterwards about the question whether Karremans had done a 'deal' with Mladic at this meeting about the men. There have even been suggestions that they drew up a written statement signed by both Karremans and Mladic. Karremans has always denied this, and he would appear to be correct. Camila Omanovic was present, and she would later tell both the NIOD as well as the Tribunal that NO statement had been signed.⁷³² Deronjic, who was also present, has confirmed this although he did later refer to an agreement to seal the successful evacuation with a document, an issue that will be discussed later in this chapter under the heading 'Franken's statement'.⁷³³

That any kind of document was signed is also unlikely because of the unexpectedly sudden and chaotic end of the meeting: a message whose content was unclear created commotion. Omanovic thought it said something about the refugees from Potocari already being on their way to Bratunac, and she heard the word 'stadium'. The message probably referred to the anticipated arrival of large numbers of prisoners, the first captives of the large group of men from the enclave who had tried to escape. Mandzic recalled that someone told Mladic that 'the Bosniaks were arriving at the football stadium in Bratunac'.⁷³⁴

Whatever it was, Karremans and his companions were quickly hustled off. On the way back, Karremans was surprised to see that suddenly there were large numbers of VRS soldiers in the area between OP-P and the compound.

While Karremans, Boering and the refugee committee were with Mladic at the Hotel Fontana, the VRS had begun its advance on Potocari. Especially in the north this looked spectacular. Groups of well-equipped soldiers moved up along various routes, with burning houses and hay stacks marking their progress. At 10.45 hours Dutchbat's Ops Room received a message that houses were being cleared and that another group of about 100 refugees were on their way to Potocari from the north.⁷³⁵ Fifteen minutes later, VRS soldiers appeared on the north side of the compound, at the point of the building that was known as the 'Blue Hotel' (see the map 'Potocari compound section 3'). Originally, there had been an entrance there but it was no longer being used; a hole had been cut in the fence. Refugees coming in from the north had already used that route and now the VRS was using it: the soldiers made it clear they wished to inspect the compound and that they did not want to enter via the main entrance on the south side. They probably feared their flank would be unprotected against ABiH soldiers who might be hiding in the Dutch complex. It was decided to open the main entrance and give the VRS the chance to carry out the inspection that they wanted. To avoid any possible provocation, the Dutch soldiers who escorted the VRS soldiers temporarily put their weapons away in a visible pile.⁷³⁶ The gun barrels of the APCs that were standing in their protected emplacements were also ordered to be turned upwards to avoid any semblance of threat that could lead to incidents. After a brief tour around the compound and a quick look full of revulsion at the stinking halls full of refugees, the VRS soldiers were apparently satisfied and disappeared again.

⁷²⁹ Karremans, *Srebrenica*, p. 211.

⁷³⁰ Interview Camila Omanovic, 18/05/99.

⁷³¹ Notes B. Rave, 12/07/95. On loan to NIOD for its perusal.

⁷³² Interview Camila Omanovic, 18/05/99.

⁷³³ Interview M. Deronjic, 03/11/99.

⁷³⁴ ICTY (IT-98-33-T). Testimony N. Mandzic, 21/03/00.

⁷³⁵ SMG, 1004/61. Monthly register Ops Room Dutchbat, 12/07/95, entry 10.44 hours

⁷³⁶ Diary Koreman, week 41, p. 25.

When Camila Omanovic arrived back at the compound with the other members of the group and she saw VRS soldiers walking around, she refused to get out of the car and asked to be driven straight to the factory complex where her family was waiting for her. As a result, she did not take part in the subsequent discussions with the refugee committee, that took place at 12.30 hours.

Because the meeting at the Hotel Fontana had come to such an abrupt end, it was not clear what was going to happen next. Although Mladic had nominated 13.00 hours as the time when the 'evacuation' would start, Mandzic as well as Karremans had been left with the impression that it could in fact take a while longer.⁷³⁷ Actually, they had been surprised that Mladic had used that word 'evacuation' and apparently wanted to take charge of the whole thing himself.

In order to get clarification as to how all this was going to be done, Boering and Rave were sent back to Bratunac while Karremans went to report to colonel Brantz. Apart from the question of the surrender and disarming of the ABiH and some comment on the improved atmosphere of the negotiations, the most important bit of information that Karremans had for Brantz was the plan to organise the evacuation in five batches. The first one would be the 'seriously wounded and wounded', the next batch would be the 'weak/less weak', followed by the 'stronger (women/children)', then men aged 17-60, and, lastly, Dutchbat itself. The situation report in which Brantz passed on this plan for an evacuation-in-batches showed that he expected that afternoon to see a start being made only on the evacuation of the first batch, the wounded and seriously wounded. There was an added note in regards to batch 4 (men aged 16-60) that said: 'will be subjected to debriefing by VRS'.⁷³⁸

13. The 'instruction to Karremans'

Brantz's message created quite a stir. It is necessary to take a moment to consider one of the many controversies that erupted almost immediately after Dutchbat's return to the Netherlands: the alleged instruction to Karremans not to cooperate with any attempt to separate men and women in Potocari. An internal reconstruction that at the request of Minister Voorhoeve had been carried out even in August as a result of stories in the media, showed how poor communications had once again led to misunderstandings here.⁷³⁹

Even at the Ministerial Council of the evening of July 11 serious concerns had already been expressed about the fate of the population. The initial preoccupation with the safety of Dutchbat had by then already made way for concerns about the future of the thousands of refugees who had sought protection with Dutchbat. Some ministers even talked about their increasing fears for the fate of the men, whose precise whereabouts were at that moment still absolutely unclear. Minister Voorhoeve even went as far as expressing his fears that there would be a bloodbath.⁷⁴⁰

When Brantz's situation report, outlining the results of the meetings with Mladic, arrived at the Defence Crisis Management Centre at 13.19 hours, the item about the VRS' planned debriefing of able-bodied men led to a shocked reaction from Voorhoeve. The Minister gave instructions to inform UNPROFOR in Sarajevo that the Dutch UN troops would not be allowed to cooperate with this in any way. The Deputy Chief of Operations, Air Commodore Hilderink, then contacted UNPROFOR. Later he could not recall whether he had talked to Nicolai, his military assistant De Ruiter, or colonel Brantz in Tuzla. Only De Ruiter vaguely remembers that the subject came up in the conversation. But he definitely did not remember having been given any kind of specific instruction from the Minister. 'It is unlikely that your instruction came through as a clear guideline from the Ministry of Defence,' the compiler of the note, acting director of the Directorate for General Policy L.F.F. Casteleijn concluded.

⁷³⁷ Interview Th.J.P. Karremans, 15-17/12/98; Testimony N. Mandzic, ICTY Krstic (IT-98-33-T), 21/03/00.

⁷³⁸ DJZ. 'Interim sitrep Col Brantz dtgr 121319 lt Jul 95'.

⁷³⁹ DS. Note DAB to Minister, D95/429, stg secret, 23/08/95. 'Instruction to LCol Karremans, 12 July last.' The note was distributed via five numbered copies. Unless stated otherwise, the reconstruction provided here is being followed.

⁷⁴⁰ Diary Voorhoeve, p. 117.

The reconstruction also showed that Karremans had telephoned Nicolai at 15.00 hours on July 12, but they have different recollections of what they talked about. The order of priorities was discussed and Nicolai had agreed to this. In August 1995, he said he remembered having expressed ‘reservations’ about the separate treatment of the men, although he did not recall any direct instruction that Dutchbat was not permitted to cooperate with the separation of men and women.⁷⁴¹ Karremans, however, did not remember Nicolai expressing any sort of objections and as a result Casteleijn came to the conclusion that the Battalion Commander never received a specific guideline from UNPROFOR.

An interesting element in the note was formed by the references by De Ruiter as well as Nicolai to the fact that they had been under the impression that it really concerned a bit of a non-problem. After all, Karremans had said a few times that there were barely any able-bodied men among the refugees; that was also what he had told Mladic on July 11 and 12. That seemed to fit in with the first messages that Sarajevo received about a possible large-scale escape attempt. However, that the reality was a little different was also picked up on in Casteleijn’s note. He pointed out that, for all that, there were ‘probably several hundreds’ of men in and around Potocari. Based on the number of people listed as missing, with ‘Potocari’ as the place where they were last seen, it became obvious only years later that even Casteleijn’s estimate had been very much on the low side and the real figure should probably have been more than 2000.

The note also referred to a list of 239 names of able-bodied men in the compound that Karremans is supposed to have ordered to be drawn up, a suggestion that he did not refute for a while and that appears to fit in with a pattern where Karremans initially took formal responsibility for decisions and actions by his subordinates during the days of the fall of the enclave. As we will see later in this part of the report, the list was actually the work of his deputy, major Franken. Karremans later declared that he had realised there were ‘more than 300’ able-bodied men in his compound only after Franken had told him about the results of a count of names on the list.⁷⁴² Until then, they had managed to stay hidden among the mass of more than 4000 people who occupied the overcrowded halls of the former factory.

A possible problem that doesn’t allow itself to be recognised stays hidden until it manifests itself of its own volition. When that happened, the situation in Potocari had changed radically and took on dynamics of its own that Dutchbat turned out to have no answers for. The prelude to this final act already took form the moment that Brantz sent his situation report to the Defence Crisis Management Centre.

14. Mladic breach of promise: the buses are coming

The run-up to the start of the deportation as well as the way it was actually carried out can be interpreted afterwards as an improvised but nevertheless well thought-out operation. ‘Improvised’ because the occupation of the entire enclave does not seem to have been part of the VRS plan, initially, and also because organising the departure of the refugees, particularly arranging the necessary transportation, was something that happened at the last moment. ‘Well thought-out’ applies to the whole pattern of the rest of the operation. It appears clear that the VRS at least partially revived the routines of ethnic cleansing for this, such as the combination of regular army units and irregular forces being used in the operation, with the latter taking care of the dirty work. However, the special circumstance that in this case a Safe Area was involved made it necessary to go about it with a little more circumspection. Mladic also knew exactly what the situation was like in the enclave; during one of his meetings with Karremans he boasted about his excellent Intelligence.⁷⁴³

⁷⁴¹ CRST. Note from Bgen C.H. Nicolai to DCBC, Army crisis staff/SCO, “‘Last days’ Dutchbat Srebrenica’, 16/08/95.

⁷⁴² Interview Th.J.P. Karremans, 16/12/98.

⁷⁴³ Interview Th.J.P. Karremans, 16/12/98.

Although occupying Srebrenica has later been described as a major strategic blunder by Mladic, he himself apparently believed he could get away with it, relying on the propaganda resources at his disposal and which were in fact extensively employed during the fall of the enclave. Another factor that is partially bound up with this notion was the way how Mladic employed the same carrot and stick tactics that he had used on Karremans on a larger scale, according to an unpredictable pattern that promoted uncertainty and dependency. Refugees as well as UN soldiers became victims of this tactic, albeit not to any comparable degree.

It was close to 13.00 hours when Lieutenant Koster, who was still at the bus depot, saw a VRS armoured car and a tank approach his post. Refugees who had spread northwards for a short distance along the road, panicked and fled back behind Dutch lines. Koster stretched red-and-white tape across the road to mark the boundary of the mini Safe Area. A bit further back, Dutchbat soldiers formed a human chain to keep the refugees in check. Initially, the VRS soldiers stopped at the tape. Some of them sat down and sang and laughed, but they could also be heard commenting on the refugees already. Koster also saw a machine gun being placed in position on the first floor of a nearby house, barrel pointing threatening in the direction of the Dutchbat soldiers and the refugees.⁷⁴⁴ Witnesses would later claim that the gun was fired over the heads of the refugees, and even directly at the refugees.⁷⁴⁵ At that moment, however, it only caused some disquiet that quickly evaporated because of what happened next.

At 13.10 hours, the Dutchbat Ops Room received a message that bread was being distributed among the refugees from a VRS vehicle, accompanied by 'a lot of camera work'.⁷⁴⁶ It also led to the 'green light' that told everybody who had still been in the bunker until then to come out.⁷⁴⁷ Just over an hour later, the vehicle moved on in a southerly direction and Lieutenant Koster tried to 'get only the car here, without the TV crew'.⁷⁴⁸ A request from the VRS 'to be allowed to stage and film the same kind of scene inside the compound' was rejected by Dutchbat.⁷⁴⁹

Later the VRS also sent in a fire engine that began to distribute water to the refugees. Both the bread and the water, incidentally, probably came from Serbia. Observers of the CFY who were watching the border between Serbia and the Republika Srpska to make sure the boycott was being maintained, reported on July 12 that the mayor of Ljubovija in Serbia had asked for permission to assist the mayor of Bratunac by loading local vehicles with bread and water for the refugees.⁷⁵⁰

This media circus formed an entourage for Mladic, who arrived around that time to personally check out the situation, and the pictures of which would later be shown all over the world. In his notes of July 14, Rave would bitterly write about 'Mladic and his band of robbers' who 'made a media show of the whole thing, with lots of TV pictures of the scumbags handing out bread and chocolate to show how sweet and kind they are'.⁷⁵¹ UNMO Kingori, who went to have a look because he had heard rumours about threats, only saw people handing out cigarettes and sweets. However, in his message he did already add the comment: 'Hope this would not prove to be a deceptive act'.⁷⁵² That his fears were well-founded was borne out by statements afterwards: as soon as the cameras had turned away, the sweets that had been given to the eager children earlier were yanked back out of their hands.⁷⁵³

The highlight of the show came a little later. The VRS soldiers who had initially stopped at the red-and-white tape stretched across the road, had begun to mingle with the crowds of refugees when major Nikolic arrived. Not long after that, Mladic also joined the throngs and talked to them

⁷⁴⁴ Interview E. Koster, 06/10/99.

⁷⁴⁵ See, among others, Debriefing statement J.H.A. Rutten, Assen, 06/09/95.

⁷⁴⁶ SMG, 1004/61. Monthly register Ops Room, 12/07, entry 13.10.

⁷⁴⁷ NIOD, Coll. Koreman. Diary Koreman, 41st week, p. 26.

⁷⁴⁸ SMG, 1004/61. Monthly register Ops Room Dutchbat, 12/07/95, entries 13.10 en 14.14.

⁷⁴⁹ *Dutchbat in Vredesnaam*, p. 313.

⁷⁵⁰ UNGE, ICFY, Box 157, file 176. ICFY HQ Belgrade, COO to ICFY Geneva, 13/07/95.

⁷⁵¹ Notes Rave. Loaned to NIOD for its perusal.

⁷⁵² NIOD, Coll. Clingendael. UNMO sitrep dtg 121240.

⁷⁵³ This was reported by several Dutchbat soldiers and refugees.

reassuringly. The cameras were running and recorded his words: ‘Anyone who wants to leave, will be given transportation; large and small, young and old. Don’t be afraid, don’t worry. Let the women and children go first. Thirty buses are on their way to take you in the direction of Kladanj. No-one will hurt you.’⁷⁵⁴ Interpreter Vahid Hodzic, who assisted Koster, overheard a part of the speech that was not included in the film. Later he gave an account of what he had heard to a colleague who at the end of 1995 remembered Hodzic’s version of what Mladic had said as follows: ‘You could have lived beautifully (nicely) in your enclave, nobody would have touched you. You could have ploughed and sown, but you want to set fire to Serb villages. You listen to the Alijas [Izetbegovic], Silajdzic’s, [Naser] Oric’s. But they took your money and fled.’ After that, he said: ‘You will be scattered from Australia to Canada and you will never see each other again. Don’t be afraid. You will all be taken away. First the women with children, then the elderly and then the rest.’⁷⁵⁵

After his constant hints during the days before at an imminent departure, Mladic’s reassuring words probably had a sort of cathartic effect. The refugees had only one wish: to get out! The fact that he also made casual mention to the option to stay, something he had also said to the refugee committee that morning, played no role.⁷⁵⁶ It was quite clear to everybody what their best course of action was, and what the word of Mladic under the eye of the camera was really worth. Deception was Mladic’s trademark, as UNMO Kingori was to find out later that day. When he asked why the men were to be separated from the rest, Mladic said this was to be able to give priority to the physically weaker women and children when the ‘evacuation’ got underway.⁷⁵⁷

Before that, Lieutenant Koster had made a number of fruitless attempts to persuade Mladic to first talk to Karremans in the compound, undoubtedly because it became obvious that the general did not intend to respect the mini Safe Area, but Mladic was not interested. He refused to talk to Karremans.⁷⁵⁸ He met Karremans only after his media show - Karremans had been alerted and the two talked for about 15 minutes at the main gate to the compound. In his book, Karremans recounts how this conversation went, saying that, among other things, Mladic offered Dutchbat to leave the same day or the following morning together with the refugees. It was clear that nothing would come of the plan of an evacuation in batches. Karremans rejected the offer, not only because it was impossible from a practical point of view – unless the battalion wanted to make the VRS a present of all its equipment – but more particularly because of the wounded. Mladic simply did not reply to his demand that these would have to be picked up first by the International Red Cross or the Norwegian medical UN unit in Tuzla, Normedcoy. However, one of the officers in Mladic’s entourage, Jankovic, who had also been present at the first meeting at the Hotel Fontana, told Karremans that the VRS would take over the responsibility for transportation. Karremans rejected that proposal, referring to the agreement that seemed to have been reached on the subject of transportation just a few hours earlier. Citing the same agreement, his announcement that Dutchbat’s local employees would have to leave together with the battalion elicited no reaction.⁷⁵⁹

Major Boering later provided a different version of how this conversation at the gate came to take place. He claims that he asked Karremans to come along with him outside the compound, because of the buses that had arrived there. He wanted to show him what was happening, so Karremans could protest to Mladic. According to Boering, his commanding officer refused and told him that it was up to Boering to get Mladic to come to Karremans. When this didn’t work, Karremans is supposed to have said that Boering should go to Mladic accompanied by Schmitz of *Médecins Sans Frontières*, but Mladic showed no interest in talking to them. When Karremans eventually did make an appearance after all –

⁷⁵⁴ Translation transcript as provided by Honig/Both, *Srebrenica*, p. 66.

⁷⁵⁵ The Bosnian State Commission for the Collection of Facts on war Crimes, (24).

⁷⁵⁶ Transcript. ‘serbian TV: report on Srebrenica July 12, 1995’, The Balkan Archive, International Monitor Institute, Los Angeles, tape no 516.

⁷⁵⁷ ICTY (IT-98-33-T). Testimony J. Kingori, 31/03/00.

⁷⁵⁸ ICTY (IT-9595-18-R61/IT-95-5-R61). Testimony E. Koster, 04/07/96.

⁷⁵⁹ Karremans, *Srebrenica*, p. 215.

how and why is not clear – Boering claims that the transport of the local population and the separation of men and women had already started.⁷⁶⁰ Franken, who according to Boering had been annoyed by Karremans' behaviour, later said he did not remember this incident and thought it was unlikely.⁷⁶¹ It does appear to be unlikely that the men and women were already being transported at this point because all available information points to their separation starting later that afternoon and it taking a while before it became clear what was happening.

Boering, who accompanied the first convoy, claimed that men were in fact being separated from the rest right from the beginning and were taken to the White House; before he left, he is even supposed to have posted UNMOs.⁷⁶² Franken believed Boering had to be mistaken, because the matter of the men at the White House became topical only on July 13 and that he, Franken, had been the one to order the UNMOs to keep an eye on that situation then. Moreover, Franken says that he saw the first four convoys to leave on July 12 also had men on board.⁷⁶³ It is not clear who is right.

The start of the removal of the population came as a big surprise to Dutchbat. It now became clear that Boering and Rave had been kept dangling in Bratunac in their attempts to get more clarity about the plans, such as when 'evacuation' would get under way and how many trucks and buses they could expect. When they returned without having achieved anything, they were shocked to see a large number of buses and big trucks standing ready on the side of the road at the compound. At that moment, UNMOs counted 12 buses and nine big trucks.⁷⁶⁴

Although almost all Dutchbat soldiers regarded this as proof that this was all part of a plan that had been put together long before, this was in fact not the case. Only the night before, the VRS had begun to collect as many buses and trucks as they could find in a wide area, a process that continued on July 12 and 13 as well.⁷⁶⁵ There were appeals for vehicles on local radio and television.⁷⁶⁶ Whatever the case, it was quite obvious that the VRS had its own agenda. Later, in Assen, with the directness that his colleagues say characterises him, he would remark that he had felt 'shafted'.⁷⁶⁷ Franken, too, who at that moment had been in the Ops Room (the command post), reacted according to those who were there with an expletive: 'Damn, they're not keeping their promises!'⁷⁶⁸ When Karremans came across Mladic again near the main gate of the compound at about 14.30 hours, he formally protested - without success.⁷⁶⁹

The deportation began close to 14.00 hours⁷⁷⁰ and it degenerated into chaos almost immediately. Refugees who were on the road and who were desperate to leave as soon as possible stormed the buses and trucks. The mass of people pushed the chain of Dutchbat soldiers into the direction of the buses, after which VRS soldiers pulled some of the Dutch soldiers out of the chain and urged the refugees to make a run for the buses. Camila Omanovic, who saw how everybody rushed for the buses, said that everybody was obsessed with the notion that they would be saved once they managed to get on a bus.⁷⁷¹

⁷⁶⁰ Interview P. Boering, 14/12/01; reply form Boering to NIOD, 07/01/02.

⁷⁶¹ Statement by telephone R.A. Franken, 05/02/02

⁷⁶² Interview P. Boering, 14/12/01

⁷⁶³ Statement by telephone R.A. Franken, 05/02/02.

⁷⁶⁴ NIOD, Coll. Clingendael. UNMO Srebrenica to UNMO HQ Tuzla, Srebrenica update: dtg 121645B JUL 95.

⁷⁶⁵ ICTY (IT-98-33-T) R.J. Butler, 'VRS Corps Command Responsibility Report, 05/04/00, p. 26.

⁷⁶⁶ Interview M. Deronjic, 03/11/99.

⁷⁶⁷ Debriefing statement P. Boering, 12/09/95.

⁷⁶⁸ Debriefing statement B.C. van Zutphen, 12/09/95. Something like it, but then in reference to a cursing Karremans, was reported by sergeant Mulder when he was being debriefed in Zagreb on July 22. Although it cannot be ruled out, it is also possible that this referred to Franken after all. SMG, 1007. Klep/Lagaune, 'report debriefing sgt1 Mulder, 22/07/95, Camp Pleso'.

⁷⁶⁹ NIOD, Coll. Clingendael. UNPF-HQ daily sitrep 120001B to 122359B JUL 95.

⁷⁷⁰ NIOD, Coll. Clingendael. UNMO Srebrenica update 121645B JUL 95.

⁷⁷¹ ICTY (IT-98-33-T) Testimony C. Omanovic, 22/03/00.

When Minister Voorhoeve in The Hague heard at 16.30 hours from Nicolai about the start of what Nicolai then still called the 'evacuation', he wrote in his little notebook: 'refugees want to go'.⁷⁷² In a written report just before that, Nicolai wrote that the 'evacuation' was 'in full swing' and he was 'not pessimistic' about the way things were going.⁷⁷³ It is not clear what he based that impression on. In a - possibly 'contaminated' - recollection Nicolai later referred to the messages of a different nature he was getting from Karremans at the time:

'They had wanted to do it in an orderly manner. Things got completely out of control. On the one hand because of the Serbs, but on the other hand also because of the Muslims. There was a run on the buses. There were people waving money around to buy a seat on a bus. They were almost trampled underfoot. Complete chaos. The ideas that we had to try and still make it an orderly evacuation certainly did not work.'⁷⁷⁴

During that first phase, Dutchbat soldiers could still move around more or less freely near the buses and among the refugees, while trying to assist people who were in danger of being trampled by the crowds rushing in.⁷⁷⁵ The buses were so full that one Dutchbat soldier described it as 'savage'.⁷⁷⁶ Gradually, however, it became more and more difficult to offer assistance and the behaviour of the VRS also began to change, according to Lieutenant Mustert:

'When the buses arrived, we just walked between them. If people did not respond quickly enough to the signals of the VRS to get into a bus, they'd sometimes get a kick of a shove and we told them to stop that. After little more than an hour they were sick of it and no longer allowed us to come near the buses. You're standing with your back to the wall.'⁷⁷⁷

One of the reasons for the feeling of powerlessness was the disarming of individual Dutchbat soldiers by the VRS. The first reports that this was happening arrived at the Ops Room just past 18.00 hours.⁷⁷⁸ Initially, VRS soldiers simply wanted to exchange weapons, something that most Dutchmen appear to have refused.⁷⁷⁹ As the afternoon wore on, the Dutch soldiers were forced - under the threat of VRS Kalashnikovs - to surrender their weapons and flak jackets. With an eye on the safety of the refugees, the Dutch soldiers had been ordered to avoid every kind of confrontation as much as possible and as a result they also gave in to the demands for the surrender of the weapons, although some did so with greater equanimity than others. Some of the debriefing officers in Assen would later form the impression that soldiers of certain platoons, such as those belonging to Lieutenant Rutten's outfit, were less inclined to surrender their weapons than others, something that they explained by differences in how different platoons looked at the job that they had to do.⁷⁸⁰ Intimidation took place in other ways as well. One Dutchbat soldier related how a VRS soldier showed him armour-piercing ammunition that the flak jackets of the Dutch would not be able to withstand.⁷⁸¹

⁷⁷² Notebook J.J.C. Voorhoeve, 12 July 1995. Made available to NIOD for its perusal.

⁷⁷³ DAB. Report C.H. Nicolai, dtg 121615B JUL 95.

⁷⁷⁴ Interview C.H. Nicolai, 11/06/99.

⁷⁷⁵ Interview E. Koster, 06/10 en 19/10/99.

⁷⁷⁶ NIOD, Coll. Koreman. Diary Koreman, 41st week-26.

⁷⁷⁷ Interview J.E. Mustert, 18/06/99.

⁷⁷⁸ SMG, 1004/61. Monthly register Ops Room Dutchbat, 12/07/95, entries 18.14 en 18.55

⁷⁷⁹ At least one instance was reported in Assen where weapons were being seen to be exchanged, debriefing report.

⁷⁸⁰ Report telephone conversations as a result of call by Defence Minister, 17/08/98, Van Kemenade, *Omtrent Srebrenica*, part 2, Appendix 7.

⁷⁸¹ *Feitenrelaas*, p. 304.

The changing attitude of the VRS appears to have taken place parallel with the fact that they began to pick men out of the rows of people with increasing frequency. Initially, the refugees had gone to the buses in a solid mass without there being any order of priority when they boarded. As a result, there were also a number of men who got onto the buses, most of whom were, in the recollections of Dutchbat soldiers who witnessed the scene, older or at least older looking men.⁷⁸²

It was probably not long – memories on this point are not consistent – before the VRS soldiers began to pick men from the lines of people and escort them to a nearby house. Lieutenant Van Duijn remembers that in first instance, the men who had been selected were driven off in a small van, reportedly for questioning in Bratunac. It was only after a while - possibly because the numbers were becoming too great - that the men were first taken to a house across the road.⁷⁸³ Van Duijn was told by VRS captain ‘Mane’ that the able-bodied men were picked out so their names could be compared to a list of war criminals that was kept in Bratunac.⁷⁸⁴ Dutchbat soldier Klaver, who had been in the human chain, saw that a small group of three men were grabbed by VRS soldiers almost immediately and taken to a nearby house, the front wall of which was only partially finished – this was not the same house as the infamous ‘White House’ diagonally across from the compound that would start to play an important role only on the second day.⁷⁸⁵

It remains unclear how many men were already picked out on July 12. Lieutenant Koster had the impression that the separation of the men really took place mainly on the 13th and only at a small scale on the 12th. As far as he could remember mostly older men were involved, although there also was one incident, where he successfully managed to keep an older teenager of around 19 out of the hands of a VRS soldier and put him on a bus. He believes this was on July 12.⁷⁸⁶

His observations about numbers and composition are confirmed by his colleague, Lieutenant Van Duijn. Initially, the latter had been at the blocking position south of the compound. The VRS had advanced on that side, too, and as a precaution Captain Groen had ordered all weapons to be stored in an APC, to avoid provocation and theft; nevertheless, VRS robbed them of everything except their personal possessions. The Dutchbat soldiers had been ordered not to cooperate with the VRS and to do nothing that could provoke violence. Van Duijn, who was a striking figure because of his height, walked north after that to assist his colleagues.

At the head of the crowd he came across a colleague sitting on the side of the road, despondently staring into space. He was just one of many cases where soldiers were overwhelmed by stress and became apathetic.⁷⁸⁷ Van Duijn took the initiative and approached a VRS officer who was known to Dutchbat personnel only by his nickname ‘Mane’ all that time.⁷⁸⁸ They agreed, according to Van Duijn after he had consulted Franken, that the VRS would pull back from the Dutchbat soldiers and the refugees for short distance and that they would then call out the numbers of people that the Dutchmen could allow to go through.⁷⁸⁹ This incident probably has to be placed in a wider context. The change in procedure probably resulted from the increasing number of incidents involving Dutchbat soldiers being disarmed as well as an attempt to literally channel the chaos into more orderly lines. A note entered into the Ops Room log book at 18.14 hours, links these two issues: ‘We probably

⁷⁸² Interview E. Koster, 06/10 en 19/10/99.

⁷⁸³ DAB. ‘Telephone conversation O. van der Wind 05/07/96 with First Lieutenant van Duijn’.

⁷⁸⁴ Interview L.C. van Duijn, 02/07/99

⁷⁸⁵ Interview L.C. van Duijn, 02/07/99.

⁷⁸⁶ Interview E. Koster, 06/10 en 19/10/99.

⁷⁸⁷ How many is difficult to say; several witness statements said that various soldiers had mentally broken down. In a point-by-point summary of his most important experiences of the past few days, Rave wrote in his notebook: ‘sld + officers/NCOs who did their job perfectly’, and ‘sld + officers/NCOs who broke down’. Notes Rave, loaned to NIOD for its perusal.

⁷⁸⁸ This was Mane Duric, acting head CSB Zvornik.

⁷⁸⁹ Rohde, *A safe area*, p. 209

have to surrender all weapons. Perhaps we can use vehicles to create a channel so we have more control'.⁷⁹⁰

Such a channel was in fact created with four APCs that were positioned on either side of the road. This allowed small groups of refugees to walk down the road for a short distance in a northerly direction, where the buses were. However, because of this arrangement, VRS soldiers standing farther down the route – some were even comfortably perched on stolen furniture – also had a better view of who walked past them. Van Duijn, too, saw that men were picked out of the row and taken to a house. When he asked the VRS Captain 'Mane' who was in charge for the reason, he was told that the men would be taken to Bratunac where their names would be compared to a list of war criminals.⁷⁹¹ Van Duijn said later that he managed to talk 'Mane' into letting about seven older and younger men board the buses. He had the same impression as Koster, that the number of men was not large and those who were selected involved mainly older men.

In this context, a striking detail is one that he told American journalist David Rohde about, who used it in a footnote in his book about the fall of Srebrenica. At a certain moment, the men who were kept in the house were also taken away separately, a first alarming sign that the 'screening' would perhaps take a different course than Dutchbat soldiers had believed at first. Van Duijn, who had been on the spot all day, only saw a group of 50 older men leave in the direction of Bratunac that day. A notable detail in his observation was that the men were put on the same truck that had taken bread to the refugees earlier that afternoon.⁷⁹² This observation is quite plausible. The CFY observers mentioned earlier who had given permission for the bread and water to be taken to the refugees, had at that time also carefully suggested to the owners that the vehicles could perhaps also be used to take refugees back with them.⁷⁹³ However, we still don't know what happened to this truck and its cargo.

There are, however, also indications that the number of men who were taken away that day may have been greater, although it remains difficult to irrefutably link some of the statements to particular dates. David Rohde placed the following story from Hurem Suljic on July 12. Suljic, who was taken away from Potocari and survived an execution, declared that a far larger number of 300, again older, men were carried off in two buses without Dutchbat noticing anything. Just before that, this group had had a visit from Mladic who had turned up again in Potocari early that evening. Suljic said that accompanied by his body guards and an unidentified UN officer (it is also possible this was an UNMO), Mladic visited the house where the men were kept. He told them that they would be exchanged as prisoners of war and that they would come to no harm. He also promised them food and water, a remark that turned out to be designed solely to fool the UN officer. Suljic said that about three quarters of an hour later, two buses and a red car – the latter has featured in other witness statements as well - stopped in front of the house. Instead of walking straight to the road, they had to go via a farm field, probably to make sure the Dutch wouldn't see them. When the buses were full, Mladic personally issued the order to leave and follow the red car. Later in this chapter we will talk more about how Suljic and other survivors of mass executions surfaced again, and their role in spreading the news about the executions.⁷⁹⁴ Not long after that, VRS soldiers began to burn luggage that the men had left behind in the yard. Klaver and a colleague later searched the house and its surrounding area for bodies, but didn't find anything.⁷⁹⁵

This incident, too, leaves room for doubt about the correct date. Burning people's possessions didn't occur until July 13, visible from the Dutchbat compound, at the so-called White House, and after the last men had been taken away.⁷⁹⁶ The statement that Klaver went looking for evidence of possible

⁷⁹⁰ SMG, 1004/61. Monthly register Ops Room Dutchbat, 12/07/95, entry 18.14

⁷⁹¹ Interview L.C. van Duijn, 02/07/99.

⁷⁹² Rohde, *A safe area*, p. 409, footnote 52

⁷⁹³ UNGE, ICFY, Box 157, file 176. ICFY HQ Belgrade, COO to ICFY Geneva, 13/07/95.

⁷⁹⁴ Rohde, *A safe area*, pp 223-224, 409-410.

⁷⁹⁵ Rohde, *A safe area*, p. 224.

⁷⁹⁶ Interview L.C. van Duijn, 02/07/99 and J.A.H. Rutten, 22/12/99.

executions also appears to fit in more with the events of July 13 rather than July 12, but it is not impossible that it took place on July 12 after all. In the course of the afternoon of the 12th, many Dutchbat members heard shots in the surrounding area that could have been executions. In view of the sometimes far-reaching implications of these and other observations to the issue of Dutchbat's performance on July 12 and 13, we will discuss this separately later in this chapter.

It is quite possible that the buses that Suljic talked about left without Dutchbat knowing about it. The initial plan had been that in case of an evacuation one Dutchbat soldier would be on every bus, but Karremans and Franken had to drop that notion from the beginning. The already heavily depleted battalion, many of whom were also at the end of their tether as a result of the huge pressures of the previous days and nights, would then run the risk of losing even more men. That would make it even more difficult to keep a grip on the situation in Potocari. The speed and scope of the evacuation formed an added problem, as Karremans told De Ruiter in Sarajevo on the phone that same afternoon.⁷⁹⁷

The lack of manpower could only be solved by having one or two vehicles with communications equipment tag along with each convoy. Captain Melchers was given the job of organising the logistics of the operation, forming the escort teams and maintaining contact. They didn't know the route of the convoy to Kladanj – the town had to be looked up on the map. The battalion's senior officers initially wanted to send Captains Melchers and Voerman on the first convoy so they could report back. However, because Melchers was temporarily occupied with other matters, major Boering offered to go with the convoy instead.⁷⁹⁸

When they arrived in Tisca with the refugees, the buses were emptied and the refugees first had to wait. Mines had to be cleared from the bitumen-sealed path through the woods that the refugees would have to follow. Lieutenant Caris, who was also present at the Tisca destination point, thought the VRS behaved better than expected, apart from one incident when VRS soldiers took a number of men off the buses.⁷⁹⁹ But other than that, they left the refugees alone. After a while, Voerman and Boering could get under way with the refugees, through a stretch of no-man's land and the tunnel that led to the territory of the Muslim-Croat Federation. There they were received by the Pakistani battalion that was in charge of dealing with the refugees who were subsequently taken to the airport near Tuzla, 'Tuzla Air Base', by bus where provisional shelter had been arranged for them. Not everybody ended up at Tuzla Air Base, incidentally; some people went their own way.

There had been very few problems along the way and according to reports from the Pakistani battalion the men who had managed to get on the first buses had also arrived safely. Boering and Voerman originally planned to return to Potocari, but once they were in Muslim territory that seemed too dangerous. After some delay, they were taken to Tuzla. There they briefly talked to Colonel Brantz and more extensively to the Joint Commission Observers about their experiences and observations of the past few days.⁸⁰⁰ They were subsequently sent to Zagreb by helicopter, to be reunited with the 55 freed hostages and the KHO-5 team that had been allowed to leave the enclave on July 15. Voerman flew back to the Netherlands, via Split, on July 16, together with the others, while Boering went to Bremen, from where he went home to Seedorf, Germany. When he got home, there was already a letter from the Ministry of Defence waiting for him to say that he was not allowed to talk to anyone about the events in Srebrenica/ Potocari.⁸⁰¹ Voerman would fly back a few days later to assist in Dutchbat's arrival in Zagreb.

⁷⁹⁷ Karremans, *Srebrenica*, p. 216. He also informed Brantz. See: SMG, 1004/61. 'Message dtg 131430 from Col Brantz (d.t.v. DCBC)', in: 'various sources to Sitcen-BLS', 13/07/95, 20:27. The meaning of this message is discussed in the Chapter 'Circus Zagreb'.

⁷⁹⁸ Interview P. Boering, 14/12/01.

⁷⁹⁹ Interview A.A.L. Caris, 03/03/00.

⁸⁰⁰ Interview P. Boering, 14/12/01.

⁸⁰¹ Interview P. Boering, 14/12/01.

The next convoys to get under way did in fact run into problems. That afternoon and evening, no less than 14 Mercedes cars were taken off Dutchbat personnel. However, the convoys could no longer be kept track of once they were past Vlasenica because of failing communications. Moreover, there was no clear picture in Potocari of the situation at the final destination, especially the fact that the refugees still had to cover a considerable distance on foot and that their reception in the Safe Area did not go as well as was being supposed. Franken said later:

‘I did not know about the hassles going on at the point where the refugees had to get out of the buses and the story of them then having to walk another distance. I had no information to be able to draw all sorts of other conclusions. That was running. At that stage we tried to get the wounded out as well, and as quickly as possible. I saw an opening to get those people out safely. You never knew with those Serbs when or how things would change again.’⁸⁰²

For Franken, this was reason to send the convoy with 54 wounded off as soon as possible, despite the late hour - it was close to 18.00 hours and dusk was not far away. To make sure there would be no problems, he had a message sent at the gate to VRS colonel Acamovic, who had been appointed by Mladic as his deputy that afternoon.⁸⁰³ The wounded convoy consisted of 54 wounded and was accompanied by 10 local nurses of *Médecins Sans Frontières*, as well as a few Dutchbat soldiers led by a (Dutch) Navy doctor, Colonel A. Schouten. The convoy arrived in Tisca well after midnight, and only a limited number of the wounded were allowed to go across the border. Men who pretended to be wounded and some of the nurses were taken away by the VRS. The rest of the convoy returned to Potocari, but was stopped at Yellow Bridge. While they were kept waiting there, one of the wounded men died. In the end the convoy drove back to Bratunac, where the wounded were admitted to the local hospital. Dr Schouten stayed with them during the next several days.⁸⁰⁴

In the light of Franken’s comments on his motives for sending the convoy of the wounded away, it seems fair to assume that Dutchbat personnel began to realise only after this that there were problems involving the transport of the men. The VRS foiled attempts to follow the buses that were carrying men by blockading the road at the edge of Bratunac and were refusing the Dutch escorts to pass. The Dutch also noticed that the same buses were back within an hour, leading them to conclude that the men had probably left the buses somewhere near Bratunac. Because of a shortage of vehicles that could be used to escort the refugees, it sometimes happened that there just wasn’t anything available. ‘A bus has just left without a (Dutchbat) escort,’ the watch commander reported at 21.16 hours.⁸⁰⁵

This was probably one of the last buses to leave Potocari that day, although it is not clear at what time precisely the evacuation stopped. It wasn’t until 22.45 hours that the UNMOs sent a message that the convoys had been halted because of the falling darkness.⁸⁰⁶ Six convoys, carrying an estimated 4000-5000 people had left the factory complexes around the compound.⁸⁰⁷ The day seemed to have come to an end for the VRS soldiers as well. Some of them told lieutenant Van Duijn that were going to Bratunac to celebrate their victory at the Hotel Fontana and would come back only the following day.⁸⁰⁸ At 21.00 hours and 22.30 hours, two groups of VRS soldiers totalling 70 and 75 respectively

⁸⁰² Interview R.A. Franken, 21/05/01.

⁸⁰³ Interview R.A. Franken, 21/05/01.

⁸⁰⁴ The problems around the wounded convoy are comprehensively described in the Appendix ‘Dutchbat and the population: medical issues’.

⁸⁰⁵ SMG, 1004/61. Monthly register Ops Room Dutchbat, 12/07/95, entry 21.16

⁸⁰⁶ NIOD, Coll. Clingendael. UNMO Srebrenica to UNMO-HQ Tuzla, Srebrenica update: dtg 121645B JUL 95,

⁸⁰⁷ UNGE, UNPROFOR, Box 216, file BHC 6 Jul-27 Aug ‘95. UNPF-HQ daily sitrep 1200001B to 122359B JUL 95.

⁸⁰⁸ Interview L.C. van Duijn, 02/07/99.

assembled on the road outside the compound at the point of the main gate. The watch commander saw them get into a 'city bus' and disappear in the direction of Bratunac.⁸⁰⁹

A few minutes before the last group got on the bus, the Ops Room got a message from the factory complexes: 'sudden panic among the refugees. Probably because of a small group of Serbs having a bit of fun. Trying to solve it.' Fifteen minutes later: 'All is calm again. Two injured. One man bitten by dog. One man hit himself on the head with a brick. Are now treating them'.⁸¹⁰

At the 'channel' created by the four APCs on the road, Koster and Van Duijn had been instructed by the VRS to clear the road of refugees and join them.⁸¹¹ Van Duijn was told that the road would be used to send troops to Zepa, Mladic's next target.⁸¹² The Ops Room received a report at 23.16 hours about two jeeps driving in the direction of Srebrenica.⁸¹³ Koster later said he had seen Mladic pass twice that night, first when he (Mladic) was on his way to Srebrenica and then again when he came back, but apart from the report we mentioned earlier, the Ops Room log book contains no other mention of traffic on the road. However, witness statements from refugees say they saw vehicles passing regularly, filled with Serb soldiers and civilians.⁸¹⁴

The possible connection between this traffic and the reported panic outbreak as well as later panic waves that remained unreported in the log book is part of an analysis of the events that took place during the night of July 12-13. The main questions concerning the performance of Dutchbat and the fate of the refugees in Potocari, relate to this night in particular and the following morning.

15. Dutchbat and the problem of the murders in Potocari: the rules

The impression that Dutchbat personnel witnessed more war crimes than they have actually talked about lies at the root of one of the most crucial questions surrounding the entire performance of the battalion. That question is bound up with another question that has been asked publicly: why didn't Dutchbat do more to prevent what in the public discussions was soon routinely called genocide?⁸¹⁵ This issue moved even more into the limelight following the investigations ordered by UN Secretary-General Annan in 1999 into the events in Srebrenica. In this report, Dutchbat's military performance that until then had been much criticised, was put into more perspective by way of a large number of comments that emphasised Dutchbat's inevitable powerlessness, especially because of the failure of UN air power. The questions and criticisms therefore now focused even more on the ostensibly inadequate reporting by Dutchbat of war crimes that were being observed and of indications of large-scale violations of human rights.

Before we talk about the events themselves, it is necessary to take a closer look at the formal framework that was in place for missions or SOPs within UNPROFOR. This framework consisted of the Standing Operating Procedures of UNPROFOR and, in particular, Standing Operating Procedure 208, 'Human rights and war crimes'. Standing Operating Procedure 208 was based on all relevant international conventions, charters and Security Council resolutions to do with human rights and war crimes.⁸¹⁶

⁸⁰⁹ SMG, 1004/61. Monthly register Ops Room Dutchbat, 12/07/95, entries 21.58 and 22.38

⁸¹⁰ SMG, 1004/61. Monthly register Ops Room Dutchbat, 12/07/95, entries 22.30 and 22.46

⁸¹¹ Interview E. Koster, 06/10/99.

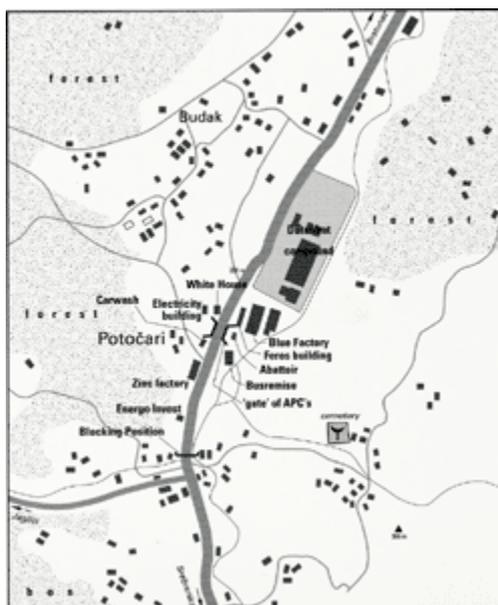
⁸¹² Interview L.C. van Duijn, 02/07/99.

⁸¹³ SMG, 1004/61. Monthly register Ops Room Dutchbat, 12/07/95, entry 23.16.

⁸¹⁴ Interview Camila Omanovic, 18/05/99.

⁸¹⁵ The use of the word 'genocide' is not being questioned here. It simply reflects its public use in relation to Dutchbat.

⁸¹⁶ To wit: A: Geneva Conventions of 12 August 1949 for the Protection of War Victims; B: The Hague Convention (IV) respecting the Laws and Customs of War on Land and the Regulations annexed thereto of 18 October 1907; C: Convention on the Prevention and Punishment of the Crime of genocide of 9 December 1948; D: Charter of the International Military Tribunal of 8 August 1945; E: Security Council Resolutions 764 (1992), 771 (1992) 780 (1992), 808 (1993) and 827 (1993); F: Report of the Secretary-General pursuant to paragraph 2 of Security Council Resolution 808 (1993). Standard Operating Procedures UNPROFOR (01/09/93), SOP 208, Human Rights and War crimes.



Apart from the UNPROFOR troops, the warring factions in Srebrenica had also been formally informed of the applicable laws and rules of war and they had all formally accepted the validity of these laws. The preamble of the demilitarisation agreement signed by generals Mladic and Halilovic on 8 May 1993 reconfirmed that ‘the Geneva conventions of 12 August 1949 and the protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed (Protocol 1) are fully applicable in the conflict in Bosnia [sic] and Hercegovina [sic]’.⁸¹⁷ Signs placed on access roads to the Safe Area also gave notice of all this.

On the one hand, the purpose of Standing Operating Procedure 208 was to act as a deterrent to the warring factions in the short term, and, on the other hand, to create the possibility in the longer term for the Yugoslav Tribunal Prosecutor(s) to charge people who committed war crimes. UNPROFOR soldiers therefore had an obligation under this Standing Operating Procedure to make sure that all physical evidence of war crimes that they observed was secured and kept in a safe place. If they were approached by civilians who claimed to have information about possible war crimes, they had to explain to them that they had no authority to carry out investigations themselves. However, they did have the obligation to send all information, including witness statements, to the Bosnia-Hercegovina Command immediately, attention of the Legal Advisor. The latter would be responsible for further distribution and processing. In view of all this, a simple, well-structured and properly coordinated reporting procedure would be required and it was essential to have the support of all units and organisations in the operational area.

An appendix to Standing Operating Procedure 208 listed various examples of violations of the rules/laws of war and of human rights. The first one concerned the killing or wounding of enemy soldiers after capture or surrender. The same applied to civilians. This point further specified things like the indiscriminate bombing of civilian targets, sniper fire, and random executions. The third point concerned torture and cruel or inhuman treatment and forced labour. Examples of this included forced movements of people through the confrontation line and poor treatment of people who were being detained. Other points related to, among other things, ‘forced eviction from apartments, houses villages or cities’ but also unauthorised use of internationally recognised symbols and badges and insignia of organisations such as the Red Cross and the United Nations. The list ended with a safety net: ‘This list is not complete, when in doubt report anyway’.⁸¹⁸

⁸¹⁷ The document has been included as Appendix 4 opgenomen in: Karremans, *Srebrenica*, pp. 269-272.

⁸¹⁸ Standard Operating Procedures UNPROFOR, September 1993.

Notable in the Dutch-language Standing Orders of Dutchbat, which include some translated Standing Operating Procedures, the reference to procedures to do with humanitarian crisis situations and human rights violations has been omitted. The summary of standard report forms does not include the form that Standing Operating Procedure 208 refers to. However, the Standing Operating Procedures and other relevant instructions, such as the Force Commanders Directives, are presented as being applicable to the execution of the battalion's tasks. That serves as an illustration of the fact that reporting procedures on humanitarian matters were as yet poorly developed within UNPROFOR as a whole.⁸¹⁹

It is difficult to say to what extent the Dutch soldiers were fully aware of the existence of the procedures and the rules of law that were in force in regards to human rights violations. When people were being debriefed in Assen, they were all asked whether they had known about the rules/laws of war that had applied to the situation in Srebrenica, something that they had been taught about during training. Of the servicemen and women who were asked this question, 189 replied 'that they found it (their knowledge of the rules etc) adequate'. It's impossible to say whether this was just a routine answer that did not necessarily reflect reality. In any case, there were in fact some among those attending the debriefing sessions who said they didn't think their knowledge had been sufficient. Thirty-two of them said the theory did not fit reality, and about twenty even said they had received no instruction in the rules and laws of war at all.⁸²⁰ Strangely, the debriefers in Assen did not ask anyone whether he or she had also been familiar with the procedures in regards to violations of those laws; it's even doubtful that the debriefers themselves knew anything about these.

In determining how this formal framework functioned and to what extent Dutchbat soldiers used it as the basis for their actions, it is necessary to make an analytical distinction between the different groups of servicemen that this question is concerned with. The failure to make this distinction in many of the later public discussions about Dutchbat's role has led to matters getting confused and obscured in efforts to find explanations. Events at different locations and different points in time were sometimes mixed up, as a result of which the media, for instance, regularly created the impression that 'thousands of Muslims were murdered literally under the eyes of Dutchbat'. This completely ignores the fact that in reality the majority of the thousands of missing men died in their attempt to escape to Tuzla or at execution locations outside the enclave.

To begin with, there was the large group of servicemen who belonged to the main force in the Potocari compound and who eventually left the enclave on July 22. Within that group a distinction can be made between those who escorted the refugee convoys, and those who stayed behind in Potocari. In addition, there is the group consisting of OP crews taken hostage, totalling 55 soldiers, who were already released by the VRS on July 15 and arrived in Zagreb soon after. They got there more or less at the same time as the doctors and nurses of the KHO-5 group from Potocari who had been given permission for their postponed rotation, also on the 15th. The Dutchbat servicemen in Potocari are the main focus of this chapter, with the exception of the KHO group that we will talk about separately later.

The only official reports of murders that were sent from the enclave came from Lieutenant Colonel Karremans, who told Sarajevo on July 13 that nine to 10 bodies had been found and that there had been a possible observation of an execution. Karremans has always maintained that these were the only reports that had reached him from the battalion.⁸²¹ After the battalion's return from Srebrenica to Zagreb, Army Commander in Chief Couzy based his comments at his press conference on July 23 in

⁸¹⁹ Interview Peggy Hicks, 10/07/00. At the time, Hicks worked for the Human Rights Office (HRO), part of the Legal Office of the Civil Affairs department at the UNPF HQ in Zagreb. She was involved in the investigations into the events in Srebrenica.

⁸²⁰ SMG/Debrief. *Feitenrelaas*, par.4.7. Knowledge of the laws/rules of war, p. 311.

⁸²¹ SMG/Debrief. Debriefing C-Dutchbat 3, copy own text LCol Karremans, Deventer, 06/09/95 (Stg confidential/permanent) p. 13.

Zagreb on the same reports. Prior to his press conference statements, he said: ‘I have here the exact facts as we know them so far and we think they’re virtually complete’.⁸²²

However, the large-scale debriefing of Dutchbat in Assen that had been ordered by the Ministry of Defence in the autumn of 1995 already showed that there had been a number of indications of other murders. These indications were partially touched upon in the debriefing report, and in more detail in the so-called Factual Account Debriefing ‘srebrenica’ that was made public only later. Yet the number of confirmed and possible deaths on the basis of the debriefing only very slightly increased compared to the number reported by Karremans and Couzy. Based on the new information, the Ministry of Defence set the number of deaths at 13 to 14.

However, about that same time, early in October 1995, there were more and more stories in the media that pointed to massacres on a significantly larger scale. The publication at the end of August of American aerial photographs that possibly showed mass graves, had put many journalists on the trail. A lot of the information that they subsequently put together was based on statements from refugees and people who had survived executions. Part of that related to the mass executions that had taken place on locations outside the enclave. But other stories suggested that dozens and possibly hundreds of people had fallen victim in Potocari as well, near or perhaps even literally in full view of Dutchbat personnel. It is obvious that there was a proportional increase in the number of questions being asked about the role played by Dutchbat.

16. The question of numbers

To put the problem into sharper focus, it is necessary to first determine whether there is a numerical basis that can serve as a starting point for answering any questions about the actions of Dutchbat and the statements they themselves made about that later. Until now, those statements have not - or barely - been analysed in relation to material from other sources that do point to large-scale murders.

Over the years, many refugees have been interviewed, by different bodies, under different conditions and at different points in time, all of which influenced the way their statements came about. From the very beginning, the reliability of witnesses and to what degree their stories could be verified were the problems faced by journalists as well as investigators from all sorts of organisations, including those of the NIOD. This means that it is difficult to make a fully-reasoned selection of witness statements that can be called representative of what took place in Potocari.

Another complication in all this is that there has, to date, been very little in the way of supplementary forensic investigation that could support statements. Of all efforts made by the designated body, the Tribunal in The Hague, to reconstruct events in Srebrenica, only a small part focused on possible massacres in Potocari.

In 1996, when the Tribunal was working on the charges against Karadzic and Mladic, Tribunal Investigator Ruez already testified that ‘dozens’ and possibly even more people had died in the night of July 12-13.⁸²³ At that time, he based this mainly on eyewitness statements because there had as yet been little or no time for additional investigations. At the start of general Krstic’s trial in 2000, Ruez declared that there still were gaps in regards to what was known about events in Potocari, which hopefully would be closed in the course of the trial.⁸²⁴ He and his colleagues were, after all, primarily concerned with the large-scale executions, in finding locations and victims as well as those who had been responsible for them. In point of fact, a number of witnesses were presented during a later stage of the trial, including some members of Dutchbat, who had to support the prosecutor’s claim that large numbers of men had been murdered in the immediate area of Potocari. However, because no mass graves were found there, the Tribunal also remained in the dark as to exactly how many victims

⁸²² NIOD, Coll. Kreemers. ‘Excerpts from press conference in Zagreb, 23/07/95 (full text of the introduction by Lieutenant General H.A. Couzy)’. Also in: *Diary Voorhoeve*, pp. 134-135.

⁸²³ ICTY, (IT-95-18-R61/IT-95-5-R61). Testimony J.-R. Ruez, ICTY, Karadzic and Mladic, 03/07/96.

⁸²⁴ ICTY, (IT-98-33-T). Testimony J.-R. Ruez, 30/03/00.

probably were involved, although based on the witness statements and forensic evidence that had also been gathered by then, the belief was that at least 80 and possibly a few hundred men had been killed in the Potocari area. The witness who gave evidence of a group of 80 men being taken away, provided, for instance, the detail that a hole had been cut for this in a barbed wire fence, making it possible to walk via a farm field in the direction of the forest. Tribunal investigators did in fact later find a provisionally patched hole in the location the witness had indicated.⁸²⁵

This sort of evidence increases the credibility of the statements, but doesn't remove all the drawbacks inherent in the use of sources like this. And although the Tribunal investigators did in fact, as Ruez promised, provide supplementary evidence for the murders in Potocari, we definitely cannot say that they closed all the gaps (in the available evidence).

The amount of qualitative source material about massacres in and around Potocari is so great in volume and provides so much detail that even the most conservative interpretation of the available information will show up the striking difference with the statements from the Dutchbat side. Determining the scale of the murders as exactly as possible plays an important role in explaining this contrast. Proper estimates are, however, difficult because much of the available quantitative information can only be treated with great caution.

Many of the figures that circulated about the numbers of refugees and the composition of the population still present a problem today. During the existence of the Srebrenica enclave as well as afterwards, it was difficult to get a reliable picture of the total number of people that were inside the enclave at the time of the attack. An added complication is that the discussion is subject to a political mortgage. The outcome of the count has a direct effect on all calculations of the numbers of people missing and, therefore, also on the question of, for instance, whether the scale of these numbers justifies the use of the word 'genocide'. Not surprisingly, the (Bosnian) Serb side has always expressed its doubts about the numbers of victims that are being claimed.⁸²⁶

Right from the beginning, those who were directly concerned also had difficulty trying to determine how many refugees there were in Potocari, inside the compound as well as outside. Counts were done at various times, by Dutchbat as well as UNMOs. In the description of events on July 11, we already talked about how Lieutenant Koster tallied up the numbers of refugees who came to Potocari and were sent on to the compound in groups of 25. In doing so, the Dutchbat soldiers made no distinction between men and women. It was only on July 13 that it became clear how many men were in the compound and in what age groups. Men in the able-bodied group, the category aged 15-60, became visible in the so-called 'list of 239', also known as 'Franken's list'. This list was drawn up after Franken had talked to two refugee representatives, Nesib Mandzic and Ibro Nuhanovic. However, the '239' handle is misleading because it is based on a hasty, incorrect count by Franken of the names on the list before he signed it. In reality, the list had 251 names on it. Franken and former interpreters said that about 70 men refused to put their names on the list because instead of protection they only expected problems if the Bosnian Serbs found their names on it.⁸²⁷ That would make the total number of able-bodied men present at the time about 320.

In reality, the total number of men in the compound was larger by an as yet unknown factor. Franken said that the refugee committee that took charge of the registration of people did not put elderly men on the list because they were expected to run less of a risk.⁸²⁸ Moreover, other information shows that boys younger than 15, even as young as 12, were pulled out of the refugee ranks by the

⁸²⁵ ICTY (IT-98-33-I) OPT Ex. 5/1.

⁸²⁶ For a recent example, see: C. van Zweeden, 'VN-diplomaat: minder executies in Srebrenica. Lijst van vermisten klopt niet' ('UN diplomat: fewer executions in Srebrenica. List of missing is incorrect'), *Haarlems Dagblad*, 27/06/01. The Bosnian Serb diplomat concerned is Darko Trifunovic, who investigated the events in Srebrenica himself for years. Interview D. Trifunovic, 10-12/06/98.

⁸²⁷ Interview R.A. Franken, 18/05/01. Franken later noticed his own mistake.

⁸²⁸ 'Concept-report of conversation between Defence Minister J.J.C. Voorhoeve and major R.A. Franken on 28 August 1995'. Included in: *Diary Voorhoeve*, pp. 149-154 (151).

Bosnian Serbs when the compound was cleared late on the afternoon of July 13. Probably based on similar reasoning, Franken eventually came up with an estimate of 350 men having been in the compound.⁸²⁹

It needs to be commented here that not all men on the list were killed. A small number ended up in the prison camp of Batkovici near Bijeljina and were released in December 1995 as part of the Dayton Agreement, together with another group of men who came from Srebrenica.⁸³⁰

At the time of 'Franken's list', there were other estimates in circulation. Karremans believed that five percent of the total number of refugees, that he then estimated at 15,000 to 20,000 people, were men, in other words about 1000.⁸³¹ Franken later told the Tribunal that he thought there were 500-600 men outside the compound, bringing his total estimate to 850-950.⁸³² One estimate that was probably fairly accurate, of the number of men who were in the area marked off by tapes, came from a male refugee who survived. According to his count, the Serbs pulled about 1000 people out of the crowd outside the compound on July 12 and 13, most of which were men.⁸³³

The estimates by Karremans and Franken are in stark contrast with the one by a Dutchbat interpreter, Omer Subasic. In a comment on the debriefing report, he said he believed about 2000 men to have been in Potocari.⁸³⁴ In an extrapolation of the figures, the Tribunal also came to a total of 2000 men, three-quarters of them in the able-bodied category. Sergeant W. Sanders of the Supply platoon, who had been involved in the efforts to deal with the incoming stream of refugees, also arrived at a higher estimate, albeit by a considerable margin. He saw 'very few men' among the refugees and estimated their number at between five and 10 percent of a total of 5000 people inside the compound and about 25,000 outside it.⁸³⁵ That would mean there would have been 1500-3000 men. This last figure corresponds with the numbers that UNMOs mentioned in their reports, namely 3000 men.⁸³⁶ What this high number is based on is not clear because the UNMOs hardly ever patrolled outside the compound in Potocari, where they had already arrived on July 9. They, in turn, probably based their figures on estimates that they got from their interpreters, but for obvious reasons the latter didn't have any freedom of movement left either once the VRS had arrived in Potocari. Which is why Tribunal investigator Ruez urged caution when he mentioned this figure as a starting point for his sketch of the massacres in Potocari. He said he regarded it as 'as a very rough estimate'.⁸³⁷

⁸²⁹ ICTY, (IT-98-33-T). Testimony R.A. Franken, 04/04/00.

⁸³⁰ Interview Bosnian journalist Saleh Brkic, 10/09 and 11/09/99. This was also confirmed by Amor Masovic, chairman of the Bosnian State Commission for tracking down missing people, who mentioned the number of five men. Interview Amor Masovic, 05/08/98, details ICRC of numbers in Batkovici.

⁸³¹ CDS. 'Report of conversation with Lieutenant Colonel Karremans, 16 August 1995'. Appendix to: note DAB to Minister for Defence, 'Instruction to Lieutenant Colonel Karremans, 12 July last.', D95/429, 23/08/95. In later statements, Karremans adjusted the number of refugees upwards, putting it at 25,000. See: SMG/Debrief. Debriefing C-Dutchbat 3, copy own text LCol Karremans, Deventer, 06/09/95 (Stg confidential/permanent) p. 13.

⁸³² ICTY (IT-98-33-T). Testimony R.A. Franken, 04/04/00. According to former interpreter Hasan Nuhanovic, representatives of the refugees made an estimate on July 13, at Franken's request and before the list of men in the compound itself was drawn up, that amounted to 2000 men outside the compound and 500 (10 percent of the estimated total of 5000 refugees) inside the compound. See: 'srebrenica List of 242', Letter Hasan Nuhanovic to Mient-Jan Faber, part 2, in: *Trouw*, 13/07/99.

⁸³³ BiH State Commission for the collection of facts on war crimes, Zivinice, (1).

⁸³⁴ Interview Omer Subasic, 19/04/98.

⁸³⁵ SMG/Debrief. Debriefing statement W.J. Sanders, Assen, 08/09/95. The total of 30,000 people was also in line with the estimate of Nesib Mandzic, who mentioned this figure to Mladic. See: ICTY (IT-98-33-T), OTP Ex. 40/a. Transcripts conversation with Mladic, 11/07/95.

⁸³⁶ See for instance the statement by ICTY (IT-98-33-T). UNMO J. Kingori, 31/03/00.

⁸³⁷ ICTY (IT-98-33-T), Testimony J.-R. Ruez 20/03/00. A few years earlier, during the charging process against Karadzic and Mladic, he had been considerably less cautious. See: 'Moslims ook nabij basis Dutchbat massaal vermoord' ('Muslims also murdered en masse near Dutchbat base'), *De Volkskrant*, 04/07/96.

17. Reports on missing people

To get to firmer ground, we therefore have to look at sources other than just Dutchbat and the UNMOs. The best source we can use for this are the figures based on a demographic study carried out at the request of the Tribunal by researchers Helge Brunborg and Henrik Urdal, which we already talked about in Chapter 2.⁸³⁸ The background to that request from the Tribunal were the claims that were made soon after the fall of the enclave, especially from the Serb side, that the reports about the numbers of people in the enclave and of the dead and missing were incorrect and had even been deliberately manipulated. Especially the so-called Serbian Unity Congress (SUC) made these kinds of comments, often on the Internet. To put an end to the continuing doubts, the Tribunal Prosecutor in the Krstic trial decided to ask for a count that was as accurate as it could possibly be.

To draw up a list of missing people who were to be linked to a place of disappearance, the researchers took the so-called ante-mortem database of the American humanitarian organisation Physicians for Human Rights as their starting point. Based on interviews with survivors, this database contained as much information as possible that could assist in the identification of bodies. However, all figures relating to numbers (of dead and missing) that come from this list, but also from other lists such as, for instance, the International Red Cross, are being regarded as minimum figures: because only direct family could report someone missing, it is possible that some people were never reported dead or missing because their immediate families had also perished, or because the international diaspora of many refugees prevented it. There are, for instance, examples of identified bodies that were found in mass graves but whose names had not been on any missing lists.⁸³⁹ The number of missing women that show up in the figures is also conspicuously low. Although the difference with the number of missing men fits in with the general picture that it was the men, in particular, who had been targeted, the number is so low that it is difficult to reconcile with witness statements about girls and young women being taken away. So the real number of men as well as women (that are dead and missing) is probably higher by an as yet unknown factor.

Shown below is a table of the last observations of missing people from Potocari, and it will serve as the starting point for the rest of the analysis:⁸⁴⁰

Males

	0-15	16-40	41-60	61-99	Total
11 th of July	3	99	236	128	466
12 th of July	10	107	343	172	632
13 th of July	15	156	416	228	815
					1913

Females

	0-15	16-40	41-60	61-99	Total
11 th of July	0	1	0	0	1
12 th of July	1	0	0	1	2

⁸³⁸ 'The number of missing persons from Potocari, Srebrenica, 11 – 13 July 1995', internally produced extrapolation by staff of the Prosecutor's Office at the Tribunal, made available to the NIOD. The extrapolation is based on information from: Helge Brunborg and Henrik Urdal, *Report on the number of missing and dead from Srebrenica*, 12 February 2000. ICTY Krstic (IT-98-33-T), OTP Ex. 276; also H. Brunborg, H. Urdal and T. Lyngstad, 'Accounting for genocide: how many were killed in Srebrenica?' (draft paper presented at the Uppsala conference on Conflict data, Uppsala 8-9 June 2001), 06/06/01. Loaned to NIOD by H. Brunborg for its perusal.

⁸³⁹ ICTY (IT-98-33T), Testimony H. Brunborg, 01/06/00

⁸⁴⁰ 'The number of missing persons from Potocari, Srebrenica, 11 – 13 July 1995', internally produced extrapolation by staff of the Prosecutor, based on report by Brunborg and Urdal; made available to NIOD.

13 th of July	0	0	1	2	3
					6

There are different ways of approaching these figures because they contain information that also plays a role in other issues. For now, however, it is more important to begin with the total of the men, the 1913 who are listed missing.⁸⁴¹ To answer the question that is the main focus of this chapter, the biggest problem is the number of 466 observations on July 11. It appears to be justified not to include these men in the calculations. After all, an unknown but undoubtedly high number of these men were among those who, after saying goodbye to their families who they had accompanied to Potocari, had gone into the hills for the trek to Tuzla.

Another complication here is that some witnesses claim that even in the night of July 11-12, people had already been taken away from the factory complexes in the area marked off with tape by Dutchbat. However, this is not very likely because the VRS appeared in Potocari in the course of July 12. In fact, many witnesses made a point of mentioning how quiet the first night, of July 11-12, had been compared to the second, of July 12-13. In many cases, such comments were accompanied by observations that, comparatively speaking, there had been many Dutch soldiers in the area during the night of July 11-12, but a lot fewer during the second night. That picture could be right: in the night of July 11-12, the blocking position was still in place on the south side of the compound and there was a sort of barricade manned by Dutchbat soldiers on the north side as well. There was a *Médecins Sans Frontières* post and a Dutchbat medical post at the bus depot, and medics were making regular rounds during the night. During the night of July 12-13, the monitoring activity was much lower, as will be discussed later.

A possible explanation for the stories about the first night may be provided by the phenomenon that the chronology of observations and memories has been telescoped and eventually even completely mixed up. All in all, for the purpose of the analysis it seems justified to ignore the numbers listed for July 11. To try and prove the supposition that many more murders were committed in Potocari than Dutchbat saw and reported, the numbers for July 12 and 13 offer sufficient leads.

As the table shows, the number of men who were last seen in Potocari on July 12 and 13 is 1447. In estimating the number of men who went missing in Potocari, it is also important to know how many of them were deported. Two to three hours after the unexpected start of the deportation on the 12th, when Dutchbat had managed to regroup a little and tried to introduce some structure in refugee transports, they began to keep tally of the numbers of refugees getting onto the buses. According to Franken, the number of buses had been kept track of from the start. After it had become clear that men were taken away in buses separately, tallies were being kept of those buses as well, by a soldier standing at the gate of the compound.⁸⁴² The figures were to be used to compare them with the numbers of people who arrived in Kladanj, or as a check option for the four static check posts that Karremans had been forced to set up along the evacuation route the next day after most of his vehicles that tried to escort the convoys had been stolen. Unfortunately, the tally lists have not survived - according to the then acting Battalion Commander Franken they were probably destroyed.⁸⁴³ However, a report from Karremans to Christina Schmitz of *Médecins Sans Frontières*, late on July 12, gives us some indication: Karremans told her that 70 buses each carrying 70 people - 4900 all told - had left Potocari.⁸⁴⁴ The surprising thing about this report is that Karremans says nothing about the use of trucks and semi-trailers to take people away, while it does appear that they were already used on July 12 as well. In any case, they are clearly visible in the video images shot by Warrant Officer Dijkema of the deportation.

⁸⁴¹ According to Brunborg, the total number of missing from Potocari was 2280, but a number of these were later still seen in other places. This became clear by comparing the lists of names of the ICRC and PHR. ICTY (IT-98-33T). Testimony H. Brunborg, 01/06/00.

⁸⁴² Interview R.A. Franken, 18/05/01. At least on the 13th this was soldier Verbugt.

⁸⁴³ Interview R.A. Franken, 18/05/01.

⁸⁴⁴ MSF, Brussels. Capsat Christina (Schmitz) to Stefan (Oberreit), 13 July 1995, 01:52:42.

Numbers that turn up in a UNPF document of July 15 add up to a total of about 1000 men being carried off. The document is a fax from Ken Biser, head of Civil Affairs in Tuzla, who had been appointed by headquarters in Zagreb as 'lead officer UNPROFOR contact on the ground in the Srebrenica area'.⁸⁴⁵ The figure was made up of 293 people, probably able-bodied men, who had been 'removed from the compound, and another 700 or so, also able-bodied men, who had been among the 15,000 to 20,000 refugees outside the compound.'⁸⁴⁶ Those figures are roughly comparable to the figure of '700-1000' suspected prisoners kept at the Bratunac stadium that Franken mentioned to Christina Schmitz on July 15.⁸⁴⁷ And in conclusion, there is an obscure, probably Serb, source that claims that a group of men, 'amounting to about 500 or 750 (or 2%-3% of 25,000) were transferred to Bratunac, where they were screened for a check of war crimes'.⁸⁴⁸

If Franken's highest number of 350 men in the compound and Biser's reported number of 700 men deported from outside the compound (adding up to a total of 1050) are compared to the 1447 of the table, a gap of nearly 400 men who possibly disappeared in Potocari remains. To be able to take this number as a starting point, it is necessary to first consider a statement that may have a bearing on this. The description of the first deportations on July 12 already mentioned the story of Hurem Suljic, who was taken away from Potocari and survived an execution. Suljic claims that no less than 300 men were removed without Dutchbat knowing anything about it, at the direct orders of Mladic. They were put into two buses who then followed a red car.⁸⁴⁹ If Suljic is correct in believing that a large number of men escaped the attention of Dutchbat, then the number of men who left Potocari - not counting the compound - is not 700 as counted by the Dutch, but 1000. As a result, the gap of 400 is reduced to 100 men that we cannot account for.

It is difficult to say how reliable Suljic's statement is, but it does leave room for some annotations. A weak point in his story is, in particular, the number of people in relation to the number of buses that were supposed to have been used. Three-hundred people in two buses does appear to be an extraordinary number, even if people were literally squashed, with their noses to the windows. That did in fact sometimes happen.⁸⁵⁰ Still, even then the figure of 150 people per bus seems on the high side. There are reports from Dutchbat members about two buses each carrying 50 people, but because different types of buses seem to have been used, this doesn't give us a definite answer as to the maximum number of people per bus.⁸⁵¹ As we mentioned earlier, Karremans, for instance, was talking

⁸⁴⁵ See UNGE, UNPF, Division of Civil Affairs UNPF HQ, box 25/77, 04/04-23/08/95. Fax M. Moussalli, HCA Zagreb, to Ph. Corwin, CA HQ BHC Sarajevo, 12/07/95.

⁸⁴⁶ See for in stance: UNGE, UNPF, Division of Civil Affairs UNPF HQ, box 25/77, 04/04-23/08/95. Fax K. Biser to Ph. Corwin, Srebrenica update/Tuzla weekly report, 15/07/95. UNPF B&H sector NE (Tuzla) Civil Affairs. The number of 293 was almost certainly in reality the number 239 - the infamous list - that had been passed on incorrectly either as a result of stress of inadequate command of English by interpreter Hasan Nuhanovic in a telephone conversation with Biser on the 13th of 14th. (Interview Hasan Nuhanovic, 05/08/98). The misunderstanding leads to a difference that, however, is offset again for a large part by the correction that has to be applied to the 'list of 239'.

⁸⁴⁷ MSF, Brussels. Capsat Christina (Schmitz) to Stefan (Oberreit), 13/07/95, 01:52:42. This figure then began to circulate in Zagreb as well.

⁸⁴⁸ This undated and unauthorised document goes under the heading 'Case study Srebrenica', and is, apparently, a 'summary' of a larger work entitled 'Ignored massacres of Bosnian Serbs and alleged massacre of Muslims'. The figures are in paragraph 26, 'Fall of Srebrenica'. It's just as obscure what the figures are based on. The document can be found on the pro-Serb website of the Toronto-based 'Centre for Peace in the Balkans': <http://www.balkanpeace.org>

⁸⁴⁹ Rohde, *A safe are*, pp. 223-224, 409-410 (note 52). A number of Dutchbat statements in Assen talk about a relatively late-model Toyota Celica, red in colour, that belonged to a VRS officer who was apparently in charge at the White House. SMG/Debrief. *Feitenrelaas* pp. 236-237.

⁸⁵⁰ It was seen in Bratunac, among other places, by the independent Serb journalist Bratislav Grubacic. Interview Bratislav Grubacic, 06/11/97.

⁸⁵¹ SMG/Debrief. *Feitenrelaas* p. 226. Witnesses also talked about an open truck that twice carried off about 50 men; after it had disappeared from sight near Bratunac, about 100 shots were heard. Ditto, p. 225.

about buses carrying 70 people each.⁸⁵² Another possibility is that Suljic's estimate of the number of people involved is too high.

However, the time that Suljic mentioned also raises questions about his claims. He places the event at around 19.00 hours. Just then, at 18.57 hours to be precise, Dutchbat's log book records the departure of two buses, described as convoy 5 (K5), accompanied by a Dutchbat escort in a Mercedes.⁸⁵³ Unfortunately it doesn't say who were in the buses, so we have no way of proving without a shadow of a doubt whether these two buses were the same buses (carrying only men) that Suljic refers to.

If the two buses that Suljic talks about are the same as those recorded in Dutchbat's log book, it is obvious that this particular transport was in fact seen, and the tally lists were not 'short' of 300 men. It's impossible to discover the exact number of men because Suljic's estimate may have been too high. That impression is reinforced by other statements from Dutchbat members. In any case, two of them said at the debriefing in Assen that they saw a group of 200 men who had been assembled at the White House opposite the compound being taken away by bus. That happened without a Dutchbat escort, which would explain why Suljic thought that this transport had not been noticed.⁸⁵⁴ Another Dutch soldier who managed to get into the same house saw 'a few hundred men' there.⁸⁵⁵ However, it's not clear whether these observations were of the figures relating to the number of men that were taken away from Potocari.

Of course we cannot rule out the possibility that there was more than one group of 300, or that other large numbers of men escaped Dutchbat's notice. For instance, one soldier referred in Assen to a completely closed and shuttered truck that he had seen driving away from the White House several times without it being possible to say who it was carrying.⁸⁵⁶ Yet another soldier talked about a Ford Transit van that drove off twice carrying - the more modest number of 15 - prisoners.⁸⁵⁷ Dutchbat members also mentioned that 'small military vans' had been used'.⁸⁵⁸ However, none of these reports point to sudden large-scale movements of prisoners.

In conclusion, it cannot be ruled out completely that a number of men were already carried off in the short period immediately after the start of the evacuation, before Dutchbat began to keep a tally of the number of buses and the people they were carrying. There are no real indications that this did in fact happen, but it is known that men were initially separated to be questioned in locations that were a few hundred metres away from the area where the buses and trucks were. That would have made it more difficult to then take these men away without anyone seeing it. So it really does not seem likely that the numbers of men who were deported were as large as the numbers that Suljic talked about.

Based on the available information, a more accurate estimate than what we have arrived at above does not seem possible. So the cautious conclusion is that possibly between 100 and 400 men disappeared in Potocari.

18. The question of the old and the young men

Suljic provided one interesting detail in his statement, namely that the group of 300 comprised mainly old men. Although there are a few statements by Dutchbat members who also point to a large number of younger men being taken away, Suljic's statement fits in with a conspicuous red thread running through a large number of Dutchbat witness statements that all emphasise that it was mainly *old* men that they saw being taken away. That impression played an important role in the estimates by

⁸⁵² MSF, Brussels. Capsat Christina (Schmitz) to Stefan (Oberreit), 13/07/95, 01:52:42.

⁸⁵³ SMG, 1004/61. Monthly register Ops Room Dutchbat, entry 18.59, 12/07/95. (report by 82 E)

⁸⁵⁴ SMG/Debrief. *Feitenrelaas*, pp. 226 and 234.

⁸⁵⁵ SMG/Debrief. *Feitenrelaas*, p. 230.

⁸⁵⁶ SMG/Debrief. *Feitenrelaas*, p. 235.

⁸⁵⁷ SMG/Debrief. *Feitenrelaas*, p. 223.

⁸⁵⁸ SMG/Debrief. *Feitenrelaas*, p. 198.

Dutchbat's senior officers as well as Nicolai and De Ruiter in Sarajevo. 'separating men of "military age" was (...) never seen as an acute problem because there were no such men among the refugees,' Lieutenant Colonel De Ruiter wrote in a review, repeating what his superior, general Nicolai, had said on the subject.⁸⁵⁹ Therefore, it is important to look at the origins of this far-reaching misunderstanding in greater detail.

The number of statements that support the idea that the majority of men who had been in Potocari had not been in the able-bodied category is quite extensive. For instance, referring to the men in the White House, one Dutchbat soldier said they had all been older than 60 and that there had definitely not been any young men among them.⁸⁶⁰ Another soldier spoke of 'more than 200 male refugees', who, he said, had been 'older (...) than 55'.⁸⁶¹ And yet another Dutchbat member said he had not seen any men in the 20-55 age category, only 'women, children and old men'.⁸⁶² Most officers and non-commissioned officers of Dutchbat said similar things. For instance, Rave made a note in his notebook of a fresh impression that the men being taken away involved 'mainly old men and boys (+/- 17 years of age)'.⁸⁶³ Lieutenant Rutten, who visited the White House on July 13, also saw few young men among them.⁸⁶⁴ His colleague Mustert, who also entered the same house that day and saw about 200 men there, had the impression 'that these men are older than 55'.⁸⁶⁵ Karremans and Franken also believed that mainly older men were involved. Karremans later wrote that even when the refugees first arrived at the compound, 'it was already quite obvious that almost all refugees were women, children and elderly people'. And: 'Only a handful of able-bodied men (aged 17-60) were outside the compound'.⁸⁶⁶ Major Otter, the compound Commander, also declared soon after the fall of Srebrenica that when the refugees arrived at the compound, Dutchbat had counted roughly 4800 people, mostly women and children and only about five percent of the total were men, only a few of whom were in the able-bodied category.⁸⁶⁷

The fact that the battalion's senior officers knew about the able-bodied men who had ended up on the 'list of 239' had no effect on the widely-held impression that the majority of men did not belong to that category. Compared to the total number of refugees, it was in fact only a small number. In conclusion, UNMO Kingori also declared that he had the impression that most of the men were either older than those in the able-bodied category, or young boys.⁸⁶⁸

At the same time, there are a striking number of witness statements from refugees who had formed the same impression, such as the woman who was already interviewed at one of the refugee centres on July 20 by a UN staff member who regarded her as 'quite credible'. The woman said that when she walked to the bus, she passed a house with a garden, which is how other people have also described the White House, where she saw a very large group of old people standing outside in the

⁸⁵⁹ DCBC, 1082. Note J.A.C. de Ruiter to DCBC/Army Crisis staff, "Last days' Dutchbat in Srebrenica', 20/08/95; ditto C.H. Nicolai to DCBC/Army Crisis staff, "Last days' Dutchbat in Srebrenica', 16/08/95.

⁸⁶⁰ SMG/Debrief. *Feitenrelaas*, p. 230.

⁸⁶¹ SMG/Debrief. Debriefing statement J.M. Mustert, 08/09/95.

⁸⁶² SMG/Debrief. Debriefing statement R.P. van Veen, 11/09/95.

⁸⁶³ Notebook B. Rave. Loaned to the NIOPD for its perusal.

⁸⁶⁴ SMG, 1007/25. Note Petra Groen, 'Confrontation aoo Oosterveen and 1st lieutenant Rutten in regards to inquiry into war crimes, Camp Pleso 230795, 1-1.30 pm'. This detail is missing from later statements by Rutten.

⁸⁶⁵ SMG/Debrief. Debriefing statement J.E. Mustert, 08/09/95.

⁸⁶⁶ SMG/Debrief. Debriefing C-Dutchbat 3, copy own text LCol Karremans, Deventer, 6 September 1995 (Stg confidential/permanent) p. 13. See: SMG, 1007. G. Bastiaans (debriefeer) and C. Klep (report), 'Report debriefing major Otter (C-Ststcie), 23/07/95, Camp Pleso'.

⁸⁶⁷ See: SMG, 1007. G. Bastiaans (debriefeer) and C. Klep (report), 'Report debriefing major Otter (C-Ststcie), 23/07/95, Camp Pleso'.

⁸⁶⁸ ICTY (IT-98-33-T), Testimony J. Kingori, 31/03/00.

yard.⁸⁶⁹ Local representatives of the International Red Cross and UNHCR later used the description 'first three classes of secondary school, and older people'.⁸⁷⁰

Against the background of the figures on the last observations on July 12 and 13, 1047 missing men in the 0-60 category, according to the table, or about 75% of the total, this picture raises all sorts of questions. Therefore, it is worth taking another look - based on the missing figures - at the story about the old men, and ask ourselves whether it is possible that the majority of men who were taken away by bus and truck did *not* belong to the able-bodied category, and that it was the younger men, in particular, who were in fact kept in Potocari and disappeared there, having been murdered. A combination of figures and qualitative information does appear to make that a plausible assumption.

The difference between the probable number of people taken away on July 12 and 13, and the reports on the number of people posted missing in Potocari is, as mentioned before, probably about 400. Of the roughly 1000 people who were removed, about 350 came from the compound, the majority of them in the able-bodied category. The number of older men among them cannot be determined with certainty, but if the total estimate, 'list of 239' (252) plus non-registered (people who refused to have their names put on the list) plus people who were not in the able-bodied category is anywhere near accurate, it would have been about 50.⁸⁷¹

In view of the total number 400 older men posted missing, about 350 would have had to come from outside the compound. That could fit in with the aforementioned statements by Suljic and several members of Dutchbat. That, in turn, would mean that of the total of 1000 men who were taken away, about 650 would have been in the able-bodied category, more than half of whom belonged to the men inside the compound (the people who were on the 'list of 239' and those who refused to be on it). In that case, about 300 able-bodied men from outside the compound would have been taken away, something that fits in with the aforementioned observations by Dutchbat members who had also seen large numbers of younger men. When we offset this figure against the total of 1047 missing able-bodied men, it is in fact true to say that we are left with a number of 400 such men who disappeared in Potocari itself.

So, of those taken away from outside the compound, older men did form a majority. However, it's not a clear and unambiguous majority and that so many people had, nevertheless, formed that impression must have been caused by other factors. When Franken was confronted with the discrepancy, he suggested that many men had looked older than they really were because of the hardships and filthy conditions they had had to endure.⁸⁷² That would be even more plausible if it was especially the older able-bodied men, the 'border-line cases', who had been taken to Bratunac and subsequently to the execution locations.

The woman refugees who had seen the older men in the yard of the White House, also said that there had been no young men among them, because those had all been taken away during the night.⁸⁷³ Her statement dovetails with a large number of similar statements, including the one by Sejfo Mehic who we quoted earlier. There are strong indications that there was a specifically-targeted pre-selection. In that context, this may also explain why the men who were taken away on the 13th via the White House had to pile all their personal possessions in the yard before entering the house. At that point,

⁸⁶⁹ Interview Peggy Hicks with 'AC', 20/07/95, Babici Collection Centre, Gracanica, UN CA Zagreb, Human Rights Cell (NIOD, collection Hicks). On the other hand, the women mentions the unreal number of 1000 men, something that should perhaps be read as 'quite a lot'.

⁸⁷⁰ Interview Muhamed Masic and Almir Ramic, 08/11/99. Masic was a local staff member of ICRC and MSF; Ramic was the local representative of UNHCR.

⁸⁷¹ On the face of it this is a low number; it implies that on July 11 it was mainly young men who managed to find refuge on the Dutchbat base. The majority of the registered men, 144, were in the 16-40 category; 101 in the 41-60 category and only six were aged 0-15. It suggests a 'survival of the fittest' and a less orderly situation at the time of their entry than some statements by Dutchbat personnel would suggest.

⁸⁷² Interview R.A. Franken, 18/05/01.

⁸⁷³ Interview Peggy Hicks with 'AC', 20/07/95, Babici Collection centre, Gracanica, UN CA Zagreb, Human Rights Cell. NIOD, collection Hicks.

apparently, their identity already no longer mattered. At the same time, the fact that when bodies were discovered of people who had been executed their identity papers were also found in the immediate area, suggests that their identities had been checked before they were executed.

Although there are many reasons that can explain the impression that mostly older men had been in Potocari, and also the notion that they had nothing to fear from the VRS because of their age, it still remains strange that this was the picture that so many people had of the situation. The fact that it wasn't just Dutchbat personnel who had formed this impression makes it unlikely that this was an attempt to evade responsibility. It remains more likely that a large proportion of men in the able-bodied category were picked out quite early in the piece, without Dutchbat soldiers noticing it. However, it still is strange that the list that was drawn up of able-bodied men in the compound apparently had no influence on the prevailing view that mostly older men were involved, and that Nicolai and De Ruiter apparently never knew about it.

19. Why did murders take place in Potocari?

In Chapter 2 of this part, we have talked about the executions that took place outside the enclave. As we now know, however, 100-400 men from Srebrenica were also executed in Potocari. The question to what extent this was premeditated plays an important role in all discussions and trials relating to events in eastern Bosnia. However, in answering the question how likely it is that a large number of Bosnian men were murdered in Potocari and what sort of criteria dictated their selection, it is necessary to find out whether specific motives played a role in this. Knowing that most of the men who were taken away by bus ended up in execution locations outside the enclave, it appears - in first instance - strange that a large number of men were murdered immediately, on the spot. That is even stranger because the risk of discovery seemed greater because of the proximity of UN troops. What was it that caused them to lose their lives right there, and not later in another location? Trying to answer that question becomes even more difficult because of the almost total lack of statements by perpetrators who might have been able to explain this.

The Tribunal Prosecutor in general Krstic's trial suggested that the purpose for killing the men was to act as an instrument of terror, to make sure that refugees would have no thought of staying in the area. That's why certain executions were deliberately staged near watering points, where bodies would be sure to be found by refugees looking for water. It is certain that there are in fact many witness statements that appear to confirm that pattern. At the same time, this sort of psychological warfare is an unsatisfactory explanation for two reasons. Even if an element of terror played a role, it still explains only part of the number of murders. It's also doubtful that the murderers deliberately wanted to run the risk of discovery. As we have said earlier, the use of Dutch uniforms actually points to the opposite. Also, there are several statements by refugees who said that they, too, were in some cases actually prevented from entering locations where there were bodies or where murders were possibly taking place. One example of this was a house with a watering point, near the zinc factory, that features in many statements.⁸⁷⁴ Some people said there was even a period when they were not permitted to go outside the factories.

It is hardly believable that the VRS really wanted the Dutch to find evidence of executions. Which is why discoveries of bodies reported by Dutchbat soldiers have to be regarded as mainly flukes, that they came across only after moving a fair distance away from their base. There is a large number of statements by members of Dutchbat as well *Médecins Sans Frontières* staff and UNMOs that indicate the VRS in fact tried to prevent observations and patrols. They did this, on the one hand, by setting up extensive security at apparently sensitive locations, and, on the other, by a campaign of deliberate intimidation - the heat of which was turned up emphatically in the course of July 13. For instance, one

⁸⁷⁴ See for instance the testimony from the BiH State Commission for the collection of facts/information on war crimes, Municipal Commission Zivinice, (1).

Dutchbat soldier said a VRS soldier had demonstratively showed him an armour-piercing shell and at the same time pointed at the UN soldier's flak jacket.⁸⁷⁵ Another soldier was even given one such shell as a present, but he later handed it in to the Explosives Clearing Section.⁸⁷⁶ Yet another soldier knew that the shells were being given away just in case 'the UN soldiers would become difficult'.⁸⁷⁷

A soldier who looked on as five or six VRS soldiers used their rifle butts to beat up a Muslim man on the afternoon of July 13, was ordered by the soldier closest to him 'to look elsewhere'.⁸⁷⁸ The battered man was subsequently dragged by his hair behind the house, from where a shot rang out a few seconds later. The VRS soldiers then came back, without the man.⁸⁷⁹ When Christina Schmitz of *Médecins Sans Frontières* was alerted by a Dutch soldier of the discovery of a number of bodies behind the factory and she wanted to go there together with an UNMO to have a look, a VRS soldier told her she could do so if she wished, but he could not guarantee their safety.⁸⁸⁰

Another thing that strikes us in the witness statements is that they present the picture that many men were killed with knives. The only explanation for this seems to be that the murders had to take place without anyone noticing. During the day, they were apparently less reluctant to use firearms, judging by the fact that many Dutchbat soldiers continually heard shots that made them think people were being executed. The VRS soldiers possibly relied on the noise of the thousands of refugees and the dozens of vehicles making their activities less obvious. In this context, we also have to point out that many other Dutchbat members explicitly declared they had heard no shots at all during those days. The possibility that here, too, memories were being suppressed is regarded as plausible.

What all this means is that the VRS wishing to intimidate the local population on the one hand, and trying to prevent Dutchbat and the refugees from seeing any wrong-doings on the other, are not mutually exclusive propositions. The notion that all VRS troops on the spot followed uniform guidelines does not seem tenable. In that context, the composition of the units operating in Potocari is important. Franken and many other Dutchbat members noticed that the professional-looking troops who moved in from the north on July 12 were replaced by 'second and third-echelon scum' fairly soon after that'.⁸⁸¹ Many Dutchbat soldiers talked about 'Rambo types', who belonged to various paramilitary units. They saw many Drina Wolves, in particular, but one soldier also recognised White Eagles from the Serb nationalist Seselj.⁸⁸² Montenegrins and even Greek mercenaries were also found among the soldiers who spread all over Potocari. In addition, there was a unit from Mount Zvijezda that arrived in Potocari in a white truck. Their leader was a man called Milan Lukic, who had led a hit squad in Visegrad in 1992, when many of the town's inhabitants fled to Srebrenica.⁸⁸³ One of them was, for instance, Almir Ramic, who became UNHCR's local representative in Srebrenica.

Most notable was the presence of a unit that has stayed out of the limelight even until now, the infamous Arkan Tigers. Karremans as well as Franken later declared they had never had any indication that the Tigers were there, providing the umpteenth example of how badly the chain of communications failed in those days. Because other members of Dutchbat definitely knew the Tigers

⁸⁷⁵ Debriefing statement P.P.J. Wils, Assen, 12/09/96.

⁸⁷⁶ See also: SMG/Debrief. Debriefing statement J. Thijsen, Assen, 07/09/95.

⁸⁷⁷ SMG/Debrief. *Feitenrelaas* Debriefing 'srebrenica' (Assen, 30/08 – 22/09/95) p. 304.

⁸⁷⁸ SMG/Debrief. *Feitenrelaas* Debriefing 'srebrenica' (Assen, 30/08 – 22/09/95) p. 238

⁸⁷⁹ SMG/Debrief. Debriefing statement R.H. van Beukering, Assen, 11/09/95.

⁸⁸⁰ 'Audition de Christina Schmitz et Daniel O'Brien, 29 mars 2001', <http://www.paris.msf.org> The soldier concerned probably was Dutch commando P. Wouters. SMG/Debrief. Debriefing statement P. Wouters, 06/09/95.

⁸⁸¹ Interview R.A. Franken, 18/05/01.

⁸⁸² SMG/Debrief. *Feitenrelaas* Debriefing 'srebrenica', p. 308.

⁸⁸³ Grace Kang, Note for the file, Visit to Displaced Persons at UN airbase, 18 July 1995. UNPF HQ CA Human Rights Cell (NIOD, collection Hicks). See also: Sudetic, *Blood and vengeance*, p. 296. Sudetic pays a lot of attention to Lukic elsewhere in his book as well. He was charged by the Tribunal in October 1998 in relation to the death of 65 people in Visegrad on 14 June 1992. Most of them died in a house that Lukic and his accomplices had set fire to. Anyone who tried to flee was shot. One of his accomplices, Mitar Vasiljevic, was arrested and brought before the Tribunal in 2001. Milan Lukic as well as his distant cousin and accomplice Sredoje Lukic had at that time still not been arrested.

were in the area, if only because some of them (the Tigers) informed the Dutch soldiers of this with pride.⁸⁸⁴ Other Dutchmen who were kept hostage in Bratunac saw Arkan Tigers there, accompanied by about 15 'vicious' Alsatians.⁸⁸⁵ Witness statements from refugees as well as Dutchbat personnel show that these dog units, of which there were more, were used to clear the houses around Potocari.

Zeljko Raznjatovic, 'Arkan', was also seen in person in Potocari by, among others, several local inhabitants. One of them was *Médecins Sans Frontières* staff member Emira Selimovic, who bumped into Mladic at about 9 p.m. on the night of July 12. At the time, *Médecins Sans Frontières* was driving around in a pick-up truck outside the 'yellow area' (the area of the factory complexes and bus depot that Dutchbat had marked with yellow tape) to look for people who needed help. While talking to Mladic about this, Selimovic also saw Arkan. Mladic even asked him if he wanted to be introduced to *Médecins Sans Frontières*. Arkan's response was 'fuck off' and a raised middle finger in the direction of the *Médecins Sans Frontières* workers.⁸⁸⁶

Arkan's presence was also reported to Lieutenant R. Rutten, who had in fact already seen the Tigers but had not seen Arkan himself. After the fall of the enclave, Rutten had to make room in his prefab for a corporal of the 3rd platoon of his company. After the arrival of B company that following its expulsion from Srebrenica no longer had a home of its own, new sleeping arrangements had to be made. When they were talking one night, probably on Thursday, July 13, this corporal told Rutten that he had seen Arkan. Rutten had a newspaper picture of Arkan hanging in his prefab, taken at the wedding of Arkan and turbo-folk diva Svetlana Velickovic, better known as 'Ceca'. Group members and group leaders had seen that picture. When the corporal told him about Arkan, Rutten showed him the picture again, to make sure. The corporal confirmed that the man in the picture was the man he had seen.⁸⁸⁷ Arkan was recognised in similar fashion by radiographer F. Wiehink, who saw him standing about 300 metres south of the compound. Wiehink also identified Arkan on the basis of newspaper articles and a video tape that he had seen once.⁸⁸⁸ 'I recognised him by his baby face,' the Dutchbat man said.⁸⁸⁹ Another Dutch soldier also recognised Arkan from photographs and believed to have seen him accompanied by another, unidentified, man. They were wearing 'a plain khaki/grey uniform' and a red beret.⁸⁹⁰ Apart from these Dutchbat members, UNMOs also positively identified Arkan on July 13.⁸⁹¹

The locations indicated by Wiehink and Selimovic place Arkan near the factory complexes where the refugees were. It is difficult to determine whether his Tigers were involved in the night-time events, but at least one Dutchbat soldier made a statement in Assen that points to it. At night, when he was with the refugees at the bus depot, his flak jacket, blue helmet, water bottle and some other pieces of equipment were stolen. He said the thieves had been "'Hooligan Serbs' with Tiger emblems on their sleeves, wearing dark purple suits and Rambo headbands".⁸⁹²

⁸⁸⁴ SMG/Debrief. Debriefing statement P.P.J. Wils, Assen, 12/09/96. See also: ICTY (IT-98-33-T), testimony D. Vaasen, 27/03/00.

⁸⁸⁵ SMG/Debrief. *Feitenrelaas* Debriefing 'srebrenica', p. 309.

⁸⁸⁶ Interview Emira Selimovic, 21/10/97. See also: BiH State Commission for the collection of facts/information on war crimes, Zivinice, (2). It is not known whether the two sources are related. Selimovic saw Arkan with Mladic when he walked 'to the trucks' on Thursday morning.

⁸⁸⁷ Interview R. Rutten, 22/12/99.

⁸⁸⁸ Debriefing statement F. Wiehink, 14/09/95.

⁸⁸⁹ E. Nysingh, 'Bosnische Serven executeerden 2000 moslims' ('Bosnian Serbs executed 2000 Muslims'), *De Volkskrant*, 05/10/95.

⁸⁹⁰ SMG/Debrief. *Feitenrelaas* Debriefing 'srebrenica' (Assen, 30 August – 22 September 1995) p. 295.

⁸⁹¹ No direct reports by UNMOs from the enclave have been found, but information about Arkan's presence did in fact reach the UNMO headquarters in Tuzla. See: UNMO HQ BH NE (DSMO) to UNMO HQ Zagreb (attn comd Segers), 191100B July 1995, subject: attack on Srebrenica enclave. (NIOD, Coll. Segers). The report was repeated at the debriefing of the UNMOs in Zagreb: 'On Thursday, while busy evacuating the refugees, Arkan (sic) troops and Arkan (sic) himself, were positively identified at the scene'. In: SMG/Debrief. G2 (UNPF HQ) to COS, 'Debrief of UNMOs from the Srebrenica enclave', 24/07/95, p. 6.

⁸⁹² SMG/Debrief. *Feitenrelaas*, p. 30.

To what extent the presence of the Tigers should have been a pointer to the fact that something was amiss, can be deduced from the label that one Dutchbat member, army medic B. van der Grift, put on them when he went back to Srebrenica a year later, accompanied by a journalist: ‘a clean-up commando’.⁸⁹³ It makes it even more peculiar that neither Karremans nor Franken knew about all this at the time.⁸⁹⁴ It is not the only example of the major communication problems that existed in the battalion in those days.

Yet the presence of irregular troops is not in itself an adequate explanation of what happened in Potocari. They were often deliberately sent in by commanders of regular units who knew what would happen if they were given a free hand. In other words, it was not necessary for Mladic and Krstic to give the orders. The fact that Mladic and Arkan were seen together makes this clear. At the time, rumours were already circulating in Serbia that Mladic had scoured the entire Drina valley searching for paramilitary groups who wanted to take part in evening the score with the Muslims of Srebrenica.⁸⁹⁵ To what extent personal motives also played a role in the decision of Arkan and his Tigers to take part in the operation against Srebrenica is not clear, although there was a relationship with Srebrenica dating from the beginning of the war.

While the large-scale executions outside the enclave looked much more like cold, impersonal ethnic cleansing, the events in Potocari seem to have been very much in the nature of personal acts of revenge. Elsewhere there were no cold personal scores settled. A 35-year-old survivor of a mass execution who was interviewed by staff of Civil Affairs of the UN, recounted how after their capture, VRS soldiers asked for men from certain villages, such as Glogova, Kamenica, Osmace, Zedanjsko and Konjevic Polje. The man said that the reason wanted men from these particular villages was that they were relatives of Serbs who had died there or that Serbs had suffered defeats there.⁸⁹⁶ Mladic was the least choosy, it seems. When a Dutchbat employee walked to the trucks and buses, she recognised the general from television. She saw how we walked up to one of his soldiers who formed the rows that people had to pass through: ‘[Mladic] grabbed him by his belt and said: “Neither young, nor old taller than this belt”’. It was immediately clear to her that not a single man was allowed to leave on the buses.⁸⁹⁷ Other witnesses recalled that the length of an upright rifle was literally taken as the standard measure.⁸⁹⁸

However, many Bosnian Serbs in Potocari found this approach too easy. It strongly appears that anyone who had a score to settle could pick his own victims in Potocari. Most of these scores had been running since the fighting in 1992 and 1993. Especially the Serb defeat at Kravica and the subsequent destruction and murders by the Oric troops were indelibly stamped on Serb memories.⁸⁹⁹ A book that described these events also including lists of names of wanted ABiH soldiers had already appeared in 1994.⁹⁰⁰ It was only a matter of waiting for the moment of revenge. Many openly admitted this. For instance, the Serbian-American Danielle Sremac, who visited Bratunac in May 1995, talked to two brothers whose parents had been killed in Kravica and who swore they would avenge their deaths. Some of the people that Sremac met in Bratunac knew exactly which Muslim soldiers in Srebrenica had been responsible for the slaughter among Bosnian Serbs in 1992. Bosnian Serb leader Radovan Karadzic is later supposed to have said: ‘It was these elements of the Bosnian Serb forces in the

⁸⁹³ A. Karskens, ‘Terug naar mijn hel’ (‘Return to my hell’), *Nieuwe Revu*, 20/07/96.

⁸⁹⁴ ICTY (IT-95-18-R61/IT-95-5-R61), Testimony Th. Karremans, 04/07/96; interview R.A. Franken, 18/05/01.

⁸⁹⁵ Sudetic, *Blood and vengeance*, p. 296

⁸⁹⁶ Interview ‘NO’, Tuzla Air Base, 22/07/95, by Grace Kang. UNPF HQ CA Human Rights Cell. NIOD, Coll. Hicks.

⁸⁹⁷ BiH State Commission for the collection of facts/information on war crimes, Tuzla, (3).

⁸⁹⁸ Conversation with female refugees in Tinja, 02/02/98.

⁸⁹⁹ For a description of the attack that took place on the evening of Orthodox Christmas Day, 07/01/93, see: Sudetic, *Blood and vengeance*, pp. 161-162.

⁹⁰⁰ Milivoje Ivanisevic, *Hronika našeg groblja* (‘Chronicle of our cemetery’. With the sub-title: ‘story of the suffering of the Serb population in Bratunac, Milici, Strelani and Srebrenica’), 1994.

Srebrenica area that were most difficult to control. They really wanted to get at the Muslim soldiers sitting in Srebrenica who committed these crimes'.⁹⁰¹

However, the suggestion that this was just an unfortunate coincidence is difficult to sustain. Mladic later told a journalist: 'We knew exactly who had done what'.⁹⁰² He subsequently provided the opportunity to indulge in the lust for revenge in an 'orgy of blood', as some refugees have heard him say.⁹⁰³

Which is precisely what happened. A Bratunac resident who crossed the Drina with his wife on July 16 and talked to journalist Robert Block there, witnessed the execution of a Muslim who was accused of cruelties in Kravica. The murder took place in a school in Bratunac that was being used as a temporary prison. Before the man was shot, he is supposed to have shouted 'If we had known what shitty soldiers you Serbs were, we would have sent our women to take Kravica'.⁹⁰⁴

However, Kravica was only one of many such locations that inspired Serb revenge. For instance, Lukic (who we mentioned before) was on the lookout for people from Visegrad, in particular, many of whom had fled to Zepa and Srebrenica, after he himself, incidentally, had been on a horrific rampage there in 1992. Refugees in Potocari noticed that Lukic's men were wearing clean uniforms and obviously had not taken part in the fighting. Apparently they had come to Potocari for a different purpose. They approached someone they knew in the mass of refugees at the factories and told him to pass on the message that all people from Visegrad had to come forward, supposedly so they could be the firsts to leave for Tuzla. About 30 men walked to the factory gates. There they were told that their hands would be inspected to see who had calluses on his trigger finger. If you had 'clean hands, you would get a 'ticket for the bus'. The men who went with the Serbs to 'get the tickets' did not come back and were never seen again.⁹⁰⁵

Other Bosnian Serbs specifically asked for people from Cerska,⁹⁰⁶ while others were looking for people from Skelani.⁹⁰⁷ A woman from the area saw how Bosnian Serbs mingled with the refugees and asked whether there were people from certain villages, including Jaglici and Glogova. They were especially interested in Glogova, near Kravica.⁹⁰⁸ A woman who had boarded a bus saw how Mladic and a bearded 'Cetnik' named Milan entered the bus and asked whether there were people from Osmace among them. An 11-year-old boy who put up his hand was then taken away to one of the factories and did not return.⁹⁰⁹ Refugees as well as Dutchbat soldiers said that VRS soldiers were already walking around in the afternoon to see who was there.⁹¹⁰ The men were then taken away later in the afternoon and that evening. They also used acquaintances to help in picking people out of the ranks of the refugees. A woman who was born in Potocari recognised Ilija Petrovic from Spat, that is also part of the Srebrenica municipal area. He was walking around cursing the Muslims. The woman said

⁹⁰¹ Danielle S. Sremac, *War of words. Washington tackles the Yugoslav conflict* (Westport, Connecticut/London 1999) p. 177. Sremac is Director of the Institute for Balkan Affairs in Washington, DC. In her book, she criticises the one-sided, anti-Serb stance of the American media and its effect on American policies regarding the former Yugoslavia. The comment by Karadzic that she quotes is interesting because it clearly shows how Karadzic tries to evade responsibility. However, the fact that Sremac's experiences prove that revenge did not come as a surprise, places that responsibility back at the feet of the Bosnian Serb leadership.

⁹⁰² Ljiljana Bulatovic, *Mladic* (Beograd 1996) p. 101.

⁹⁰³ Conversation with female refugees in Tinja, 02/02/98; Roy Gutman, *Newsday*, August 1995.

⁹⁰⁴ Robert Block, 'At the mercy of Mladic; Bosnian Serbs are invited to take revenge on prisoners', *The Independent*, 23/07/95.

⁹⁰⁵ Sudetic, *Blood and vengeance*, pp. 298-299

⁹⁰⁶ BiH State Commission for the collection of facts/information on war crimes, Lukavac, (4).

⁹⁰⁷ BiH State Commission for the collection of facts/information on war crimes, Zivinice, (5).

⁹⁰⁸ BiH State Commission for the collection of facts/information on war crimes, Zivinice, (6). See also: Bill Frelick, 'special issue: the death march from Srebrenica', *Refugee Reports. A news service of the U.S. Committee for refugees*, vol. XVI, nr. 7, July 31, 1995; p. 2

⁹⁰⁹ BiH State Commission for the collection of facts/information on war crimes, (7). There are more examples of such young children disappearing.

⁹¹⁰ See for instance: SMG/Debrief. *Feitenrelaas*, p. 156.

she had a fair idea why he was there: ‘I think they brought Ilija in because he knew everybody in Srebrenica as well as in surrounding villages. He was probably the one who decided who had to be separated from the rest’.⁹¹¹

A striking number of statements talk about Serb neighbours, sometimes old classmates, who were looking for people they knew. Sometimes that even led to amicable encounters that added to the Dutchbat soldiers’ confusion about what was actually going on. Lieutenant Koster saw a Serb soldier point to someone in the crowd:

‘It gives this woman a fright and she shouts something. He shouts something back and then he walks up to her. I then thought: I better go have a look because that is going to go wrong. The moment those two reach each other, a girl of 17, maybe 18, runs to the guy and throws her arms around his neck and the guy is crying, too. He stays for a moment talking to that woman and the girl, then turns around and walks back. It was an extraordinary, unreal situation.’⁹¹²

Sometimes such a connection saved someone’s life. One VRS soldier rushed in to help a woman who was being pushed around by other soldiers and who was in danger of getting separated from her 17-year-old retarded son. The soldier had been at school with him. Thanks to him, they both got onto a bus and safely reached Kladanj.⁹¹³ Hatidza Hren, who had a feeling that the VRS soldiers were looking for her, owes her life to Miko Stanojevic, a young Serb policeman whom she knew and who urged her to immediately get onto the first bus.⁹¹⁴ But there also were some men who were saved in this way. ‘Ahmed’ was walking in the direction of the buses together with his father who was right ahead of him. A tank was parked in front. When they got there, his father turned left, together with the other men. Without thinking, Ahmed walked straight ahead, with the women and children. After a few metres, a hand grabbed his right shoulder. Ahmed turned around and recognised a VRS soldier, a former neighbour in Srebrenica: ‘He shoved a blanket in my arms and motioned me to put it on my head. He literally saved my life’.⁹¹⁵

In most cases, such encounters with old acquaintances did not go so well, such as the woman refugee who was threatened by a former neighbour from Sijemovo who asked her where her husband was and pushed her to the ground when she said he had died when their village had been shelled.⁹¹⁶

It was not just the soldiers who looked for people they knew. Many civilians from the area also came to Potocari:

‘Towards the evening, about 19.00 hours, groups of Serb civilians began to arrive, men as well as women, unarmed, who looked at us without saying anything. (...) The armed Serb soldiers that I didn’t know came in and began to take men with them, I don’t know where they went. They didn’t say anything, just pointed at a certain person who would then be taken away. The women and children of those men were crying.’⁹¹⁷

⁹¹¹ BiH State Commission for the collection of facts/information on war crimes, Zivinice, (8).

⁹¹² Interview E. Koster, 06/10/99.

⁹¹³ Amnesty International, *Bosnia-Herzegovina: the missing of Srebrenica* (London, september 1995) p. 5.

⁹¹⁴ Interview Hatidza Hren, 18/06/98.

⁹¹⁵ Stover/Peress, *The Graves*, p. 131.

⁹¹⁶ BiH State Commission for the collection of facts/information on war crimes, Zivinice, (9).

⁹¹⁷ BiH State Commission for the collection of facts/information on war crimes, Zivinice, (5).

What that could lead to can be deduced from an observation by Dutchbat soldier Scholing, who was on guard duty at Post A in the compound early on the afternoon of July 14 - he probably meant July 13.⁹¹⁸ He saw two VRS soldiers approach from a southerly direction who looked up when someone called out to them. Scholing did not see where the person calling to the soldiers was and grabbed his binoculars. On the other side of the compound, where there is a road that runs up a slope, the two soldiers walked up the rise:

‘Then I also saw the people who had called out to them. A group of Bosnian Serb civilians were standing under a large tree. A man sat in the middle, on his knees. The soldiers talked to the civilians for a moment, and then one of the soldiers roughly dragged the furiously struggling man with him. They disappeared from view, behind a small house. Immediately after that, I heard someone scream and there was a shot. The soldier came back and shook hands with a number of the civilians, like old friends.’⁹¹⁹

There are more examples that underscore the revenge motive. One woman heard an older man who someone else told her was ‘Milan’ from Spat say to another ‘Cetnik’: ‘I have seen the neighbour who had me locked up in prison for six weeks, before the war.’ The woman thought he was referring to a gamekeeper or merchant ‘of Muslim nationality.’ ‘Then the other man said: “What are you waiting for?” Milan replied: “I’ve got time”.’⁹²⁰

Yet another woman was questioned by three Bosnian Serbs who wanted to know who had been responsible for an alleged ambush on 8 May 1992 when SDS leader Goran Zekic is supposed to have died.⁹²¹

Some refugees who saw the storm coming made their own safety arrangements. Fifty-year-old Huso Tursunovic who came from the village of Zedanjsko in the southern part of the enclave, was one of these. One of the people that the Bosnian Serbs turned to be especially interested in was the feared ABiH Commander Zulfo Tursunovic, who had ruled the roost in the enclave’s south. In Potocari, Mladic asked Dutchbat interpreter Vahid Hodzic whether he knew where ‘Tursun’ was. Hodzic, who came from the southern part of the enclave, managed to talk himself out of trouble by pretending he thought Mladic was referring to another Zulfo Tursunovic, a ‘troublemaker’ he knew from his school days.⁹²²

Huso Tursunovic, who did not say in his statement whether or not he was actually related to ‘the’ Zulfo, had arranged with his wife, daughter, daughter-in-law and grandchildren that they would use his wife’s maiden name. He himself assumed another name. With a grandchild on his shoulders, he managed to board one of the buses on the morning of July 13. He realised he had been lucky. The day before he saw soldiers take seven men into a corn field, after which he had heard rifle shots. When he went outside to urinate that night, when he had heard howling every now and then, ‘like wolves’, he came across five people lying in the corn, who had been slaughtered with knives.⁹²³

Many statements suggest that the Bosnian Serbs used lists of names and photographs to find certain people. When Lieutenant Rutten managed to inspect the White House on the morning of July 13, he found a number of orderly arranged photographs lying on the floor of one of the rooms: ‘All

⁹¹⁸ It is probable that he was talking about the 13th but it is in fact not impossible that the executions continued on the 14th. There are many statements by Dutchbat soldiers that say they heard shots even after the 13th and that they could only explain these as being executions.

⁹¹⁹ SMG/Debrief. Debriefing statement R. Scholing, Assen, 07/09/95.

⁹²⁰ BiH State Commission for the collection of facts/information on war crimes, Tuzla, (3).

⁹²¹ BiH State Commission for the collection of facts/information on war crimes, Municipal Commission Zivinice, (10). For a description of the ambush, see: Westerman/Rijs, *Srebrenica*, p. 63.

⁹²² Interview Vahid Hodzic, 24/05/99.

⁹²³ BiH State Commission for the collection of facts/information on war crimes, Tuzla, (11). The ‘wolf howls’ can point to Drina Wolves activities.

laid side by side. Of the original inhabitants of the house. The pictures of the men had been put together. They were looking for people they knew'.⁹²⁴ In a large number of cases, men were selected based on interrogation, seemingly in line with the screening that Mladic had already talked about during his meeting with Karremans. For instance, one Dutchbat soldier saw men aged 16-60 being taken to a house diagonally across from the bus depot in groups of 10-15. VRS soldiers on the spot said they were being interrogated there:

‘The whole group subsequently came out of the house again. Sometimes they released a few men who could prove they had been farmers and nothing else. The others then walked with the above mentioned VRS soldiers behind the house. He said that he then heard shots, after which he saw the VRS soldiers come back again, alone. This pattern was repeated several times during those two days, July 12 and 13.’⁹²⁵

Several refugees later made statements that also show that some men came back after an interrogation, although it was always no more than a temporary reprieve. They would either be taken away a second time, or would be separated from the other refugees on their way to the buses.

Those who did find themselves selected probably did not only include suspected soldiers or people that the Serbs had personal scores to settle with, but all sorts of dignitaries as well.⁹²⁶ One young woman was in the ‘Feros’ factory in Potocari for three days. While there, she saw a school friend as well as her geography teacher Saiba Salkic and two teachers from her old primary school, Redzo Salihovic and Muhamed Mekanik (who taught English) being taken away, among many others. They did not come back to the ‘factory circle’ or the ‘circle’ as refugees called the area of the factories and the bus depot. Someone else told her, incidentally, that a ‘Cetnik policeman’ who she had known since childhood had come to Potocari and was making enquiries specifically about her.⁹²⁷

This kind of specifically targeted searching happened more often. Mehmed Malagic and his wife, both from Srebrenica, saw Bosnian Serbs walk around with lists of names. He said the names on the lists were all of rich and well-known men, often people who had gone to college. He saw one of them spewing blood because he was so scared when his name was called. Malagic’s statement is especially interesting because he personally knew a number of people who were rounded up and could point them out.⁹²⁸

Other people also discovered that the Serbs were looking for them. Hasa Selmanagic, a dignified and elegant economist from a prominent local family who had been a bank director before the war, heard the Bosnian Serbs call out her name just when she was climbing into a truck. She knew one

⁹²⁴ Interview J.H.A. Rutten, 01/12/99.

⁹²⁵ SMG/Debrief. *Feitenrelaas*, p. 235.

⁹²⁶ This was a pattern that had already been followed in 1992. According to Sefkija Hadziarapovic, former director of the textile factory in Srebrenica and chairman of the local SDP, Serb paramilitary groups such as the Arkan Tigers were using lists of Muslim intellectuals. The purpose of this was ‘to liquidate everybody who had the ability to unite three people behind him’. Interview Sefkija Hadziarapovic, 22/05/98.

⁹²⁷ BiH State Commission for the collection of facts/information on war crimes, Tuzla, (12).

⁹²⁸ Interview Mehmed Malagic and his wife, Tinja, 22/10/97. Malagic named the following people: Aziz Music, police inspector; Sulejman Hodzic, imam; Esad Mujic, ‘a rich man’; Vejsil Suljagic, ‘the richest man in half Bosnia’; Sahib Suljagic, son of Vejsil, professor; Smail Hasic, ‘a rich man’; Beharja Salihovic, professor. NIOD put these names to dr. Helge Brunborg, the demographer who investigated the lists of missing people for the ICTY. Brunborg found nine of the 11 names that Malagic had provided also on the list of ‘srebrenica related missing persons’ that the ICTY had drawn up. Only five of these were unique (4 of them were probably writing errors). For the other four names, two or three ‘records’ were found every time. However, more information would be necessary to determine whether they are correct, such as date of birth or name of the father. Some details in the ICTY list do not meet the requirement that they have to refer to men who disappeared in Potocari on July 12 or 13. If such records are destroyed, there are no duplicates. So the end result is that nine names were found and two were not. See: Helge Brunborg, ‘some names reportedly taken by VRS military in Potocari on the 12th and 13th of July 1995’ (names provided by NIOD), 14/12/01.

of them very well because he was a former colleague of hers, Desimir Bucalina. Apart from him, she recognised 12 other people, including Budo Milovanovic, who she says acted as a guide for the Arkan Tigers when they attacked Srebrenica in 1992. Because she did not trust things at all, she had already disguised herself as an old woman by putting on clothes that had belonged to her dead mother (for whom she had remained in Srebrenica in the first place) and as a result managed to remain undiscovered. Her disguise was all the more effective because before the war she had always been fashionably dressed and never wore a headscarf.⁹²⁹

Tribunal investigators found solid proof that the Serbs had been hunting for community leaders when they searched the office of captain Momir Nikolic in Bratunac after the war. Nikolic played a prominent role in the events in Potocari. In this search, hand-written reports of the interrogations of the Muslim men were found, which showed that the VRS had been looking for specific people.⁹³⁰ As a result, their families were also in danger. One witness told UNHCR representatives in Tuzla that one certain woman had been separated together with the men 'because she is a relative of a senior Bosnian army officer'.⁹³¹ The wife of Damir Skaler, who had made the journey to Tuzla herself, heard Mladic and other Bosnian Serbs in Potocari ask 'whether [relations] of Oric were among them'.⁹³²

There was also special interest in some young Serb women who had continued to live in Srebrenica during the war. In particular, special attention was paid to Dana Ristanovic, who had been married to a Muslim.⁹³³ Another refugee heard that Mladic was personally searching for her and another Serb woman, Mira.⁹³⁴ Mira Budisa was in fact pulled out of the crowd by VRS soldiers who included an acquaintance of hers, policeman Miroslav Ilic. She was taken to the police station in Srebrenica for interrogation. Interest was shown in her husband and her son Miroslav. Mira said that her husband was dead and that her son had already fled from the enclave in 1992. But her interrogators then showed her documents from January 1995 in which the 28th division praised her son for his participation in some action. She had in fact lied. Miroslav served in Hakija Meholic's unit and had taken part in the fighting around OP-F.

Mira's fear that she would be killed after her lie did not eventuate. After a few hours, during which time questions were also asked about what had happened to a number of other people, Ilic said she was free to go. She returned to her home in Srebrenica and remained there until June 1996, when she managed to arrange transportation to Tuzla. By then she had already heard via the International Red Cross that her son had also made it to Tuzla alive.⁹³⁵

So it was not a given that anyone who was picked out was therefore automatically doomed to die. When prisoners were exchanged in October 1995, the International Red Cross still found more than 200 men from Srebrenica in the Batkovic camp. These included men who had been part of the group of 59 wounded who had left the compound in Potocari on July 12, but also one or two people who had been on the 'list of 239'. There were also men among them who had been captured during the big break-out.⁹³⁶ What or who determined that they stayed alive is not clear.

Sometimes the latter gave cause for speculation. One of the most interesting is the politician Ibran Mustafic, because his story also gives us an indication of what the Serbs' motives were. Initially, Mustafic played a leading role in Srebrenica, that he represented in the Bosnian Parliament before the war, on an SDA ticket. However, he had clashed with Oric, despite their close relationship dating from

⁹²⁹ Interview Hasa Selmanagic, 07/08/97.

⁹³⁰ ICTY (IT-98-33-T), Testimony R. Butler, 18/07/00. The items of evidence concerned were entered as exhibit 701. The interrogated men are posted missing.

⁹³¹ UNGE, UNHCR, file '1995 FYOO OPS.16 sitreps Bosnia (Jan.-July)'. 'Note for the File. Preliminary protection report no.1: 18 July 1995'.

⁹³² Interview Damir Skaler, 31/01/98.

⁹³³ Interview Hasa Selmanagic, 07/08/97. Ristanovic managed to escape with her daughter and emigrated to the United States.

⁹³⁴ BiH State Commission for the collection of facts/information on war crimes, Municipal Commission Zivinice, (1).

⁹³⁵ Interview Mira and Miroslav Budisa, 19/06/00.

⁹³⁶ NIOD investigators talked to one of the former prisoners, who wished to remain anonymous.

the early days of the war. He had suffered a number of attempts on his life. The last one, on May 19, when he was on his way back to Potocari from a meeting in Srebrenica, cost the life of one of his supporters and he himself was seriously injured. Mustafic was still recuperating from this attack when he sought shelter in the Dutchbat compound in Potocari. According to Mustafic he had been a candidate to be put on the list of names of wounded to be taken to Kladanj on July 12. A Dutch doctor declared that his injuries weren't serious enough for this; it isn't the only accusation that a Dutch doctor determined someone's fate in this way. Similarly, a Dutchbat doctor ignored pleas by the director of the cultural centre in Srebrenica, Envir 'Zeke' Dozic, to be put on the list of wounded. Dozic had lost an arm. On July 11, and with one arm, he drove the pick-up truck that *Médecins Sans Frontières* used to take the last wounded from the Srebrenica hospital to Potocari. The doctor concerned, Schouten, who had been involved in this wounded convoy, could not remember an incident of this nature. What he remembered most was the chaos when refugees who included people who were not injured stormed the trucks.⁹³⁷

The rest of Mustafic's story is as follows: he ended up in a bus with men who were taken to an overcrowded shed in Bratunac where many people were murdered in 1992. At one point, his name was called.⁹³⁸ Mustafic thought he would be executed, but he was taken to the police station instead, 200-300 metres from the shed. From there they took him to Bijeljina the following day, handcuffed and blindfolded in the boot of a car. Mustafic would later say about his treatment by the Serbs that they had respected him 'in a negative sense'. It was only on 15 December 1995 that he was given formal proof of his status as a prisoner for the first time. 'Before that, they could have killed me any time'. Three days later he was transferred to the interrogation prison and on December 20 he was court-martialled. The first charge related to article 142 of the Penal Code of the former Yugoslavia, with a possible penalty ranging from 12 years jail to the death sentence: armed revolt against the Serbian people, as well as leading and organising armed rebellion.

After Mustafic had been sent to a camp in Pale, he was accused of war crimes. All of the other prisoners in that camp were also there because of (alleged) war crimes. When he was questioned, they especially wanted to know about raids that had been staged from the enclave in 1992 and 1993. After nine-and-a-half months of imprisonment, Mustafic was eventually freed as part of a prisoner exchange.⁹³⁹ According to the rumours circulating about him in Bosnia, he owed his survival mostly to his Serb political connections from before the war, who he is supposed to have asked via radio to spare his life even before the enclave had fallen.⁹⁴⁰

However, cases like Mustafic's were the exception rather than the rule.

20. What happened to the remains of those who were executed?

After arriving at the number of possible murders that took place, as well as the motives that probably played a role in these murders, one important question remains. If it is true that so many men were murdered in Potocari, where are their remains? That question is even more acute because mass graves have never been found in Potocari or its immediate surrounding area. In answering this question, it's best to begin with the victims of executions that Dutchbat personnel reported during those days. In two cases on the morning of July 13 (we will talk about these in more detail later), a number of them saw nine to 10 execution victims who were found a fair distance from the compound. In the course of the day there was another report about a single execution having been observed in Potocari itself, so

⁹³⁷ Interviews A. Purkevic, 04/04/98 and A.A. Schouten, 21/02/00.

⁹³⁸ According to a witness, Mladic and Milan Gavric, a policemen from Srebrenica, are supposed to have searched for Mustafic in Potocari already. Gavric then removed Mustafic from the factory hall where he was discovered and put him in a small van. Testimony 'E', ICTY (IT-98-33-T), 27/03/00.

⁹³⁹ Interview Ibran Mustafic, Sarajevo, 16/04/98.

⁹⁴⁰ Interview Mehmed Pargan, Tuzla, 15/06 and 16/06/98. Pargan has written a lot about Srebrenica as a journalist.

the total is 18-20 bodies, a figure that is slightly higher than in the debriefing report that talks about 13-14 people having been executed.⁹⁴¹

A strikingly uniform picture emerged both from the statements that were made in Assen as well as those afterwards, in interviews with journalists and investigators. In a large number of cases the executions themselves have not actually been seen. The succession of certain events led the observer to this conclusion or, at least, strong suspicion. The general pattern of that sort of observations was that a Dutchbat soldier saw one or more men being taken away, who subsequently disappeared from view behind or in a house or factory, or behind a bus, and that subsequently shots were heard whose nature and number corresponded with the picture the observers had of an execution. The VRS soldiers who had taken the men away would then always return soon after, without their prisoners.

One example of the many that we could provide comes from soldier Van Veen, a crew member of OP-M who was posted outside the compound after the arduous journey with the refugees. His statement is also interesting because it shows that the first incidents took place soon after the Serb troops arrived. That is in line with the rumour that didn't take long to reach the UNMOs, namely that VRS soldiers had adopted a threatening attitude towards refugees at the so-called 'prefab factory'. However, when they went to have a look, they saw 'some of the VRS soldiers giving out cigarettes and candies to a few refugees'.⁹⁴² Van Veen also witnessed the 'propaganda stunt' of Mladic and his troops, but at the same time he also saw the other side of their behaviour. Van Veen said that:

'...between 12.00 and 14.00 hours on the afternoon of July 12, he saw a group of five Muslim men being marched off escorted by an armed VRS fighter. Watching the group from a distance of 200-300 metres, he saw them enter a house on the hill diagonally across from the big factory. The group may have been larger because they walked into the house just when he looked in their direction. A moment later, he heard five or six shots. After a while, he saw the armed VRS fighter come out of the house again. He saw that this VRS fighter had only a pistol with him.'⁹⁴³

Investigations by the Tribunal in the immediate surrounding area of Potocari did not lead to any discoveries of mass graves, but it did provide an indication that creating such a mass grave had been considered. Traces were found behind the bus depot that appeared to suggest a mass grave had been dug there. Investigation showed that the pit had been filled in again, unused. The reason for this was not clear until the investigators noticed that the spot could be seen from the office tower in the Potocari compound and was, therefore, also in view of any possible Dutch observers on the roof, something that the people who dug the pit must have come to realise as well.⁹⁴⁴ Incidentally, one Dutchbat soldier who on July 19 had been ordered by Karremans to repair the water purification plant in Srebrenica, under Serb escort, saw a tractor on the road that was moving quicklime, while the driver was wearing a surgical mask.⁹⁴⁵ Although a grave was found later near Zeleni Jadar, at the most southerly point of the enclave, this turned out to be a so-called secondary grave: reburying bodies in this kind of grave had the purpose of obliterating evidence from the original graves outside the enclave.

If the dead were not buried on the spot and we assume that the VRS tried to cover its tracks, the only possibility is that the bodies were collected and taken away for burial elsewhere. Some refugees

⁹⁴¹ Report based on the debriefing Srebrenica, p. 50.

⁹⁴² NIOD, Coll. Clingendael. UNMO Srebrenica, Srebrenica update dtg 121240B JUL 95. This detail also made it into the report of Akashi to New York. See: UNGE, ICFY, Box 234, file 6/15. Akashi to Annan, Z-1154, Situation in Srebrenica, 13/07/95.

⁹⁴³ Debriefing statement R.P. van Veen, Assen 11/09/95. It cannot be ruled out completely, incidentally, that this actually happened on the 13th because we have seen that dates are very often mixed up in the Debriefing statements, especially 12 and 13 July.

⁹⁴⁴ ICTY, (IT98-38), OTP, Ex.5/E.

⁹⁴⁵ SMG/Debrief. *Feitenrelaas*, p. 289

say that small cars were used for this purpose.⁹⁴⁶ Christina Schmitz of *Médecins Sans Frontières* saw ‘many cars from Bratunac’ early in the evening.⁹⁴⁷ Others saw trucks go in the direction of Srebrenica: ‘You heard people whisper: “Are they taking our men away after they have cut their throats?”’⁹⁴⁸ Based on other statements, Tribunal investigator Ruez testified that men who had been pulled out of the crowd had filled five trucks with bodies before they were murdered themselves.⁹⁴⁹ A woman who went to get water on the morning of July 13 saw three trucks on the main road with four Serb soldiers on each of them. She claimed the trucks were ‘full of people whose throats had been cut’ and they were going in the direction of Srebrenica.⁹⁵⁰

Probably based on what refugees arriving in Tuzla had told them, ABiH Intelligence officers already reported on July 14 that 150 men - some of whom were mentioned by name - had been killed in Potocari on July 12. Their bodies were taken away in ‘small cars’.⁹⁵¹

An interesting testimony that fits in with all this came from Bego Ademovic at the trial of Krstic. He was a former bus driver who had fled from Kutuzero to Potocari with his family on July 11, when he had had to leave his old and obese mother behind in the forest to die there.⁹⁵² Ademovic and his wife, daughter-in-law and grandchildren ended up in the yards outside the zinc factory. On July 12, he witnessed the entry of the VRS, who advanced from the south in columns walking on the main road. He saw how some of them mixed with the crowds for a discreet chat, while others were standing around cursing and issuing threats. When the situation looked a little calmer, Bego went looking for water together with a friend, Dzemal Karic. Via a hole in the fence behind the zinc factory they climbed up the hill. They weren’t the only ones, but when some VRS soldiers suddenly arrived on the scene everybody made a hasty retreat to the factory grounds. Bego and Karic hid in a small shed from where they could see the hill slope, the factory below and the house of Aljo Hasanovic a little farther away. In between was a corn field.

From that spot, the two men saw how 8 to 10 VRS soldiers entered the grounds of the zinc factory via the hole in the fence, only to repeatedly return with two or three male refugees. At an elevated spot in the area they were grabbed by the arm one by one by two soldiers, while a third cut their throats with a large knife. This continued until dusk fell. Karic had a packet of cigarettes with him – Bego remembered the brand, Drina, ‘of a factory in Sarajevo’ – and a stump of pencil. They kept tally until the pencil broke at 83. They estimated that ‘more than 100 men’ were slaughtered in this fashion. Bego recognised not only one of the VRS soldiers, a Zoran Mirosavljevic, but also his niece’s husband Hazim Lonjinac. The latter was in the very last group to be taken from the factory but their execution was prevented by a VRS officer who had arrived on the scene by then, after which the soldiers slinked off and the prisoners could return to the factory. After Ademovic, too, had managed to get back to the factory as a result of this intervention, Lonjinac told him that the VRS officer had mentioned his own name with the comment: ‘I am the one who got you out, now get back to the zinc factory quickly’. At the trial, Ademovic could not remember the officer’s name that Lonjinac told him about. He said that he later heard from Lonjinac’s daughter-in-law that Lonjinac had managed to get on a bus the following day, but had been taken off by the VRS somewhere along the way. He has been missing since.

The conspicuous thing about the testimony of Ademovic and others is that apparently a considerable number of men were already being murdered in the afternoon of July 12, at a time when Dutchbat’s attentions were concentrated on the chaotic start of the evacuation. Ademovic also saw a truck drive a number of times from the road, through the corn field, to the spot where the executions

⁹⁴⁶ ABiH, Tuzla. Report 24th division, 14/07/95, nr. 06-1225/95.

⁹⁴⁷ MSF, Brussels. Capsat Christina (Schmitz), 12/07/95, 21:10:14.

⁹⁴⁸ Statement no. 3, ‘A.S.’, in: *Srebrenica: the story of the survivors*. Provided by Hatidza Hren. Published by the Citizens Association ‘Women of Srebrenica’ in Tuzla. (Amsterdam 1999) p. 36

⁹⁴⁹ ICTY (IT-95-18-R61/IT-95-5-R61). Testimony J.-R. Ruez, 03/07/96.

⁹⁵⁰ Statement no. 2, ‘H.H.’, in: Hren, *Survivors*, p. 34. It is not clear how she could see this.

⁹⁵¹ ABiH, Tuzla. Report 24th Div., 14/07/95, nr. 06-1225/95.

⁹⁵² The following is based on: ICTY (IT-98-33-T), testimony Bego Ademovic, 29/03/00

had taken place. The bodies were thrown on the trucks after they had first been put in bags. The work was done by prisoners.⁹⁵³

The statements from Dutch soldiers also provide indications that bodies were being carried off, albeit only sporadic ones. One Dutchbat soldier who, like many of his colleagues, suspected executions were taking place, reported having seen a van whose windows had been covered. A colleague could add the detail that there also had been bars on the van's windows and that it had been seen a few times near the compound in Potocari.⁹⁵⁴ Notable, too, is that Major P. Boering, who would leave Potocari with the first convoy, had heard rumours even before his departure that a truck was being used to take bodies away⁹⁵⁵. The statement of another soldier also referred to an observation on July 12 about 'a covered civilian truck' that drove to a house 10 men had just been taken to and stopped at the side of the house:

'subsequently, he heard shots being fired close to this house. A few minutes later, he heard and saw the aforementioned truck drive off in a northerly direction. Based on his observations, he suspected that the 10 Muslims might have been shot and killed by VRS soldiers.'⁹⁵⁶

Another soldier made an undated statement in which he said that when the refugees were getting into the buses (so it must have been during the deportation) he saw a tractor pulling a flat wagon pass. 'A large blanket was lying on the wagon and he saw a hand sticking out from under it. By the shape of the blanket, he is of the opinion that there were several bodies on the wagon. It disappeared in the direction of Bratunac'.⁹⁵⁷

This kind of movements appears to have taken place more often during those days. On July 14, the day after the forced departure of all enclave inhabitants, Dutchbat soldier Koreman and some of his colleagues were in the compound and from there saw a power shovel and an empty truck pass, coming from Bratunac and going in the direction of Srebrenica. They later saw the same truck come back, this time covered with a bulging tarpaulin. The soldiers had a 'strong and reasonable' suspicion that there were bodies on the truck.⁹⁵⁸ Although we have to approach the dates of some of these observations with a degree of caution, it appears that the job of removing bodies even continued for some time after this. On July 17 or 18, at first daylight, army medic M. Doze walked from his prefab accommodation to the so-called 'wet' prefab. On the road skirting the compound he saw a tractor pulling a large wagon, with another, smaller wagon coupled behind it. The whole rig drove off in the direction of Bratunac. Wooden boards of about 30cm high had been placed on the sides of the wagons: 'He sees bodies lying on the flat wagon. Doze sees arms and legs and also heads with long hair [sic]. The bodies are not naked, they're still wearing clothes. Doze estimates their number at about 100'.⁹⁵⁹

The conclusion is that large numbers of bodies were in fact removed and that these numbers fit into the picture of there having been hundreds of victims of executions. However, caution remains necessary. For instance, in many cases the origin of the bodies that witnesses reported to have seen cannot be determined. It is, for instance, not impossible that some of the dead involved people who had died in the fighting in the Bandera triangle. Mladic himself told the UNMOs as well as Karremans that the ABiH had suffered a few hundred dead on that occasion.⁹⁶⁰ According to an article by Zoran Petrovic, who had also filmed the fall (of the Bandera triangle) at the time, as well as what happened

⁹⁵³ ICTY Krstic (IT-98-33-T), Testimony Bego Ademovic, 29/03/00.

⁹⁵⁴ SMG/Debrief. *Feitenrelaas*, p. 281.

⁹⁵⁵ Interview P. Boering, 14/12/01.

⁹⁵⁶ SMG/Debrief. *Feitenrelaas*, p. 233.

⁹⁵⁷ SMG/Debrief. *Feitenrelaas*, p. 281

⁹⁵⁸ NIOD, Coll. Koreman. Diary Koreman, week 41, p.48. See also: SMG/Debrief. *Feitenrelaas* Debriefing 'srebrenica' p. 290.

⁹⁵⁹ Debriefing statement M. Doze, Assen, 12/09/95.

⁹⁶⁰ UNGE, UNPROFOR, Box 434, UNMO HQ UNPROFOR, SNE 1. UNPF SNE 13/07/95, Srebrenica update 130800B.

after that, more than 500 people had died during the 'last battles with the Bosnian Serbs' on July 12.⁹⁶¹ This rather excessive number of alleged casualties in the Bandera triangle is difficult to reconcile with the picture that we have from the fighting and the break-out of the able-bodied men to Tuzla.

Dutchbat did get reports on July 10 of bloody ethnic cleansing actions taking place in the south. Sergeant Major Rave wrote in his diary that he had been told by Command Lieutenant M. Versteeg at about 01.00 hours in the night of July 11-12 'about the bloodbaths that he had seen during the cleansing actions of the VRS in the southern part of the enclave'.⁹⁶² Boering also talked to Versteeg, who told him how village after village had been plundered and destroyed and the inhabitants fled their homes. Men and women were murdered there, too.⁹⁶³

A member of the crew of OP-S, at the most southerly point of the enclave, also said in Assen that right at the beginning of the Bosnian Serb attack on July 8 he had already heard frequent loud screams and cries of fear that he thought came from women. The screaming always lasted about 15 minutes, alternating with crying, after which a single loud shriek would follow and the sound stopped abruptly. This continued without interruption for three to four hours. He also heard shots every now and then. Although the OP soldiers did not see any victims, they were under the impression that the VRS was 'sweeping' the entire area around the fringes of the woods and that they were 'finishing off' everything in their way. When the OP was taken by the VRS the following day, the Dutchbat soldier asked one of his VRS counterparts about it. The reply was 'first we raped them, and then we cut their throats'.⁹⁶⁴ An anonymous soldier already publicly alluded to this in August 1995: 'All the things that happened in the south of the enclave, I wish I hadn't been there, I don't want to know. Executions, torture, massacres. In 1995, in Europe. It is unbelievable that it can happen'.⁹⁶⁵

The indication that perhaps bodies of women were also being taken away ('heads with long hair') could fit in with all this. Certain witnesses that we will talk about separately and in more detail later in this chapter claim that they saw a large number of such bodies in Srebrenica itself as well as on the road from Srebrenica to Potocari. Whether these women were murdered or died in some other way is impossible to say. At least one Dutchbat soldier saw four or five bodies of women lying on the side of the road between Srebrenica and Potocari on July 11.⁹⁶⁶ It is possible that they were victims of earlier shelling of the road by the VRS, but there is a lot of evidence in the testimonies of refugees that suggests women were also killed in Potocari.

⁹⁶¹ Zoran Petrovic, 'The whitewashing of the town has begun! War in Bosnia: return of Serbs to Srebrenica', in: *INTERVJU*, 21/07/95. Translation, OTP Ex.499/a, ICTY (IT-98-33-I).

⁹⁶² Transcript from B. Rave's notebook, that he loaned to NIOD for its perusal. See also the reference in SMG/Debrief. *Feitenrelaas*, p. 149.

⁹⁶³ Interview P. Boering, 14/12/01. Boering also told the debriefers in Assen about this incident, who included it in his statement. At the debriefing, there was an agreement that relevant passages in Debriefing statements that contained information about human rights violations would be passed on to the Tribunal. Later the Tribunal was also given the full statements; during the preliminary investigations into Srebrenica, Boering was asked in 1998 to discuss a number of matters with the Tribunal in The Hague, and to prepare him to for being called as a witness. On that occasion, Boering saw his own Debriefing statement. He thought there was something missing, but could not immediately check that against his own copy that he had left at home in Seedorf (Germany). Via a friend, he obtained a copy from the debriefing archives. When he compared the two, it turned out that the copy that the Ministry of Defence had made available to the Tribunal did not contain the passage about the report by Versteeg. Boering says he went to ask the head of the Legal Section, Colonel A.C. Zuidema for an explanation. He says that Zuidema told him that there had been 'a certain check' and a 'depersonalisation'. Zuidema has said that he himself had not seen Boering's debriefing statement. As far as Zuidema knew, 'depersonalised' (names blacked out) debriefing statements were in fact sent from the debriefing archives to the Tribunal (telephone conversation with Brigadier-General A.C. Zuidema, 20/02/02). However, Boering says that no names had been blacked out in his statement, but a whole passage had been removed instead. After this incident, Boering gave the Tribunal an unexpurgated copy of his statement.

⁹⁶⁴ SMG/Debrief. *Feitenrelaas*, p. 217. See: J. van der Graaf, "'Het was Auschwitz'" ("It was Auschwitz"), *Rotterdams Dagblad*, 05/08/95.

⁹⁶⁵ See: J. van der Graaf, "'Het was Auschwitz'", *Rotterdams Dagblad*, 05/08/95.

⁹⁶⁶ SMG/Debrief. *Feitenrelaas*, p. 226.

As long as it is not clear where the bodies that were taken away ended up, it seems more likely - from a geographical point of view - that the removal of bodies from the Bandera triangle took place from the south and that the observations in Potocari of bodies being moved indeed related to events in Potocari itself. We cannot rule out that Mladic's remarks about hundreds of dead in the south were a diversionary tactic.

21. Murders in the night of July 12-13

The problem of the discrepancy between the statements by Dutchbat personnel and refugees comes into focus most sharply when we are talking about the events that took place late in the afternoon of July 12 and the subsequent evening and night of July 12-13. Because of the large number of statements by refugees, we will accentuate the red threads that become visible in these, also because this goes some way to solving the problem of determining reliability. The analysis is based on a large number of witness statements that were made over the years to investigators of different organisations, including the NIOD, and journalists. Evidence gathered and published by the Women of Srebrenica organisation were also included in this, as well as statements that had already been recorded quite early in the piece by the 'Bosnian State Commission for the Collection of Facts relating to War Crimes'.⁹⁶⁷ We will in fact discuss certain testimonies specifically, when they can strengthen or illustrate the evidence in certain important areas.

Statements by refugees are consistent on the point that on the evening and night of July 12-13, groups of VRS soldiers - often dressed in Dutchbat uniforms - went around picking up men who were subsequently taken away. As mentioned earlier, Dutchbat sources show that Bosnian Serb soldiers and paramilitary units, often described as 'Rambo types', began to relieve the Dutch of their weapons on the afternoon of July 12. This appeared to stop as they left early in the evening. However, Lieutenant Koster, who had been ordered by the Bosnian Serbs to join the refugees at the point where the bus depot was, told the Tribunal in 1996 that in the course of the evening and night, the VRS soldiers came back. Isolated Dutchbat soldiers on patrol were forced at gun point by groups of three or four VRS soldiers to hand over all their equipment. Koster said that most of the Dutchbat soldiers who were there lost their equipment in this way.⁹⁶⁸ Warrant Officer B. Oosterveen, who was also with the refugees that night, later described how Dutchbat soldiers lost items like flak jackets: 'They simply took them away from you. Serbs would creep up on you when you were keeping watch with the refugees. They'd stick a Kalashnikov into your belly and hiss: hand over that jacket. What are you supposed to do? Run the risk they pull the trigger?'⁹⁶⁹ The Bosnian Serbs weren't satisfied with just flak jackets, either. *Médecins Sans Frontières* staff member Emira Selimovic saw how they forced some Dutchbat soldiers to take off their uniforms and shoes and then left them behind in their underwear.⁹⁷⁰

It is possible that some of the Bosnian Serbs, especially the paramilitary units, were merely after souvenirs. There are examples of VRS soldiers approaching Dutchbat soldiers to exchange weapons and badges, and in a few cases Dutch soldiers even appear to have complied with such requests.⁹⁷¹ Nevertheless, it looked more like a deliberate action. Masquerading as UN soldiers, with the aid of stolen uniforms, equipment and even vehicles, was also one of the ploys used in attempts to lure men who were trying to escape to Tuzla out of the woods. The instances in Potocari where Dutch uniforms were worn by VRS soldiers were probably attempts to fool the refugees and, more particularly, Dutchbat so certain activities would not be so obvious and easier to carry out. This had the unintentional side effect that it helped create the misunderstanding that Dutch soldiers had been guilty

⁹⁶⁷ Hren, *Survivors*, p. 121.

⁹⁶⁸ ICTY (IT-95-18-R61/IT-95-5-R61), Testimony E. Koster, 04/07/96.

⁹⁶⁹ 'Het boek "Srebrenica" is niet gesloten' ('The book on 'srebrenica' has not been closed'), *Oplinie*, July 1996, p. 7.

⁹⁷⁰ Interview Emira Selimovic, 21/10/97.

⁹⁷¹ SMG/Debrief. *Feitenrelaas*, pp. 29-30; Debriefing statement P. Wouters, Assen, 06/09/95. Wouters, of the KCT, intervened when two Dutchbat soldiers wanted to exchange weapons with VRS soldiers.

of all sorts of forms of collaboration. However, many statements by refugees also indicate they themselves saw through the Serb intention because language or behaviour betrayed the disguised VRS soldiers.

That did not prevent sometimes painful misunderstandings. Three Dutch soldiers who came across a rape in one of the dark factory halls, saw two Serb soldiers when they switched on their torches. One kept watch while the other was lying on top of a girl, with his trousers around his ankles. When they were discovered, the rapists ran off. The Dutchbat soldiers took the girl who was extremely upset outside and tried to give her first aid there, together with some women. It was refused. The girl began to kick and swung her hands around: 'she didn't want help from us because she was scared'.⁹⁷² That fear can be explained by the fact that the Serb rapists had been wearing Dutch uniforms.

At the end of the afternoon and early in the evening, VRS soldiers had already appeared in the factory grounds to have a look around, as if they were trying to work out tactics and wanted to take a first look whether there were any men they might be interested in. There are indications that Dutchbat possibly cooperated with this. With the assistance of an interpreter who was probably using a megaphone, as they did at other times during those days, the refugees were told that the VRS would hold an inspection and that there was no reason to be scared.⁹⁷³ Many refugees later said Dutchbat soldiers had guaranteed they would be protected, which declares much of the bitterness afterwards when this turned out to be a hollow promise.

There is evidence that even in the course of the afternoon, men were already being picked out of the crowd in a fairly quiet and unobtrusive manner, on the pretext that they would be interrogated. The VRS soldiers later supposedly had a party at a nearby house. In the course of the evening, VRS soldiers (wearing Dutch uniforms or their own) freely walked around in the area on either side of the road between the factories and the bus depot, picking up men 'with far less of a pretence that this was done for questioning'.⁹⁷⁴ Hatidza Hren, who had worked in the local office of the International Red Cross, saw them for the first time at about 23.00 hours.⁹⁷⁵ That roughly corresponds with the first panic wave, which - as mentioned earlier - was noted in the Dutchbat log book at 22.30 hours and was attributed to 'probably some Serbs having fun'.⁹⁷⁶ This is the only log book record on the subject, but some Dutchbat members later said in Assen that screaming and shrieking women had woken them up that night.⁹⁷⁷ This shrieking and screaming is confirmed by countless statements by refugees. For instance, a number of them reported that a new wave of panic rippled through the masses just after midnight.⁹⁷⁸

On the other hand, it is highly unlikely that nothing happened during the times that things were quiet. The statements also show that women and men often kept as quiet as possible whenever the VRS soldiers came near them, in a desperate effort not get noticed. The refugees cautiously kept each other informed on what was happening: 'Whispering, ear to ear, we told each other what was going on'.⁹⁷⁹

⁹⁷² ICTY (IT-98-33-I). Testimony D. Vaasen, 27/03/00.

⁹⁷³ Statement no. 36, in: Hren, *Survivors*, p. 121. The debriefing statement of W. Sanders seems to confirm this story, because it is placed in the context of the refugees outside the compound. However, it is just as possible that the statement refers to the inspection of the compound in Potocari. This is an example of how the often very poor and sometimes absolutely chaotic editing of the debriefing statements makes it difficult to say exactly which events certain statements are talking about. Debriefing statement W. Sanders, 08/09/95.

⁹⁷⁴ Bill Frelick, 'special issue: the death march from Srebrenica', *Refugee Reports. A news service of the U.S. Committee for refugees*, vol. XVI(1995)7, p. 2

⁹⁷⁵ Interview Hatidza Hren, 02/02/98.

⁹⁷⁶ SMG, 1004/61. Monthly register Ops Room Dutchbat, 12/07/95, entry 10.30 pm. According to refugees, 11 pm.

⁹⁷⁷ SMG/Debrief. *Feitenrelaas*, p. 233.

⁹⁷⁸ BiH State Commission for the collection of facts/information on war crimes, Municipal Commission Zivinice, (13). According to the 'BiH State Commission for the collection of facts/information on war crimes, Municipal Commission Zivinice, (13) there were waves of panic at 23.00 hours and at 02.00 hours.

⁹⁷⁹ Statement no. 36, in: Hren, *Survivors*, p. 122.

Equipped with torches, the Bosnian Serbs moved among the refugees, selecting people who were taken away in small groups and sometimes singly. One witness later said: ‘What the Cetniks were doing in our circle reminded me of hawks swooping down on chickens’, adding that this process had continued all night.⁹⁸⁰ Some men and young women tried to escape notice by disguising themselves, others played a cat-and-mouse game with the Serb soldiers. ‘Ahmed’ and his father took turns sleeping next to the pallets in the factory, waking each other whenever soldiers came near them. He regularly saw drunken soldiers pluck young girls from the crowd, taking them to a nearby house.⁹⁸¹ The statements of many refugees confirm these scenes.

In sketching the red threads in the refugee statements, we must point to another important similarity in the various witness statements because it can serve as an indication of their reliability. Many witnesses named well-known men that they saw being taken away. Sometimes they had even recognised the voices of terrified men, coming from the direction of the abattoir north of the bus depot, about 30 metres from the road. One of those voices belonged to Fikret Hodzic, who sounded as though he was being tortured and kept crying out for ‘Nesib, Nesib’; it is possible that he was calling for Mandzic, the refugees’ representative.⁹⁸² Various refugees said a few days later, after their arrival at the reception camp at Tuzla Air Base, that many men had had their throats cut in the abattoir.⁹⁸³ For instance, Abida Smajic saw men being led into the abattoir on both July 12 and 13, but never saw them leave again. They didn’t hear shots or noise, but she did refer to a tank in front of the house that was used to collect blood.⁹⁸⁴

As we have said earlier, the Serbs were looking for specific individuals, especially in the able-bodied category. One man remembers that ‘the first day (...) all younger men’ had been taken away: ‘We were sitting on the concrete in the open air and the Cetniks walked past and pointed people out, who would then go with them. Those who they took away didn’t come back’.⁹⁸⁵ A 66-year-old man who managed to get on one of the buses and escaped death as a result, later said that men were picked up one by one that night, mostly aged between 17 and 60.⁹⁸⁶ Sometimes the men came back from their interrogation, some of them badly beaten.

One of those who came back was an older man, Sefik Mustafic, who had been so shocked at what he had apparently seen that he refused to talk about it; during the night, he committed suicide by hanging himself.⁹⁸⁷ Possibly it was his body that lieutenant Koster found in the factory the following morning and had it removed. But we cannot be certain that this body was Mustafic. Judging by various witness statements, more suicides by hanging must have taken place than just this one.⁹⁸⁸ Oddly there is once again hardly any confirmation on this point on the Dutchbat side, although it is just possible that

⁹⁸⁰ BiH State Commission for the collection of facts/information on war crimes, Municipal Commission Zivinice, (14).

⁹⁸¹ Stover & Peress, *The Graves*, p. 130

⁹⁸² The name of Hodzic surfaced during the testimony of Camila Omanovic, ICTY Krstic (IT-98-33-T), 24/03/00. Another woman heard a man wail ‘oh Hedib!’. BiH State Commission for the collection of facts/information on war crimes, Zivinice, (10). See also: Bill Frelick, ‘special issue: the death march from Srebrenica’, *Refugee Reports. A news service of the U.S. Committee for refugees*, vol. XVI(1995)7, p. 5.

⁹⁸³ Christopher Bellamy, ‘20,000 still missing in “zone of death”’, *The Independent*, 17/07/95.

⁹⁸⁴ Interview Abida Smajic, 20/10/97. NIOD investigators’ own observations on the spoit confirmed this. There is a rail that runs to the outside from inside the abattoir, carcasses can be hung from it with meat hooks and moved along the rail; under it is a tank to collect blood. Whether Smajic implied that this tank now contained the blood of the men did not become clear.

⁹⁸⁵ BiH State Commission for the collection of facts/information on war crimes, Zivinice, (15).

⁹⁸⁶ BiH State Commission for the collection of facts/information on war crimes, Zivinice, (20).

⁹⁸⁷ See, among others, testimony by Camila Omanovic, ICTY Krstic (IT-98-33-T), 22/03/00.

⁹⁸⁸ Such as by a Hamdija (surname not known) from the village of Peciste, whose wife and children as well as a female witness found his body hanging from a door of the factory. (BiH State Commission for the collection of facts/information on war crimes, Zivinice, (21) Another witness saw a man who had hanged himself by his belt from one of the buses at the depot, because, as she was told, his son had been taken away. (BiH State Commission for the collection of facts/information on war crimes, Zivinice, (22)). Mirsada Malagic stated that they heard from their relatives in Potocari that Kiram Smajic and Fehim Hasanovic had hanged themselves. Testimony M. Malagic, ICTY (IT-98-33-T), 03/04/00.

a number of these bodies, for instance those that were hanging outside in full view, were removed by the Bosnian Serbs.⁹⁸⁹ But it is more likely that Dutchbat soldiers did in fact come across more of these suicides but never officially reported them. Even in 1995 an anonymous Dutch soldier said: 'In their despair, a few Muslim boys hanged themselves'.⁹⁹⁰ It was not until Krstic's trial that a Dutch soldier openly said he had seen three or four suicide victims, two of which he himself had cut loose.⁹⁹¹ During the same trial, UNMO Kingori declared that he, too, with the help of some Dutch soldiers, had cut loose two men, aged 30-35.⁹⁹² To what extent this fits in with the previous statement could not be determined.

A 43-year-old female witness who was interviewed at Tuzla Air Base on July 20 and who was described as 'quite credible' by investigators of Civil Affairs of the UN, said she had followed her 20-year-old son when he was being taken away by the VRS together with 15 other young men. Initially, he had fled into the forest, too, but then returned to Potocari to look for his mother. About 19.30 hours on July 12, he, his 15-year-old brother and a number of other men were taken away by a group of five Serbs. The woman was told that they would be interrogated. She was also told that her son would be sent back after his interrogation. He did in fact come back after about two hours, but soon after that he was again picked up and taken away with 15 other men. The woman and a few other mothers ran after the group, who were taken to a yellow house. This is one of the many indications that many more houses in the Potocari area were used by the VRS for these purposes and not just the 'White House' that stood diagonally across from the compound and later became notorious - however, the VRS started to use it only on the 13th.⁹⁹³ The women, who were screaming and crying, were not prevented by guards from entering the house and were told that the men had to make a statement and would then come back. The witness said that she subsequently managed to get in anyway, via a back door, when she found three bodies whose throats had been cut. She then saw the VRS soldiers cut the throat of her own son. She lost consciousness and only came to back at the camp.⁹⁹⁴

The judges in the trial of Krstic could not reach a clear decision on the question whether there had been large-scale murders in Potocari or only sporadically. The witnesses presented at the trial contradicted each other on this point.⁹⁹⁵ What we are possibly seeing here is the difference between the lawyer and the historian, who has more room for interpretation. The picture that the historian gets from all the statements is that near the area marked by yellow tape, people were killed on a considerable scale. The exact scale of the murders cannot be determined because of the earlier explained question of numbers. Moreover, the details are sometimes so horrific, that at first glance they seem implausible to the investigator. There are many stories that talk about hacked off limbs and even decapitations. There is an obvious tendency (on the part of the investigators) to think the witnesses are embellishing their stories or use imagery remembered from the past in an effort to express the horrors they want to describe. Yet is necessary to exercise caution here because there is a danger that we close our eyes to the possibility that the reality of Potocari was perhaps as gruesome as some people described it. Obviously there are hardly any other sources than the statements of the refugees. But we know a lot about the things that happened elsewhere during the war, when the ghastly details were in fact fully

⁹⁸⁹ However, stories were doing the rounds, just the same, such as one about a man who had hanged himself from a tree. See among others: Debriefing statement F.S. Cameron, Assen, 05/09/95.

⁹⁹⁰ J. van der Graaf, "Het was Auschwitz" ("It was Auschwitz"), *Rotterdams Dagblad*, 05/08/95.

⁹⁹¹ ICTY (IT-98-33-T). Testimony D.Vaasen, 27/03/00.

⁹⁹² ICTY (IT-98-33-T). Testimony J. Kingori, 03/04/00.

⁹⁹³ Interview L.C. van Duijn, 02/07/99.

⁹⁹⁴ Interview report interviewee 'RS', 20/07/95, UN Airbase Tuzla; interviewer Wasantha Bandarage. UN CA Zagreb, Human Rights Cell (NIOD, Coll. Hicks). The story matches that of another woman on many points, BiH State Commission for the collection of facts/information on war crimes, Lukavac, (16). It is not known whether Tribunal investigators have later conducted forensic tests for blood traces in houses in and around in Potocari, as was successfully done in other places. Perhaps that was no longer possible because Serbs moved into the houses fairly quickly and any possible traces were erased.

⁹⁹⁵ Prosecutor vs Krstic, *Judgement*, par. 43.

documented. And sometimes there is a perpetrator who can no longer bear it and decides to go public. Drazen Erdemovic was one of those, but he was not the only one.

The 50-year-old Serb war veteran Slobodan Mistic caused a lot of excitement in Belgrade in November 1997 when the Belgrade daily *Dnevni Telegraph* published his statements. The independent press agency Beta also reported them. It was the first time that someone who had been involved freely admitted that Serbian soldiers had been guilty of large-scale war crimes. Mistic confessed that he had personally killed at least 80 Croats and Muslims. He also admitted to having been involved in the ethnic cleansing that took place following the fall of Srebrenica. According to Mistic, 4000-5000 people had been murdered in the course of this campaign. Quite apart from the political implications of Serbian involvement in the war in Bosnia, it's the gruesome details of his story that stand out the most. Mistic told *Dnevni Telegraph* how he and his colleagues decapitated civilians and captured soldiers and stuck the heads on stakes. They also cut off the ears of bodies and sold them somewhere else for 50 German marks each.⁹⁹⁶ Although this sort of stories have to be approached with circumspection, they do show that the stories of both victims and perpetrators sometimes point in the same direction. That is also an important conclusion as a starting point in answering the questions over Dutchbat's performance.

22. Protective effort in the night of July 12-13

The notion that Dutchbat's efforts to keep watch over and protect the refugees during the night of July 12-13 were adequate and effective has turned out to be untenable, although that suggestion still prevailed at the time. Christina Schmitz of *Médecins Sans Frontières*, which had set up a post among the refugees, expressed her concerns to Karremans and Franken about the men who were being separated from the rest and taken to a house where they would be interrogated. After midnight, Schmitz reported to the office of *Médecins Sans Frontières* in Belgrade on the conversation she had had with them. Apparently, the subject of the discussion was the rumour that men were being pulled out of the crowds. Schmitz told her Belgrade office: 'Discussed with Franken and Karremans – they are sure that the VRS cannot enter – they are very sure that nobody of the men gets killed etc'.⁹⁹⁷

Franken later told the NIOD that while Karremans had not wanted to go that far, he himself had in fact already been a little worried at the time about the fate of the men, but that for reasons of his own he had not wanted to say so - a theme that will be discussed elsewhere. Initially, he remained sceptical about the VRS having access to the refugees and the possibility that large numbers of men had been taken away and murdered while Dutch soldiers were not far away. However, when he was confronted with the pattern in the statements of the refugees, he acknowledged the problem. In a subsequent attempt to reconstruct events, trying to reduce the discrepancy with the refugee statements, elements emerged, however, that when looked at more closely may help find an explanation.

Franken said he went out to check things himself that night, because of a new panic wave among the refugees. Around the edge of the area marked by yellow tape, some posts had been set up that were 'virtually within sight of each other'. Franken found that two posts 'had joined up anyway' and were longer on the outside edge of the area. He also discovered that there was a gap behind the bus depot: 'That was fixed right then'.⁹⁹⁸ Franken admitted that this had possibly made it easier for VRS soldiers to infiltrate and - if they were wearing stolen Dutch uniforms - not to be recognised, also because it was 'pitch dark' – although according to some people the moon provided some light in the

⁹⁹⁶ H. Gerritsen, "Serb army was fully involved". War veteran confesses to dozens of horrifying war crimes.' 05/11/97.

⁹⁹⁷ MSF, Brussels. MSF capsat Christina (Schmitz) to Stefan (Oberreit), not numbered, 13/07/95, 01:52:42. The date/time of the conversation (or the conversations) is not clear from this document, which is not without importance because of the context in which it took place. Schmitz and her colleague Daniel O'Brien told the French parliamentary *mission d'information* about Srebrenica that the conversations already took place in the afternoon (See: Audition de Christina Schmitz et Daniel O'Brien, 29 mars 2001, <http://www.paris.msf.org>). The time that the message was sent off, however, seems to leave room for the possibility that the contact took place in the evening.

⁹⁹⁸ Interview R.A. Franken, 18/05/01.

area.⁹⁹⁹ While he was moving around, he himself was not stopped by the VRS. He was also stated that at about 13.00 hours he had to have B Company relieved. Until then, it had manned the blocking position at the southern entrance to the compound and also guarded part of the circle, at the point of the turn-off to Jaglici. The crew of this blocking position, some of the men of which had spent five days and nights without sleep in war conditions, was completely at the end of its tether, according to Franken: "They were running on empty".¹⁰⁰⁰ Lieutenant Mustert said the exhausted company had fairly readily - albeit under some threat- allowed itself to be disarmed by VRS troops twice, after which the VRS soldiers walked on in the direction of Potocari. Captain Groen arranged for the company to be relieved by a smaller team of mixed composition that came from the compound.¹⁰⁰¹ The Dutchbat soldiers who took over from the men of B Company knew each other much less well, which made infiltration by the VRS easier.

After his discussions with the NIOD, Franken made an attempt of his own to reconstruct the situation, together with other people who had been involved at the time. It showed that until about 01.00 hours, Dutchbat soldiers had been in the 'outside circle', with only a half-hour interruption when two or three posts were disarmed by the VRS. Probably that already happened early in the evening. Similar attempts were reported later in the night, but this never led anyone to the realisation that a gap had opened up on the outer ring as a result. It was only for the period of 01.00 hours to 04.00 hours that it was unclear whether there had been outside posts. Lieutenant Koster, who had relieved his colleague Egbers, had not been able to determine whether the outside posts were still being manned because during that period his attention was required elsewhere.

At 04.00 hours, Egbers took over from Koster again, when it was already beginning to get light. So Egbers then believed that from that moment it would be impossible to secretly take people away. Based on all this, Franken concluded that the only gap had existed during the three 'open' hours between 01.00 hours and 04.00 hours.¹⁰⁰² In this context, it is interesting that at least one refugee specifically said that most incidents, especially rapes, had taken place between midnight and 03.00 hours.¹⁰⁰³ Another witness who had gone outside at 3 in the morning to urinate, said that he found six women and five men, one of whom he recognised, all with their throats cut, at the river.¹⁰⁰⁴ Even allowing for a margin of error because of the distortions that can occur in a person's memory, these statements seem to fit in with each other.

However, Franken regarded it as unlikely that a large number of men had been spirited away during this period of time. Whether that is right remains to be seen: by wearing the uniforms of UN soldiers, the Bosnian Serbs could also operate outside the 'open' hours. Witness statements are consistent with the picture of individuals or very small groups being taken away, which could be done much less conspicuously. This process continued all night.

Egbers' firm belief that the early light of the morning of July 13 would make it impossible to take people away secretly also deserves comment. There was a shortage of manpower to provide proper protection, anyway. In the words of Koster: "The situation was simply too big for us to handle and we didn't have enough people to be able to say: we'll post someone on every corner to keep an eye on the entire multitude. That was absolutely impossible".¹⁰⁰⁵ This was also emphasised by Karremans: "I didn't have the physical manpower. Especially at night it was completely impossible to keep an eye on everything. There were large gaps."¹⁰⁰⁶

⁹⁹⁹ BiH State Commission for the collection of facts/information on war crimes, Municipal Commission Zivinice, (17).

¹⁰⁰⁰ Interview R.A. Franken, 18 and 22/05/01.

¹⁰⁰¹ Interview J.M. Mustert, 18/06/99.

¹⁰⁰² E-mail R.A. Franken, 31/05/01.

¹⁰⁰³ BiH State Commission for the collection of facts/information on war crimes, Lukavac, (18).

¹⁰⁰⁴ ICTY (IT-98-33-T), Testimony 'E', 27/03/00.

¹⁰⁰⁵ Interview E. Koster, 06/10/99.

¹⁰⁰⁶ Interview Th. Karremans, 30/11/00 en 01/12/00

So it appears that a lot happened in the early morning of July 13 that the Dutchbat soldiers didn't notice. A conspicuous red thread in the refugee statements is formed by the discoveries of bodies in a corn field near the zinc factory. They had been slaughtered with knives. Many children who went looking for water saw bodies at the little creek. Men and women who had gone into the corn field during the night and in the morning to answer nature's call had also come across men whose throats had been cut.

Notable, too, is that several refugees also said they had tried in vain to warn Dutch soldiers. One of them was Camila Omanovic of the refugee committee, whose son had found corpses on both days and in two different locations, when he went out to get water.¹⁰⁰⁷ On the other hand, there are statements that Dutch soldiers advised refugees not to go to certain spots where there were bodies. Mevlida Selimovic, who lived in Potocari next to the battery factory, said that when she wanted to get water, a Dutch soldier refused to let her go to a certain spot because there was supposed to be a 'pile of bodies' behind the zinc factory.¹⁰⁰⁸ *Médecins Sans Frontières* staff member Emira Selimovic said that a number of Dutchbat soldiers had approached her boss Christina Schmitz about the discovery of seven dead Muslims whose throats had been cut. They wanted *Médecins Sans Frontières* to remove the bodies, which were supposed to be in a white house in a large corn field. Verification was impossible at that time because VRS soldiers with dogs were patrolling around the house. When Selimovic later did get a chance to take a look she did not find anyone there.¹⁰⁰⁹ At the 'major' debriefing in Assen, incidentally, not a single Dutchbat soldier talked about these murders, nor any other murder or indication of murder where knives had been used. A large number of other witnesses also mentioned the same house, as well as other houses nearby, sometimes even naming the owners.¹⁰¹⁰

The suggestion that emerges from this is that some Dutch soldier perhaps actually witnessed the same horrors that the refugees saw. However, such details have surfaced only sporadically until now. Social worker Dijkman later said he remembered hearing rumours in the compound about bodies in a corn field. It reinforced a 'gut feeling' that both he and psychologist Sanders had that something was 'very wrong'. However, he did not hear any concrete stories.¹⁰¹¹ But after the battalion's return to Zagreb, one Dutch soldier did tell UN interviewers that he had heard pistol shots from the direction of the corn field.¹⁰¹² This story did not emerge in the debriefing that was held in the Netherlands later.

23. Going around with blinkers on?

Bego Ademovic's testimony that we quoted earlier shows, as we have said before, that possibly a large number of the men who were 'lost' in Potocari were probably murdered at a time when Dutchbat's attentions were focused mainly on the chaotic start of the evacuation. At the same time, the Factual Account contains a large number of examples of Dutchbat personnel having strong suspicions that men were also being murdered during daylight hours on July 12 and 13. In some cases, reports of executions that had been seen by Dutchbat but had until then not been mentioned even surfaced during the debriefing in Assen. For instance, one Dutchbat soldier said that on July 12, he saw five

¹⁰⁰⁷ Interview Camila Omanovic, 18/05/99. Omanovic marked the locations on a map. The first discovery was south of the compound, the second closer to the factory.

¹⁰⁰⁸ Interview Mevlida Selimovic, 10/12/99.

¹⁰⁰⁹ Interview Emira Selimovic, 21/10/97. Schmitz was advised by MSF-Belgrade not to go and have a look but to leave that to the UNMOs. MSF, Brussels. Stephan and Bene to Christina and Daniel, MSF capsat IN.861, 13/07/95, 10:50.

¹⁰¹⁰ We have referred before to the house of Aljo Hasanovic that Bego Ademovic talked about (Testimony Bego Ademovic, ICTY, IT-98-33-T, 29/03/00). It is possible that this is the same house as the 'house of Alija' that a witness mentioned. (BiH State Commission for the collection of facts/information on war crimes, Municipal Commission Zivinice, (1) Other houses were also mentioned by refugees, especially by those among them who had lived in the area before the war, of course, such as the house of Fuad Malic, for instance. See: BiH State Commission for the collection of facts/information on war crimes, Zivinice, (17).

¹⁰¹¹ Interviews E. Dijkman and P. Sanders, 12/12 and 13/12/00.

¹⁰¹² NIOD, Coll. Hicks. UNPF HQ Civil Affairs, Human Rights Report Srebrenica, 31/07/95, p. 3.

male prisoners get out of a small VRS van and subsequently try to escape. They ran straight into the arms of VRS soldiers. Two were shot and killed, after which the others stopped running and were then taken away. This incident is supposed to have taken place only 50 to 60 metres from the main gates of the compound in Potocari.¹⁰¹³

Judging by the debriefing report and the Account of the Facts, Dutchbat soldiers did in fact see more on July 12 and 13 than was originally assumed. However, comparable reports coming afterwards have remained conspicuously scarce when it comes to the events that took place during the night of July 12-13. On the other hand, the amount of evidence coming from refugees that shows men were being picked up and taken away outside the 'open' hours as well is so vast that the question arises here why so little has been heard about this from Dutchbat personnel. Only anonymous psychological debriefing sessions with Dutchbat soldiers after their return to Zagreb provided vague pointers that fit in with the bleakest possible picture of what happened in Srebrenica and Potocari.¹⁰¹⁴ There are also indications that other people rather than just the psychologists and social workers who attended the debriefings have heard stories from Dutchbat members who apparently had moments when they needed to unburden themselves.¹⁰¹⁵ To these, we can then also add the various statements, some anonymous, some not, that have appeared in the media over the years. Talking to psychologists and other support people who have counselled or are still counselling Dutchbat members, it becomes clear that they, too, have been confronted with stories that sketch a much more gruesome picture of what took place than they had realised until then.¹⁰¹⁶

In other words, the overwhelming impression is that at the debriefings in Zagreb and Assen, Dutchbat soldiers reported only part of what they had seen during those days after the fall of the enclave. Looking for an explanation for this is a tricky affair. To what degree the debriefing methods themselves contributed to this will be discussed later in a separate chapter. However, other factors probably also played a role, although it's difficult to list them exactly with any degree of certainty. In any case, we can make a few rationally argued assumptions to try and answer this question.

One of the possible explanations for the poor reporting was provided afterwards by a number of Dutchbat soldiers themselves, namely that the chain of command was no longer functioning properly. Log books as well as personal notes indicate that the battalion was still functioning after a fashion until July 12, despite the shortage of officers and men. Franken said at the Krstic trial that at the end of July 12, 'it was obvious that we were not in control anymore'.¹⁰¹⁷ After that, the log books and personal notes do indeed show major gaps or are only sketched later in broad outlines, after the last refugees had left the compound in Potocari on July 13.

However, it is not correct to say that the chain of command ceased to function completely. Certain orders were still being carried out. But especially outside the compound, officers were largely left to their own devices and had to act as they saw fit. 'We had no direct leadership', Lieutenant Van Duijn said later. 'We did have a link with the battalion Ops Room via the portophone, but that was something like: if there is something that needs to be done, just jump in.' The ordinary soldiers generally looked to their sergeants or the lieutenant to tell them what to do. Van Duijn: 'You could get

¹⁰¹³ Wind, *Debriefing Srebrenica*, p. 51, 99. The detail that the men arrived in a small van stands out, as well as the fact that they apparently feared the worst.

¹⁰¹⁴ This will be discussed separately in a later chapter.

¹⁰¹⁵ An anonymous and undated note from the Military History Section, entitled 'Information sources', refers to an anonymous I&V (military intelligence) official who reported rumours that were circulating at the reception camp Pleso. Soldiers were supposed to have seen civilians being herded together with a power shovel and subsequently crushed to death against a wall. (Military History Section - SMG, 1007/7) If the least likely element of the story, that of living human beings being crushed to death, is discarded, this reported observation can refer to the clearing of bodies. There are indications that there was a power shovel or excavator Potocari, near the bus depot, where traces of digging were in fact found later (albeit no - traces of - bodies). See: ICTY (IT-98-33-T). Testimony 'H', 30/03/00.

¹⁰¹⁶ Verification was impossible in view of the confidentiality of the statements. However, the stories appear generally plausible in the light of the other statements.

¹⁰¹⁷ ICTY (IT-98-33-T). Testimony R.A. Franken, 04/04/00.

the job done quite well in this way, if you employed clearly focused leadership. I think they closed their eyes to the situation. I did that myself, otherwise you cannot function under those circumstances.¹⁰¹⁸ But sometimes that leadership was also lacking, as one soldier told the Tribunal: ‘We were understaffed, and the higher-ranking officers and non-commissioned officers were under such stress and so busy that we did not have any people in command. Everybody did as he saw fit, and we did what we could’.¹⁰¹⁹ Lieutenant Rutten was most explicit in his criticisms, talking of complete chaos that had been partially caused by the fact that there was nobody who took command: ‘Everybody acted as he saw fit, with the result that very little or nothing at all was actually done. The battalion had become completely passive’.¹⁰²⁰

Many Dutchbat soldiers said afterwards that they were so caught up in the circumstances of the situation that there was barely any time to stop and think about what was happening, let alone report it or do something about it. Lieutenant Koster, who also began to have vague feelings of unrest about what was going on, described it as follows:

‘You realise only afterwards that we were really more focused on trying to keep things under control and at least help people in an orderly manner than that we were continually keeping an eye on what the Bosnian Serbs were up to. As strange as that may sound. Afterwards, a lot of people couldn’t comprehend that. But when you have three, four women pulling at you because they want to know what is going to happen, it’s very difficult to keep your mind on other things as well.’¹⁰²¹

It was simply a matter of who happened to be available whenever something came up that had to be done, Van Duijn said. However, he also concluded that the latter was not self-evident: ‘Various people who were supposed to do a certain job would then no longer be available for deployment’.¹⁰²² It is a theme that even now, after so many years, is still being talked about with circumspection: some Dutchbat soldiers went to pieces, temporarily or otherwise, because of the tensions and fear. A note that Rave wrote into his little diary on July 14 points to the same thing, when he recorded his impressions from the past one-and-a-half to two days: ‘sld + officers and NCOs who functioned perfectly / Sld + officers and NCOs who went to pieces’.¹⁰²³ Franken later even declared that ‘during the end phase, he had had to physically threaten or even use physical force with a fair number of people to get them moving again.’¹⁰²⁴

Other people, too, saw some Dutchbat soldiers who were completely out of it. Children saw UN soldiers cry while they tried to explain - in English and therefore unintelligible - something to their mothers.¹⁰²⁵ Hatidza Hren, who later became spokeswoman for the widows of Srebrenica, recalled how a dark Dutch soldier began to cry when he asked her whether she knew why the men were being separated from the women.¹⁰²⁶ It wasn’t just refugees who told this kind of story later. Christina

¹⁰¹⁸ Interview L.C. van Duijn, 02/07/99.

¹⁰¹⁹ ICTY (IT-98-33-T). Testimony ‘F’, 28/03/00.

¹⁰²⁰ Quoted by H. van den Heuvel, director of Information at the Ministry of Defence, in a report on a conversation that he and the then BLS Lieutenant General M. Schouten had with J.A.H. Rutten on 04/07/97. SG. Memo H. van den Heuvel, 06/07/97, Appendix 2 with letter from Minister for Defence to the chairman of the House of Representatives (Parliament), D98002140, 13/08/98.

¹⁰²¹ Interview E. Koster, 06/10/99.

¹⁰²² Interview L.C. van Duijn, 02/07/99.

¹⁰²³ Notebook B. Rave. Loaned to NIOD for its perusal.

¹⁰²⁴ Interview R.A. Franken, 04/05/01.

¹⁰²⁵ Interviews with orphaned schoolchildren from Srebrenica, at the initiative and under guidance of their teacher Hatidza Hren, 05/02/98.

¹⁰²⁶ Interview Hatidza Hren, 20/10/97.

Schmitz of *Médecins Sans Frontières* also said: 'I saw many big soldiers crying'.¹⁰²⁷ The interpreter at the time, Omer Subasic, said he had seen UN soldiers in a state of shock because they had seen dead bodies.¹⁰²⁸ One refugee claimed that at some point between July 11 and July 13, he had seen a UN soldier run around who 'went nuts' and kept shouting: 'UN is mafia!'.¹⁰²⁹

It is a well-known phenomenon that in situations of extreme stress, a person's powers of observation diminish and the observer withdraws into himself and shuts himself off from his surroundings. This alienating effect of shocking experiences was put into words by, among others, soldier Groenewegen, who witnessed an execution. His debriefers in Assen recount his experiences as follows: 'At that moment, he felt as if everything around him was no longer completely real and it was difficult to comprehend (what he was seeing). For a moment, the only thought in his head was to flee'.¹⁰³⁰ Even so, Groenewegen did report what he had seen to his superior. Another soldier reported in Zagreb already that he had seen a man being taken from a house and then disappear behind a bus, after which there was a shot. After that, the same thing happened again, but: 'He didn't dare make it too blatantly obvious that he was watching, for fear of the VRS'.¹⁰³¹

Others kept silent for a long time. A combination of other elements probably played a role in this as well. We have examples of what happened in other peacekeeping operations where UN soldiers witnessed people being killed. Initially they were so shocked by this, that they didn't report the incident. Then came the shame and the fear because they had failed in their duty to report the incident. When the bodies were discovered later and from the route that the UN patrol was known to have taken it became obvious that it was virtually impossible for them to have missed the incident, one soldier eventually cracked and told the story.¹⁰³²

It can be easily imagined that in some cases such mechanisms also played a role in Potocari. Often it takes a long time before the so-called bell-ringers come forward. A good and at the same time moving example of a case where the person concerned kept silent for a long time, probably as a result of prolonged mental stress, emerged at Tribunal trial of General Krstic. One of the witnesses was soldier D. Vaasen.

His testimony did not touch on the first gripping experiences that he had had. The court was not told that Vaasen had been part of the crew of OP-M. The members of this crew had seen the local ABiH commander shoot and kill two of his own men before their very eyes, because they wanted to stop the Dutch from leaving with the refugees. They subsequently saw them start fighting among themselves, and again people got killed. After that, they had driven their APC, like a Medusa raft on wheels, to Potocari surrounded by thousands of refugees. When they were being fired at along the way, the ensuing panic situation saw refugees end up under the wheels of the vehicle (see Chapter 8 of this part for more about the so-called OP-M incident.)

Back in Potocari, Vaasen was deployed in guarding the refugees in the factory complexes. As related earlier, he saw a number of suicides by hanging there. At Krstic's trial, Vaasen also said that he - and some colleagues - had witnessed the aforementioned rape of a young woman in one of the factory halls.¹⁰³³ It was a notable statement because it was the first time that a Dutchbat soldier publicly talked about having seen anything like that.¹⁰³⁴ For instance, general Couzy said at his press conference in

¹⁰²⁷ MSF, Brussels. MSF Capsat out. 534, 13/07/95, 22:02:43. Specific examples were provided in various conversations with former Dutchbat members who were promised anonymity.

¹⁰²⁸ Interview O. Subasic, 19/04/98.

¹⁰²⁹ Interview Sadik Vilic, 06/02/98.

¹⁰³⁰ SMG/Debrief. *Feitenrelas* Debriefing 'srebrenica', p. 288

¹⁰³¹ SMG, 1007/25. Note P. Groen, 'Debriefing sgt Van der Vliet staff medic company in regards to inquiry into war crimes, Camp Pleso 230795, 12.30-1 pm'.

¹⁰³² This phenomenon is partially based on a concrete instance involving Dutch UNIFIL soldiers in Lebanon and comes from a former UNIFIL soldier who wished to remain anonymous.

¹⁰³³ ICTY (IT-98-33-T). Testimony D. Vaasen, 27 and 28/03/00.

¹⁰³⁴ This is not entirely correct. Army chaplain N. Meurkens, who was involved in the reception of Dutchbat in Zagreb, heard from a medic that he (the medic) had witnessed two rapes by VRS soldiers, including one where a young girl was the

Zagreb, after the return of the battalion, that Dutchbat had not seen any rapes. There is no reason to believe, incidentally, that Couzy said anything that he didn't think was the factual truth as he knew it at the time. The picture of no rapes having been observed by any member of Dutchbat also remained during the debriefing in Assen.

After that, Vaasen had other experiences that left an indelible impression on him. Under threat of an AK-47 automatic weapon that was held against his head, he had to surrender all his equipment. He also saw a man being taken behind a house, after which there was a shot and the VRS soldiers came back alone. When Vaasen made a trip from Potocari to Srebrenica a few days later to pick up equipment that had been left behind by B Company after the fall of the enclave, he saw many bodies along the way and in Srebrenica, some of whom had looked like execution victims.¹⁰³⁵

In reply to kindly questions from a judge as to his (Vaasen's) own well-being, Vaasen said that after all those years he was still being plagued by the memories of what he had gone through in Srebrenica.¹⁰³⁶

Psychological explanations of this kind of thing are often looked at with suspicion because they make the question of responsibility a lot more complicated. However, anyone who wants to understand what happened to the Dutchbat soldiers in Potocari, cannot escape having to take into account the effects of exhaustion and fear on their powers of observation and ability to act. A narrowing of vision, mental withdrawal, urge for self-preservation, denial/suppression (of things seen) and loss of memory can all occur in situations of extreme stress. Moreover, Dutchbat's soldiers weren't the only ones who failed to realise what the Bosnian Serb soldiers were up to exactly. Just like a lot of people outside the enclave, the possibility of a large-scale bloodbath was literally unimaginable to the Dutchbat soldiers. 'I think most of us didn't know. That was perhaps being a little naive', said warrant officer Oosterveen, who himself had found bodies of people who had been executed.¹⁰³⁷ On top of that, certain incidents seemed to fit into the picture that they had formed during training of the somewhat rough and ready local customs. That made it easier to simply shrug things off as 'incidents'. Hence, too, that some soldiers thought of themselves first. 'I thought: it's your party', as one of them, Van Beukering, expressed it.¹⁰³⁸ Incidentally, that attitude did not prevent him from reporting his strong suspicions about an execution, although he didn't do so until Zagreb.

All these factors were exacerbated by the lack of something to hold onto. The Dutchbat soldiers had not - or barely - been prepared or trained for a situation such as the one that developed on July 12 and 13. During one training exercise, lieutenant Koster had made his men simulate an execution near an OP: 'But afterwards I said: maybe we shouldn't do that too often, because it probably doesn't happen anyway'.¹⁰³⁹

In the autumn of 1995, the Committee of Dutch Lawyers for Human Rights wrote to Defence Minister Voorhoeve to point out how inadequate the attention paid to the humanitarian aspects of the mission had been:

victim. Meurkens reported this to the Head Chaplain and also told a journalist who was in Zagreb at the time about it. See: B. Bommels, 'De "black box" Srebrenica' ('The 'black box' Srebrenica'), *Elsevier*, 29/07/95. One conspicuous detail is that Vaasen, in addition to his other tasks, also looked after the wounded.

¹⁰³⁵ ICTY (IT-98-33-T). Testimony D. Vaasen, 27/03 and 28/03/00.

¹⁰³⁶ ICTY (IT-98-33-T). Testimony D. Vaasen, 27/03/00.

¹⁰³⁷ F. Lardenoye, 'Het boek "Srebrenica" is niet gesloten' ('The book on 'srebrenica' has not been closed'), in: *Oplinie*, 05/07/96. See also: E. Nysingh, 'Naïeve Dutchbatters zagen moordpartij niet aankomen' ('Naive Dutchbat men never saw the murders coming'), *De Volkskrant*, 12/07/96.

¹⁰³⁸ Interview E.J. van Beukering, 14/12/00.

¹⁰³⁹ Interview E. Koster, 19/10/99.

‘subjects like setting up a refugee camp, distributing food, separating bona fide refugees and Displaced Persons from disguised soldiers, dealing with orphaned children (...) are perhaps paid too little attention to’.¹⁰⁴⁰

As an example, the Committee pointed out that the ‘Yugoslavia Manual’ issued by the Directorate of Operations of the Netherlands Army did not contain any chapters on humanitarian matters. We can only endorse the Committee’s conclusions, which were based on discussions with several Dutch officers. The words ‘perhaps paid too little attention to (humanitarian issues)’ probably don’t even express it strongly enough. Especially the lower ranks lacked the knowledge and training that they required to be able to perform adequately. The virtual absence of some kind of frame of reference that could give them something to hang on to, caused some soldiers ‘to lose their way’ during the chaos.’ That became even worse as a result of the chain-of-command problems that so many statements talk about. (The training of Dutchbat was discussed in more detail in Chapter 8 of Part II.)

Based on the available information, it is impossible to determine the degree to which the aforementioned factors affected Dutchbat’s performance. In any case, the reactions of individual Dutchbat soldiers were different from one man to the next. Some of them resigned themselves to the situation very quickly and, for instance, offered hardly any resistance when they were robbed of their equipment. Others only gave in only when they were threatened with violence. The same differences also played a role in how people observed and reported possible war crimes.

Although we can - on the basis of formal criteria - criticise the way some Dutchbat soldiers treated signs that war crimes were being committed and it is clear that this aspect of things has gone very wrong, it is also important to remember that apportioning individual blame/responsibility under such circumstances is a concept wrought with problems. A comparison with the way in which other observers dealt with the information that they got makes that even more obvious.

24. Observations and reports by the UNMOs

A *Post Mission Report* of the UNMO headquarters in Zagreb praised its own organisation as ‘the only real sensor’ in the field on behalf of the UN Security Council. The UNMOs’ impartiality was backed by ‘real national balance’, unarmed status, ability to operate independently during operations, great flexibility and mobility and the fact that they worked and lived in the local community. At a professional military level, the UNMOs concerned themselves with valuable monitoring of events on the ground. Even more importantly, the authors of the report said, was the fact that the UNMOs ‘used to be the last to leave the hottest spots and so to lose credibility with warring factions.’ As a result, they played a crucial role during the peacekeeping operations in the former Yugoslavia.¹⁰⁴¹ In its conclusions, the report said, among other things, that ‘UNMOs are the most objective and reliable information source for UNNY, ICTY [the Tribunal], ICRC [the International Red Cross] and different humanitarian agencies (...)’.¹⁰⁴²

The report also briefly touched on the UNMO involvement in the events in Srebrenica, where three UNMOs were present at the time of the attack. In the flat description, which contrasts sharply with the bold conclusions of the report, we can read, among other things, that the UNMOs had assisted in the evacuation of the local population ‘to the bitter end’ and that they had managed to pass on valuable information despite the fact that they had become fairly powerless as a result of the situation.¹⁰⁴³

The reality of the UNMO activities during the last days of Srebrenica was rather less rosy. When the attack began, there were three UNMOs in the enclave. Three others had left on June 24 to

¹⁰⁴⁰ DJZ. Dr. B.C. Labuschagne, chairman NJCM, to Defence Minister J.J.J.C. Voorhoeve, Leyden, 18 December 1995.

¹⁰⁴¹ UNMO HQ Zagreb, *UNMO in UNPROFOR/UNPF. Post Mission Report* (Zagreb 1996) p. 4.

¹⁰⁴² UNMO HQ Zagreb, *UNMO in UNPROFOR/UNPF. Post Mission Report* (Zagreb 1996) p. 44.

¹⁰⁴³ UNMO HQ Zagreb, *UNMO in UNPROFOR/UNPF. Post Mission Report* (Zagreb 1996) p. 14.

be rotated, but the VRS did not allow their replacements to enter the enclave. Many Dutch soldiers, including the battalion's commanding officers, later criticised the three remaining UNMOs in Srebrenica. They complained about their 'invisibility', tendency to hang back and even fear in monitoring and reporting events during the crucial days of the fall of the enclave and what happened afterwards. Karremans as well as Franken accused the UNMOs of not taking greater advantage of their special position and wider mandate to at least try to follow the events better. In Karremans' eyes, they could have followed convoys by car, or 'at the start of the evacuation they can stand in the middle of Bratunac, so to speak'.¹⁰⁴⁴ Moreover, the UNMOs would even have been able to use the excuse that their second office was in Bratunac, at the Hotel Fontana.

Conversely, the UNMOs complained especially about the poor information that they received from the battalion, something that is supposed to have hampered their activities. Even early on July 12 they already reported their frustration about having been ignored in consultations between Dutchbat and other aid organisations: 'they tell us outright we are not required. We feel frustrated.'¹⁰⁴⁵ However, that may already have been the result of a loss of credibility at the time. Dutchbat personnel as well as local staff complained about the fact that the UNMOs made their own job more difficult by leaving their office at the Post Office building in Srebrenica quite early in the piece, on July 9.

At the time that the UNMOs left Srebrenica in a great hurry, one of them - the Dutch Major De Haan, was already at the compound in Potocari. He had arrived there on July 1 for some minor surgery, but had hung around the compound ever since - to the annoyance of many Dutchbat members. De Haan himself declared that he had gone back to work on July 10, inside the compound as well as outside it. The former was something that depended on how you looked at it: the remaining UNMOs, Kingori and Tetteh, already joined him on July 9 when things got too hot for them, and they left the compound again only after the fall of the enclave. It didn't make a very good impression when they sent their interpreter Emir Suljagic back to Srebrenica with a Motorola walkie-talkie to count and report on the shell bursts there¹⁰⁴⁶ (see Chapter 6 of Part III about this). Some Dutchbat soldiers liked to call the UNMOs 'UNBOs', standing for 'UN Bunker Observers', because 'when something had to be observed these people were sitting in the bunkers'.¹⁰⁴⁷ Two interpreters also said later that the UNMOs hardly ever tried to set foot outside the door and very much relied on them (the interpreters).¹⁰⁴⁸ Lieutenant Colonel Karremans also made a vain attempt to send them back to Srebrenica: 'When that failed, I sent my own Liaison Officer team'.¹⁰⁴⁹

The UNMOs themselves later tried to provide a different picture of their activities. On July 21, squadron leader Tetteh wrote a curious report in Zagreb entitled 'Report on the battle of Srebrenica', in which he gave a flowery, almost pathetic account of the adventures of the UNMOs:

'There was another silent group who championed the course of peace in this [sic] trying circumstances by assuming the role of co-ordinators as well as reporters and could be found at the scene of every event covering every single blade of grass. These were the notorious A team, UNMO team Srebrenica.'

In his report, Tetteh created the impression that the UNMOs had fearlessly continued to do their job after fleeing from Srebrenica: 'if anyone thought this notorious group was done with, he might be joking, for the team went hurriedly into action right away instead of going into hiding like the

¹⁰⁴⁴ Interview Th. Karremans, 18/12/98.

¹⁰⁴⁵ SMG/Debrief. Debriefing statement A. de Haan, 25/09/95. De Haan made statements in Assen on two consecutive days.

¹⁰⁴⁶ Interviews Muhamed Durakovic, 20/11/99; Almir Ramic, 6-10/11/99 and Emir Suljagic 24/05/99.

¹⁰⁴⁷ SMG/Debrief. *Feitenrelaas*, p. 187.

¹⁰⁴⁸ 'srebrenica lijst 242', letter Hasan Nuhanovic to Mient-Jan Faber (part 4), in: *Trouw*, 14/07/99; ditto, part 9, in: *Trouw*, 20/07/99. Interview Emir Suljagic, 23/10/97.

¹⁰⁴⁹ Interview Th. Karremans, 30/11/00 en 01/12/00.

others'.¹⁰⁵⁰ However, Tetteh's name never turns up in any of the reports by Dutchbat personnel and *Médecins Sans Frontières*.¹⁰⁵¹ It is possible that Tetteh's invisibility had to do with him manning the new UNMO communications centre in the Potocari compound. The pathetic closing sentences in some of the situation reports seem to point that way. However, Kingori's casual remark at the Krstic trial, when he described the problems in monitoring events, is perhaps the most telling: 'we were just two observers'.

The Dutch UNMO, De Haan, also played an inconspicuous role. UNMO interpreter Emir Suljagic said that De Haan did try to get clarification from Mladic on July 12 on why the men were being separated from the rest.¹⁰⁵² De Haan himself later told a journalist that he went to investigate, probably that same day. On that occasion, he discovered an 'interrogation house' less than 300 metres from the gates to the compound, with clothes and other possessions piled high against the front wall. He saw about 70 men go into the house and heard shots coming from there from time to time.¹⁰⁵³ At Franken's strong insistence, he went to check out the White House on July 13, but did not go in because he was refused entry (by the VRS). But he did see how a man, who furiously resisted being taken away, was 'given a thorough beating and dragged into the bus'.¹⁰⁵⁴

The one UNMO who appears to have been most active in those days after the fall was the Kenyan major J. Kingori. He could in fact be seen in the film images made on July 12 after the entry of the Serb troops and Mladic. He was also the one who asked him why the men were being separated. At Franken's request, he watched the White House on July 13 to check whether the number of men who were led in corresponded with the number who came out.¹⁰⁵⁵ And as Dutchbat soldier Koreman wrote in his diary, Kingori also protested continually against the brutal manner in which people were packed together in the buses.¹⁰⁵⁶

Oddly, however, none of the incidents that De Haan and Kingori were involved in are mentioned in the reports that the UNMOs were regularly sending off. What's more, the picture that they painted of the VRS behaviour on the afternoon of July 12 was positive: it was 'giving bread and soft drinks [sic] to the refugees that are on the place of departure but it can't help all the people at once. At least they are trying to comfort the people in a way'.¹⁰⁵⁷

A partial explanation for this discrepancy was provided by the UNMOs themselves. The impression that we get from the UNMO reports about the mental state of the observers at the time closely corresponds to the picture that we have of many Dutch soldiers during those days: stress, fear and despair. At irregular intervals, the UN observers sent their reports to the sector headquarters in Tuzla, indicating their growing anxiety. They also talked about how they were getting on themselves, including their frustrations about their treatment by Dutchbat.¹⁰⁵⁸

Even on July 12 the UN observers were already signalling that their ability to operate was diminishing. When it was still uncertain whether the battalion would leave before all refugees had safely been removed, Franken toyed with the idea of staying behind if that happened, to keep an eye on things. He felt that should also be the UNMOs' job. Normally, they would have agreed with that, they told him, but 'concerning the current situation we think it is advisable to leave with the battalion. We turn out not to be machines however much we would like to. We feel really exhausted'.¹⁰⁵⁹

¹⁰⁵⁰ Collection NIOD (8). Sqdn ldr David A. Tetteh, 'Report on the battle of Srebrenica', 21/07/95.

¹⁰⁵¹ ICTY (IT-98-33-T), Testimony J. Kingori, 03/04/00.

¹⁰⁵² Interview Emir Suljagic, 24/05/99. However, Suljagic was soon taken back to the compound by De Haan because he was being threatened. De Haan then returned to Mladic without interpreter.

¹⁰⁵³ Westerman/ Rijs, *Srebrenica*, p. 171

¹⁰⁵⁴ Debriefing statement A. de Haan, 26/09/95.

¹⁰⁵⁵ Debriefing statement R.A. Franken, 07/09/95.

¹⁰⁵⁶ NIOD, Coll. Koreman. Diary Koreman, 41st week, p. 26

¹⁰⁵⁷ SMG, 1002. UNMO Srebrenica update dtg 121645B JUL 95. The last update that was sent off that night does not say anything either that fits in with later statements about observations on the 12th.

¹⁰⁵⁸ See: SMG, 1002. UNMO HQ BH-NE daily sitrep 120001-12200, i.h.b. dtg 120746B JUL 95.

¹⁰⁵⁹ SMG, 1002. UNMO Team Srebrenica, Srebrenica update: dtg 121025B JUL 95

That picture is confirmed by an observation by the independent Serb journalist Bratislav Grubacic, who managed to reach Potocari on the 13th. The deportation of refugees outside the compound had been completed at about 16.00 hours and the clearing of the Dutch base began. Grubacic saw how the refugees walked between two rows of Dutchbat soldiers as they were leaving the base, and Serb soldiers who were standing behind the Dutchmen began to point certain men out and pluck them from the refugee columns. The Dutch soldiers who formed a sort of hedge, were just standing there, looking dazed: ‘They did nothing, they looked on as if they didn’t understand what was happening, including the officers. It was as if they came from Mars’.¹⁰⁶⁰ Grubacic said he also met a Dutch UNMO ‘who told me that he only wanted this whole affair to be finished as soon as possible: “I can hardly wait to go home”, he told me, “I lost 14 kilos here”’.¹⁰⁶¹

Probably about the same time, 17.15 hours, a fax went out to (UNMO section headquarters in) Tuzla that again indicated that it was best if the UNMOs left together with the battalion: ‘Emotions are getting out of hand by us and we really need time to recover’.¹⁰⁶² And a few hours later: ‘Tears were in our eyes when seeing the desperate Displaced Persons with no secure future looking at us and seeking for help we cannot give them. We really lost this enclave and our heads. We feel very sorry that we were not able to do more’.¹⁰⁶³

This emotional mood was a direct result of what the UNMOs went through on July 13. ‘After a virtually sleepless night’, they were confronted in the morning with the same stories of bodies being found that the Dutchbat soldiers heard: ‘We try to investigate the rumour that the Serbs have killed several men they took out of the crowd yesterday. I hope we will be able to’.¹⁰⁶⁴ Kingori himself says he made an attempt to investigate, but was stopped.¹⁰⁶⁵ However, the following day they despondently reported that they were hardly in a position to check rumours: ‘The ROM (restriction of movement) really kills us. We can only report the rumours and hardly confirm anything’.¹⁰⁶⁶ Shortly before that, they had reported one of their suspicions, resulting from shots that they had heard coming from the Bratunac area. Because of the *restriction of movement*, they had not been able to investigate, but: ‘Because the men were taken there in separate buses we fear for the worse [sic]’.¹⁰⁶⁷ That fear just didn’t pop out of thin air. Right from the beginning the UNMOs had had anxious forebodings. In their message of July 8 that the VRS was entering the enclave, they also wrote: ‘The question is now: how do we find the means to prevent a massacre?’¹⁰⁶⁸

However, in regards to those ‘restrictions of movement’ faced by the UNMOs at that time, there were two exceptions that throw a curious light on the question of the meagre humanitarian reporting from Potocari. Apart from the messages about the deportation, the rumours about murders and the shots that had been heard, the impression created by the UNMOs’ situation reports is that at that point nothing had happened. However, fairly soon after the fall of the enclave, in the autumn of 1995, there was already an indication that the UNMOs must have seen more than they had said in their reports. NRC journalist Frank Westerman, one of the first to seriously look at the issue, wrote an article in October that criticised the performance of Dutchbat in its efforts to assist the local population. Westerman also talked to Kingori, who claimed that the Dutchmen must already have known by July 12 that ‘people were being murdered on the other side of the fence’. Kingori referred to his own

¹⁰⁶⁰ Quoted in: ‘Dutchbat keek toe bij het wegvoeren mannen’ (‘Dutchbat looked on as men were being taken away’), *De Volkskrant*, 30/08/95.

¹⁰⁶¹ Interview B. Grubacic, 06/11/97.

¹⁰⁶² Def. Sitreps. UNMO Team Srebrenica, Srebrenica update: dtg 131715B JULY 95

¹⁰⁶³ Def. Sitreps. SMG, 1002. UNMO Team Srebrenica, Srebrenica update: dtg 132150B JULY 95

¹⁰⁶⁴ Def. Sitreps. UNMO Team Srebrenica, Srebrenica update: dtg 130800B JUL 95

¹⁰⁶⁵ ICTY (IT-98-33-T). Testimony J. Kingori, 03/04/00. This was possibly the incident mentioned earlier that Christina Schmitz talked about, when a VRS soldier told her he could not guarantee her or the UNMO’s safety if they decided to investigate.

¹⁰⁶⁶ Def. Sitreps. UNMO Team Srebrenica, Srebrenica update: dtg 141700B JUL 95

¹⁰⁶⁷ Def. Sitreps. UNMO Team Srebrenica, Srebrenica update: dtg 141420B JUL 95

¹⁰⁶⁸ Westerman & Rijs, *Srebrenica*, p. 15.

discovery of a house ‘at 300 metres of the compound’ (apparently not the White House) that was packed with men: ‘They stretched out their arms and begged for help’. This quote was then followed by a remarkable comment, the implications of which weren’t understood yet in 1995. ‘A pile of bodies was stacked against a garage wall - higgledy-piggledy. I reported everything’.¹⁰⁶⁹

When he appeared as a witness in the trial of General Krstic in 2000, Kingori described another incident. After the last ousted inhabitants had been deported, a small convoy - consisting of some Dutchbat soldiers, Kingori and Catherina Schmitz of *Médecins Sans Frontières* - was put together to pick up some elderly people who had been left behind in Srebrenica. When they approached Srebrenica, Kingori said, ‘we could see dead bodies on the roadside, next to buildings, and all that, the way up to the Srebrenica town itself’.¹⁰⁷⁰

In spite of his claim that he had reported ‘everything’, there is nothing in any of his reports that points to these events.¹⁰⁷¹ The *situation report* that describes the trip to Srebrenica with *Médecins Sans Frontières* only mentions the fact that the city was deserted, apart from looting VRS soldiers.¹⁰⁷²

However, the things that Kingori now says that he has seen appear to be confirmed by other sources. For instance, there is the notable comment about the ‘pile of bodies’ near a garage. After their arrival in Tuzla on July 15, several refugees said that a group of children had found 20 male bodies in the early morning in Potocari. They lay in a concreted courtyard, piled against a garage door with brown rust stains.¹⁰⁷³ This observation almost exactly corresponds with images that British journalist Robert Block saw on July 17 in the studio of the independent Studio B station in Belgrade. Block saw about 25 young Muslim men who had been killed: ‘At about shoulder height above the bodies were what appeared to be brownish-red blotches on the yellowish wall and dark sticky looking stains on the black garage doors behind the cadavers. There were bullet holes everywhere’.¹⁰⁷⁴

The pictures were shot by cameraman Zoran Petrovic who had been filming events around the fall of Srebrenica. Parts of his video were soon going all over the world. They showed a triumphant Mladic in Srebrenica and Potocari, but also Colonel Doctor Kremer, who after he was asked what was happening angrily replied that it was quite obvious what was going on. The pictures also showed the hunt for the men who tried to cross the bitumen road at Nova Kasaba on their way to Tuzla and capture. Also included, among other things, were scenes of a small group of prisoners sitting in a field. Before it was clear what would happen, the picture went black. In the summer of 1995, Petrovic told Dutch journalists that he had destroyed these parts of his film after showing them to a limited number of people, because he feared ‘that the pictures would fall in the hands of the prosecutors of the International Court of Justice in The Hague’.¹⁰⁷⁵

Block was probably one of the few people who saw the uncensored film. Incidentally, not all sensitive pictures were erased. Dutch journalists Frank Westerman and Bart Rijs managed to get possession of it when they investigated the events in Srebrenica. The images concerned show the bodies of four civilians who were dragged from a cellar by members of the Drina Wolves and shot in the street. Their bodies lay in the gutter for days.¹⁰⁷⁶

¹⁰⁶⁹ F. Westerman, ‘Gezuiverd door Dutchbat’ (‘Cleansed by Dutchbat’), *NRC Handelsblad*, 21/10/95. Notably, the date and location are exactly the same as what De Haan said - as related earlier - about his inspection of the ‘interrogation house’ on the 12th. It is not known whether he went there with Kingori.

¹⁰⁷⁰ ICTY (IT-98-33-T), Testimony J. Kingori, 03/04/00.

¹⁰⁷¹ According to the UN report on Srebrenica, Akashi is supposed to have suppressed (on July 13) certain sensitive reports from the UNMOs for their own safety (UN, Srebrenica Report, par. 353). However, it is hardly possible for this specific report from Kingori, if it existed, not to have left any trace at any level in the reporting chain, neither in the collection of primary sitreps, nor in the internal summaries produced by headquarters.

¹⁰⁷² Defence Sitreps. UNMO Team Srebrenica, Srebrenica update: dtg 132150B JULY 95

¹⁰⁷³ Westerman & Rijs, *Srebrenica*, pp. 172 and 281.

¹⁰⁷⁴ Robert Block, ‘Bodies pile up in horror of Srebrenica’, *The Independent*, 17/07/95.

¹⁰⁷⁵ Westerman & Rijs, *Srebrenica*, p. 281.

¹⁰⁷⁶ Westerman and Rijs could assess the pictures based on what a witness had told them. See: Westerman & Rijs, *Srebrenica*, pp. 193 and 284.

Kingori, too, appeared to refer to Potocari when he talked about the pile of bodies. However, it is remarkable that he didn't mention his discovery when he testified before the Tribunal during the trial of General Krstic. And as we said earlier, nothing can be found on the subject in his original reports dating from the time of the incidents either. There is just a single indication that certain information did perhaps reach the outside world after all, although it remained unclear how that would have happened.

On July 15, just after 14.30 hours, a note was entered into the log book of the Defence Crisis Management Centre in The Hague in regards to a telephone call from De Ruyter in Sarajevo to Deputy Chief of Staff Hilderink: 'UNMO source about 1000 men taken away Bratunac with unknown destination, many people with neck shots. Worked over with rifle butts. Many killed. Carried on like animals (between Potocari and town of Srebrenica). During attack and what happened after that!'¹⁰⁷⁷ This message reached Minister Voorhoeve the same day, who made a note of it in his diary with the comment: 'so I fear executions are taking place'.¹⁰⁷⁸

It was impossible to find out where exactly this intriguing message came from. The only and most direct connection that we can see, at first glance, is with a statement from UNMO De Haan. When he was being debriefed in Assen in September 1995, he said that he had seen three bodies on the road from Potocari to Srebrenica, two of which had been shot in the back and one in the neck. Two lay about a kilometre south of the compound and one at about one-and-a-half kilometre (from the compound).¹⁰⁷⁹ However, it is not clear when and under what circumstances he was able to see this, and how this was possibly reported. Nothing at all can be found about it in the situation reports of the UNMOs, nor is there any indication that he informed the battalion's senior officers. De Haan did accompany a wounded convoy to Bratunac on the 16th, but he cannot have seen the bodies that he is talking about on that particular trip. Nor is there anything to indicate that he joined Kingori to escort *Médecins Sans Frontières*.¹⁰⁸⁰

A summary of 'bodies sighted' that was drawn up during debriefing in Assen, also included a report of an undated sighting of three bodies with neck shots who had been found in Srebrenica near the Bravo Company compound, behind the so-called UNHCR warehouse. Since these details are missing from De Haan's statement, we have to assume that this is a separate sighting. Strangely, nothing at all can be found about this incident in the debriefing report. Nor did we find any reference to it in the debriefing statements that were available to the NIOD. However, for reasons explained in the prologue to this report, this is not a complete collection. The anonymous *Factual Account* doesn't contain any passages that can be connected with this either.

Another story that is not found in the debriefing report is the one of male nurse R. van Duuren, who was part of a medical team that went to Srebrenica on a four-tonne truck on the evening of July 13. They had been ordered by Major Otter to pick up old people along the way and in Srebrenica itself who had been left behind. At a small roundabout in the city, Van Duuren saw three bodies:

'One of them was lying a little farther away. The second lay next to the roundabout, and the third I saw from up close. That body was completely black already, it was more than 40 degrees Celsius, and there was a large pool of blood near his mouth. It was obvious that the man had been executed, because he was still on his knees, although he had fallen sideways. He had been shot

¹⁰⁷⁷ DCBC, 528. Day reports DCBC period 6 July – 27 July 1995, dtg 151431. The actual origin of this message could not be traced.

¹⁰⁷⁸ Diary Voorhoeve, p. 222.

¹⁰⁷⁹ Debriefing statement A. de Haan, 26/09/95.

¹⁰⁸⁰ In her report per capsat as well as in her sitrep afterwards, MSF doctor Schmitz refers in her description of the trip to Srebrenica only to MSF, Brussels. 'Joseph' (Kingori). Capsat Christina (Schmitz), 13/07/95, 22:02:43; Christina Schmitz /Daniel O'Brien, 'sitrep Srebrenica – Potocari period 6.7 – 22.7.95', (Zagreb) 24/07/95.

through the back of his head or his mouth. We drove on and eventually put five or six resisting old Muslims into the truck and took them back to Potocari.’¹⁰⁸¹

That particular Thursday night, July 13, Lieutenant Rutten escorted the four-tonne truck, together with his driver and a sergeant. On the way, Arkan Tigers stole his Mercedes car and he had to continue the journey on the truck. A little later, Rutten saw some bloated bodies:

‘Two. Not together. Near a house, you can see a man has been shot and killed. Further down, another one. They were the only bodies we saw there’.¹⁰⁸²

But he did think he could see ‘a few things’ on the football field that was a little lower than the road:

‘I wanted to get out to have a look, but that didn’t have any chance of success. I could see that: there were Bosnian Serbs everywhere.’¹⁰⁸³

The story of the four-tonne truck is augmented by what Dutchbat soldier Koreman wrote in his diary about what he had heard from his colleagues who had been to Srebrenica. On the way, they saw bodies of ABiH warriors [sic] here and there (...) who had held out until the bitter end’ and they also ‘saw that a ABiH warrior who had hidden in a house was dragged outside and put up against a wall. He was shot in the neck and collapsed.’ Koreman said that when the truck’s substitute driver returned to the compound, ‘with sweaty hands and completely unnerved’, he said: ‘I am not going back there for all the gold in the world’.¹⁰⁸⁴

A few days later, some other Dutchbat soldiers also went to Srebrenica. Giving evidence at Krstic’s trial, soldier Vaasen said he had been ordered to escort a truck on a trip to the compound in Srebrenica one of the days after the fall of the enclave, to pick up equipment that B Company had left behind there. This was probably not until July 15 or 16.¹⁰⁸⁵ Just 500 metres outside the compound in Potocari he already noticed bodies lying left and right on the side of the road, already blue and purple in colour as a result of the great heat – as mentioned before more than 40 degrees Celsius- at the time. He thought that some of them looked like victims of dehydration, but a number of them had been shot. The closer he got to Srebrenica, the more bodies he saw, all civilians. Vaasen saw men as well as women and children. He believed he saw 40 to 50 bodies in Srebrenica itself, too, a remarkably large number compared to the much smaller numbers that we get from other statements.¹⁰⁸⁶ Vaasen’s story suggests that a large number of people were killed on this road between the trip of *Médecins Sans Frontières* with the four-tonne Dutchbat truck on July 13, and his own trip a few days later. No other sources could be found to confirm this story. At the time, Vaasen did not report any of this when he came back to Potocari so it becomes even more difficult to check his statement. The other Dutchbat

¹⁰⁸¹ Honig & Both, *Srebrenica*, pp. 72-73. Honig and Both do not say what the source was for this quote.

¹⁰⁸² The observation of two bodies was confirmed by D.H. Ross among others. They had been there for a longer period of time. Supposedly, one of them was killed by a headshot. (Debriefing statement D.H. Ross, 14/09/95) According to Drazen Erdemovic, the body of a young man laid in the city for days. On the authority of Erdemovic’s commander Milos Pelemis the throat was cut. Testimony put forward in the closing speech of prosecutor Mark Harmon, ICTY (IT-98-33-T), 26/06/01.

¹⁰⁸³ Interview J.H.A. Rutten, 01/12/99

¹⁰⁸⁴ NIOD, Coll. Koreman. Diary Koreman, 41st week, p. 25. It’s no longer possible to determine whether sightings have become mixed up in memory. In any case, Koreman, who revised his diary several times afterwards, places this incident a day early. It remains unclear whether the reported execution is the same as the one Groenewegen saw, or another one. However, his comments generally fit in with the picture that we have of that trip to on July 13.

¹⁰⁸⁵ Karremans reports in his book that he had fruitless discussions with Colonel Jankovic at 17.00 hours on July 15 about collecting equipment from the compound in Srebrenica. However, Pale was supposed to make the decision. Karremans does not say what the outcome was, but permission must have come, at the earliest, in the evening of the 15th. See: Karremans, *Srebrenica*, pp. 229-230.

¹⁰⁸⁶ ICTY (IT-98-33-T), Testimony D. Vaasen, 27/03/00.

soldiers who, just like Vaasen, had seen bodies on the road to Srebrenica did not officially report this either.

Hints of executions having taken place between Srebrenica and Potocari only emerged in conversations that psychologists had with members of the medical team that had been allowed to leave for Zagreb on July 15. As mentioned before, De Ruiter telephoned Hilderink in The Hague that same day to tell him about what he had heard from the UNMO source; it is, therefore, quite possible that this information also came from the medical team. (This will be discussed in more detail in the Appendix 'Dutchbat III and the population: medical matters.')

In any case, there are no indications that the UNMOs in Srebrenica were in any way involved in the dissemination of this message.

That Kingori - and De Haan - actually saw things that pointed to executions is beyond dispute. But it does remain strange that they did not immediately report this. Similarly, they did not report - nor did they verify - that members of Dutchbat had found evidence of executions. According to interpreter Hasan Nuhanovic they knew about this on the 13th because he heard them whisper to Christina Schmitz of *Médecins Sans Frontières* about it.¹⁰⁸⁷ Another interpreter, Emir Suljagic, was present when a soldier from OP-A told Kingori in Zagreb that he had seen a lot of bodies near Kravica.¹⁰⁸⁸

However, the UNMOs have said hardly anything about all this Zagreb. At the time they were still in Potocari, they had been told that the procedure after their return (to Zagreb) 'is to include full debriefing of all team members with particular emphasis on any lesson which could be useful for the future, and any statement relevant to future war crimes investigation'.¹⁰⁸⁹

On 22 July 1995, when they were safely back in Zagreb with Dutchbat, the UNMOs were debriefed in the presence of representatives of their own organisation, Intelligence officers of UNPF, Civil Affairs of UNPF and the UN Centre for Human Rights. According to the report on this debriefing, it was held in an informal atmosphere. Kingori 'took the lead role'. What stood out clearly was that the debriefers got the impression that the UNMOs had always worked closely together all that time and 'agreed with each other's assessments of the situation'. That's why there are no comments in the record of the debriefing session that are attributed to specific individuals. Most of the discussion was devoted to all sorts of operational matters, but eventually the events after the fall of the enclave came up. The statement says: 'The UNMOs were with the refugees for 24hrs a day [sic] and knew nothing about the reports of the killing of men of military age. Single gun shots were heard but there was nothing to suggest they were from executions. A group of Dutch soldiers said that on the first night that the men were taken they saw 9 men taken behind a house and they heard shots and the men never came back, however, on investigation there were no bodies or signs of executions'.¹⁰⁹⁰ However, Kingori would later say at the Krstic trial that his investigation had been hampered by VRS soldiers.¹⁰⁹¹ In his report, Tetteh also referred only to the fact that men 'were rumoured to have been murdered behind a factory building in Potocari shot in the back with their faces to the ground'.¹⁰⁹²

In October 1995, Tetteh was approached by the Dutch Ministry of Defence when the latter was looking at the report on the debriefing of staff members of international organisations again. Major Kingori had already returned to Kenya by then, but Tetteh was still in Dubrovnik as a UN observer. Among other things, he was asked a question about violations of human rights. Tetteh apologized for his failing memory 'since it was an issue I would want to forget as early as possible', yet still provided a detailed answer. He declared that he had not seen any 'serious violations of human rights' in and

¹⁰⁸⁷ Interview Hasan Nuhanovic, 05/08 and 06/08/98.

¹⁰⁸⁸ Interview Emir Suljagic, 23/10/97. Various members of OP-A made statements about this during their debriefing in Assen. One of them saw 20 bullet-riddled bodies, men as well as women, in civilian clothes. Another one also saw a power shovel and a dumpster full of bodies (See the diagram in: Wind, *Debriefing*, p. 97) Franken heard a number of these stories when the crew of OP-A returned to the compound on July 16. He did not report this. Interview R.A. Franken, 22/05/01.

¹⁰⁸⁹ Confidential Information (5).

¹⁰⁹⁰ SMG/Debrief. Interoffice Memorandum G2 UNPF HQ to COS, Debrief of UNMOs from the Srebrenica enclave, 23/07/95.

¹⁰⁹¹ ICTY (IT-98-33-T), Testimony J. Kingori, 03/04/00.

¹⁰⁹² NIOD, Coll. Segers. Sqdn ldr David A. Tetteh, 'Report on the battle of Srebrenica', 21/07/95.

around the enclave as a result of his limited freedom of movement. In regards to Potocari, he mostly repeated what he had told debriefers in Zagreb, that there had been rumours of executions behind a factory, but he added two details. Tetteh said that the VRS commander ‘at the time of the evacuation denied any knowledge of the accusation when confronted with it by *Médecins Sans Frontières* and myself.’¹⁰⁹³ Particularly striking is the fact that there are no other sources that confirm this discussion with the VRS commander and that insofar as there was an instance of *Médecins Sans Frontières* and an UNMO acting together, only Kingori is mentioned by the sources.

What also stands out is that there is not a single reference to any report from either Karremans or Franken about a number of Dutch soldiers finding bodies – this will be dealt with later in this chapter - of people who had been executed, with the Dutch soldiers also taking photos of their discoveries, nor do we have any record of them (Karremans and/or Franken) saying anything about the execution that was actually witnessed by one soldier. We cannot rule out the possibility that the battalion’s senior officers did in fact fail to inform the UNMOs and that on this point, at least, they (the UNMOs) were not at fault in any way.

The UNMOs did report in Zagreb that Mladic had taken them to a house where men were being interrogated, but ‘there was no sign of any ill treatment but later they did hear reports of harassment of men’.¹⁰⁹⁴ Nor do we find anything in the account of the trip with *Médecins Sans Frontières* to Srebrenica that fits in with the later statements by Kingori and De Haan about finding people who had been executed. As we have mentioned earlier, they did report that Arkan Tigers and Arkan himself ‘were positively identified at the scene’, a sighting that the UNMOs did not report on the day (July 13) itself.

For the sake of accuracy, we have to add here that the report on the debriefing then concludes with the comment that all other people had to leave the room at the request of the representative of *Humanitarian Affairs* so humanitarian aspects could be discussed confidentially. No account of that meeting has been found in the archives. Mazowiecki did refer to the conversations with the UNMOs in a letter to the Defence Ministry.¹⁰⁹⁵ Peggy Hicks, advisor to Akashi on human rights, who at the time concerned herself intensively with the debriefing of those who had been involved in the events of Srebrenica, had no explanation for the possible lack of a written report on the humanitarian debriefing, which she couldn’t remember having taken place, either. Nor could she recall any specific UNMO reports that stood out in her mind. Hicks thought it was possible that the conversation didn’t produce anything and that, therefore, there was no written report of it. ‘Otherwise I would have had to see it’.¹⁰⁹⁶

The same curious phenomenon that we have seen in Dutchbat also appears to have been at play among the UNMOs: their original reports said less than they later claimed to have known. Conversely, there is a discrepancy between what they did say and the UNMOs’ declared position later. It is strange, for instance, that no trace can be found in Zagreb of the UNMOs’ fears that executions were taking place in Bratunac, as they were still saying on July 14.¹⁰⁹⁷ It is possible that De Haan’s visit to Bratunac, when he accompanied the seven wounded people who were handed over to the International Red Cross, influenced this. De Haan was in Bratunac with Colonel Schouten, a medical doctor, who had been there for a few days after the wounded convoy of July 12 had stranded. Schouten had told

¹⁰⁹³ DAB. Sqd ldr D.A. Tetteh to Dutch Minister of Defence, ‘subj: Request from Dutch Minister of Defence to answer some questions regarding Srebrenica’. Appendix to: Note J.H.M. de Winter (DAB) to Minister, ‘supplementary investigation staff of international organisations’, D95/534, 18/10/95.

¹⁰⁹⁴ SMG/Debrief. Interoffice Memorandum G2 UNPF HQ to COS, Debrief of UNMOs from the Srebrenica enclave, 23/07/95. Nor did they see anything that pointed to girls being abused.

¹⁰⁹⁵ DJZ. Letter T. Mazowiecki to B. van Lent, 28/07/95. Mr Van Lent was with the Directorate of Legal Affairs of the Ministry of Defence and was involved in replying to requests by Mazowiecki to be allowed to interview members of Dutchbat in the Netherlands.

¹⁰⁹⁶ Interview Peggy Hicks, 10/07/00.

¹⁰⁹⁷ Def. Sitreps. UNMO Team Srebrenica, Srebrenica update: dtg 141420B JUL 95

journalists by telephone that as far as he was concerned nothing serious was going on in Bratunac.¹⁰⁹⁸ It is possible that De Haan was influenced by Schouten's impressions and concluded that his initial fear was unfounded.¹⁰⁹⁹ Nevertheless, it remains odd in this regard that, on 17 July, Schouten had telephone conversations with foreign journalists in Mali Zvornik, across the Drina near Bratunac, in which he stated that for the past five days armed Bosnian Serbs had repeatedly tried to force their way into the clinic to take revenge on his patients. Schouten had been able to prevent this from happening with the help of hospital staff and a number of guards.¹¹⁰⁰ Speaking to the NIOD, Schouten further stated that he had heard shots in Bratunac, fired in two long bursts, which had seemed reminiscent of executions.¹¹⁰¹

The later statements by Kingori and De Haan about their sightings of executed people are the strangest of all. The impression we are left with here is that we are seeing the same pattern that emerged among many Dutchbat soldiers. As a result of the enormous tension and fear, the 'field of vision' narrowed and terrible events were suppressed. The situation reports of the UNMOs provide strong indications of that particular mental state. The urge to survive and escape from the chaos prevailed during the days of the fall of the enclave and the deportation of refugees. The UNMOs did not recover until later.¹¹⁰² After that, the feelings of guilt came, over their own dereliction of duty and possible failure. In that respect, the UNMOs apparently covered each other. In any case, it explains their unanimous declarations in Zagreb that confirmed the picture of events not having been as bad as might have been expected.

This red thread running through the debriefing of the UNMOs had a curious sequel in the aftermath of the fall of Srebrenica. In particular, this concerned the question whether the Western media had exploited the fall of this Safe Area to put a disproportionate part of the blame for the war at the feet of the Bosnian Serbs. One of those who subscribed to that opinion was Carlos Martins Branco, UNMO Deputy Chief Operations Officer in July 1995. Basing his arguments, in part, on the debriefing of the UNMOs, he wrote an article entitled 'Was Srebrenica a hoax?' that tried to question the nature and size of the disaster that had taken place in Srebrenica. Not surprisingly, it didn't take long for this article to be found on a number of pro-Serb Internet sites.¹¹⁰³

The report resulting from the investigation ordered by UN Secretary-General Kofi Annan into the events around Srebrenica also referred to the UNMOs' reports. The report talks about a request from Akashi to the UN secretariat on July 14 not to make a certain report of the UNMOs public, because of fears for their safety. However, the message that Akashi's request related to and that had been sent the day before, only concerned an announcement by Mladic that hundreds of dead ABiH soldiers were lying in the Bandera Triangle and that Dutchbat nor the UNMOs were permitted to go in to investigate.¹¹⁰⁴

¹⁰⁹⁸ M. Zonneveld, 'Arts vindt in Bratunac geen enkel bewijs van genocide' ('Doctor does not find any evidence in Bratunac of genocide'), *Het Parool*, 27/07/95. During his stay in Bratunac, Schouten had already propounded the same message in a telephone conversation with American journalists who were in a village on the other side of the Drina, very close to Bratunac.

¹⁰⁹⁹ It was not possible to check this with De Haan.

¹¹⁰⁰ See for example: Christine Spolar 'UN doctor says Serbs violated clinic', *The Washington Post*, 18/07/95.

¹¹⁰¹ Interview A.A. Schouten, 21/02/00.

¹¹⁰² They are then even supposed to have had discussions with the VRS to be allowed to stay for a little while longer. See: UNGE, UNPF, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95. Ken Biser to Michel Moussalli, 'srebrenica/Tuzla update (0930 hours)', 18/07/95.

¹¹⁰³ See, for instance, the website of the Toronto-based 'Centre for Peace in the Balkans': <http://www.balkanpeace.org>

¹¹⁰⁴ United Nations, *A Srebrenica Report*, paragraph 353.

25. Sightings and reports by *Médecins Sans Frontières*

At a press conference organised by *Médecins Sans Frontières* in Brussels on 25 July 1995 after the safe return of its two representatives in Srebrenica, Field Coordinator Christina Schmitz recounted, among other things, the trip to Srebrenica to pick up patients who had been left behind. She described Srebrenica as a ‘ghost city’, where she only saw Bosnian Serb looters who were stealing washing machines and TV sets from houses.¹¹⁰⁵ Her story contained no details that fit in with the later stories of Kingori and the Dutchbat soldiers about that same trip to Srebrenica. The message that she sent from the enclave also only talked about the looting, her comments being largely similar to those of the *situation report* of the UNMOs.¹¹⁰⁶ She again provides a similar description in a report (in the form of a diary) that she put together after her arrival in Zagreb, with one strikingly different detail: she says that apart from Kingori, she had also been accompanied by a VRS escort.¹¹⁰⁷

So, Schmitz also presents us with the question whether her reports fully reflect what she had actually seen, and whether she, too, either pushed certain matters out of her mental field of vision, just like the UNMOs did, or that the problem lies with Kingori. In any case, the events had deeply moved Schmitz. She had been in Chechnya, ‘but this was much, much worse to have to go through’, she said in Brussels. She also said something about the survival mechanism that had helped her to persevere and that possibly explains what she did or didn’t see: ‘We managed to keep going only by working very hard and not thinking too much about what we saw’.¹¹⁰⁸ Possibly that applied even more to her colleague, the young Australian doctor Daniel O’Brien, who has had a very hard time. When he and Schmitz testified in April 2001 before the French Parliamentary Commission that investigated Srebrenica, he made a comparison with Auschwitz. He had said he had never thought that what he witnessed in Srebrenica could happen in Europe, even right under the noses of the UN troops. O’Brien recalled the stench of the masses of people packed together in the factories, where the filth was running in streams between people’s feet and desperate mothers no longer had milk for their babies because of the stress. But he also made it clear that at one point his ability to mentally grasp what was going on simply left him: ‘All the locals were saying they were going to be killed, but you just didn’t want to believe it - out of a naive faith in humanity, I suppose. But they were right’.¹¹⁰⁹

In combination with statements that they made later, the messages that the *Médecins Sans Frontières* representatives sent to their office in Belgrade made it a little clearer how this process operated at MSF. There are striking parallels with the stories that Dutchbat soldiers told, about anxious suspicions and the difficulty Schmitz had in coming to terms with the inescapable conclusions.

Schmitz and O’Brien had left Srebrenica for Potocari on the afternoon of July 11, after a number of their patients had already been evacuated.¹¹¹⁰ That had been done at the insistence of local doctors who feared there would be ‘a second Vukovar’; VRS troops had murdered 200 patients at the local hospital there in October 1991. (For the evacuation of the Srebrenica hospital, see the Appendix Dutchbat III: medical matters.)

After 55 wounded had been delivered to the Dutchbat compound, where the battalion set up an emergency hospital, Dutchbat soldiers helped *Médecins Sans Frontières* establish a post in three tents near

¹¹⁰⁵ ‘Verpleegster AzG deelt kritiek op Dutchbat niet’ (‘MSF nurse ‘does not agree with criticism of Dutchbat’), *Trouw*, 27/07/95

¹¹⁰⁶ United Nations, *A Srebrenica Report*, paragraph 353; MSF, Brussel. MSF capsat Christina (Schmitz) aan Bene en Stefan (Oberreit), out.534, 13/07/95, 22:02:43

¹¹⁰⁷ MSF, Brussels. Report Christina Schmitz, written with the assistance of Daniel O’Brien, 24/07/95.

¹¹⁰⁸ ‘Verpleegster AzG deelt kritiek op Dutchbat niet’, *Trouw*, 27/07/95.

¹¹⁰⁹ Adam Sage, ‘Witness recalls day UN troops permitted massacre’, *The Times*, 04/04/01.

¹¹¹⁰ For the reconstruction, we have used - unless stated differently - the various versions of the diary that Schmitz had kept and that she edited in Zagreb to produce an ‘End of Mission report’ (MSF Brussels). Some versions that are in circulation are extracts of that. See: ‘Journal de bord de l’équipe MSF’, <http://www.paris.msf.org>, ‘srebrenica’; Audition de Christina Schmitz et Daniel O’Brien, 29/03/01; Defence Sitreps, C. Schmitz, ‘sitrep Srebrenica – Potocari period: 6.7. – 22.7.95’.

one of the factories where the remainder of the refugees had sought shelter, right on the edge of the road.

Medical care was temporarily halted when the Serbs resumed their shelling. When the ceasefire came into effect, the *Médecins Sans Frontières* team could go back to work treating people with minor injuries or suffered symptoms of dehydration. Dutchbat provided water and made medicines available; initially only in small amounts but more generously later, when the danger of injuries among Dutchbat soldiers was over.

Schmitz heard about the discussions between Mladic and Karremans and the plans for the evacuation that, she was told, would begin with the wounded. When she saw the Bosnian Serb general himself during this triumphant tour of Potocari, she tried to protest to him against the evacuation. Mladic told her to stick to her job and then walked off.¹¹¹¹

Schmitz kept shuttling between the patients in the compound and the *Médecins Sans Frontières* post among the refugees outside, and she saw the VRS begin the evacuation at 15.00 hours 'with incredible speed'. Very soon after that, she noticed that men were being separated and taken to a guarded house nearby. She estimated their number at 35, at that time still assuming they were being treated well.¹¹¹² Just the same, she began to hear numerous shots coming from near the house where the men were being interrogated. In the message that she sent to Belgrade just after 21.00 hours, she said she thought the 'VRS was shooting in the air', but at the same time she added the comment: 'it's horrifying outside'.¹¹¹³ Schmitz went to see Franken but he reassured her that the men were being treated well. She also talked to Karremans, who said he was sure none of the men would be killed.¹¹¹⁴

Most of Schmitz's attention was focused on the wounded convoy that was due to leave at about 19.00 hours. 'It was chaos', she said, when she saw everybody try to secure a spot in the convoy that the refugees regarded as an unexpected opportunity to escape. Some people simply jumped into the trucks, while others tried to push family members forward any way they could. (See the Appendix Dutchbat III: medical matters).

At 07.00 hours the following morning, the deportations resumed. 'Everybody should see the violence in the faces of the Bosnian Serb soldiers while they ordered people around as though they were animals, on the way to the buses,' Schmitz wrote later. That afternoon, she saw VRS soldiers kick a man senseless, and another hysterical man began to hit himself. Before that, at the end of the morning, a father - accompanied by a VRS soldier - walked up to her carrying his one-year-old son and, in tears, gave the child to her. It was obvious to her that the man was among those to be taken away. All Schmitz could do was to make a note of his name and that of his baby son, while at the same time she knew in her heart that she did not expect him to see his son ever again.

About that time, Schmitz had also heard rumours that bodies were supposed to have been found behind the factory, where a lot of people had sought refuge.¹¹¹⁵ A Dutchbat soldier also approached her with the story.¹¹¹⁶ When she wanted to take a look with UNMO Kingori, a VRS soldier warned her that he could not guarantee her safety. She then decided, also at the advice of her colleagues Belgrade, not to go after all, and leave it to the UNMOs: 'Keep looking after the living and support them in their trauma'.¹¹¹⁷ She did, however, warn the Dutch officers who were on the spot.¹¹¹⁸

¹¹¹¹ MSF, Brussels. Report Christina Schmitz, written with the assistance of Daniel O'Brien, 24/07/95.

¹¹¹² MSF, Brussels. Capsat Christina (Schmitz) to Stefan (Oberreit), 12/07/95, 18:14:28.

¹¹¹³ MSF, Brussels. Capsat Christina (Schmitz), 12/07/95, 21:10:14. In her log book, Schmitz did not add the reassuring words 'in the air'.

¹¹¹⁴ The conversation or conversations probably took place only later in the evening because earlier capsats on the night of July 12 do not mention it. Schmitz did not send her report on the conversations until after midnight, probably after she had been woken up close to 02.00 hours to given the (incorrect) message that the wounded convoy would return to Potocari. See: MSF, Brussels. Capsat Christina (Schmitz) to Stefan (Oberreit), 13/07/95, 01:52:42.

¹¹¹⁵ MSF, Brussels. Capsat Christina (Schmitz), 13/07/95, 11:34:43.

¹¹¹⁶ Audition de Christina Schmitz et Daniel O'Brien, 29/03/01, in: Loncle, *Rapport d'information*.

¹¹¹⁷ MSF, Brussels. Capsat Stefan (Oberreit) to Christina and Daniel, 13/07/95, 10:52:51.

¹¹¹⁸ Interview L.C. van Duijn, 03/07/99.

In the course of the day, Schmitz also began to realise that those who had managed to get on a bus still had much to endure. Dutchbat soldiers who escorted the buses reported many instances of intimidation along the way. She wrote that VRS soldiers showed people wooden crosses '(sign for death)' and 'show a strong victory feeling to the Muslims.'¹¹¹⁹

Once the refugees outside the compound had been removed, the VRS began the last round. The remarkable thing is that Schmitz even then had only heard rumours of able-bodied men being separated from that group as well. That fits in with statements by Karremans and other Dutchbat personnel in the compound itself who said that at that moment, or even at any time, they didn't realise the men were being separated from their families.¹¹²⁰ Based on telephone conversations that the Directorate for General Policy had had with Karremans and Franken on 23 August 1995, it recorded the view that the men had boarded the buses together with the other refugees.¹¹²¹ However, when he was debriefed in Assen, Franken said he had in fact witnessed the separation of the men who came from the compound.

Because the four static posts that Karremans had ordered to be set up had not reported men being taken from the buses along the way, it was assumed that they safely reached territory held by the Bosnian Government.¹¹²²

This separation of men and women apparently took place out of sight of those who talked about it, but not out of sight of the Dutch soldiers who formed rows to funnel people in the direction of the buses. However, as we have noted earlier, those soldiers were just standing there, numbed and petrified.¹¹²³ Karremans was, apparently, never told about what they saw.

By this time, Schmitz was getting very worried about *Médecins Sans Frontières*' male employees who she wanted to keep with her at any cost. In the meantime, Franken had also told her about the problems with the wounded convoy the night before.¹¹²⁴ When they were stopped and inspected on the way, just before Bratunac, the VRS had removed the bandages of a number of men and found there was nothing wrong with them. The VRS was understandably 'furious' and had taken away all 30 men. Franken had informed the International Red Cross and didn't blame *Médecins Sans Frontières* for anything, as it turned out. O'Brien, who had been in charge when the wounded were put on the trucks, 'could not control who got on the truck'. But the incident fuelled Schmitz's fears; Franken tried to assuage her fears about the fate of her male employees. The *Médecins Sans Frontières* doctor worried that they would be taken away, but 'according to Franken the VRS is not touching men who are not ABiH'. She added ominously: 'The others you know'.¹¹²⁵

Schmitz decided to keep the men with her in the compound just the same, and she was present when a VRS delegation came in to check out the wounded who had been left behind in the compound. Local staff and interpreters were ordered to assemble in the bar, guarded by two unarmed Dutch soldiers.¹¹²⁶ 'The *Médecins Sans Frontières* locals are freaking out', she reported to Belgrade soon after.¹¹²⁷ However, the Bosnian Serb delegation left them alone and Schmitz took the opportunity to ask permission to pick up patients left behind in Srebrenica. As recounted earlier, she went on that trip

¹¹¹⁹ MSF, Brussels. Capsat Christina (Schmitz), 13/0795, 13:32:05.

¹¹²⁰ DAB. Internal memo wnd SCO to BLS, 23 August 1995, 'Questions regarding. 239 registered male refugees from Srebrenica enclave'. Appendix to note by L.F.F. Casteleijn (pov DAB) to Minister, D95/423, 25 August 1995, 'List of 239 names of Muslim men' (Debriefing statement R.A. Franken, 27/09/95). Other statements about separation not having been noticed: interview A.A.L. Caris, 03/03/00; Debriefing statement B.J. Oosterveen, 08/09/95.

¹¹²¹ DCBC, 1074. D95/423, Note from L.F.F. Casteleijn, 25/08/95.

¹¹²² Other statements about separation not having been noticed: interview A.A.L. Caris, 03/03/00; Debriefing statement B.J. Oosterveen, 08/09/95

¹¹²³ Interview B. Grubacic, 06/11/98.

¹¹²⁴ See Appendix 'Dutchbat III and the population: medical issues'.

¹¹²⁵ MSF, Brussels. Capsat Christina (Schmitz), 13/07/95, 16:56:14.

¹¹²⁶ Interview Emir Suljagic, 24/05/99.

¹¹²⁷ MSF, Brussels. Capsat Christina (Schmitz), 13/07/95, 17:52:07.

together with Kingori and a VRS escort and later reported - at about 22.00 hours that night - only having seen looters.¹¹²⁸

Yet it is clear that Schmitz, too, began to have a growing realisation that there were probably terrible things going on. Late on the evening of July 13, she heard 'lots of small arms fire (...) in one certain place. (...) You can imagine what happens', she reported to Belgrade the following morning.¹¹²⁹ She also said at her press conference in Brussels that on July 12 and 13 she regularly heard shots, every day at a different house.¹¹³⁰ This observation and conclusion seamlessly fits in with those of a large number of Dutch soldiers in Potocari and they confirm the picture that the executions continued for some time after the completion of the deportation. Commando Wouters, for instance, had initially still believed that the separated men would be treated as prisoners of war. 'But later, when we kept hearing prrrrt, prrrrt in the distance, salvos from automatic rifles, it began to dawn on me, I knew then that they were executing people out there.'¹¹³¹ That may in fact have happened even earlier. Late in the evening of July 11, a Dutchbat soldier at OP-R heard rifle salvos at the dump, 'like they were keeping to the rhythm of a little tune'.¹¹³²

Corporal Medic Broeder heard the suspicious firing on July 14 and 15, during the day as well as at night, and the only explanation he could think of was that they were liquidations:

'It was systematic. It wasn't the of sort small-calibre fire that you hear in a fire fight. You really heard a machinegun firing monotonous bursts. Every time there would be about four minutes of silence, and then it started again. It went on for a long time. But you never heard answering fire.'¹¹³³

Soldier Groenewegen had formed the same impression and he actually witnessed one execution. He counted 20 to 40 'single shots' in an hour, coming from the nearby hills where there were houses. 'We all had ideas about it, but nothing was done', he told the Tribunal in 1996.¹¹³⁴

The sound of the shots, that went on for days, made another soldier 'mentally sick', as he put it: 'I closed the window of my room, which reduced the sound of the shots a little. You could only blot it out completely by turning the radio up a little, which I did'.¹¹³⁵

Not everybody was so forthright in explaining how he shut himself off from the outside world. What is striking about the debriefing statements is that so many of them specifically say that they had heard no shots at all during all those days in Potocari. This appears to fit the phenomenon of 'dissociation', where someone in stressful circumstances disconnects himself, as it were, from the reality in order not to have to face it. It seems to have led some people to simply ignore the reality, while others only gradually began to open their eyes to what was happening.

This growing awareness probably also applied to Schmitz, as is illustrated by another incident. In the same message where she reported having heard suspicious shots, she also brought up a problem that increasingly troubled her as well Dutchbat. One of the local *Médecins Sans Frontières* employees was the cook, Abdullah ('Dulo') Purkevic, who had come to Potocari with them. Dulo was outside in the crowd when the VRS occupied Potocari. He was wearing a *Médecins Sans Frontières* shirt and was picked

¹¹²⁸ MSF, Brussels. Capsat Christina (Schmitz), 13/07/95, 22:02:43.

¹¹²⁹ MSF, Brussels. Capsat Christina (Schmitz), 14/07/95, 08:21:04.

¹¹³⁰ Alois Berger, "Die Menschen waren apathisch". 'Ärzte ohne Grenze' über die Eroberung Srebrenicas', *Die Tageszeitung*, 27/07/95.

¹¹³¹ K. Bais, 'Commando in Srebrenica: "we zaten met onze snuffers op de Bosnische Serven"' ('Commando in Srebrenica: "The Bosnian Serbs were right under our noses"'), *De Opmaat*, 5 (1999) 1, p. 6.

¹¹³² SMG, Debrief. 'Military analysis of the performance of Dutchbat during the Srebrenica crisis', Assen 28/09/95, drawn up by LCol A. de Mannuik, see OP-R, vis E652.1.

¹¹³³ Interview A. Broeder, 03/05/00. See also: André Ritsma, 'srebrenica: kerf in de ziel van een hospik' ('srebrenica. Slash in the soul of an army medic'), *De Opmaat*, 4 (1998) 4, p. 27.

¹¹³⁴ ICTY (IT-95-18-R61/IT-95-5-R61), Testimony J. Groenewegen, 04/07/96.

¹¹³⁵ NIOD, Coll. Koreman. Diary Koreman, 41e week, p. 27.

up VRS soldiers who forced him to make a statement in front of a camera. Purkevic was terrified because he had served in the army and was afraid he would be recognised. However, a Dutch soldier managed to take him under his wings and lead him back to the compound. Once there, he completely lost it, asking Schmitz as well as the Dutch doctor for poison to commit suicide with.¹¹³⁶ It was obvious that Purkevic presented a major problem. But it had become clear to Schmitz by then what sort of fate would await him if he was expelled from the compound: 'If he is ABiH, he will not survive'.¹¹³⁷

With Dutchbat's help, Schmitz managed to eventually evacuate Purkevic and the rest of the local staff, who also benefited from the 'general amnesty' announced by president Karadzic on July 17, with the Dutch convoy that finally left the enclave for good on July 21. A few days later, she was in Brussels holding her press conference.

Médecins Sans Frontières had Schmitz's reports from the enclave to tell the world about what was happening in Potocari. Understandably, no mention was made of her clues and hints that people were being murdered as well: not only would it have endangered the lives of the team and the local employees, the basis for her statements was also too narrow. The *Médecins Sans Frontières* team and Schmitz in particular only gradually developed a feeling that something was amiss, but they could not find hard evidence and could only express anxious suspicions. And on top of that, Schmitz also laboured under another partial misapprehension. Her messages show that her worst fears only concerned men who could be shown to have served in the Bosnian army. So in that respect there were further parallels with the kind of things that some of the Dutch were telling themselves.

On the other hand, the confusion about the fate of the men was made worse by messages that there were in fact men who had safely crossed the demarcation line at Kladanj. Schmitz heard from Franken on July 15 that according to the Pakistani UN battalion that was responsible for the initial reception of the refugees, 'young men do arrive in Kladanj', although no figures were available.¹¹³⁸ The contradictory impressions and messages made it difficult for the representatives of *Médecins Sans Frontières* in the enclave to fully recognise what had happened so close to them, yet largely outside their view. In that respect the example of *Médecins Sans Frontières* once again illustrates the problem of observing, interpreting and reporting what was going on in Potocari, the same problem that is evident from the later statements of many Dutchbat soldiers. However, there was a difference. It wasn't *Médecins Sans Frontières*' job to elucidate this issue, nor did it have the resources for this. Dutchbat, on the other hand, did - at least in theory.

26. Lieutenant Colonel Karremans And The Reports Of Executions

Pursuant to the Standing Operation Procedure applicable to human rights violations, number 208, a commander was required to verify information about suspected war crimes, as well as 'the extent of the crime if he considers one to have been committed'. Afterwards, he was to take the necessary measures, such as filling in a standard form enclosed with the Standing Operating Procedure, and forward it as quickly as possible to Bosnia-Herzegovina Command. With the same immediacy he was then to contact the Legal Advisor by fax or telephone, in order to inform the sector commander (in this case located in Tuzla) or Civil Affairs of Bosnia-Herzegovina Command in Sarajevo. He also was to cordon off and protect the crime scene, if possible.¹¹³⁹

Remarkable, as was already mentioned, is the fact that not a single reference could be found in the Standing Orders of Dutchbat (which in part adhere to the Standing Operating Procedures) about

¹¹³⁶ Interview G. Kremer, 13/07/98.

¹¹³⁷ MSF, Brussels. Capsat Christina (Schmitz), 14 July 1995, 08:21:04.

¹¹³⁸ MSF, Brussels. Capsat Christina (Schmitz) to Stefan (Oberreit) a.o, 15 July 1995, 14:22:10. Franken had also heard something like it from colonel Brantz in Tuzla, although the latter had not mentioned any figures. Interview R.A. Franken, 21/05/01.

¹¹³⁹ SMG, 1023. Annex B SOP 208, Actions for Commanding Officer and HQ BH Command. Standard Operating Procedures UNPROFOR, September 1993.

what actions to take upon observing human rights violations. In the extensive summary of standard report forms, a form for reporting this kind of incident is missing. In the introduction of the Standing Orders, however, the validity of the Standing Operating Procedures – and that of a number of other directives – *is* emphasized.¹¹⁴⁰

Under the hectic circumstances of the time, the majority of these directives were impossible to implement. Dutchbat was defenceless and undermanned and did not dictate the situation; probably there was no time for red tape bureaucracy. Verbal reporting was then also the easiest and quickest method.

But at the debriefing in Assen, Captain Matthijssen disclosed that a written report about two incidents was made by battalion command, this, however, is not confirmed and the statements could not be located.¹¹⁴¹ The incidents pertained to the discovery of nine corpses by Rutten and the execution observed by Groenewegen. Karremans has stated that he had reported these indications of executions – the only concrete indications he actually did receive – to Sarajevo. Less clear is whether he also informed Tuzla (Brantz): Karremans recounted that he had informed Brantz that it was ‘chaotic’ and that he also had told him about the observations;¹¹⁴² Brantz’s journal, however, contains no such entry.

Karremans’ report to Sarajevo pertained to the discovery of nine or ten corpses by Rutten, and according to Karremans, also to Groenewegen’s observation of an execution.¹¹⁴³ The exact circumstances that led to the discoveries, however, are difficult to establish due to the varying accounts by those involved. During the debriefing in Assen, Schotman stated that in the early evening of 12 July, he saw how opposite the bus depot two VRS soldiers with approximately 10 people turned into a dirt track in a westerly direction, uphill. On that same night, he already heard from civilians that nine corpses were reportedly lying in a house two- to three-hundred metres in that direction. The following morning he heard the same story. After the third report he decided to inform Lieutenant Koster, the officer in command. Lieutenants Koster and Rutten then reportedly found and photographed the location.¹¹⁴⁴

In this context a statement by UN Military Observer interpreter Emir Suljagic is also noteworthy. On the night of 12 to 13 July, he talked to a group of soldiers returning from a patrol that had taken place between 23.00 hours and 04.00 hours. The soldiers told him that they had observed the execution of 12 people that night.¹¹⁴⁵ It is not clear whether this account refers to the same events as the discovery of the corpses in the house on the dirt track, one reason being the difference in the number of corpses. Also, the UNMOs reported as early as 8am on the morning of 13 July that they had heard rumours about executions.¹¹⁴⁶

In any event, there can be no connection between the discovery made by Rutten and Koster and this night-time execution, as the course of events bears out. The time given was too late. On the morning of 13 July Rutten was ordered to escort a convoy of Displaced Persons.¹¹⁴⁷ The transport had resumed at around 07.00 hours on the initiative of Lieutenant Van Duijn, who wanted to seize the

¹¹⁴⁰ SMG/Debriefing. Standing Order 1 (NL) UN INFBAT. See Chapter 5, ‘Despatches, reports and messages’.

¹¹⁴¹ Debriefing statement, C.J. Matthijssen, 08/09/95. What is striking is that N. Franssen, Intelligence (I&V) Officer of Dutchbat IV, who was present in Zagreb, reportedly said that rumours were circulating already in Pleso to the effect that officers of Karremans’ staff contended that he had indeed made written reports. See: SMG, 1007/7. Note, ‘sources of information’, as evident from a hand-written note by smi N. Franssen (I&V), undated.

¹¹⁴² Interview Th. Karremans, 16/12/98.

¹¹⁴³ Karremans, *Srebrenica*, p. 219.

¹¹⁴⁴ Debriefing statement, F.H. Schotman, 08/09/95.

¹¹⁴⁵ Interview Emir Suljagic, 23/10/97.

¹¹⁴⁶ Ministry of Defence, Situation reports. UNMO situation report Srebrenica update dated 130800B JUL 95.

¹¹⁴⁷ The following reconstruction is, where not otherwise indicated, based on the following sources: the official testimonies by witnesses J.H.A. Rutten, F. Van Schaik, E.C.M.J. Koster, B.C. Oosterveen and R.W. Dorst, in: OM Arnhem, KMar distr. Zuid-Holland/Zeeland, Judiciary Services, Official Statement P13-/1995-JD, Dossier ‘Dutchbat’, pp. 11-14; interview J.H.A. Rutten, 22/12/99; interview E. Koster, 06/10/99; debriefing statement, J.H.A. Rutten, 06/09/95; debriefing statement, F. van Schaik, 05/09/95; debriefing statement, F.H. Schotman, 08/09/95.

opportunity and get as many people out as possible while the VRS was still away. Before Rutten departed, he first walked towards the bus depot to get an idea of the size of the conveyance he was to escort. On the way there, he came across the house that was used for the so-called questioning of Bosnian Muslim men and that was to become known as ‘the White House’. Then he already saw that all their personal possessions, including their identity papers, had been thrown on a pile outside. Around the house over 20 VRS soldiers stood guard. Together with Sergeant Major F. van Schaik, who accompanied him, Rutten entered the house under the pretext that he was bringing water. In the various rooms they saw over 100 terrified Bosnian Muslims. One man had even been handcuffed to the staircase and was hanging from it in a painful position. On Rutten’s request, a VRS soldier adjusted the handcuffs and secured the man in a slightly more comfortable position.

The VRS soldiers prevented Rutten from entering a certain room, in which some men were apparently being questioned. While Van Schaik remained below, Rutten went upstairs, handed out water to the men held prisoner in various rooms and took their pictures. Rutten later described the atmosphere there as one of ‘utter terror: you literally could smell death’.¹¹⁴⁸ The men seemed to understand fully why he was taking photographs and realized what fate possibly awaited them. They squeezed closer together to make sure they would all fit on the picture.

Rutten then attempted in vain to glance into the interrogation room from outside. He subsequently inspected another part of the house, where more men appeared to be kept. In one of the rooms he saw a whole bunch of photographs that looked as though they had been sorted deliberately. Rutten assumed that the VRS was looking for certain men.

Once outside again, he ordered two soldiers, Corporals Nieuwesteeg and Rattink, to inspect the house in regular intervals and, where possible, to provide assistance. To make it look as if both men had more authority, he had them attach a few additional stripes to their uniforms.

After Rutten had returned to the ‘channel’, he heard from a local interpreter that seven civilians had reportedly been executed in the vicinity of a well. Very shortly afterwards, he was told by his colleague, Lieutenant Schopman, that he too had heard this rumour. The same applied to Koster, who was approached by Christina Schmitz and UN Military Observer Kingori.¹¹⁴⁹ Rutten, accompanied by Van Schaik and Lieutenant Koster, then proceeded towards a well he knew, because he, as patrol coordinator and Intelligence officer of C Company, had good knowledge of the area. A Muslim woman, whom they had asked whether she knew of any men having been killed, showed them the exact way, towards a hill. After several hundred metres, they arrived at a small stream, where they indeed saw the corpses of several men. The stream, along the side of which a hedge was growing, bordered on a pasture. An opening in the hedge allowed the soldiers to walk up into the pasture. There they discovered the corpses of nine men, the youngest of which was approximately aged 40. They all wore civilian clothes and their heads were facing the water; seven lay on their stomach and two on their left side. All had been shot with a small calibre weapon, presumably an AK-47. The Dutch discovered that the execution had taken place not much earlier, as – in spite of the temperature being higher than 30 degrees – the blood had not yet coagulated and no flies could yet be seen. As Rutten himself and others concluded later, this indicated that this discovery could not relate to the reports that had reached Schotman quite some time before.

Rutten took a general photograph of the scene and then a second one, in which Lieutenant Koster squatted between the bodies as proof of the observation. He then ordered Van Schaik to collect the identity papers that were scattered around the place. When a shot rang out from one of the houses close by, they quickly made their way back toward the ‘channel’. Rutten observed one VRS soldier leaving the house and disappearing around the corner. Fearing for their own safety, he ordered Van Schaik to throw away the identity papers. Subsequently they walked back, making it seem as though

¹¹⁴⁸ Bstas. Note dated 06/07/97 by H. van den Heuvel, Public Relations Director of the Ministry of Defence, about a conversation which he and BLS Gen. M. Schouten had on 04/07/97 with Ron Rutten. Appendix 2 of letter from the Defence Minister to the Speaker of Parliament, D98002140, 13/08/98.

¹¹⁴⁹ Interview L.C. Van Duijn, 02/07/99.

nothing had happened. By pretending to help carry a stretcher inside, they managed to get on to the compound.¹¹⁵⁰

There, Rutten inadvertently bumped into Lieutenant Colonel Karremans, which possibly explains why his report was not recorded by the Ops Room. The lieutenant told him what he had seen and also that he had taken photographs. Although Rutten found that Karremans reacted ‘half-heartedly’, the Commander *did* indicate ‘that he would bring it to the attention of those on a higher level’.¹¹⁵¹ Karremans later stated that he had given Rutten instructions immediately: ‘The first thing you do is stick that roll of film in your pocket and make sure that it gets back to the Netherlands, or wherever we might be going’.¹¹⁵²

According to Groenewegen, his observation reached Karremans through the usual chain of command, namely via Sergeant Mulder, First Lieutenant Schotman and Captain Matthijssen.¹¹⁵³ According to the account narrated in his book, Karremans first heard of the observation from Rutten and only ‘some time later’ of the execution witnessed by Groenewegen, whose name, incidentally, he does not mention.¹¹⁵⁴ Both observations were reportedly passed on to Bosnia-Herzegovina Command.¹¹⁵⁵ There are no other Dutchbat sources that can confirm Karremans’ account. The Ops Room register, where, normally speaking, all wires should have crossed, shows big gaps on July 12 and 13 and thus illustrates unintentionally the collapse of the ‘chain of report’ during these chaotic days.

The question is whether Karremans may not be mistaken here; neither he nor Franken reported Groenewegen’s observation during their debriefing in Zagreb. But both men did, in fact, report the discovery of the nine corpses and Franken even added explicitly that he was not aware of any ‘witness reports of actual executions’.¹¹⁵⁶ Although it is possible that Karremans was informed while Franken was not – the communication between the two was not exactly perfect in the chaos – this does not seem probable. The same applies to the statement that Karremans had supposedly forgotten to report such an observation.

But even if this was the case, it still is not clear whether Groenewegen’s observation had reached Karremans prior to his talk with Sarajevo and was reported at the same time as Rutten’s observation, or if it was reported later, in a separate communication. The date and the time of the execution are difficult to establish due to the varying statements Groenewegen has made in this regard. When interviewed by Colonel Lemmen on July 23 in Zagreb in the context of the operational debriefing, he did not mention a date.¹¹⁵⁷ But he did in fact give a date to the UN debriefers, namely July 12.¹¹⁵⁸ During the debriefing in Assen, he mentioned July 13.¹¹⁵⁹ The description of the execution was generally consistent: at a distance of about 200 metres from the compound, and about 30 metres

¹¹⁵⁰ Interview J.H.A. Rutten, 22/12/99

¹¹⁵¹ OM Arnhem, KMar, distr. Zuid-Holland/Zeland, Judiciary Services, Official statement P13-/1995-JD, Dossier ‘Dutchbat’, p. 14.

¹¹⁵² Interview Th. Karremans, 16/12/98.

¹¹⁵³ Statement from Groenewegen during a conversation on 12 June 1996, in preparation of his testimony before the Tribunal. NIOD, Coll. Kreemers. Royal Netherlands Army Legal Affairs Dept., Internal Memorandum, HJZ to CDS, ‘Hearing of witnesses by the Prosecution Office’, Stg/Confidential, unnumbered, 17 June 1996, p. 5; Debriefing statement, C.J. Matthijssen, 08/09/95.

¹¹⁵⁴ Karremans, *Srebrenica*, p. 219.

¹¹⁵⁵ SMG/Debrief. Debriefing, C-Dutchbat 3, copy of Col. Karremans’ own text, Deventer, 06/09/95 (Stg confidential/permanent) p. 13. Incidentally, what stands out here is that Karremans appears to have bypassed HQ SNE (Brantz) in Tuzla; something that happened more than once, at any rate on 13 July. Brantz also was not informed of the drawing up of the ‘list of 239’. NIOD, Coll. Brantz.

¹¹⁵⁶ SMG, 1007. Chr. Klep, ‘Debriefing report, C-Dutchbat III Col. Karremans, 22/07/95, Camp Pleso’; Chr. Klep, ‘Debriefing report, Major Franken, 22/07/95, Camp Pleso’.

¹¹⁵⁷ SMG, 1007/25. Note P. Groen, ‘Debriefing of soldier Groenewegen C-Company in regard to an inquiry about war crimes, Camp Pleso 230795, 12.15-12.30 hours’.

¹¹⁵⁸ NIOD, Col. Hicks. UN-Debriefing form, Schotman; Margarita Lagos-Bossel (UNHCR)/Edric Selous (CVAO), Incident report by Paul Roeneuvegen (Groenewegen), 23/07/95.

¹¹⁵⁹ SMG/Debrief. *Feitenrelaas*, p. 287.

from himself, Groenewegen observed how four VRS soldiers picked a man out of a group of refugees and placed him up against the wall of a nearby house, his face facing the wall. Groenewegen subsequently saw how one of the VRS soldiers killed that man with his AK-47, with a shot to the back of the head.¹¹⁶⁰ Later he stated that he only made his observation at around '4 p.m.' in the afternoon.¹¹⁶¹ In Zagreb, shortly after the battalion's return, he told the debriefers that he did not inform his group commander of the execution until the evening.¹¹⁶² If that was the case, Karremans could not have reported it on July 13 at around noon. After all, no indications were found that Karremans informed Sarajevo of the execution later on July 13 in a separate communication, even though on that day there was regular contact by phone.

The facts surrounding Oosterveen's report are also unclear. Karremans has stated before the Tribunal that on July 13 he received two reports only: the report of the nine or ten bodies and that of the one execution.¹¹⁶³ Before NIOD he stated that he also had spoken to Oosterveen and that, based on Oosterveen's story and that of Rutten, he concluded that the deportation was deteriorating into chaos.¹¹⁶⁴ Karremans, just as all the others after him, presumably understood the observations made by Rutten and by Oosterveen to be one and the same account. However, it is not clear when Oosterveen, and Dorst, who took photographs of the corpses, informed Karremans. As was the case with Groenewegen's observation, this issue directly concerns the uncertainty over the time when Oosterveen and Dorst discovered the corpses. Before both the Kodak Team of the Royal Netherlands Marechaussee, who investigated Rutten's botched film roll, and the Assen debriefers, Oosterveen mentioned '14.45 hours' as the time of discovery. This time was confirmed by Dorst. However, Dorst could not remember the exact day.¹¹⁶⁵ Oosterveen too, originally stated in Zagreb that he had made his discovery 'on Wednesday or Thursday'.¹¹⁶⁶ What is peculiar, however, is the fact that in both witness statements he recounted how a 10-year old Bosnian boy pointed out the killings as early as 'in the morning hours', or 'early morning', or 'after sunrise'.¹¹⁶⁷ This would put a considerable gap of several hours between the time of this warning and Oosterveen's reaction. But the account in his debriefing statement suggests that he went to pick up a camera on the compound immediately after having received this information and then, accompanied by Dorst, proceeded to find the location.¹¹⁶⁸ Elsewhere Oosterveen stated that he already had a camera on him.¹¹⁶⁹ This matter is complicated further by yet another differing statement by Oosterveen:

'A boy informed us of the existence of corpses. In the evening, we entered the enclave to investigate and did in fact find corpses of Muslims. It looked like an execution, because all the men were lying on their stomachs. A colleague took

¹¹⁶⁰ SMG/Debrief. *Feitenrelaas*, pp. 287-288. The name of witness Groenewegen became public later. He has also given testimony before the Tribunal: ICTY Karadzic and Mladic (IT-95-18-R61/IT-95-5-R61), 04/07/96. The video tapes of this incident were later introduced and submitted as evidence by the Prosecutor in the trial against Krstic.

¹¹⁶¹ SMG/Debriefing. *Feitenrelaas*, p. 287. This was supposed to have been around the time when the last Displaced Persons outside the compound were being deported.

¹¹⁶² SMG, 1007/25. Note P. Groen, 'Debriefing soldier Groenewegen C-Company in regard to an inquiry about war crimes, Camp Pleso 230795, 12.15-12.30 hours.

¹¹⁶³ ICTY (IT-95-18-R61/IT-95-5-R61), Testimony of Th. Karremans, 04/07/96.

¹¹⁶⁴ Interview Th. Karremans, 16/12/98.

¹¹⁶⁵ OM Arnhem, KMar, distr. Zuid-Holland/Zeeland. Official Statements of witnesses B.J. Oosterveen and R.W. Dorst, Judiciary Services, Official Statement P13-/1995-JD, Dossier 'Dutchbat', 02/08/95, pp. 21-22; 27. Dorst first refers to the separation of the men and women and then talks about 'around two days later'.

¹¹⁶⁶ SMG, 1007/25. Note Petra Groen, 'Confrontation aoo Oosterveen and elt Rutten in regard to an inquiry about war crimes, Camp Pleso 23/07/95, 13.00-13.30 hours'.

¹¹⁶⁷ Charles Lane, 'srebrenica: kroniek van een afgang' ('srebrenica, chronicle of a failure'), *De Volkskrant*, 12/08/95.

¹¹⁶⁸ Debriefing statement, B.J. Oosterveen, 08/09/95; OM Arnhem, KMar, distr. Zuid-Holland/Zeeland, Judiciary Services, Official Statement P13-/1995-JD. Dossier 'Dutchbat', 02/08/95, pp. 21-22.

¹¹⁶⁹ Jolande van der Graaf, 'Adjutant legde tiental executies door Bosnische Serven vast' ('Warrant officer photographed 10 bodies of people executed by the Bosnian Serbs'), *Rotterdams Dagblad*, 18/08/95.

photographs. Everything had to be done very sneakily, because by now the Serbs were cleansing the houses in the neighbourhood.’

However, the corpses on the photographs were almost indistinguishable, one of the reasons being the onset of darkness.¹¹⁷⁰ Both the explicit reference to the evening and the cleansing of houses by Serbs – an activity that took place in the wake of their advance to Potocari – strongly suggests that the observation may already have been made as early as the evening of July 12. This would tie in better with the statement mentioned earlier by Schotman and the stories of other Dutchbat personnel that they had heard already on ‘day one’ of the discovery of nine male corpses who had been taken away for questioning.¹¹⁷¹ Koster too confirmed that he heard rumours about nine or ten corpses as early as July 12, when making his reports at the compound.¹¹⁷²

It is not impossible that different recollections are being mixed up. A number of Dutchbat personnel at the Assen debriefing also linked Oosterveen to the discovery of bodies in a house. According to one of the Dutchbat soldiers, the Warrant Officer was warned by Groenewegen, shortly after he himself had observed an execution, that several corpses were reportedly lying in a house.¹¹⁷³ Warrant Officer Dijkema stated that:

‘... on the night of July 13-14 [this data is mixed up several times], Oosterveen and Koster had been in a house not far from the compound, where it was seen that shots were fired, after which the VRS left the house. They subsequently established that these persons had been murdered. He knows that photographs had been taken, the quality of which is poor, and that one roll of film is rendered useless.’¹¹⁷⁴

Naming Oosterveen and Koster (who accompanied Rutten) in one breath and the reference to a botched roll of film suggests that different events in Dijkema’s recollection have been mixed up. But what is striking is that Oosterveen here too is linked with a discovery of bodies in a house; an element which also appears in the reports that Schotman received as early as the night of July 12 to 13. As described before, *Médecins Sans Frontières* worker Emira Selimovic stated that Dutchbat personnel wanted *Médecins Sans Frontières* to remove some seven corpses from a house.

So the question remains of how Oosterveen came to his differing statements and if he, indeed, did see more than he has reported. Whatever the case may be, it was known in Zagreb that he had taken photographs. There he gave his roll of film to the local debriefing co-ordinator, Colonel Lemmen.¹¹⁷⁵ Petra Groen was head of the team of the Military History Section of the Royal Netherlands Army in Pleso and worked closely together with Lemmen; she saw Oosterveen hand the film to Lemmen. She signalled the MID, who later picked up the roll of film from Lemmen and had it developed.

Presumably, in the hectic situation, the observations of Rutten and Oosterveen were understood by Karremans as a reference to one and the same event. In Zagreb it had already been recognised that there was a problem. Colonel Lemmen, who in turn had organized a first debriefing of key persons by orders of General Bastiaans, arranged a confrontation between Oosterveen and Rutten especially for that very reason. From a note by Petra Groen, who together with Lemmen, also interviewed the witnesses of possible war crimes, it can be gathered that there were then indications

¹¹⁷⁰ F. Lardenoye, ‘Het boek “Srebrenica” is niet gesloten’ (“‘The ‘srebrenica’ book is not closed”’), *Oplinie*, July 1996, p. 7.

¹¹⁷¹ Debriefing statement, F.S. Cameron, 05/09/95. It still remains difficult to incontrovertibly link the meaning of ‘day one’ to 12 July. The weak chronology is a general problem with the statements made in Assen.

¹¹⁷² ICTY (IT-95-18-R61/IT-95-5-R61) Testimony of E. Koster, 04/07/96.

¹¹⁷³ Debriefing statement, E.J. Siemons, 05/09/95.

¹¹⁷⁴ Debriefing statement, W.J. Dijkema, 01/09/95.

¹¹⁷⁵ Interview P. Groen, 17/02/99.

that two different locations were at issue. Where Oosterveen mentioned a stream flowing in an east-to-westerly direction, Rutten indicated a stream following a north-to-southerly direction. Moreover, he placed the discovery in the neighbourhood of ‘a house with a watermill’, a marked detail that was missing in Oosterveen’s account.¹¹⁷⁶ However, neither observation was sufficiently clear for Groen and Lemmen to draw a definite conclusion, even though Groen, for her part, was inclined towards thinking that there may well have been two separate incidents.¹¹⁷⁷ Lemmen, due to the ‘obscurities’ in Oosterveen’s statement, was reluctant to draw this conclusion; if he had not known him in the past, he may well have considered the entire report as unreliable and pushed it aside, according to Lemmen.¹¹⁷⁸ Based on this assessment, General Couzy, in his press conference on July 23, started from the assumption that one single incident had occurred, although he explicitly left open the option that this issue involved two different incidents. He hoped that the comparison of the photographs would clarify the matter.¹¹⁷⁹

In the recollection of those involved, a unanimous conclusion, however, was drawn, even if it is quite possible that this impression arose only because the matter continued to occupy them after they had spoken to Groen and Lemmen. At any rate, Rutten and Oosterveen stated later that during a conversation in which they had consulted the ordnance survey map, they had come to the conclusion that the locations of their discoveries were surely 500 metres apart.¹¹⁸⁰ Rutten placed Oosterveen’s observation more in a northerly direction, towards Budak Mountain.¹¹⁸¹ His own discovery he marked on the map as being level with the battery factory.¹¹⁸² In this context, a statement that found its way into the report on Srebrenica published by Amnesty International in September 1995 is of interest. Here it is mentioned that ‘reportedly’ on July 13, VRS soldiers, on orders by their superiors, gunned down some nine men in a field close to one of the factories. The nine men were said to have tried to escape from the crowd, who were present in and around the factories, but were caught almost immediately.¹¹⁸³

In August 1995, Oosterveen and Rutten conveyed their conclusion to the researchers of the Kodak Team of the Royal Netherlands Marechaussee, who were investigating the destruction of Rutten’s roll of film. That same month, Oosterveen stated in a newspaper interview that there was more than one observation. ‘Another incident, also near the UN compound’ was being mentioned.¹¹⁸⁴ Even if it is somewhat understandable that General Couzy, in his Zagreb press conference of July 23, kept his options open and referred to a discovery of nine or ten bodies, it is puzzling that the debriefers in Assen did not unearth the same information as the Kodak Team. As a consequence, the debriefing report published in October 1995 only mentions one discovery of nine bodies. The fact that this report starts out with the assumption that an execution took place presumably on the night of July 12-13 is an interesting detail, with, as a striking addition, that Dutchbat reportedly did not obtain permission to remove the bodies.¹¹⁸⁵ In any case, nothing in the accounts of Rutten or Oosterveen, nor in that of any of the others closely involved in the discoveries, refers to the latter.

¹¹⁷⁶ SMG, 1007/25. Note taken by Petra Groen, ‘Confrontation aoo Oosterveen and elt Rutten in regard to an inquiry about war crimes, Camp Pleso 23/07/95, 13.00-13.30 hours.

¹¹⁷⁷ ditto

¹¹⁷⁸ Interview J. Lemmen, 17/10/01.

¹¹⁷⁹ NIOD, Coll. Kreemers. ‘Fragments from the press conference in Zagreb, 23/07/95. (Full text of the introduction of Lieutenant General H.A. Couzy)’. Also in Voorhoeve’s diary, pp. 139-140.

¹¹⁸⁰ OM Arnhem, KMar, distr. Zuid-Holland/Zeeland, Judiciary Services, Official Statement P13-/1995-JD. Dossier ‘Dutchbat’, pp. 8 and 22.

¹¹⁸¹ Interview J.H.A. Rutten, 22/12/99.

¹¹⁸² Appendix to debriefing statement, J.H.A. Rutten, 06/09/95.

¹¹⁸³ Amnesty International, Bosnia-Herzegovina: the missing of Srebrenica (London, September 1995) p. 5.

¹¹⁸⁴ J. van der Graaf, ‘Adjutant legde tiental executies door Bosnische Serven vast’ (‘Warrant officer photographed 10 bodies of people executed by the Bosnian Serbs’), *Rotterdamse Dagblad*, 18/08/95.

¹¹⁸⁵ Wind, *Debriefing*, pp. 50 and 51.

It is unclear whether this failure can be attributed solely to the debriefers. Neither Oosterveen nor Rutten apparently considered drawing the attention of the Assen debriefers specifically to this problem. This issue remained unclear within the Ministry of Defence. Only in July 1997, in a conversation with Rutten, did the Ministry of Defence's Directorate of General Information finally realize that two different incidents were involved, and that the debriefing report therefore was incorrect on this point.¹¹⁸⁶

In the wake of the Srebrenica tragedy the observations of executions also led to a debate. At issue was whether Karremans, as he himself has always maintained, did in fact report the incident to Sarajevo. This issue became part of the fast growing doubts after July 1995 as to whether Dutchbat, in the case of Karremans, had done everything in its power to avert the tragedy. The impression had arisen early on that the Dutchbat Commander had been negligent in his reporting. In his written retrospective, Kreemers, then Spokesman for the Ministry of Defence, argued that Karremans 'against better judgement, [had] time and time again missed the opportunity to mobilise world opinion.' Kreemers based his argument on statements by General Nicolai, who had spoken to Karremans by telephone on July 13. At that time, the Commander supposedly conveyed 'in the most vague terms', that 'very grave incidents had taken place in Srebrenica'.¹¹⁸⁷ This comment was brought to Kreemers' attention after it had escaped General Nicolai in a conversation with NRC reporter Frank Westerman. Westerman had picked up on that immediately and, not for the first or last time, confronted Kreemers with a fact he knew nothing about.¹¹⁸⁸

General Nicolai disclaimed that Karremans had informed him of executions, and also did so before the NIOD. He stated that he had asked Karremans 'on one occasion directly' whether war crimes had been committed. According to General Nicolai:

'At that time he said: "Irregularities have indeed occurred, but I don't think it is prudent" – we were talking over the telephone then – "to discuss the matter via this medium". The telephone line at that time was not secure.¹¹⁸⁹ He put it roughly as follows: "Soon, once we've left here, I shall report this. We still have no evidence of real crimes on a large scale." I am not quoting him literally now, but this was the tenor of his answer.'

According to Nicolai's account of Karremans' words¹¹⁹⁰, the incidents were 'small-scale', and Karremans would postpone any reporting due to the insecure lines. General Nicolai, however, believed

¹¹⁸⁶ Bstas, see report by H. van den Heuvel, Public Relations Director of the MoD, of the conversation between himself and former BLS Lieutenant General M. Schouten on 4 July 1997, with J.A.H. Rutten. SG. Memo, H. van den Heuvel, 06/07/97. Appendix 2 of letter by the Defence Minister to the Speaker of Dutch Parliament, D98002140, 13/08/98. However, in 'Prompting Document', a paper drawn up on 11 October 1996 by Colonel R.S. van Dam, in the light of interviews in the context of the NIOD investigation, which had just commenced, one already did start out from the assumption that there were two separate reports of nine or ten corpses with gunshot wounds. R.S. van Dam, 'Prompting Document', 11/10/96, p. 104.

¹¹⁸⁷ Kreemers, *Aan de achterkant van de maan* ('On the right side of the moon'), pp. 87-88.

¹¹⁸⁸ As evident from an undated, hand-written note made by Kreemers on Hotel Königswinter stationery during the 1996 stay in Bonn with Defence Minister Voorhoeve. NIOD, Coll. Kreemers. The note served to prepare for a conversation with General Van der Wind, in connection with the airing of VPRO TV broadcast *Lopende Zaken*, which was dedicated to the problems surrounding the local personnel of Dutchbat. Interview H.P.M. Kreemers, 18/03/99.

¹¹⁸⁹ This may well be possible; on the morning of 12 July, when the VRS advanced towards Potocari, an emergency destruction was implemented. At that time, a screwdriver was reportedly also used to render the encryption system 'cryptotel' (PNVX) inactive. See: debriefing statement, A.C.J. van Bladel, 19/09/95. Sld1 Van Bladel worked in the communications centre.

¹¹⁹⁰ Interview C.H. Nicolai, 11/06/99. Another interesting fact is that Nicolai, in his memo to DJZ, does not refer to any reports either. "Last days' Dutchbat Srebrenica", Brig. Gen. C.H. Nicolai to DCBC, Army Crisis Staff/SCO, 16/08/95.

that Karremans could have used the secure fax line and convey his reports through that medium.¹¹⁹¹ Anyhow, it is striking that Karremans, in a chronological summary of the events which he faxed on July 17, known as TK95118, does not mention the discovery of the corpses and the execution.¹¹⁹² Whether no report was made due to safety considerations or for other reasons can no longer be reconstructed. However, there were indications that Karremans feared the VRS might discover that he had sent this information out of the enclave. For example, on July 15, when the team of KHO-5 finally was able to leave the enclave with the logistics convoy, he ordered them to keep silent about the events that had occurred in the enclave while the rest of the battalion was not yet in safety.¹¹⁹³ It is not clear whether he only intended this order to relate to contacts with the press, or whether this was a general information curfew.

Even if Karremans' story is weak on this particular point, it is ultimately General Nicolai's story that raises the most doubts. The fact of the matter is that Karremans' assistant in Sarajevo, Lieutenant Colonel De Ruiter, did confirm that Karremans had reported possible executions. This is something that De Ruiter told staff of the Ministry of Defence Political Affairs Directorate as early as October 1995, at which time De Ruiter also recounted the detail that Karremans had notified him about the existence of photographs.¹¹⁹⁴ In a fuller statement before the NIOD, De Ruiter presented his recollection of the conversation as follows:

I still remember that he said: "The time has come", or "It has started". I then asked: "What exactly do you mean?" "Well, the massacre." "What happened?" Then came the story of the nine or ten men. That someone had made photographs. [De Ruiter continued asking]: "What exactly do you mean? Do you have indications for incidents on a larger scale?" "No, not at that point in time".¹¹⁹⁵

Karremans had an unpleasant recollection of this conversation. Based on his notebook, it appears that he called De Ruiter at 12.11 hours.¹¹⁹⁶ He not only reported the discovery of the corpses and the photographs, but also the objections of the Dutch blue helmets in connection with their departure. Karremans therefore reportedly requested 'with emphasis' mediation on higher level. But De Ruiter's answer had surprised Karremans, as it was one he did not expect under the given circumstances: 'Don't panic, you seem stressed out, or words to that effect. After that conversation, I was so bewildered that it took me a while to let the answer sink in'.¹¹⁹⁷

This version was disputed by De Ruiter before the NIOD. He concurred that he had said something similar at one point or another, but dated this statement as having been made on July 11, before the VRS push into Potocari, and not on July 13. According to De Ruiter's account, his words

¹¹⁹¹ This comment certainly cuts ice. The Satcom-A with encryption equipment still functioned, even if it was 'completely worn down'; debriefing statement, A.C.J. van Bladel, 19/09/95. New communication equipment was waiting in Zagreb but could not be brought into the enclave due to the ban on convoys. Other communication that was sent that same day included the 'list of 239', as evident, among other things, from Couzy's comment, that the list had arrived at the Royal Netherlands Army, encrypted. See: KAB. Memo J.J.C. Voorhoeve, Urgent, Attn.: SG, PCDS, DV, Princen. Stg-confidential, z.d. 'Conversation with Karremans on 24 August 1995 from 08.30 – 09.30 hours with Gen Couzy (BLS) and Gen Schouten (PCDS)'.

¹¹⁹² SMG, 1006. Fax TK95118, Karremans, 17/07/95.

¹¹⁹³ Summary of compiled reports DCBC, As a result of 'Report C-DB-3 dated 150800B Jul 95': 'They (the KHO-5) have received orders from C-DB-3 to NOT give out any info until DB-3 has returned to NL'.

¹¹⁹⁴ DAB. Note by J.H.M. de Winter (DAB) to Minister, Stg/confidential D95/537, 'srebrenica', 20/10/95, p. 8. It is equally striking that this information apparently did not reach Kreemers.

¹¹⁹⁵ Interview A. De Ruiter, 29/06/00.

¹¹⁹⁶ Interview Th. Karremans, 16/12/98.

¹¹⁹⁷ Karremans, *Srebrenica*, p. 219. On the afternoon of July 13, Rave incidentally notes down: 'We continue to report to the world'. Notebook of B. Rave, submitted to the NIOD for perusal.

had been a reaction to Karremans' earlier described alleged wish to surrender to the VRS, and therefore a mix-up by Karremans.¹¹⁹⁸

In the absence of an independent third source, it can no longer be established which version is correct. The core of the discussion therefore culminates above all on the question of how seriously the reports were taken. The presupposition must be that Karremans himself expected that incidents had occurred. In that regard, the character of the conversations, as Nicolai and De Ruiter recount them, does tie in. In contrast, Karremans suggests a half-hearted reaction by Sarajevo. This consequently begs the question of what took place after the telephone conversation with Lieutenant Colonel Karremans.

De Ruiter stated in October 1995 that after the conversation with Lieutenant Colonel Karremans he had made various attempts to verify his report. One such attempt was the involvement of the JCOs in Potocari. He 'had someone ask the secretly operating British unit in Srebrenica (a few soldiers) about indications of war crimes. They too had not reported much more in the days after the request than Lieutenant Colonel Karremans himself had already done.'¹¹⁹⁹

Shortly after the fall, interpreter Emir Suljagic and UNHCR Representative Almir Ramic indeed saw one of the British soldiers, 'a big strong guy', return after one night, completely drenched in mud 'as if he had only been crawling'. Later they saw him wash his things.¹²⁰⁰ Whether there was a connection with a request by De Ruiter could, however, not be established. It does not seem improbable that the JCOs were conducting reconnaissance missions anyway, one of the reasons being that they originally had the intent to leave the enclave without Dutchbat, but did not receive permission from battalion command.¹²⁰¹ The question is rather if the British were still able to pass on their findings at that time. From the available indications it appears that the JCOs, as a precautionary measure, destroyed their special communications equipment as early as 11, or no later than July 12.¹²⁰² This reportedly resulted in a break in communications on and after July 13, the days referred to by De Ruiter as 'the days after'. This leaves only the possibility that the British maintained contact with Sarajevo via Dutchbat's communications centre or via the equipment of the UNMOs, but this could not be established with certainty. It is not impossible that the JCOs, in one way or another, succeeded in getting information out of the enclave; the NIOD, however, did not obtain permission from the British Government to hear the involved SAS team. Colonel Brantz's journal includes notes about a report he received on July 14, with the entry that the 'Bratunac prisoners' are no longer in the football stadium and have possibly been moved to an undisclosed location. He made the additional note: 'Informal reports by JOC' [presumably a typing error].¹²⁰³

De Ruiter also said that he had approached the UNHCR in Sarajevo with the question of whether their representatives in Srebrenica had any knowledge of war crimes. 'This appeared not to be the case', said De Ruiter.¹²⁰⁴ This was generally correct: the UNHCR had planned that Field Officers from the UNHCR Bosnia-Herzegovina Desk in Belgrade should be present on the Srebrenica-Kladanj route in order to monitor the convoys, but had not obtained permission from the Bosnian-Serb authorities: 'Therefore there is no UNHCR presence to monitor the current process on the Bosnian-Serb side'.¹²⁰⁵ Repeated requests by the Head of Mission of the UNHCR in Bosnia, Damasio Fecci, to

¹¹⁹⁸ Interview A. de Ruiter, 29/06/00.

¹¹⁹⁹ DAB. Memorandum from J.H.M. de Winter (DAB) to Minister, Stg/confidential D95/537, 'srebrenica', 20/10/95, p. 8.

¹²⁰⁰ Interview Almir Ramic, 08/11/99.

¹²⁰¹ Interview Th. Karremans, 15-17/12/98 and R.A. Franken, 18/05/01.

¹²⁰² In any event, on the 12th, shortly before the VRS inspected the compound, the (Dutch) FAC equipment was destroyed with an axe and thrown in a deep pit. Code lists and keys were also destroyed (debriefing statements by P.M. Sanders and E.G.B. Wieffer, Assen, 13 and 07/09/95 resp.). At that time, the JCOs were reported to have sabotaged their own equipment as well.

¹²⁰³ Report dated 14 10.00/14.45 hours, Royal Netherlands Army and NIOD, Coll. Brantz in: Journal Ch. Brantz, appendix, pages unnumbered.

¹²⁰⁴ DAB. Memorandum J.H.M. de Winter (DAB) to Minister, Stg/confi D95/537, 'srebrenica', 20/10/95, p. 8.

¹²⁰⁵ UNGE, UNHCR, file Bosnia/Srebrenica. Capsat J-P. Cavalieri, UNHCR Belgrade, to UNHCR Zagreb, 13/07/95 1436z.

visit Srebrenica and Bratunac with members of their staff had also been turned down. In the meantime, the UNHCR was seriously concerned about the men, who were separated from their families and transported to an undisclosed location. Furthermore, accounts from an evacuated woman became known, about how her two nieces were arrested by Bosnian Serbs. However, there were no opportunities to verify these reports.¹²⁰⁶ But on July 13, an UNHCR convoy that had already been waiting for several days at the border crossing at Zvornik was finally allowed to enter the enclave.

At around 18.30 hours, when the deportation neared an end, two UNHCR Field Officers, Andrei Kazakov and Rosana Sam, arrived at Potocari with the convoy.¹²⁰⁷ They were accompanied by Dragan Kekic, chairman of the 'Coordinating Council for Humanitarian Assistance' and the president of the Opstina Bratunac, Ljubo Simic, who were to guarantee their safety. Kekic was further accompanied by a camera crew from Pale TV Srna, with whom he wanted to enter the compound to personally assure the safety of the local UNHCR staff. Lieutenant Colonel Karremans, however, prohibited this; Kazakov and Sam were granted access. Once inside, they discussed the situation with UNHCR Representatives Almir Ramic and Faruk Masic, the team of *Médecins Sans Frontières* and members of Dutchbat.

The picture that presented itself to Kazakov and Sam in Bratunac and Potocari (they were prohibited from visiting the town of Srebrenica) included both the problems of the medical convoy and the separation of the men from their women and children. According to the VRS soldiers they spoke to, their orders were to consider everyone with a weapon as a prisoner of war. The other men reportedly had permission to leave by bus. The Field Officers had to accept this: 'There was no evidence on site to deny this'. During their stay in Bratunac, before being allowed to proceed to Potocari, they had observed that 'the buses were loaded on the basis of age/sex with mixed elderly, then younger women and children and finally men of military age'. The latter were, as far as they were able to see, in the back of the bus and guarded by VRS soldiers. Kazakov and Sam had counted 25 buses, but had not been able to inspect all of them. According to local authorities, a further 700 POWs were detained in the stadium, but requests to visit them were turned down.

The answer about the deportation process which the Field Officers received from the Dutch soldiers during their two-hour stay was fairly uniform: the VRS operation was 'well-organized and had the intention to minimize civilian casualties'. There was no information about any possible mistreatment of the civilian population by the VRS. The Field Officers therefore concluded that the 'evacuation' had been conducted in 'a non-hostile way'.

There was actually only one exception to this picture. A UN soldier, whose name was not mentioned, said that 'on the night of July 10-11, he did not remember exactly due to fatigue, that draft age Displaced Persons were rounded up from the crowd in front of the compound and interrogated in a large building across from the compound. The source said he heard shooting from that building throughout the night and believed that many people had been executed there'.

This incidental report was seemingly drowned in the scores of reassuring statements about the process of events. What is interesting is that, according to internal reports, the local UNHCR representatives had nothing to say on this issue either. According to Jean-Paul Cavalieri, then UNHCR Program Officer in Belgrade and the person who had instructed Kazakov and Sam to look for the missing men, Ramic and Masic – who were very afraid – did in fact hear rumours about executions in Potocari, but had observed nothing themselves. They had heard shots from the hills around Potocari but not in the vicinity of the compound.¹²⁰⁸

The most striking incidence as yet is that, based on the UNHCR report, Lieutenant Colonel Karremans and Major Franken apparently missed the chance to inform the UNHCR directly of the

¹²⁰⁶ UNGE, UNHCR, file Bosnia/Srebrenica. M. Almeida e Silva (UNHCR Geneva) to Damasio Fecci, 'summary of 13.07.95 press briefing at the Palais des Nations', 13/07/95.

¹²⁰⁷ UNGE, UNHCR, file Bosnia/Srebrenica. The following is based on: E. O'Dwyer (BH Desk) to B. Tall, BH Desk Belgrade Coordinator, 'summary of Field/Prt monitoring Srebrenica July 13/14 1995'.

¹²⁰⁸ Interview J.-P. Cavalieri, 08/07/00. Why this is not included in the report's summary is not clear.

executions that had been reported to them.¹²⁰⁹ It is improbable, however, that De Ruiter in this case should have heard more in answer to his request for information than he already knew from Karremans. At that time, no other sources of information were available to the UNHCR on site and, for the time being, they decided to give Mladic ‘the benefit of the doubt’.¹²¹⁰

De Ruiter stated that he had not only approached the JCOs and the UNHCR, but also that ‘from Sarajevo he [had] brought the report to the attention of the UN’.¹²¹¹ The way in which this was formulated suggests that he may also have informed Zagreb. This appears to be confirmed by Janvier’s declaration in 2001 before the French parliamentary mission into Srebrenica. He said that he was aware of ‘assassinations’ that had been reported by the Dutch blue helmets. That is why, he continued, he had made attempts from July 13 to send two of his officers to Srebrenica.¹²¹² But it is not very likely that this occurred on July 13, as Janvier had already asked Mladic as early as July 12 to receive the respective officers ‘as his personal envoys’, before anything had been reported by Dutchbat.¹²¹³

One might naturally assume that De Ruiter also dispatched the information through to Sarajevo. Smith might have been able to use it in his negotiations with Mladic, which resulted in the 19 July agreement about the departure of Dutchbat. Anyhow, De Ruiter indicated in his notes that, according to Smith, Mladic had ‘accepted “unfortunate small incidents” had occurred’. De Ruiter also took down the remark (that his troops had) “finished [it] in a correct way”.¹²¹⁴ This in itself is not contradictory to the picture which predominated at that time. From the secret report of the meeting with Mladic, which took place in the presence of Milosevic, it is evident that human rights violations had not been raised, other than the question of access to detainees.¹²¹⁵ The question remains whether De Ruiter had informed the Netherlands. There were regular informal contacts between De Ruiter and the Defence Crisis Management Centre, the upshot of which can be found back in the log books. There is, however, no reference to the reports by Lieutenant Colonel Karremans, not even in relation to the already earlier cited telephone call on July 15, in which De Ruiter relayed the UNMO’s account about the terrible scenes that were said to have unfolded between Srebrenica and Potocari.¹²¹⁶

In this context, it is also interesting that in the summary ‘*Last Days of Dutchbat in Srebrenica*’, compiled by De Ruiter himself in August for the Defence Crisis Management Centre and Military History Section of the Royal Netherlands Army, any reference to the conversation with Lieutenant Colonel Karremans on July 13 is missing. In the compilation of this summary, De Ruiter had used several sources, including personal notes by General Nicolai and himself, as well as notes about telephone conversations and meetings.¹²¹⁷

The same gap can also be found in General Nicolai’s notes of July 13. He did, however, make two interesting notes one day later, but it could not be established if these related to the reports by Lieutenant Colonel Karremans: ‘Reports about incidents’ and one note showing the ‘A’ for ‘action’, ‘reports about incidents → UNHCR’.¹²¹⁸ This suggests that General Nicolai did in fact hear something.

¹²⁰⁹ Remarkable too, that based on the report, no mention was made of the drawing up of the ‘list of 239’, while this surely was of pre-eminent interest to the UNHCR.

¹²¹⁰ Interview Karen Koning-Abu Zayd, former UNHCR Representative in Bosnia, 11/07/00.

¹²¹¹ DAB. Memorandum, J.H.M. de Winter (DAB) to Minister, Stg/confidential D95/537, ‘srebrenica’, 20/10/95, p. 8.

¹²¹² Loncle, *Rapport d’information*, Tome 1, par. C2, ‘11/17 July: ‘*le grand massacre*’.

¹²¹³ DJZ. Letter from B. Janvier to R. Mladic, 12/07/95. This letter gives Janvier’s 2001 declaration an air of self-justification.

¹²¹⁴ Notes by J.A.C. De Ruiter, submitted to NIOD for perusal. Interview J.A.C. De Ruiter, 29/06/00.

¹²¹⁵ SMG, 1002. Confidential-UK eyes A, Loose minute, Bildt Mission – Report 11, Belgrade-Brussels-Geneva-Belgrade-Sarajevo 14-20 July 95, 21/07/95, by Maj. Gen. C.L. Elliott, MA to Mr. Bildt.

¹²¹⁶ As will be discussed in Chapter 6, it is unclear whether Air Commodore C.G.J. Hilderink of the DCBC knew about the report. His confirmation in an interview the NIOD is at odds with information by other sources, and opens the possibility that Hilderink may be mistaken.

¹²¹⁷ SMG, 1004/59. “‘Last days’ Dutchbat in Srebrenica’, LCol. J.A.C. De Ruiter MA to DCBC/Royal Netherlands Army Military History Section, 12/08/95.

¹²¹⁸ Notebook of C.H. Nicolai, submitted to the NIOD for perusal. It is not impossible that his notes related to the first reports that came in on 14 July at 11.00am about ‘abusing refugees’. See: SMG, 1004/59. Logbook (G3 and personal notes),

Nor does there seem to be an obvious reason why Lieutenant Colonel Karremans would not have relayed the same information to General Nicolai as he did to his assistant. In view of the explicit question Nicolai posed, according to his own account, it would be peculiar if Lieutenant Colonel Karremans informed De Ruiter, but not his superior. It would then be expected that the General was informed about Karremans' report by his own assistant.

As far as General Nicolai is concerned, there are two possibilities; a mistaken recollection, or an intentional distortion of facts. In regard to the former, it is possible that the conversation between De Ruiter and Nicolai, which Nicolai himself remembers, did not take place on 13 July, but prior to that time. In this case, the question is: did De Ruiter inform General Nicolai of his conversation with Lieutenant Colonel Karremans, and when. If General Nicolai was not informed, or if it was done in a non-alarmist manner, then General Nicolai's recollection becomes more understandable.

In the other case, General Nicolai's statements may have been prompted by the idea that he didn't take Lieutenant Colonel Karremans' report seriously. This is all the more embarrassing, as Nicolai – according to his own statement – had impressed on Lieutenant Colonel Karremans as early as around 11 July that he did not expect the VRS 'to carry out a bloodbath among innocent civilians and UN soldiers under the eyes of the entire international community'.¹²¹⁹ However, at some time between July 11 and 18, something in General Nicolai's position changed in that regard, which might have to do with the 'incidents' of which he made brief notes on 14 July. On July 18 General Nicolai was one of the few top people who backed up Minister Pronk when he declared two days earlier that genocide had been committed in Srebrenica; even if the General expressed that it may be difficult to prove.¹²²⁰

Both Nicolai and De Ruiter made their statements about their contact with Karremans when the incident was less than four months old, when 'srebrenica' had already started to take on the character of a major political scandal and the description of events became a matter of importance for all parties involved.¹²²¹ 'Reports' had meanwhile become an extremely sensitive subject, and, in hindsight, were ascribed tremendous significance, even if their significance and scope was far from obvious at that time. Anyhow, the latter is the overriding impression that lingers over this complex issue: none of the parties involved interpreted the reports as warning signs. Nevertheless, formally speaking something went wrong in the reporting. The information, by the looks of it, became stuck in Sarajevo and with it, the responsibility for connecting or not connecting consequences to the reports rests with Sarajevo.

27. Protests To Mladic?

Apart from the duty to report human rights violations to those higher up in the chain of command, Lieutenant Colonel Karremans had an additional responsibility. As per Standing Operating Procedure 208, a commander was required to bring incidents to the attention of the local (military) commander 'and demand the violation to stop'.¹²²² In Lieutenant Colonel Karremans' case, this meant that he had to get redress from Mladic. The former Dutchbat Commander, on the face of it, has expressed contradictory words about whether or not he did so. In Assen, he originally declared: 'I did not speak with Mladic about possible corpses or skirmishes that reportedly took place. At the time, I was not

included in: 'Last days' Dutchbat in Srebrenica', LCol J.A.C. De Ruiter MA to DCBC/Royal Netherlands Army-Military History Section, 12/08/95.

¹²¹⁹ DJZ. Brig. Gen. C.H. Nicolai to DCBC, Army Crisis Staff/SCO, Memo "Last days' Dutchbat Srebrenica', 16/08/95.

¹²²⁰ K. van Beurden, 'Generaal steunt verhaal Pronk' ('General backs Pronk's story'), *Het Parool*, 19/07/95.

¹²²¹ Colonel Ch. Brantz recounted that he was extremely irritated by the manner in which Nicolai and De Ruiter had picked on both Karremans and Voorhoeve in a conversation with NOVA reporter Twan Huys during a flight to the Netherlands on 23 July. Brantz, who travelled in the same plane, could overhear the long conversation. He said to later have recognized the same stories in the fall, in an article by Frank Westerman in *NRC Handelsblad*. Interview Ch. Brantz, 11/07/99.

¹²²² SMG, 1023. Annex B SOP 208, Actions for Commanding Officer and HQ BH Command. Standard Operating Procedures UNPROFOR, September 1993.

aware of possible crimes and did not want to discuss matters on the basis of rumours; after all, at that time I did not have any hard facts'.¹²²³

The subject came up again in 1996, when Lieutenant Colonel Karremans and a number of other Dutchbat soldiers were summoned to give testimony before the Yugoslavia Tribunal in the Rule 61 procedure against Karadzic and Mladic. Although the contrary was claimed in the public arena¹²²⁴, the Netherlands witnesses were prepared by Royal Netherlands Army lawyers and their statements closely examined. With Lieutenant Colonel Karremans' consent, 'the passages and statements that might possibly raise questions were deleted or adjusted'.¹²²⁵ It was, after all, not in the interest of the Ministry of Defence nor of the Prosecutor that the focus would come to lie on Dutchbat, instead of on Karadzic and Mladic. On 11 June 1996, a preparatory conversation was held with Lieutenant Colonel Karremans by representatives of the Tribunal, in the presence of a Royal Netherlands Army lawyer. On that occasion, Lieutenant Colonel Karremans was asked, among other things, whether he had told General Mladic of the discovery of the nine executed Muslims: 'Karremans answered that he had indeed told Mladic about this incident, but that Mladic hardly reacted to this statement'.¹²²⁶ This supposedly took place on July 13, during an 'on the spot' meeting with the VRS General.

On the face of it, this declaration by Lieutenant Colonel Karremans in June 1996 is at odds with his statements made in Assen. On closer examination, however, this appears not to be the case: the statement given at the debriefing that he had not mentioned the killings to Mladic was made in the context of questions about his first meetings with Mladic on July 11 and 12; at that time Karremans could indeed not have been aware of the incidents in question. In June 1996, on the other hand, the question explicitly concerned the nine corpses, which were reported to Lieutenant Colonel Karremans only on July 13. So the question remains of whether he did in fact raise the issue of the killings with Mladic on July 13.

But, if his own words are used as a starting point, then this was not the case. Karremans said that he had met Mladic on a total of six occasions. The sixth meeting took place on July 21. The fifth time was on the Thursday morning of July 13, but this was before Lieutenant Colonel Karremans received the reports himself. In his book, he wrote: 'Before I received the report of the execution and the photographs, I met Mladic while making my rounds in the vicinity of the main gate'.¹²²⁷

Also, during the preparation for his testimony, the apparent discrepancy in Lieutenant Colonel Karremans' statements had already been noticed; Karremans' written account in his book deviated on this point from the statements he made in the pre-talk before the interviewer of the Tribunal. The Ministry of Defence's lawyer, Mr. Koet pointed this out to Karremans, and suggested that if Karremans' statement that he had reported the execution to Mladic was true, to change his statement to

¹²²³ NIOD, Coll. Kreemers. Royal Netherlands Army Legal Affairs Department, Internal Memorandum, HJZ to CDS, 'Hearing of witnesses by Prosecution Office', Stg/Confidential, unnumbered, 17/06/96, p. 5.

¹²²⁴ W. Nieuwenhuis, 'Voorhoeve liet Karremans bewust zonder hulp getuigen' ('Voorhoeve deliberately let Karremans testify without assistance'), *NRC Handelsblad*, 31/07/96. Minister Voorhoeve left assisting of witnesses up to the Royal Netherlands Army so as not to further strain the already sensitive relationship with this section of the armed forces. The Royal Netherlands Army, after pressure from the department, reportedly decided to set up a Monitoring Committee, 'but Karremans hardly listened to it'. This picture is at odds with the impression of extensive interference, as emerges from this document. The documents show that a Monitoring Committee was indeed established that did not maintain contact with Karremans directly, but via Koet – the request by Defence Minister Voorhoeve to let the Monitoring Committee speak with the witnesses directly was not granted. The Monitoring Committee was formed by Brig. Gen. C.H. Nicolai; J. Buirma LL M (DJZ); H.P.M. Kreemers, MA (Deputy Director of Public Relations MoD); Col. A.C. Zuidema, LL M (HJZ-BLS) and Air Commodore K. Hilderink (SCO-CDS). See: DJZ. Internal Memorandum from Col. J.W. Koet, LL M to PBL (Van Baal), no. 210596jz01, 21/05/96, 'Cooperation of Netherlands military personnel on Public Hearing in the case of Mladic and Karadzic.'

¹²²⁵ NIOD, Coll. Kreemers. Royal Netherlands Legal Affairs Department, Internal Memorandum, HJZ to CDS, 'Hearing of witnesses by Prosecution Office', Stg/Confidential, unnumbered, 17/06/96, front page.

¹²²⁶ NIOD, Coll. Kreemers. Royal Netherlands Army Legal Affairs Department, Internal Memorandum, HJZ to CDS, 'Hearing of witnesses by Prosecution Office', Stg/Confidential, unnumbered, 17/06/96, p.10.

¹²²⁷ Karremans, *Srebrenica who cares?* p. 220.

that effect. Koet assumed that Karremans could, in any case, expect to be asked by the Prosecutor or by one of the judges if he had addressed Mladic about this issue; but this did not occur.¹²²⁸

So the question remains of how probable it is that Karremans has raised this issue with Mladic during their sixth meeting on July 21. In July 1996, his testimony on this subject caused a tremendous stir. When Lieutenant Colonel Karremans testified before the Tribunal that month – the week before his promotion to Colonel was to take effect – his last contacts with Mladic were discussed. These took place on July 21, the day on which the battalion was finally permitted to leave the enclave. The Bosnian-Serb General still wanted to carry out an inspection of the compound in Potocari. On that occasion, a final conversation developed (apart from a few courtesies exchanged between Mladic, Karremans and Nicolai upon the battalion's departure of the enclave later that day in the north) with Karremans, when Karremans asked Mladic two questions. One question concerned the equipment that had been taken by the VRS, and the other concerned what would have happened in the event of a true full demilitarization of the Safe Area, and if the Bosnian Muslims had not embarked on the excursions out of the enclave. Mladic answered that, in this case, he would not have considered attacking the enclave; this was the standard story that VRS General Gvero, for example, had already presented to the press a few days earlier in the VRS Press Office.¹²²⁹ As a result of this conversation, one of the Tribunal Judges, Judge Riad, asked whether Karremans still had raised protest against the execution 'or the things you heard about'. The former Dutchbat Commander answered that he had not done so 'in the last meeting', as this meeting had more or less come about unexpectedly, and moreover, there had hardly been time to evaluate the events of the previous weeks, and in particular those of the last days: 'To be frank, I have not thought about the idea of asking him what happened to the refugees'.¹²³⁰ The judges, Minister Voorhoeve and the media reacted 'in bewilderment'.¹²³¹

Although this bewilderment is understandable, it nevertheless is peculiar that Karremans, while having told Tribunal representatives in the preliminary hearing that he did in fact raise the issue of executions with Mladic, he did not mention this incident during the hearing. Karremans, not for the first time, appeared to possess a talent to afflict damage to himself.

He was warned: at the end of the earlier mentioned pre-talk, Prosecutor Harmon had said to Karremans 'that he (Karremans) was a man of few words'. According to the Ministry of Defence representative, who was present, the American even urged him to 'talk about his experiences as elaborately as possible'. With this in mind, Karremans was offered the opportunity to give his testimony in the Dutch language instead of in English, but this was turned down by the Dutchbat Commander.¹²³² As a consequence, he deprived himself of the chance to make any subtle distinctions in regard to his own actions. The description in his book, however, nurtures the doubts of whether protest was ever lodged with Mladic.

Karremans indeed describes how, in a meeting with VRS Colonel Jankovic on July 15, the actions of VRS soldiers apparently were discussed. The answers were all 'evasive'. The events at Zvornik, where the KHO-5 convoy had been attacked that day, and the events during the escort of the displaced between Bratunac and Kladanj were, according to the VRS officer, 'all to blame on some irregulars, fighting their own war'. The actions and behaviour of VRS troops during the evacuation were attributed, according to Jankovic, to the local commanders, who had interpreted orders from the

¹²²⁸ See: DJZ. Jan Koet to Ton Karremans (sic), Den Haag, 13/06/96.

¹²²⁹ Translated press report of Glas Srpski/Srna, Sarajevo, 10/07/95. Included in: UNGE, UNHCR, file '1995 FYOO OPS.16 situation reports Bosnia (Jan.-July)', HCBSNBA to HCHRVZA (UNHCR Belgrade to UNHCR Zagreb) 11/07/95.

¹²³⁰ ICTY (IT-95-18-R61/IT-95-5-R61). Testimony of Th. Karremans, 04/07/96.

¹²³¹ See also: Hella Rottenberg, 'Karremans' relaas verbijstert rechters en Tribunaal' ('Karremans' account amazes judges and Tribunal'), *De Volkskrant*, 09/07/95; Ewout Nysingh, 'Naïve Dutchbatters zagen moordpartij niet aankomen', *De Volkskrant*, 12/07/96; 'Voorhoeve verbijstert. Scherpe kritiek op Karremans' ('Voorhoeve perplexed. Sharp criticism of Karremans'), *Algemeen Dagblad*, 12/06/96; 'Voorhoeve hard over Karremans' ('Voorhoeve harsh about Karremans'), *Trouw*, 13/07/96.

¹²³² NIOD, Coll. Kreemers. Royal Netherlands Army Legal Affairs Department, Internal Memorandum, HJZ to CDS, 'Hearing of witnesses by Prosecution Office', Stg/Confidential, unnumbered, 17/06/96, p. 10.

government in their own way. Mladic had, after all, promised that he would respect the Geneva Conventions. Karremans came away from the conversation with the feeling ‘of having been terribly taken for a ride’.¹²³³

Franken also remembered a conversation with Colonel Jankovic, possibly the same conversation referred to by Karremans in his book. In his recollection, he was the one on that occasion who raised the issue of executions. But Jankovic had assured him that it only involved some unfortunate incidents. To a similar protest against the separation of men and women, he had answered with a reference to the Geneva Conventions.¹²³⁴

Discussing the question of whether a timely protest would have had any effect is more or less futile. No matter how strong Karremans would have phrased his objections, Mladic would have simply disregarded them. An entirely different matter, of course, is the question of the reports to the outside world, as the implications of not passing on the reports are so much greater for all parties involved.

As early as October 1995, the Political Affairs Director of the Ministry of Defence, J.H.M. de Winter, in a confidential paper, formulated a number of conclusions about Karremans’ actions in view of the publication of the debriefing report, based on, among other things, the earlier cited talks with De Ruiter. De Winter established that Karremans, strictly speaking, had not complied with ‘the UNPROFOR regulations on the written reporting of war crimes (Standing Operating Procedure 208) and that, were this to become known in public, it might be used to accuse Dutchbat of negligence in this regard’. Karremans’ manner of reporting was explained by De Winter ‘as a result of the hectic situation and the fact that Dutchbat has observed little in the enclave’.¹²³⁵

But this conclusion raises a number of questions. For instance, is the failure to fill in forms Karremans’ only and greatest act of negligence? The impression arises that after hearing the reports he should have sensed that something was wrong and issued instructions to pay even closer attention and report what was afoot around them. To a large extent, the way in which Karremans handled reports depended on his anticipation of the fate of the Bosnian (or Muslim) men. These anticipations related to his assessment of the composition of the group of Displaced Persons in Potocari.

In late 1998, Karremans publicly admitted that he had made an error of judgement in the negotiations with Mladic, when the General made it known that he was planning to question the men of military age. Karremans explained that, at that time, he did not realize what their fate would be and that afterwards he felt ‘severely taken for a ride’.¹²³⁶ At other occasions, the former Dutchbat Commander added the subtle distinction that he was not entirely unperturbed by what was taking place, but that he had never expected killings to take place on such a large scale. Before the NIOD, Karremans contended having considered the reports ‘at that time as a number of isolated incidents’.¹²³⁷ That Karremans really did have an uncomfortable feeling on July 13 was confirmed by Army Surgeon Colonel Kremer. When the last of the Displaced Persons left the compound in Potocari, both Kremer and Karremans were watching. Kremer asked him what he thought might happen to the men. Kremer certainly had no idea that the men were to be mass-murdered, but he had an inkling that theirs was to be a darker future than that of the women and children. From Karremans’ answer, Kremer deduced that he feared the same: ‘He said something like ‘you’d rather not know’ or ‘not too good’’.¹²³⁸

Karremans knew about the ethnic cleansing that had plagued Eastern Bosnia. In his letter of alert of 5 June, in which he set forth the impossible situation in which the battalion and the population had found themselves, he sketched a sombre scenario. He predicted that the VRS, who had captured

¹²³³ Karremans, *Srebrenica*, pp. 229-230.

¹²³⁴ Interview R.A. Franken, 18/05/01.

¹²³⁵ DAB. Memorandum, J.H.M. de Winter (DAB) to Minister, Stg/confidential D95/537, ‘srebrenica’, 20/10/95, p. 9.

¹²³⁶ ‘Karremans erkent taxatiefout Srebrenica’ (‘Karremans admits he misjudged situation in Srebrenica’), Press report, KRO *Netwerk*, 11/12/98.

¹²³⁷ Interview Th. Karremans, 16/12/98.

¹²³⁸ Interview G. Kremer, 13/07/98. Also see: G. Riemersma, ‘De oorlog na Srebrenica’ (‘The war after Srebrenica’), in *Core question. Follow-up care for (young) veterans*, (1997/4 nr. 114) p. 59.

OP-E just two days earlier, would attempt to capture the southern part of the enclave. This would endanger the Displaced Persons in the Swedish Shelter Project: ‘The camp, in that case, would lie in their way. In view of what had already taken place in the past, there is no need to iterate what could happen to the inhabitants’. Nevertheless, further in the letter, Karremans becomes more specific: ‘All Displaced Persons would be expelled towards the north, or killed.’¹²³⁹

Was Karremans therefore convinced, well in advance of the looming danger? Before the NIOD, the former Battalion Commander contended that he had not counted on large-scale killings. He explained his remarkable words from early June as being his desire to send a strong warning sign to Sarajevo as well as to The Hague. This is why he had given his apprehension more emphasis than was consistent with his real estimation:

‘On 5 June, or better still, after the fall of OP-E, I and the battalion ceased to exist. Even then already, I was unable to do anything. All that could be done then was to raise the alarm. This I did in making the comment: If nothing is done and the enclave attacked, then everybody will be killed. This is simply raising the alarm.’¹²⁴⁰

His statement in the letter of early June apparently was no longer in his mind when, one month later, the situation took a turn that in retrospect would make him a clairvoyant: ‘After that I did not make the link to the situation a month later’.¹²⁴¹ Karremans’ assumption that matters would not be that bad appears to have been based chiefly on the already mentioned notion that hardly any men of military age were present in Potocari: ‘I originally believed that no men at all were left’.¹²⁴² Hence his weak protest against the separation of men and women and against the screening, and his reassuring words on July 12 to *Médecins Sans Frontières* nurse Schmitz that nothing grave would happen with the men.

Also, after the fall of the enclave, Karremans at various occasions stuck to his story which he combined with the statement that ‘only a handful of men of military age (17 - 60 years) remained outside the compound but within the cordon (...)’.¹²⁴³ With that, he unintentionally shed light on what possibly forms an explanation for the small number of indications of human rights violations that he issued to the outside world.

In August 1995, after returning from his short vacation in France, the Dutchbat Commander was invited several times for talks with Ministry of Defence representatives, including Minister Voorhoeve. This was, among other things, to prepare for the parliamentary debate that was to commence in early September.

One of the first things the Minister inquired about was the ‘list of 239’, which had caused a great stir at that time in the media. Karremans explained that he had a list drawn up ‘of the men *in* the compound’ and that he was under the assumption that all these men had gone to Tuzla. In Voorhoeve’s account: ‘These, by the way, were all old men. According to Karremans the Serbs had not taken away any men while the buses were being boarded’; this was also contended by several other Dutchbat soldiers.¹²⁴⁴ On the other hand, several statements were made indicating that this did in fact

¹²³⁹ ‘The situation in Srebrenica’, appendix of letter no. TK9589, 05/06/95, from C-Dutchbat to C-Dutch Amy Crisis Staff, Brig. Gen. F. Pollé. A shorter letter with similar content (‘In that case, SSP will be lost and about 3,000 refugees either killed or expelled’) was received on 4 June by BH Command in Sarajevo. (TK9588, ‘Deteriorating situation in Srebrenica’). Both letters are included as appendices in: Karremans, *Srebrenica*, pp. 312-321.

¹²⁴⁰ Interview Th. Karremans, 15/12/98.

¹²⁴¹ Interview Th. Karremans, 16/12/98.

¹²⁴² Interview Th. Karremans, 15/12/98.

¹²⁴³ SMG/Debrief. Debriefing, C-Dutchbat 3, copy of LCol. Karremans’ own text, 06/12/95 (Stg confidential/permanent) p. 10.

¹²⁴⁴ KAB. Memo J.J.C. Voorhoeve, Urgent, For the attention of: SG, PCDS, DV, Princen. Stg-confidential, z.d.

‘Conversation with Col. Karremans on 24 August 1995 from 08.30 - 09.30am with Gen Couzy (BLS) and Gen Schouten (PCDS)’. SMG/Debrief. *Feitenrelaas* Debriefing ‘Srebrenica’, pp. 239, 250.

happen; which appears illustrative of the impact of the tension and chaos on individual perceptions. Even though their physical location may have influenced perception, it is in any case clear that here too, communication and reporting had fallen short.

It is also evident from other statements that Karremans had long been under the assumption that the men, after the screening, had been put on the buses with the women and children. No reports to the contrary reached him during those days.¹²⁴⁵ To a similar question by Voorhoeve about the deportation of the registered men, in a conversation with Franken, he had answered, in the words of the Minister, 'that in the four convoys at which he had been present, the men left with the other Displaced Persons. Other Dutchbat soldiers, however, reportedly saw that men were taken aside and brought to another bus or to the aforementioned house [meaning the 'White House'], (where they subsequently re-emerged from)?'.¹²⁴⁶

Various things stand out in regard to these remarks. For example there appears to be an inconsistency between the expectation that the men went to Tuzla, and the uncomfortable feeling that Karremans said that he (and also Franken) had and which was confirmed by Kremer. More remarkable, however, is that Karremans, when he spoke of the 'list of 239', stuck to his idea that this list concerned elderly men. What is further striking is that here he still took responsibility for having drawn up the list himself, instead of placing it on the shoulders of Franken, who was the person actually preparing the list.¹²⁴⁷ It can no longer be established whether this point was entered incorrectly into the records by Voorhoeve, or if Karremans assumed formal responsibility for the action of a subordinate, or if he wanted to create the impression that, at that time, he still was in control of things.

However, based on these statements, big questions must be raised, particularly in regard to the latter possibility. That Karremans had set eyes on a list of 239 men of military age on his compound is difficult to reconcile with his insistence that these 'anyhow were all elderly men' (with a possible oral side note by Major Franken that not all men wanted to give their names). Karremans himself confirms that it is true that at some point he did find out about the list, but that the importance of the matter had fully escaped him at the time: 'There were 50,000 people crowded together in one place. I didn't even know that there were another 280 to 300 men on the compound. Franken told me about this later'.¹²⁴⁸

When this took place exactly and what was said can no longer be established. This says a great deal about the contacts between the Commander and his Deputy, and also about the chaos that prevailed in the days of the deportation. Karremans at the time apparently did not have information at his disposal that might have changed his idea about what was taking place. Elucidating, in this respect, are the statements he noted down in early September in a summary prepared for the debriefing. From these statements was already cited what Karremans had said about the small presence of men of military age outside the compound ('only a handful'). About their fate, he wrote:

'Men of military age are first 'screened' in the vicinity of the bus station and then taken away on the buses with the other Displaced Persons (not separately). I heard that in one instance, only men of military age were transported away in one bus, but this bus was part of the normal convoy.'¹²⁴⁹

Franken also stated that in at least four convoys, men boarded the buses as well.

¹²⁴⁵ This was confirmed once more by Karremans by telephone; 05/02/02.

¹²⁴⁶ 'Concept report of the conversation between Defence Minister J.J.C. Voorhoeve and Major R.A. Franken on 28 August 1995', included in Voorhoeve's diary (pp. 149-154), pp. 151-152.

¹²⁴⁷ In his own text of early September 1995, Karremans did indeed refer to his Deputy as having drawn up the list. SMG/Debrief. Debriefing, C-Dutchbat 3, copy of Col. Karremans' own text, Deventer, 06/09/95 (Stg confidential/permanent) p. 13.

¹²⁴⁸ Interview Th. Karremans, 16/12/98.

¹²⁴⁹ SMG/Debrief. Debriefing, C-Dutchbat 3, copy of Col. Karremans' own text, Deventer, 06/09/95 (Stg confidential/permanent) p. 12.

It can also be discerned from this description that on July 13 internal communications had largely broken down. The fact that ‘separate’ deportations did in fact take place and that this occurred on a larger scale than Karremans assumed apparently was not reported, even if more Dutchbat soldiers held the conviction that the number of those taken away was not large. Captain Schreijen, for example, was present at the departure of the convoys and estimated that of the 30 to 40 buses that constantly drove up and down, only a few were filled with men.¹²⁵⁰ However, we have already referred to statements by Dutchbat personnel indicating that men had been taken away in a variety of vehicles, including buses. Another interesting point is that Karremans apparently was not informed either that it was possible that the one bus he knew of had taken another direction than the convoy in Bratunac, without the escorting Dutchbat soldiers being able to do anything about it.

De Winter’s conclusion that the ‘hectic situation’ explained a great deal of all that had gone wrong, was, in all its innocence, correct as such. It was a misconception that Dutchbat had not observed much; however, this is not the main question that can be raised regarding De Winter’s conclusion. What is particularly striking is that no conclusions were drawn about the fact that the reports which Karremans apparently made to Sarajevo, have not left traces and seem to have disappeared in the bureaucratic mist.

It appears that neither De Ruiter, nor Nicolai, who formed both the link in Sarajevo and also the communication with the Netherlands, were ever addressed about this point. The earlier mentioned anger of Deputy Spokesman Kreemers that an opportunity had been missed to mobilize world opinion was therefore addressed to the wrong person, if he blamed Karremans for this.

In Karremans’ defence, it can be said on the one hand that on July 13 he was not aware of any human rights violations other than the two incidents that had been reported to him; on the other hand, he did not make any kind of effort to find out more about the matter.

28. Suspicions And Dilemmas: Van Duijn And Rutten

The number of statements of Dutch soldiers expressing the distinct suspicion that executions had taken place in Potocari is extensive. Very soon after Dutchbat’s departure from the enclave, individual soldiers made more or less explicit references about massacres. In spite of all the incidents which presumably had not been reported, the debriefing in Assen, as mentioned earlier, did in fact unearth a great deal of information which supports the suspicion that executions had occurred on a considerably larger scale than originally reported. The narrow criteria for factual observation of executions or corpses, and the lack of a systematic analysis, however, resulted in the debriefing report reflecting a one-dimensional picture of the events. In the debriefing report and in the Factual account on which the report is based, the majority of suspected executions are linked to specific situations and incidents. There is only scant information indicating whether, and how, individual troops fathomed the deeper significance of what was taking place around them.

Only after the publication of the debriefing report did it slowly became clear that many soldiers had figured out already during the events that more than just a few isolated incidents were involved. This and more emerged during the discussion of the July 13 incident between Lieutenants Van Duijn and Rutten concerning the separation of the men from the women. Rutten, who had found the bodies and had become convinced that ‘the men were [systematically] hunted down’,¹²⁵¹ became involved in an emotional discussion with Van Duijn, who, in Rutten’s mind, was lending too much assistance to the deportation. In a certain sense, this incident, which caused a great deal of damage to those involved, reflected the dilemma of those days in a nutshell. Van Duijn even instituted legal proceedings for slander because Rutten supposedly portrayed him as a ‘collaborator’, but the case was dismissed in

¹²⁵⁰ F. Lardenoye, ‘Het boek “Srebrenica” is niet gesloten’, *Oplinie*, July 1996, p.6.

¹²⁵¹ Interview J.H.A. Rutten, 01/12/99.

court.¹²⁵² The incident explains why even during the debriefing in Zagreb on July 22, Van Duijn wanted to state on record ‘with emphasis’ that neither he, nor other Dutchbat soldiers had co-operated in the separation of the men from their families.¹²⁵³

Van Duijn, who took over command from his colleague Koster at the ‘channel’ at 06.00 hours, noticed that the buses had arrived early. The bus drivers approached both him and Koster, and they deduced from their gestures that the drivers were asking what should happen next. The Dutch had the impression that the buses would be going to Kladanj. Van Duijn, who, on the previous day had seen that the men were separated from the women, suggested that the Dutchbat troops themselves could begin filling the buses with Displaced Persons, so that ‘we had matters in our own hands’.¹²⁵⁴ Van Duijn saw no harm in that. He believed that the process would proceed more peacefully and without violence, as long as there were no VRS troops present. Van Duijn’s and Koster’s opinions on their discussion of this plan would later differ; Koster believed that he had forbidden Van Duijn to carry out his plan: ‘I absolutely wanted to prevent the peacekeepers from getting the blame for transporting Muslims away on Serb buses and trucks’.¹²⁵⁵ In Van Duijn’s recollection, on the other hand, Koster had merely wondered ‘whether or not we should actually do that’.¹²⁵⁶

At any rate, Van Duijn had the displaced board the buses, and let the full buses depart. This went on for over an hour until the VRS showed up again. Van Duijn explained that until that moment he had been able to ‘have everybody board and leave on the buses’, including the men. Based on the statements by witnesses, this appears to be true. There are only a few examples of Muslim men who managed to board a bus in the morning of July 13 before the VRS had arrived back on the scene. One of those who succeeded to board a bus was thirty-one year old K.H., who due to an injury had not been allowed to take part in the journey to Tuzla, and anticipated ‘not an ounce of compassion from the side of the Cetniks’. In his statement he recalled how he had passed through the ‘channel’ on the morning of July 13, where only UN people and ‘no Cetniks’ had stood. In the overcrowded bus, he and his child had sat on the floor.¹²⁵⁷ This was presumably the reason why he escaped attention.

Also, Bego Ademovic, who had witnessed the massacre behind the battery factory, used the absence of the Serbs to make his escape, early on the morning of July 13. During the hours in the small shed, while he was counting the executions, his family members had been deported. During the night he hid inside the factory, while VRS soldiers and also some civilians were walking around with flashlights, selecting people. In the morning he went to get water in the Krizevica, the small stream running through the valley of Srebrenica. There he saw, as did many others, gruesome scenes; he saw one man who had been mutilated and another who had been hanged. He proceeded towards the buses as quickly as he possibly could. Ademovic also saw that the VRS soldiers had not arrived yet and managed to get on board a bus driven by his colleague of pre-war days, Ranko Mazdarevic. On the few occasions that the bus was stopped, Mazdarevic succeeded in hiding him or brushing the VRS troops off. At the end of the bus ride, Mazdarevic radioed an acquaintance at the disembarkation point informing him to leave Bego unharmed. He was assured that ‘nobody would touch Bego’. This is how Ademovic safely reached Bosnian terrain, together with two boys aged 12 and 13, who had been stopped in the column on the way to Tuzla but put on the bus by an acquainted Serb policeman ‘because they were good to us’.¹²⁵⁸

However, Ademovic’s account shows at the same time that he and the others who managed to escape by bus had been very lucky indeed. For, on the road, Ademovic also saw that at a Serb

¹²⁵² Interview L.C. Van Duijn, 02/07/99.

¹²⁵³ SMG, 1007. M. Elands, ‘Debriefing Dutchbat 3 – Saturday 22/07/95. Interview IV: Elnt Van Duyn (PC C-Company, unit of Blocking Force).

¹²⁵⁴ Interview L.C. Van Duijn, 02/07/99.

¹²⁵⁵ Interview E. Koster, 06/10/99.

¹²⁵⁶ Interview L.C. Van Duijn, 02/07/99.

¹²⁵⁷ Confidential information, testimony before the State Committee, (85).

¹²⁵⁸ ICTY (IT-98-33-T). Testimony of Bego Ademovic, 29/03/00; interview Ranko Mazdarevic, 14/06/00.

roadblock shortly before Kaldrnica, two or three buses that had departed a little earlier were stopped and a large number of men taken out. So the early start of the evacuation by Van Duijn ultimately probably only saved the lives of a handful of men.

Once the Serb troops had arrived back on the scene, Van Duijn, in a non-confrontational manner, tried as much as possible to keep the VRS soldiers from manhandling the Displaced Persons. In certain cases he also tried to prevent the separation of the men, even though he was under the assumption that they were only being detained for questioning and would be treated as prisoners of war. Only towards the end of the afternoon did he notice that those who had been detained had to throw all their identity papers on to a pile. This was strange if the men were to be questioned and registered as prisoners. His increasing apprehensions were confirmed when, in reply to his question, a VRS soldier told him that the men 'would no longer be needing the papers anyway'. Only then did it dawn on him what was going on. Van Duijn stated that he had reported his suspicion via walkie-talkie. However, nobody could remember later who had possibly received a message and Van Duijn himself could also not recollect whom he had on the line. Van Duijn emphasized that the chaos was 'enormous' at that point and 'we were over-fatigued'. At any rate, he did not speak to Karremans or Franken. But he had indeed talked to some officers, including army surgeon Colonel Kremer and Lieutenant Koster.¹²⁵⁹

It was clear to Rutten what fate awaited the men since the discovery of the bodies and his visit to the 'White House'. He tried to convince his colleagues of this and demanded that they cease to assist in the deportation. Rutten in particular found that Van Duijn went too far in his attempts to appease the VRS troops and was engaged in 'aiding and abetting'. In Rutten's view, this was something that was extremely confusing and frightening to the Displaced Persons. Rutten further considered it negligent that Van Duijn, during these two days, had not been able to establish the identity of the captain known only as 'Mane', who played a prominent role at the location where the Displaced Persons were being separated.¹²⁶⁰

Rutten did not contain his anger. A couple of VRS soldiers, who were sitting on a Dutch stretcher were told in no uncertain terms to leave, or 'piss off', according to Rutten's colleague E. Koster, who witnessed the scene.¹²⁶¹ The anger about what was taking place was also expressed in an accusation directed at Captain 'Mane', namely 'that he and his colleagues were using fascist methods'. The Bosnian-Serb's strong feelings about this accusation resulted in a temporary halt of the deportation, as the VRS officer demanded an explanation. According to Van Duijn, Rutten, through this action, needlessly prolonged the suffering of the Displaced Persons, who in the burning heat of over 40° centigrade had to wait for 1 to 1 ½ hours for their turn to be taken away. The interruption lasted until Van Duijn, as he said, had smoothed things over, (wrongly) suggesting that Rutten was somewhat sensitive on this issue due to an alleged Jewish background.¹²⁶² Rutten himself was steered clear of the danger zone by Colonel Kremer. Later he did the only thing that he still could, namely to document the deportation by taking photographs. Rutten's request to investigate the surroundings with a few soldiers after the deportation had been completed was turned down by battalion command.¹²⁶³ The VRS had ordered that all Dutch troops were to remain on the compound.¹²⁶⁴

Rutten was not the only person who had an idea of what was possibly going on, but this knowledge did not always result in the same decision. Army surgeon Colonel Kremer, for instance, who

¹²⁵⁹ Interview L.C. van Duijn, 02/07/99; NIOD, Coll. Kreemers. Note of 'telephone conversation dated 05-07-96 with elnt Van Duijn'. NIOD, Coll. Kreemers; O. van der Wind, 'Note of verbal conversation with Van Duijn in Rijswijk on 12 July 1996'. Concerning Van Duijn, see also Part IV, Chapter 5, about the debriefing in Zagreb.

¹²⁶⁰ Interview J.H.A. Rutten, 22/12/99. The captain in question was Mane Djuric, deputy chief of the CSB in Zvornik.

¹²⁶¹ Interview E. Koster, 19/10/99.

¹²⁶² Interview L.C. Van Duijn, 02/07/99; interview J.H.A. Rutten, 01 and 22/12/99.

¹²⁶³ OM Arnhem. KMAR distr. Zuid-Holland/Zeland, Judiciary Services, Official Statement P13-/1995-JD, Dossier 'Dutchbat', p. 15.

¹²⁶⁴ Interview Th.J.P. Karremans, 15/12/98. Karremans later suspected that this order had to do with the 'cleansing activities' by the VRS.

with his implicit reference to the events ('You know perfectly well what is going on') in front of a Serb TV camera was to appear countless times on television, looked for the slightest evil. When the remaining Displaced Persons had to leave the compound on the afternoon of July 13, the situation threatened to deteriorate into chaos. A path was marked out with tape leading from the factory hall to the main gate of the compound. At first it seemed like there would be a rush to the buses, creating a danger that the elderly and children might get trampled in the stampede. The only possibility to prevent this was to organise the departure and in the meantime provide as much assistance as possible to those waiting in the burning heat. This is how Kremer and several of his colleagues tried to prevent the deportation from deteriorating into an even greater humanitarian disaster.¹²⁶⁵ Although he, like Rutten, did not anticipate that the VRS had much good in store for the men, he later defended Van Duijn by declaring that there was no alternative. The different ways of how the problem was approached and the emotional discussions afterwards clearly show the divisive and impossible dilemma in which Dutchbat had found itself.

29. The Role Of Major Franken

Major Franken, Karremans' deputy, also acted from the same understanding but with a slightly different assessment, which had further impact through its dramatic consequences. He was the one who, in the days after the fall, took the lead in operational decisions, while Karremans took care of the hectic communication with the outside world. This was possibly the reason why Franken had already come to a more realistic and pessimistic assessment of what was taking place. It is striking that this fact only became public knowledge at the time when he gave testimony in the trial against Krstic in 2000. The former Deputy Battalion Commander made the newspapers by announcing that during the days of July 1995 he had been aware the whole time of the possibility of a massacre.¹²⁶⁶ The suggestion that with this he had counted on thousands of dead can not, however, be deduced from his words and was also disclaimed by him before the NIOD:

'We did not assume that Mladic would shoot everybody. This was not the conclusion. I feared that, in the worst case, the men would indeed be killed. That things would not be done in accordance with the law of war or the conventions [of Geneva]. This is true. That is the possibility I counted on. But I did not know for sure.'¹²⁶⁷

Franken explained before the Tribunal that he had indeed been concerned about what might happen, were the VRS to get in among the crowd of Displaced Persons: 'I expected them to start killing, or things like that'. This concern was based, among other things, on the artillery shelling that the VRS had carried out on civilians and 'the history on the Serb side, not directly in the area of Srebrenica'. The shelling had been followed by the threat that, in the event of another air strike, the Dutch hostages would be killed. Franken stated that he did not fear executions, but was concerned that his men would be used as human shields.¹²⁶⁸ The issue Franken was faced with was not only whether he was able to intervene in any way at all, but also: 'Do I want to intervene? Must I intervene? What is the consequence, if I intervene?'¹²⁶⁹

Franken objected to the picture portrayed in the media that Dutchbat had been 'naïve' by not anticipating what might happen to the Bosnian men. As early as late in the afternoon of July 12, he got

¹²⁶⁵ Interview G. Kremer, 13/07/98.

¹²⁶⁶ See also: T. Lagas, 'srebrenica: het woord "genocide" mocht niet vallen' ('srebrenica: the word genocide was not allowed to be used'), *Trouw*, 08/04/00.

¹²⁶⁷ Interview R.A. Franken, 21/05/01.

¹²⁶⁸ ICTY (IT-98-33-T). Testimony of R.A. Franken, 04/04/00.

¹²⁶⁹ Interview R.A. Franken, 18/05/01.

the impression that the men's situation was taking a turn for the worse. This became even clearer the following day based on the scenes that were unfolding in connection with the interrogations in the 'white house'. The only thing he could do was to order the UNMOs to watch how many men entered the house and how many men came back out. Nevertheless, the accounts of incidents brought to his attention by, among others, *Médecins Sans Frontières* representatives who had heard rumours about corpses, as well as stories that men had been picked out from the crowd and taken away, rose steadily. But during the earlier mentioned conversation that Karremans and Franken held with Christina Schmitz as early as 12 July, they put her mind at ease.¹²⁷⁰ Franken recounted that Karremans told her at the time that there was not a single corroboration of human rights abuses having been committed: 'This is not inconsistent with the concerns we had. We just didn't express them then; on purpose'.¹²⁷¹

Karremans, as he declared before the NIOD, could not subscribe to this account by Franken, implying that he had misled *Médecins Sans Frontières* on purpose.¹²⁷² It is impossible to establish whether this denial is correct. In Karremans' case there are, as described earlier, no clear indications that make this plausible. However, much points towards the possibility that *too* much escaped him because of his rather isolated position, in which little information reached him from the lower ranks. This was a different case with Major Franken, who appears to have been moving around much more and in places where everyone could address him directly.¹²⁷³ But it is striking that Major Franken explained at his debriefing in Zagreb that he personally had not seen anything of the separation of men and women, because too much of his time was taken up by 'administrative business in regard to the displaced'. Franken later could not place this statement anymore.¹²⁷⁴

Franken himself presented his actions afterwards in a light which illustrated the downplaying of possible violations of international law and human rights as an inevitable consequence of his assessment of the situation. Various statements confirm this. A Dutchbat soldier who made a comment about looting – punishable according to international law – was told by Franken that 'there was no way to make that stick'.¹²⁷⁵ When interpreter Hasan Nuhanovic overheard the UNMOs talking about the discovery of nine bodies, he had immediately gone to Franken, who reportedly told him 'don't spread this bullshit around'.¹²⁷⁶ Another interpreter, Omer Subasic, pointed out to Franken the systematic shots that could be heard. Franken answered that these were being fired into the air. Subasic's impression was that Franken did not want to alarm the people. Still, he accepted Franken's explanation and convinced his own father that he would only be questioned. His father has been missing since July 13.¹²⁷⁷

Nesib Mandzic was given the same answer when he addressed Franken about the screaming, wailing and the sounds of gunshots that he heard in the night of July 12-13 and the stories of people who had managed to climb over the fence of the Dutch Base in the morning. Mandzic asked in vain for Franken to investigate the matter.¹²⁷⁸

Even after the nine bodies had been discovered by Rutten, Franken still maintained to the outside world that there was no singular evidence of executions. When Nesib Mandzic and Ibro Nuhanovic, the two male representatives of the displaced, came to Franken in the morning of July 13 with the rumours about killings, he stuck to the line that nothing was corroborated. Franken's motive for trivializing the killings or hiding behind the argument that there was insufficient evidence was

¹²⁷⁰ MSF, Brussels. MSF capsat Christina (Schmitz) to Stefan (Oberreit), unnumbered, 13/07/95, 01:52:42.

¹²⁷¹ Interview R.A. Franken, 21/05/01.

¹²⁷² Interview Th. Karremans, 30/11/00.

¹²⁷³ SMG, 1007. Chr. Klep, 'Debriefing report of Major Franken, 22 July 1995, Camp Pleso.

¹²⁷⁴ Interview R.A. Franken, 05/02/02.

¹²⁷⁵ Debriefing statement, R. Zomer, 07/09/95.

¹²⁷⁶ Interview Hasan Nuhanovic, 05/08 and 06/08/98.

¹²⁷⁷ Interview Omer Subasic, 19/04/98.

¹²⁷⁸ ICTY (IT-98-33-T) Testimony of N. Mandzic, 21/03/00.

prompted by his concern that the situation would get out of hand and the crowd would no longer be manageable:

‘At the moment when you announce: “We are indeed afraid that the men will all be killed”, there definitely will be panic among the crowd of Displaced Persons. Under those circumstances we gave priority to the fate of the women and children. We accepted that the fate of the men was uncertain and that they indeed might end up in the most deplorable of circumstances.’

Moreover, Franken was afraid of the effect that a massive panic would have on his own troops, who ‘were no longer that fit for deployment’: ‘At this time, it would have had absolutely the wrong effect’.¹²⁷⁹

The consequences of his stance emerged most embarrassingly during the conversation between Franken and Ibro Nuhanovic, the father of UNMO interpreter Hasan.

Nuhanovic explicitly asked Franken to put a stop to the deportations. It was an option that had occurred to Franken himself, so he said, but he had immediately dismissed it after consultations with the doctors and those responsible for logistics. When the Displaced Persons had entered the compound, all available food, ‘another two days’ rations for the men of the battalion’ had been scraped together and incorporated in a soup that was distributed among the people. This still was at least ‘administering calories’.¹²⁸⁰ After that there hardly were any food supplies available. At the same time the hygiene situation deteriorated rapidly. Dutchbat soldiers had dug latrines, but out of fear of being spotted by Bosnian Serbs, the refugees did not dare to leave the factory hall. The emergency toilets were soon clogged up, so people simply relieved themselves in the depot itself. Weapons, too, were found in the emergency toilets; in addition, women and children handed in Russian-made hand grenades and ammunition to Dutchbat personnel at the compound’s fence that were thrown in the nearby small stream by Dutchbat.¹²⁸¹ Amidst the chaos in the hall, a large number of women were also giving birth; the stress had prematurely induced labour. On July 12 alone, fifty babies were born.¹²⁸² Elderly people visibly got weaker by the minute, and a number of them passed away. Their remains were buried in a hastily dug grave at the edge of the compound.

A prospect of an improvement of the logistical situation was not possible either. There did not appear to be a reason to believe that after months and months of putting them through the mill, Mladic would now suddenly make a concession that would fly in the face of his interests in a rapid deportation. All in all it was clear that this situation needed to come to an end as quickly as possible.

Franken explained to Nuhanovic what kind of dilemma his request presented for him: ‘In fact he asked me to make a choice between thousands of women and children and the men’. According to Franken, Nuhanovic ‘understood this’ and left.¹²⁸³ Given the fact that Ibro Nuhanovic has not survived his own deportation, there is nobody who can corroborate that he consented to Franken’s considerations. Here too, the recollections partly contradict one another. According to Ibro’s son Hasan, such an exchange took place during a conversation that also involved Mandzic and in which Hasan acted as interpreter – Franken at that time did not know that one of the participants was Hasan’s father. And although both representatives of the displaced shared the opinion that women and children had priority, they decided in regard to the men that evacuation should only take place through the

¹²⁷⁹ Interview R.A. Franken, 21/05/01.

¹²⁸⁰ Debriefing statement, R.A. Franken, 13/09/95.

¹²⁸¹ Debriefing statement, P. Wouters, 06/09/95.

¹²⁸² UNGE, UNPROFOR, Box 434. UNMO Srebrenica update dated 131100B JUL 95; notes by B. Rave, submitted to the NIOD for perusal.

¹²⁸³ ICTY (IT-98-33-T), Testimony of R.A. Franken, 04/04/00; Interview R.A. Franken, 21/05/01. Franken said that his consideration was also based on the opinions of the doctors and logistics personnel that he had consulted.

International Red Cross and the UNHCR.¹²⁸⁴ This option, however, was not realistic. The original intention was that Dutchbat, assisted by the UNHCR, would arrange the evacuation themselves, but Mladic expressly had deviated from that, because, above all, he wanted to speed things up.

30. The 'List Of 239'

As a concession to the concerns of Nuhanovic and Mandzic, Franken's idea to have someone draw up a list of all men of military age inside and outside the compound was discussed soon afterwards. According to Mandzic and Omanovic, the idea of registering the names of all the Displaced Persons had already come up much earlier, after the meeting with Mladic.¹²⁸⁵ Rave, on July 12, indeed jotted down on a 'shopping list' of sorts that the discussions resulted in a 'list with names'. However, his notes show that this subject had already been discussed with the representatives of the refugees during the preparatory talk for the meeting with Mladic.¹²⁸⁶

A great deal of commotion developed over the drawing up of the 'list of 239', both at the time and later in the media. The commotion centred around the presumption of some that the list had been used as a tool in the ethnic cleansing, although Franken has always explained that he had shown the list only briefly to a VRS officer – Colonel Jankovic – to point out the list's existence, and thereafter concealed it on his person.¹²⁸⁷

Franken said that he followed the example of Amnesty International when he tried to find a means to offer the men at least some form of protection.¹²⁸⁸ For humanitarian organizations this was indeed a commonly used tool. It is significant that on July 13, *Human Rights Watch* in a reaction to the events in Srebrenica called for the creation of a 'paper trail to document Serbian accountability for the civilian inhabitants of the areas they have overrun'.¹²⁸⁹ That same day, the Bosnian Government publicly demanded that 'UNPROFOR must provide registration of all inhabitants whom the Serb terrorists are transporting by trucks and buses from Srebrenica, because it has been noted that a number of people are missing during the transport'.¹²⁹⁰ Prime Minister Silajdzic had also informed General Smith on July 13 that his colleague Muratovic demanded that a list of names be drawn up for each bus.¹²⁹¹ This turned out to be too late for Srebrenica, but after the fall of Zepa shortly afterwards, lists of the people who were put on the buses were indeed drawn up. This incidentally did not prevent a number of them being taken out of the vehicles en route, never to return.¹²⁹²

For a moment, Franken and Mandzic also considered registering the remaining men outside the compound, but it quickly became clear that the safety of those who were to take down the names could not be guaranteed. And without their frightened interpreters, who had been struck with terror the day before in the confrontation with Mladic and his troops, the Dutchbat battalion was unable to

¹²⁸⁴ Hasan Nuhanovic, 'Letter of commentaries on the public statements made by Dr. Ir. J.J.J.C. Voorhoeve, Minister of Defence (Netherlands), and other officials of the Ministry of Defence on Srebrenica' (1998), p. 6. Collection NIOD. Here too, the problem of correct chronology arises again, as Hasan Nuhanovic places these events on 12 July.

¹²⁸⁵ ICTY (IT-98-33-T) Testimony N. Mandzic, 24/03/00; interview C. Omanovic, 18/05/99. Omanovic was under the impression that Mladic had asked for a list with names, in the context of the idea of letting the elderly and children depart first.

¹²⁸⁶ Notebook of B. Rave. Submitted to the NIOD for perusal.

¹²⁸⁷ Interview R.A. Franken, 21/05/01.

¹²⁸⁸ Interview R.A. Franken, 21/05/01.

¹²⁸⁹ Press release, *Human Rights Watch/Helsinki*, New York, 13 July 1995. Archive UNHCR, file Srebrenica.

¹²⁹⁰ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4 April-23 Aug. '95 (Biser reports). 'Communique issued during an extraordinary session of the Government of the Republic/Federation of Bosnia and Hercegovina, held on 13 July, 1995'. Annex to: fax Ken Biser to Michel Moussalli, 'subject: requests by the B&H representatives regarding the refugees from Srebrenica', 13/07/95.

¹²⁹¹ UNGE, UNPROFOR, Box 216, BH Commands, 13/10/95. 87298/1060 Jul 95-Jan 96. Fax Col. J.R.J. Baxter to HQ UNPF, 'Notes on the meeting General Smith/Prime Minister Silajdzic – 13/07/95', 14/07/95.

¹²⁹² Interview Ed Joseph, 11/07/00. Joseph was one of the UN Civil Affairs staff members who on site attempted to steer the situation in the right direction.

accomplish anything. On July 12, Emir Suljagic had left the compound with UNMO De Haan to talk with Mladic about the situation of the displaced. Emir's UN pass was taken off him by Mladic's bodyguard, and after having passed through several pairs of hands ended up in the hands of the General. Mladic called out to the interpreter to come forward. Emir would later recount that these few steps through the line of Mladic's people would stay with him for the rest of his life. 'My feet literally became heavier with each step. It felt as though another kilo was put on my shoulders with every move.' Mladic looked at his UN pass and asked: 'Where are you from? Did you mess about in the army?' Emir was extremely frightened. De Haan started to explain that Emir had been working for the UN for quite some time already, that he was too young to have served in the army, and that he personally guaranteed that Emir had nothing to do with the army. Mladic said that he himself had no problems with the interpreter, but that it was impossible to guarantee that none of his soldiers would flip out and shoot Emir on the spot. Emir interpreted this as an invitation to the soldiers to actually go ahead and do it. He had to return to the compound and expected at any moment that someone would 'flip out' and shoot him in the back. De Haan accompanied him as far as the main gate of the compound.¹²⁹³

Vahid Hodzic, who was even more worried because he had been part of the paramilitary at the start of the war, translated in Potocari originally for Captain Groen and later for Lieutenant Van Duijn. Groen was very shocked when Hodzic told him that a VRS soldier had asked him 'whom he should let live'.¹²⁹⁴ Later that day Hodzic had to explain the evacuation procedure by megaphone to the Displaced Persons. This drew the attention of Mladic, who subsequently read him the Riot Act and also had his men take Hodzic's UN pass off him. Rave later managed to get it back.

When a mother began to panic because the truck that held her children threatened to leave without her, Van Duijn wanted to stop the vehicle; he sent Hodzic to Mladic to quickly explain the problem. A little later he saw how the General had put his arm around the interpreter. After Van Duijn had succeeded in getting the woman on board the truck, he returned to Mladic. Mladic, through his own interpreter, Petar Usumlic, then threatened: 'I don't get it why you bother, but if you do this again and send a Muslim to me just like that, who starts talking to me without you knowing what he is saying, then I shoot him dead, right here on the spot.' Van Duijn immediately dismissed the shocked Hodzic, and Rave manoeuvred him quickly onto the compound.¹²⁹⁵

After the idea of registering the men outside the compound had been put aside out of sheer necessity, Mandzic and Nuhanovic reluctantly agreed to register the names of the men on the compound. Eight boys and girls were put in charge of drawing up the list, who, as already mentioned, came up with 251 names and not 239. The injured among the men were indicated with an 'R' – for *ranjen*, 'injured' – after the name.¹²⁹⁶ Some of the displaced refused to give their names, fearing that the

¹²⁹³ Interview Emir Suljagic, 24/05/99.

¹²⁹⁴ Interview Vahid Hodzic, 05 and 06/08/9898; see also: Rohde, *A safe area*, pp. 199 et seq.

¹²⁹⁵ Interview L.C. van Duijn, 02/07/99.

¹²⁹⁶ Hasan Nuhanovic, 'The Dutch UNPROFOR unit and UN structures in Bosnia complicit in war crimes'; see the website of the Women of Srebrenica in Tuzla, <http://www.srebrenica.org>. Here too, the problem of chronology resurfaces. Nuhanovic links the identifying of the injured to the evacuation of the injured persons in the evening of 12 July and with that also establishes a date when the list was drawn up. In the recollection of both Mandzic and Franken, however, the list was not drawn up until the morning of 13 July, in the context of the growing concern in light of the previous night and the events in the morning of 13 July (see also: ICTY (IT-98-33-T). Testimony N. Mandzic, 22/03/00). The link to the evacuation of the injured persons is not watertight for other reasons. One of the injured whose name was on the list was Sadik Vilic, a officer of the ABiH. He and six other injured soldiers were not selected and taken away separately by the VRS until the 17th. He eventually ended up in the POW camp Batkovic (interview Sadik Vilic, 6/02/98). The very detailed reconstructions which Hasan Nuhanovic later gave of the event were met with scepticism by both Dutchbat personnel and fellow interpreters who at the time witnessed his mental state. However, it can not be discounted either that this condition resulted in an increased awareness of perception. The general impression of his statement is that many details are probably correct, but that the chronology and with it the chain of cause and effect are at times not correct. A thorough reading of Nuhanovic's very first statement made as early as August 1995 to two Netherlands Royal Military Police Officers conducting an on-site investigation into the 'list of 239', for example, produces inconsistencies. Although Nuhanovic

Bosnian Serbs would get their hands on the list. Sometimes it was the wives who were violently opposed against the men giving their names. The list with those who did in fact count on it having a protective effect was signed by Franken and subsequently faxed to various international and national organizations, including the Royal Army in the Netherlands. So much went wrong during this process, however, that ‘the list of Franken’ became one of the first hallmarks in what quickly was to become known as the ‘srebrenica affair’, which in this context will be discussed in more detail in Chapter 8. At any rate, the significance of the list as a means to check the arrival of deportees was not recognized by a single agency at the time.

Mandzic, who was afraid that the list might fall into Serb hands, was told by Franken that he would hide it in his underwear and not permit the VRS to frisk him.¹²⁹⁷ In a conversation with Defence Minister Voorhoeve after the fall of Srebrenica, Franken mentioned that he had also put a copy in a battalion box. He reportedly destroyed the original to prevent it from falling into Bosnian-Serb hands;¹²⁹⁸ why the same risk would not apply to a copy was not discussed. According to Bosnian-Serb interpreter Petar Usumlic, Franken had said to the VRS that they had to take into consideration the fact that Dutchbat had the list in their possession. He also said that copies had been forwarded to the International Red Cross in Geneva and the UN in New York. According to Usumlic, the Bosnian Serbs made no reaction. But he believed that Franken had indeed given them a copy of the list.¹²⁹⁹

In an assessment of the stance of Franken and the decision that he made, it is necessary to consider the formal framework that applied at that point in time. Earlier, in the description of the receipt of the first Displaced Persons in the compound in Potocari, reference has been made to the Standing Operating Procedure and the Standing Orders of Dutchbat and the footholds that these offered in the decision-making of battalion command. Also, with regard to the situation that emerged afterwards, both documents contained passages that were of importance and can serve as a reference for the behaviour of Dutchbat. The Standing Orders offered suggestions for actions to be taken in the event of a physical threat to so-called non-combatants (civilians).¹³⁰⁰ Contrary to other UN mandates, assistance, if possible, was to be offered in the above cases, albeit taking into consideration ‘the actual assignment, one’s own safety and the limited resources of UNPROFOR’. Here the directive led to problems right away. The previous paragraph listed the actual assignment, declaring that UNPROFOR was not responsible for the protection of the population, but might well ‘contribute’ to it.¹³⁰¹ The question then was of what constituted the relationship between ‘contributing to protection’ and ‘offering assistance’. This problem was compounded as other directives indicated how far this assistance could go. ‘Non-combatants in distress’ who received support from UNPROFOR should be equated to UNPROFOR personnel in the event of physical danger: ‘The enforcement instruction then takes effect’. It was presumably on these grounds that acting UNPROFOR Commander Gobillard on July 11 issued the instruction ‘to take reasonable measures to protect refugees and civilians in your care’. Karremans, however, had immediately given notice that this ‘was not possible’.¹³⁰² Franken too,

indicated the date of the list’s creation as being 12 July, he placed the time of completion at ‘around noon’ (SMG/Debrief. KMar Brigade UNPROFOR detachment Simin Han, official statement P20/SH/95, witness Hasan Nuhanovic 24/08/95. Part of PV P. 488/’95, 28/08/95. In his third letter to Faber, Nuhanovic wrote about after 14.00 hours’ (*Trouw*, 13/07/99). This means it would have been right in the middle of the chaotic time of the commencing deportation. This does not seem logical.

¹²⁹⁷ ICTY (IT-98-33-T). Testimony of N. Mandzic, 22/03/00.

¹²⁹⁸ ‘Draft report of the conversation between Defence Minister, Dr. Ir. J.J.C. Voorhoeve, and Major R.A. Franken on 28/08/95’. Included in Voorhoeve’s diary (pp. 149-154), p. 151.

¹²⁹⁹ Interview Petar Usumlic, 14/09/99.

¹³⁰⁰ The following is, unless indicated otherwise, based on SMG/Debrief. Standing Order 1(NL) UNINFBAT, Chapter 3 Operations, paragraph 5: ‘Behaviour in the event of threat to personnel and/or material’.

¹³⁰¹ SMG/Debrief. Standing Order 1(NL) UNINFBAT, Chapter 3 Operations, paragraph 4: Safe Areas.

¹³⁰² See: H.F. Gobillard to Sector North East, ‘Orders for defence of Dutchbat and protection of refugees in Srebrenica’, 11/07/95. Included as Appendix 34 in: Karremans, *Srebrenica*, p. 340.

as was mentioned earlier, believed that force was impossible. In view of the situation this assessment was probably correct.

In regard to the situation concerning the list of 239 and several other incidents, the interpretation of the next directive was a great deal more complicated. People who had been offered assistance could not be sent away 'if this were to result in physical danger'. But here too, the provision was accompanied by criteria that offered room for interpretation. UN personnel, for example, was not to take unacceptable risks and also had to watch out for 'too much involvement in the conflict'. What is supposed to be understood by the latter is more difficult to make out than the former. In Karremans' and Franken's opinion, Dutchbat indeed 'ran unacceptable risks'; not only was Mladic's threat to shell the compound a statement that could not be taken lightly, but the looming humanitarian disaster in the event of the temporary freeze of the situation was the driving motive for their decision-making. Additionally there was nobody who at that point in time could suspect that it was Mladic's intention to eradicate all of the Bosnian men; that they would not fare well as prisoners of war was indeed obvious to those who remembered the images of Omarska and Trnopolje.

These kinds of impossible dilemmas were not covered by the regulations: in both cases the choice could turn out badly and so the main thing was to establish which was the lesser evil under the given circumstances. Franken considered the facts and made a decision with far-reaching consequences in regard to the Bosnian men on the compound. As the consequences of an alternative decision can only be guessed, care has to be taken in the assessment of his actions.

The same difficult and painful problem involved the local personnel of Dutchbat and the related issue of the Nuhanovic family. Here, regulations and interpretations played a decisive role in determining their fate.

31. The Issue Of Locally-Employed Personnel

In the wake of Srebrenica, both the fate of the Nuhanovic family and that of local Dutchbat personnel that had not survived the fall of the enclave led to many questions in Parliament and extensive reporting in the media. Much of this attention focused on the Nuhanovic family, with the first reports appearing in the newspapers in the autumn of 1995. Later, their uncertain fate regularly made the press, thanks also to the unrelenting efforts of Hasan Nuhanovic to obtain clarification of his family's fate and the events surrounding the 'list of 239'.

Other similar issues also surfaced. In April 1996 the fate of the local personnel turned into an embarrassing issue after the airing of a documentary in the VPRO programme '*Lopende Zaken*' (Running Affairs). This documentary centred around Rizo Mustafic, Dutchbat's local electrician, who disappeared without a trace because the battalion reportedly had not protected him.¹³⁰³

The broadcast made clear for the first time that only a small number of the people who had worked for Dutchbat were brought to safety by the battalion. Particularly for the Public Information Department and the Political Affairs Department of the Ministry of Defence, this was the umpteenth problem that fell out of the sky and prompted hasty investigations. The same applied in July of the same year during the commotion over the suspected death of an interpreter of UnCivPol, Bekir Hodzic. He reportedly had been denied access to the compound in Potocari. Out of sheer necessity he then started out towards Tuzla, but never arrived there.¹³⁰⁴ This issue was also cranked up by the media, after which politicians reacted by questioning Defence Minister Voorhoeve. Voorhoeve was surprised and embarrassed by these questions all the more as it turned out that he too, had been misinformed. At that time Voorhoeve was under the assumption that Dutchbat had succeeded in safely evacuating all the local staff of UN organizations from the enclave. Directly after it became known that the

¹³⁰³ VPRO programme *Lopende Zaken*, 04/04/96.

¹³⁰⁴ E. Nysingh, 'Dutchbat liet twee Moslimtolken VN aan hun lot over' ('Dutchbat left two Muslim UN interpreters to their fate'), *De Volkskrant*, 03/07/96.

documentary would air in *'Lopende Zaken'*, the Minister wrote an angry memo to Secretary General D.J. Barth with the question of why he had not been informed correctly: 'Why did I only hear on 12/4/96 that not 30, but only 4 local personnel rode out with Dutchbat on 21/7? So was this withheld from me to help 'to alleviate' the co-signing of the 'declaration' of 17/7?'¹³⁰⁵ (See 33, the 'Declaration of 7 July')

When the issue came to a head after the *'Lopende Zaken'* broadcast had aired and the Royal Netherlands Army and the Political Affairs Department attempted to investigate the matter, Voorhoeve kept his finger closely on the pulse. He involved himself directly in the editing of the letter to Parliament concerning this question.¹³⁰⁶

In the following reconstruction an attempt shall be made to re-examine these questions in mutual connection and in the context of the situation of Dutchbat after the fall of the enclave. The Defence Ministry's own attempts to obtain clarification will be analysed and compared to later findings. It was not possible to draw watertight conclusions in all cases; this is the reason why, in these morally-loaded questions, conclusions are to be drawn with care. Here this applies all the more because the most difficult factor for the historian to grasp is the role played by individual human actions in situations of grave stress and chaos. Often it is already difficult enough to determine which formal frameworks applied in certain situations and whether they were known at all, let alone to find out exactly why these were followed by certain actions.

A good starting point for dealing with the problem of the local staff and the dilemmas that Dutchbat found itself confronted with is the fate of the Nuhanovic family. They had gone to the compound on the strong urging of their son Hasan, one of the UNMO interpreters. The youngest, their 19-year old son Muhamed, nick-named 'Braco' (little brother), had for that reason turned down requests from friends to risk the walk to Tuzla.¹³⁰⁷ Hasan, a nervous young man, who after July 10, according to many who observed him in these days, could hardly cope with the tensions anymore, did everything in his power to save his younger brother in particular. Major Kingori, one of the UNMOs, later remembered: 'Hasan was upset. He kept asking if we could protect his family or at least his younger brother'.¹³⁰⁸ One of the other interpreters remembered how Hasan had asked him in a panicky manner where on the compound he could hide his brother, a question he could not answer.¹³⁰⁹ Hasan also asked the UNMOs for help, who, after all, were his employers. Hasan pleaded with them to take the risk and hide his brother in their jeep when they were to leave but the Military Observers are said to have answered that there was no room for him.¹³¹⁰

The 'list of 239' did not include the names of father Ibro and brother Muhamed Nuhanovic. Hasan later recounted that he has never understood why this was the case.¹³¹¹ But there are plausible assumptions for this. Ibro was part of a hastily formed committee that had to negotiate with Mladic on behalf of the population. Thus from this situation the impression developed that the Bosnian-Serb General would guarantee their safety and that they had a special status.¹³¹² The name of co-negotiator Nesib Mandzic was also not on the list of 239. His name and that of Camila Omanovic did, however, appear as representatives of the Displaced Persons on the list of local staff that was to be compiled on July 17, with the view that they were to leave together with Dutchbat. When Ibro Nuhanovic himself

¹³⁰⁵ SG. Memo from J.J.C Voorhoeve to SG, no. 448, 12/04/96.

¹³⁰⁶ Interview H.P.M. Kreemers, 16/04/99. Drafts with side notes by J.J.C. Voorhoeve were indeed located in the records.

¹³⁰⁷ Interview Almir and Zahira Ramic, 6-10/11/99; interview Muhamed Durakovic, 20/11/99. According to Durakovic, most of Muhamed Nuhanovic's friends survived the journey.

¹³⁰⁸ F. Westerman, 'Gezuiverd door Dutchbat', *NRC Handelsblad*, 21/10/95.

¹³⁰⁹ Interview Vahid Hodzic, 20/04/98.

¹³¹⁰ 'srebrenica lijst 242', Letter from Hasan Nuhanovic to Mient-Jan Faber, part 4, in: *Trouw*, 14/07/99.

¹³¹¹ 'Of hij het is vergeten, of dat hij Major Franken niet vertrouwdde, weet ik niet.' ('If he did forget it, or if he did not trust Major Franken, that I do not know.' See: 'srebrenica lijst 242', Letter from Hasan Nuhanovic to Mient-Jan Faber, part 3, in: *Trouw*, 13/07/99.

¹³¹² According to interpreter Petar Usumlic, who was present at the conversation, Nuhanovic asked for priority treatment for himself and his family to be permitted to leave together with Dutchbat. Usumlic would not say what Mladic answered in response. Interview Petar Usumlic, 14/09/99.

finally decided to leave the compound with his wife and youngest son towards the end of the afternoon of July 13, Major Franken even approached him especially to say that he, as representative of the displaced, was allowed to stay.

That the name of Muhamed did not end up on the list of 239 may have to do with the attempts by Hasan to arrange another solution for his brother. This would become impossible once his name was put down on the list of 239, which was presumably completed by around noon of July 13 or shortly thereafter, when Franken counted up the names and signed the list. At the time Hasan was still frantically trying to get his brother's name on another list, namely that of the local staff, who were allowed to remain on the compound.

In the collection of lists, the existence of which would later become known with Much Ado, the list of 239, the list of the injured and the list of local staff of July 13, the list drawn up on July 13 of the local staff was missing. Only in 1996 was reference made to it for the first time, albeit in nondescript wording in a letter from Defence Minister Voorhoeve to Parliament.¹³¹³ Hasan Nuhanovic later referred much more explicitly to the existence of such a list in one of his letters to Mient-Jan Faber of the IKV, who later became the self-appointed representative of Hasan's interests.¹³¹⁴

Before discussing this list in detail, it is necessary to consider a number of statements made later by both Karremans and Franken about their efforts on behalf of the local staff. The Commander of Dutchbat stated soon after the fall of the enclave to representatives of the Ministry of Defence that he told Mladic 'right from the start that he wanted to take the local staff with him'. The Bosnian-Serb General reportedly did not express any objections.¹³¹⁵ Franken too recollected that Karremans had raised the matter of the local staff already during one of the first conversations with Mladic.¹³¹⁶ Besides, the Commander reportedly insisted on the right of safe conduct for the representatives of the displaced.¹³¹⁷

The question now is firstly what formal framework applied at the time for local staff. In 1996 the editors of the broadcast about the electrician Mustafic referred to the existence of general UN guidelines from July 1994 for the treatment of local employees in the case of a quick retreat of UNPROFOR from Bosnia. Based on this guideline, all local staff, irrespective of the nature of their employment, should have to be brought to safety by the UN. Viewed in that light, Dutchbat had not met its obligations. In response to questions in Parliament following the broadcast of '*Lopende Zaken*', Defence Minister Voorhoeve pointed out that the respective guideline had already been revised after only one month by General Sir Michael Rose, at the time the UNPROFOR Commander. Even if a retreat was to proceed in an organized fashion, with outside military support, it would be impossible to take with them all the local staff and their families. This problem was amplified in the enclaves. That is why only personnel formally registered as UN staff in permanent employment could claim special protection by UNPROFOR.¹³¹⁸

¹³¹³ TK, Annual meeting 1995-1996, 22 181, no. 157 (25/04/96). This letter mentions that on 12 as well as 13 July the names of local UN personnel who could be evacuated together with the unit were taken down. The actual source of this could not be established from the documents. The fact that no further attention was ever paid to this presumably has to do with the misconception that this list *was* known. Thereby the erroneous assumption began that the list of local UN staff which was forwarded by Karremans on 18 July to the former PBLs Van Baal, and which principally became known due to the enclosed so-called 'declaration by Franken' about the process of the evacuation, was originally overlooked. As shall become evident from the further reconstruction, this list presumably differed from the first.

¹³¹⁴ 'srebrenica lijst 242', Letter from Hasan Nuhanovic to Mient-Jan Faber, part 5, in: *Trouw*, 15/07/99.

¹³¹⁵ 'Report of the conversation with Lt. Col. Karremans, 16 August 1995', Appendix to: DAB. Memorandum from DAB (L.F.F. Casteleijn) to Minister of Defence, D95/429, 'Instruction to Lieutenant Colonel Karremans, 12 July 1995', 23/08/95.

¹³¹⁶ Interview R.A. Franken, 21/05/01.

¹³¹⁷ DAB. Memorandum from DAB (L.F.F. Casteleijn) to Minister of Defence, D96/192, 'Local staff of Dutchbat', 16 April 1996. The transcripts and pictures of the meeting with Mladic provide no decisive answer about this issues, but, as already mentioned, these most likely do not cover everything that has been discussed. Only the first meeting appears to have been recorded in full.

¹³¹⁸ TK, Annual meeting 1995-1996, 22 181, no. 157 (25/04/96).

The employees who could claim this right had employment agreements known as ‘series 300’ contracts, drawn up in Sarajevo, where the special UN pass issued with this contract was also prepared. This category applied particularly to interpreters of both Dutchbat and other UN agencies, such as the UNMOs and the two local representatives of UNHCR. In addition there was the permanent local staff of organizations such as *Médecins Sans Frontières*, who also had an official identity permit, albeit issued by *Médecins Sans Frontières* and not by the UN. As far as Dutchbat was concerned, the only persons with a UN pass were the interpreters employed by the battalion, and, strikingly, the company’s hairdresser, Mehmedalija Ustic.¹³¹⁹

In addition to the staff in permanent employment there was a category of personnel who had a six-month contract with the Opstina, the local government that had made arrangements with Dutchbat for the supply of people who could perform simple work. These were paid through the Opstina. Such personnel, cleaners and kitchen help only had an access pass for one of the two compounds. About forty of them were working at the compound in Potocari on the eve of the fall of the enclave, and about ten in the compound in Srebrenica.¹³²⁰ In the weekend before the fall, when the security situation worsened, they had been sent home by the leadership of Dutchbat in the assumption that this would be temporary; in their view it was not expected that the enclave would fall at that time. When this did occur, however, they disappeared in the stream of refugees.¹³²¹

Karremans’ statement that he raised the issue of the local staff with Mladic at some point is all the more probable, as this problem did present itself concretely. In making plans for the evacuation of the population and battalion and particularly in determining the order of priority, the question of what should happen with the local staff, the UNHCR, *Médecins Sans Frontières*, and the UNMOs presented itself. As described earlier, this was also an urgent problem for a while for the UNMOs themselves, because they had absolutely no desire to stay behind. The same applied to the other categories, albeit for very different reasons.

Karremans presumably was aware of the formal regulations that he had to apply in these cases, but it does appear as though he did not act on his own accord. These questions were raised, amongst other things, in his consultations with the outside world. General Nicolai, for example, explained later, albeit in general terms, that he had also spoken with Karremans about the necessity of ‘ensuring as best as is possible a proper evacuation not only of the refugees but also of the local staff and *Médecins Sans Frontières* personnel’.¹³²² Even more striking nonetheless is that Karremans was advised by yet another source, namely the former Deputy Commander in Chief, Major General A. van Baal. Van Baal recounted that on 12 or 13 July he had pointed out to Karremans (whom he knew well) in a telephone conversation that only staff with a valid UN pass enjoyed special status in the evacuation.¹³²³

Nonetheless, this status did not necessarily mean that the local staff would also be able to leave with the battalion. On the afternoon of July 13 this issue was still very unclear. The UNMOs for example reported around 17.00 hours that ‘the local staff stays with the battalion and will probably leave with them’.¹³²⁴ This was probably a guess based on the lack of information coming from Dutchbat, about which the UNMOs complained at the time. For everything points to the possibility that on July 13 everyone had the idea that the local staff would be evacuated by the UNHCR or the International Red Cross. At any rate, Franken, in the early evening in a meeting with UNHCR Field Officer Andrei Kazakov (who with his colleague Rosana Sam had reached Potocari with a UNHCR

¹³¹⁹ See list: NIOD, Coll. Kreemers. ‘Local personnel employed by Dutchbat until 01 Nov 1995. (Potocari)’. On this list, the second page of which is missing and was possibly a listing of the personnel on the Srebrenica compound – the name of interpreter Vahid Hodzic, working for B-Company, is not included.

¹³²⁰ NIOD, Coll. Kreemers. According to reports by Karremans and Franken to DAB employees in April 1996. See note: (DAB) to Bert (Kreemers), fax dated 12 April 1996.

¹³²¹ TK, Annual meeting 1995-1996, 22 181, no. 157 (25/04/96).

¹³²² SMG, 1006. From C.H. Nicolai to DCBC/ Army Crisis Staff, ‘Last days’ Dutchbat in Srebrenica’, 16/08/95.

¹³²³ Interview A.P.P.M. van Baal, 01/11/01.

¹³²⁴ UNMO situation report dated 131715B JULY 1995.

convoy), made the suggestion ‘that all local staff will be evac.[evacuated] with patients when the ICRC [the International Red Cross] comes’.¹³²⁵ The patients in question were the more serious, non-ambulant cases, who could not be evacuated with the transportation of injured persons that had left the previous evening. Sam, who in the meantime had returned to Bratunac, expressed the hope that she and Kazakov themselves could take the local staff with them in her report concerning the ongoing discussions at that time.¹³²⁶

Shortly after the conversation, at around 20.00 hours, the long-awaited instructions for the negotiations with Mladic arrived, which Karremans had been asking for so frequently. De Ruiter had faxed them to the battalion from Sarajevo. The letter contained instructions in view of the discussions about the departure of Dutchbat. Item 6 listed: ‘Evacuation of local staff required in the employ of the UN’.¹³²⁷ Based on these instructions, Karremans sent a letter to Mladic still on the same evening in which he indicated the guidelines according to which he was to discuss the evacuation of the battalion. It included all who were to leave the enclave with the battalion. This included, among others, ‘Personnel assigned to the UN and to Dutchbat such as interpreters and the people from *Médecins Sans Frontières* and the UNHCR’.¹³²⁸ The interpretation of the instructions, however, was seemingly left open in regard to whether the local personnel actually were to leave in the company of the battalion.

In the meeting of officers and unit commanders regarding the various departure options of the battalion, which took place at 22.00 hours, the line set out by Franken to Kazakov still applied: ‘first out with the injured, *Médecins Sans Frontières* and local personnel’.¹³²⁹

In addition to the original idea that local personnel were to leave the enclave separately from the battalion, the decisions made by Karremans and Franken were influenced by yet another factor. Although they could not explain the exact meaning anymore, the number ‘29’ played an important part in the recollection of both Karremans and Franken of the discussion about the fate of the local staff. Franken had the strongest associations that this figure related to the number of local personnel that Karremans was to have indicated to Mladic in an early stage.¹³³⁰ The latter is more than likely, for it would fit exactly with the specific provision that can be found in the deal that was sewn up on 19 July 1995 between Smith and Mladic, in which the departure of Dutchbat formed one of the main elements. In the sixth paragraph it was defined that the movement of UNPROFOR would be facilitated by the VRS, ‘including all military, civilian and up to thirty locally-employed personnel’.¹³³¹ The number ‘29’ was even mentioned literally in the report sent by Nicolai to the Defence Crisis Management Centre on July 21 on the departure of Dutchbat from Srebrenica. In this report he stated that the battalion had safely passed the border with all locally-employed personnel. Also Nicolai mentioned the number ‘29’. However, the definition of the elements which add up to this figure makes it clear that there is a problem.¹³³² Nicolai, as it happens, also added the two foreign employees of *Médecins Sans Frontières* to the 29, Christina Schmitz and Daniel O’Brien, who, strictly speaking, could not be considered local personnel. He further included two sick elderly persons who had only been brought to the compound on Tuesday, July 18 by the VRS and whose names were listed on the so-called ‘departure list’, the latest

¹³²⁵ UNGE, UNHCR, file 1995 FY00 ops. 16 situation reports Bosnia (Jan.-July). Capsat Rosana Sam to HCR-BH desk, 13/07/95, time unknown.

¹³²⁶ UNGE, UNHCR, file 1995 FY00 ops. 16 situation reports Bosnia (Jan.-July). Capsat Rosana Sam to HCR-BH desk, 13/07/95, 7:20 PM.

¹³²⁷ SMG, 1004. Fax from De Ruiter to CO Dutchbat, ‘Guidelines for negotiations with Gen Mladic’, dated 131800B JUL 1995. Included as Appendix 37 in: Karremans, *Srebrenica*, p. 344. These instructions were not received until 20.00hours.

¹³²⁸ NIOD, Coll. Karremans. Letter TK 95115, CO Dutchbat to General Mladic, ‘Evacuation of Dutchbat’, 13/07/95. Included as Appendix 38 in: Karremans, *Srebrenica*, p. 346.

¹³²⁹ NIOD, Coll. Karremans. Fax TK 95118, Th. Karremans, ‘Brief summary of the events of the past period’, 17/07/95.

¹³³⁰ Interview Th. Karremans, 15-17/12/98 and R.A. Franken, 21/05/01.

¹³³¹ ‘Agreement between General Smith and General Mladic’, 19 July 1995. Included as Appendix 41 in: Karremans, *Srebrenica*, p. 352.

¹³³² CRST. Fax report from DCBC to Royal Netherlands CS et al. ‘Report by Brig. Gen. Nicolai about the departure of Dutchbat from Srebrenica’, 21/07/95.

version of which must have been drawn up afterwards.¹³³³ Moreover, it appears that Franken counted backwards on the basis of the assumption that there were 29 names, while the sum really should have been 28. In any case it is clear that the numbers on July 13 must have had a different compilation than on July 21.

Before delving deeper into the issue of its composition, some thought must be given to the reasons for drawing up a 'list of 29'. This almost certainly occurred as a result of an explicit request by Colonel Acamovic, the logistics officer appointed by Mladic as being responsible for the transport from Potocari, during a conversation on the morning of July 13. From the notes that Rave made during the conversation it can be deduced that on that occasion the matter of the local personnel was also discussed. Acamovic announced that they could stay on the compound for as long as the refugees remained and that they 'did not have to be afraid'. However, he did demand a list be given to him the same day containing the data of the local personnel. Rave jotted down that besides the usual data such as name, gender and date of birth, it also had to list 'duration of employment here!'¹³³⁴

The intention of the question about the working history of the local staff can only be guessed at. The picture that emerges from various sources is that the VRS looked at each Bosnian Muslim with great suspicion, to see if he had no military background and therefore was possibly involved in actions against Bosnian-Serb soldiers or civilians. The suspicion was increased even more due to the transportation of injured persons the evening before, from which the VRS soldiers, after inspection, had picked out several men who had pretended to be injured but seemed to be healthy. Various sources indeed show that the VRS played with the idea several times of letting both the local staff of the UN and *Médecins Sans Frontières* depart only after a prior screening. Rave later stated in Assen that the VRS wanted to be certain that no ABiH soldiers were among the local staff.¹³³⁵ What is striking is that Acamovic seemingly did not demand that the list should also contain the number of identity papers, though Franken believed that this demand was mentioned in the discussions at one point or another.¹³³⁶ The issue of the UN passes, as far as he was concerned, therefore played an important role in his decision to let Muhamed Nuhanovic depart from the compound. UNMO De Haan reportedly had originally promised his brother Hasan to put Muhamed on the list of local staff.¹³³⁷ But Emir Suljagic, who had to type the list, told Hasan that his brother's name was not mentioned on the list. The explanation he subsequently received from De Haan was that this – according to Franken – was impossible because of the Bosnian-Serb demand that all persons on the list had to have a UN pass. And such a pass, said De Haan, could not be produced on-site.¹³³⁸ Hasan recounted that Franken, from whom he had immediately attempted to get an explanation after De Haan's answer, reportedly told him:

'I have decided this because I don't want to have someone's name on the list who does not have a proper ID card and does not belong to the local staff of

¹³³³ The fact that the names of the two elderly persons are included on the list makes it possible to date this list. The elderly in question were 81-year old Halil Halilovic and his 80-year old wife Munira, who were brought to the compound with dehydration symptoms. See: MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 18/07/95, 20:38:08.

¹³³⁴ Annotations B. Rave, 13/07/95. Submitted to the NIOD for perusal.

¹³³⁵ Debriefing statement, E.A. Rave, 02/10/95.

¹³³⁶ Interview R.A. Franken, 21/11/01.

¹³³⁷ This was corroborated by interpreter Emir Suljagic. See: Frank Westerman, 'Gezuiverd door Dutchbat', *NRC Handelsblad*, 21/10/95.

¹³³⁸ Stas. Memorandum by Deputy CDS M. Schouten to Minister of Defence, S/95/061/4198, 'srebrenica', 27/10/95. De Haan informed Schouten that he had also stated this fact in the debriefing in Assen, but his debriefing statement is very vague on this point. Franken however confirmed that De Haan had approached him with this request. Interview R.A. Franken, 22/11/01.

one agency or another. I do not want to endanger those who do have an ID card by putting your brother's name next to theirs'.¹³³⁹

For that reason he reportedly also did not permit the UNMOs 'to employ' Hasan's brother. 'He was afraid that the Bosnian Serbs would find out', explained UNMO interpreter Suljagic later to reporter Frank Westerman.¹³⁴⁰

Franken endorsed the tenor of this account of the events before the NIOD. He strongly rejected the picture that was implied later by some, that in the case of the Nuhanovic family an unfortunate 'slip of the pen' had occurred. Franken recounted that he had made a conscious decision, which indeed came to mean 'that I sent this family to their death. That is correct'.¹³⁴¹ The Deputy Battalion Commander in making this decision was guided by his experience of the war in Bosnia, in particular the very extensive checks that the VRS carried out on all movements of persons and goods. In the convoys especially, everything always had to be accounted for in detail. The time-consuming inspections of the VRS were infamously known to all UNPROFOR troops. The successive Dutchbat personnel had also experienced these checks personally when on rotation and during leave travels. It was already extremely difficult to smuggle in certain crucial goods such as special medicines and spare parts of weapons systems, even though this sometimes worked thanks to clever hiding places in the vehicles. The transport of people without valid ID cards, especially if it concerned representatives of 'the other side', was practically impossible. Permission to leave the enclave was only given based on priorly submitted name lists. Various incidents had occurred in which VRS soldiers entered UN vehicles and removed persons travelling without such permission. In one of the most infamous incidents at the start of the war, a Bosnian Minister had even been shot to death in a French APC.¹³⁴²

So Franken assumed that he would be taking an enormous risk if the VRS in a virtually inevitable inspection would find someone without valid, or with dubious identity papers. He considered it to be a real threat that in doing so, he would also endanger the fate of the other local personnel:

'Taking the risk to hide someone was no option. During a normal check by the Bosnian Serbs this was impossible. The risk you would then be taking is that the people who are officially permitted to be there would all be taken out.'¹³⁴³

Moreover, all of this took place while he still assumed that the local staff would be evacuated separately.

However, having or not having a UN pass was not a decisive factor in all cases. In a number of cases the criterion of the duration of employment was presumably more important in determining whether someone would be placed on the list. At any rate, this conclusion obtrudes if the presumable compilation of the list of 29 is reconstructed.

As evident from the notes of Rave, the requested list of local personnel was handed to Acamovic at 16.25 hours.¹³⁴⁴ But it is unknown whose names were on that list because no copies of this list appear to have been saved. Yet this impression did persist for some time. When questions about the evacuation of the local staff led to questions in Parliament in April 1996 and Ministry of Defence officials attempted to reconstruct the events, they based these on the lists then known; a separate list of local personnel and representatives of the Displaced Persons which was drawn up on July 17 and forwarded to Van Baal on July 18 by Karremans, and the so-called 'departure list'. On this list – between the rows of names and personal data of Dutchbat personnel – were also the names of all the

¹³³⁹ 'srebrenica lijst 242', Letter by Hasan Nuhanovic to Mient-Jan Faber, part 5, in: *Trouw*, 15/07/99.

¹³⁴⁰ Frank Westerman, 'Gezuiverd door Dutchbat', *NRC Handelsblad*, 21/10/95.

¹³⁴¹ Interview R.A. Franken, 21/05/01.

¹³⁴² Hakija Turaljic. A similar incident based on true events (although the person in question was not killed on the spot) was represented dramatically in the BBC film 'Warriors', which deals with the experiences and particularly the powerlessness of (British) UN troops in Bosnia.

¹³⁴³ Interview R.A. Franken, 21/05/00.

¹³⁴⁴ Notes B. Rave, 13 July 1995. Submitted to the NIOD for perusal.

local personnel, the two foreign *Médecins Sans Frontières* workers, five family members of *Médecins Sans Frontières* and two elderly persons from Srebrenica. And while the compilers of this document did indeed notice that the names of local personnel had been taken down on July 12 as well as on July 13 they overlooked the fact that the lists they used in discerning the matter had only been drawn up days later.¹³⁴⁵ Due to the missing additional documentation from non-Dutch sources this was a matter they could not clarify.

Based on this information the Defence Minister in his answer to Parliament came to an adjustment of the number. Not 29, but 28 persons had been brought to safety by Dutchbat. But the doubt that was raised against Nicolai's report about the departure of Dutchbat applies here as well: the 28 included two foreign workers and two elderly persons, as well as five family members of *Médecins Sans Frontières* personnel. Moreover, another error had crept into the calculation. It had been recorded erroneously that ten local personnel of *Médecins Sans Frontières* were evacuated, while in reality the number was eight. This means that the total number should have been 26.¹³⁴⁶ So the debate over the local personnel was conducted on the basis of tarnished and outdated numbers.

Nevertheless, the compilation of the group who left the enclave with Dutchbat on July 21 does offer a starting point for the reconstruction of the 'list of 29'. It can be discerned that in addition to the two aforementioned men, a total of four Dutchbat and two UNMO interpreters, two local UNHCR representatives, eight local *Médecins Sans Frontières* staff and finally the only remaining representative of the displaced, Nesib Mandzic, had departed.

One might naturally assume that those who ended up on the Dutchbat's departure list, minus the two elderly persons, were also on the list of July 13. The greatest uncertainty concerns the question of whether Schmitz and O'Brien had then already been added to the list and if the same applied to the five family members, the two sons aged 14 and 15 of the driver Omer Talovic and the wife, mother and little son of *Médecins Sans Frontières* worker Muhamed Masic.¹³⁴⁷ If the starting point was to establish who did not belong to UNPROFOR (or to UNMO) and probably should be evacuated separately, it is probable that the names of both *Médecins Sans Frontières* workers also were on that list. This establishes 23 of the 29 names. Of the remaining six it is very probable that three belonged to representatives of the displaced, Nesib Mandzic, Ibro Nuhanovic and Camila Omanovic. After all, in that capacity Mandzic and Omanovic were also on the list of July 18 that was forwarded by Karremans. At the time when the list of 29 was drawn up, Ibro Nuhanovic still remained on the compound, so that it is obvious that his name was also taken down. This would also tie in with the fact that Franken, when Ibro as one of the last, was about to leave the compound with his wife and youngest son, pointed out to him that Mladic's right of safe conduct also applied to him and that he therefore could stay. Ibro, however, chose to leave together with his wife and son.

¹³⁴⁵ TK, annual meeting 1995-1996, 22 181, no. 157 (25/04/96). The source of this comment could no longer be established. What is particularly striking is that two dates are mentioned, on which names reportedly had been recorded.

¹³⁴⁶ This was also the conclusion drawn by the Deputy Director of Political Affairs, L.L.F. Casteleijn, in the document he prepared with the help of staff from the Defence Ministry in preparation of an answer to questions in Parliament. He rightly based his view on the list with names which Karremans had faxed to PBLs Van Baal on 18 July. (DAB. Memorandum L.F.F. Casteleijn to Defence Minister, D96/192, 'Local personnel of Dutchbat', 16/04/96. The (incorrect) adjustment, i.e., from eight to ten names in the final letter to Parliament was presumably the result of a misunderstanding. At the end of 1995, the Defence Ministry had started its own investigation among MSF personnel, after the commotion over the so-called 'medical issue'. On that occasion, MSF had informed the Defence Ministry that ten local MSF staff members had survived the fall of Srebrenica. Two of them, however, the interpreters Damir Ibrahimovic and Kemal Selimovic, had set out to Tuzla on their own (Damir only arrived there two months later). See also: Thorsen, *Médecins*, p. 145.

¹³⁴⁷ On the so-called 'departure list' of Dutchbat, the most relevant part of which was saved, the mother and wife is also incorrectly indicated as a 'child'. Their names are also erroneously added by hand to the list of 63 injured persons dated 17 July (so 60, in fact), who were supposed to be evacuated by the ICRC. They were indicated as 'family members of some wounded persons'. UNGE, UNPF, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95. List per fax UNMO J. Kingori to UNMO HQ BH NE, 17/07/95.

Depending on whether or not the names of the two *Médecins Sans Frontières* workers and five family members were on the list, as might well have been the case, three to eight persons on the list of 29 remain unidentified. The question is: who were they.

In answering this question it is necessary to involve two other issues that have played a role in the wake of events. It has already been mentioned that in April 1996 the VPRO programme '*Lopende Zaken*' dedicated their attention to the fate of Rizo Mustafic, an electrical engineer, who had made himself indispensable as electrician to the successive Dutch battalions. Various Dutchbat soldiers who had befriended Mustafic were interviewed and entertained as guests in his home in Srebrenica. The main focus of attention, however, was on the account of his wife Mehida, who at that time lived in the Netherlands as a refugee. She recounted how on July 13 a number of the interpreters for Dutchbat had climbed on to trucks and instructed the population in the compound to leave the Base. They added that the men were allowed simply to leave with the women and children. Mehida described how she and Rizo had walked down the pathway that had been created with tapes from the factory to the exit and subsequently to the buses and trucks. She recounted how Rizo, once he arrived at the depot, was picked out of the rows of people by the VRS troops. Turning to the Dutchbat soldiers she asked why they let this happen; after all, Rizo had been working for them. One of the other people she approached for help was Dutch female soldier M. Bergman, who walked part of the way with Mehida to support her. But she too, felt powerless: 'If I do something, I might mess things up for the rest of the battalion'.¹³⁴⁸

When Bert Kreemers, deputy director of the Information Department, sought contact with both Franken and former Dutch Personnel Officer Warrant Officer B.J. Oosterveen in regard to this issue, Oosterveen told him a story to the effect that Mustafic had bought his life by flogging his car to VRS Major Nikolic.¹³⁴⁹ Mustafic indeed owned a car, although he did not have petrol, and many Dutchbat troops later thought that he indeed had succeeded in saving his own life thanks to that exchange. Franken said:

'Rizo usually came to the Base in his car and the first thing I noticed was that the car was no longer there, but neither was Rizo. Then we saw Nikolic driving around in his car. Rizo was known for having contacts all over the place. That's when the conclusion was drawn that Rizo had made a deal with Nikolic.'¹³⁵⁰

There are indeed various indications that Rizo was one of the key persons involved in smuggling money into the enclave with the help of Dutch soldiers returning from leave. Thanks to his good contact with two girls who worked on the compound, he knew in time who would leave and whom he could approach. Mustafic had a partner who also occasionally did some work for Dutchbat; both had the reputation that of all those involved in the importing of money, they charged the lowest interest.¹³⁵¹ Also, in the investigation into money smuggling conducted by the Royal Netherlands Marechaussee, the name of Mustafic emerged as an addressee/recipient.¹³⁵² The deal with Nikolic, however, did not work out. Rizo was not to survive these days in July.

That Mustafic's fate might have been different, only became clear in April 1996, but it still took longer before it surfaced that there was more to his disappearance. Kreemers himself discovered this when he made a visit not long afterwards to the barracks in Assen and had another conversation with Oosterveen: 'He had then admitted to me that he had more or less told me a wrong story. Because

¹³⁴⁸ VPRO programme *Lopende Zaken*, 14/04/96.

¹³⁴⁹ Interview H.P.M. Kreemers, 16/04/99.

¹³⁵⁰ Interview R.A. Franken, 21/05/01.

¹³⁵¹ Interview Nijaz Masic, 25/10/00. Except for a short period, Masic was the Morale Officer of the 28th division during the entire duration of the conflict.

¹³⁵² OM Arnhem, KMar district G.O.F, (district Gelderland Overijssel Flevoland) R.04/95, 19/07/95.

something had obviously gone wrong within the battalion in terms of evacuating the local personnel'.¹³⁵³

What exactly went wrong remains obscure, although the essence of the accounts is the same: presumably as a result of a misunderstanding and contrary to Franken's wishes, Oosterveen had told several local staff members that the battalion could not do anything for them. He therefore was said to have advised Mustafic 'to slip away, get out'. Oosterveen presumably was in for a sharp reprimand from Franken later on.¹³⁵⁴ Although Franken himself remained vague on this last point, he did endorse the portrayal of Oosterveen's role: 'In a conversation with one of the local staff members, he said or gave the impression that the men would not leave with us'.¹³⁵⁵

In an attempt to reconstruct the course of events surrounding the compilation of the list of 29, it became clear that Rizo Mustafic was one of those whose name was on the list. It is true that he did not have a UN pass, but instead had some kind of continuous employment contract from the time when the first Dutch battalion had entered the enclave. This was the reason why Franken considered him as part of the category of 'local personnel' who could count on special protection.¹³⁵⁶ The fact that Mustafic apparently was not aware of this says something about the circumstances and pressure under which the list was drawn up. For that reason, the list presumably included a few more names of persons whom the battalion was prepared to take along, but it appeared later that they were not (or no longer) on the compound. In Franken's recollection the list afterwards indeed appeared to somewhat 'empty out'.¹³⁵⁷ A UNHCR report states that after the evacuation of the compound, there were still 18 members of the local staff in addition to the remaining injured.¹³⁵⁸

In view of the fact that it is no longer possible to establish whether on July 13 all five family members of *Médecins Sans Frontières* had been included in the calculation, it is well possible that a considerably large number of local personnel were on the list. At any rate, this is how Franken remembers it.¹³⁵⁹ It is possible that this concerned a number of other names that can be found on the list of personnel with an employment contract until November 1995. This list included two refuse collectors and two handymen, all with a so-called 'Opstina contract'. Not on this list was plumber 'sehid', who was specifically mentioned in the book *Dutchbat in Vredesnaam*, produced by Dutchbat itself.¹³⁶⁰ These five names precisely fill the gap of the *Médecins Sans Frontières* family members. It must be assumed that, supposing their names were indeed on the list of 29, these people too were found to have disappeared after the evacuation of the compound.

With Mustafic included, the number of presumed names on the list of 29 comes to 27. The last two missing names may have belonged to interpreter Senad Alic and hairdresser Mehmedalija Ustic. For both of their names also appear on the list of local personnel who were supposed to be working on the Potocari compound until November 1995.¹³⁶¹

About the fate of Ustic, who, as mentioned earlier, did have a UN pass, no more is known than the rumour that reached Franken later, namely that he had perished while defending Srebrenica.¹³⁶²

¹³⁵³ Interview H.P.M. Kreemers, 16/04/99.

¹³⁵⁴ Interview W.J. Dijkema, 21/09/98.

¹³⁵⁵ Interview R.A. Franken, 21/05/01.

¹³⁵⁶ Interview R.A. Franken, 21/11/01.

¹³⁵⁷ Interview R.A. Franken, 21/11/01.

¹³⁵⁸ UNGE, UNHCR, File 1995 FY00 ops. 16 situation reports Bosnia (Jan.-July). Capsat Rosana Sam to HCR-BH desk, 13 July 1995, time unknown. The sum of: 8 MSF staff, 4 Dutchbat and 2 UNMO interpreters, 2 UNHCR staff members, and Mandzic and Omanovic, is eighteen.

¹³⁵⁹ Interview R.A. Franken, 21/11/01.

¹³⁶⁰ Dijkema, *Vredesnaam*, p. 215.

¹³⁶¹ NIOD, Coll. Kreemers. List: 'Local personnel working for Dutchbat until 01 Nov 1995. (Potocari)'. Only the first page of this two-page list of the names of personnel in Potocari was saved. The second page presumably contained the names of personnel working on the Srebrenica Base, as the first page does not include interpreter Vahid Hodzic, who does appear on later lists. Hodzic worked as interpreter for B-Company, apropos just as Alic did; though why Alic's name was included on the Potocari list is not clear.

¹³⁶² Interview R.A. Franken, 21/05/01.

However, more is known about Alic's fate. At Dutchbat it was rumoured that Alic was a nephew of Oric.¹³⁶³ At any rate, before he took up work as an interpreter, he was a member of a special unit belonging to Oric.¹³⁶⁴ Whether his conclusion was that he was in too much risk because of this, is not clear.¹³⁶⁵ In 1996 he told Dutch journalist Ewoud Nysingh that he had decided to risk the walk to Tuzla because he had lost all faith in Dutchbat. A Dutch officer reportedly tore up his UN pass 'because it supposedly was expired'. Instead he was given a letter that granted him access to the base in Potocari. He considered it to be inadequate in terms of guarantee. After a gruesome trek, having first gone to Zepa and from there to Tuzla on July 31, he only succeeded in reaching safe terrain on August 18.¹³⁶⁶ It was confirmed by various Dutchbat soldiers that the relationship between Alic and Dutchbat was difficult. Boering, for instance, recounted that of all interpreters, Alic was the one who trusted Dutchbat the least.¹³⁶⁷

At the same time as Alic's critique of Dutchbat in 1996, attention also focused on another case in which the suspicion was expressed that someone had been refused access to the compound because he did not have a UN pass. This concerned one of the two interpreters of UnCivPol, Bekir Hodzic. As early as 21 July 1995, his brother Nezir had reported him as missing to Ken Biser of the Civil Affairs Office in Tuzla.¹³⁶⁸ He himself had fled the enclave together with five others on July 11 and had arrived in Tuzla on July 18. There he went in search of his brother, whom he knew also wanted to escape the enclave. From talks with Displaced Persons from Potocari, he pieced together that by the side of the road in Kravica, they, from their bus windows, had seen how his brother and a number of others were being held and guarded by VRS troops.

Nezir recounted that on leaving the enclave on 30 June, the two UnCivPol employees (the Dutch Aalders and Klip) had instructed his brother to wait at home for the arrival of the new UnCivPol personnel. Hodzic did not have a UN pass, so his brother explained, but he had a copy of his UN employment contract. Biser verified the information and eventually was told by Zagreb that Hodzic was indeed a 'UNPROFOR Series 300 employee' and that the term of the contract was until 13 November 1995. That he still was without a new pass was 'common, because the entire transaction had to be done by mail, and that often took weeks'. A personnel officer of Sector North East told Biser that Hodzic 'had been reported to be with Dutchbat in Potocari'. Biser ordered him to verify this information with the Dutchbat personnel officer (Warrant Officer Oosterveen or possibly also Warrant Officer Schamp). Originally the answer was affirmative, but later a telephone call came back that a mistake had been made.¹³⁶⁹ There might have been some kind of mix-up about the existence of another Hodzic, Vahid, who had worked as interpreter for B-Company.

In the document in preparation of answers to the questions raised in Parliament, which Groen-Links (Green Left) Parliament member P. Rosenmöller submitted as a result of publications on this issue, L.F.F. Casteleijn of the Political Affairs Department assessed that it was 'unlikely' that Hodzic had been refused access to the compound. Dutchbat, after all, had allowed thousands of others inside.¹³⁷⁰ However, whether this is true entirely depends on when Hodzic did report to the main gate.

¹³⁶³ Interviews R.A. Franken, 21/05/01; E. Wieffer, 18/06/99; P. Boering, 14/12/01.

¹³⁶⁴ Interview Almir and Zahira Ramic, 08/11/99.

¹³⁶⁵ The NIOD was no longer able to interview Alic, as he lost his life in a traffic accident near Tuzla in 1998.

¹³⁶⁶ E. Nysingh, 'Dutchbat liet twee Moslimtolken VN aan hun lot over', *De Volkskrant*, 03/07/96; UNGE, UNPF, Division of Civil Affairs UNPF HQ, box 25/77, 04/04/-23/08/95. Fax Ken Biser to A. Pedauye, 'Return of missing Dutchbat interpreter'.

¹³⁶⁷ Interview P. Boering, 14/12/01.

¹³⁶⁸ Unless indicated otherwise, the following is based on: UNGE, UNPF, Division of Civil Affairs UNPF HQ, Box 25/77, 4 April-23 Aug. 95. Fax from Ken Biser to Michel Moussalli, 'Missing UNPROFOR interpreter from Srebrenica', 21/07/95.

¹³⁶⁹ In the article that drew attention to the case of Alic and Hodzic, the story about the verification with Dutchbat is erroneously pinned on Alic. See: E. Nysingh, 'Dutchbat liet twee Moslimtolken VN aan hun lot over', *De Volkskrant*, 03/07/96.

¹³⁷⁰ CDS. Memorandum from acting Director DAB L.F.F. Casteleijn to Minister, D96/332, 'Local UN employee', 03/07/96.

If this occurred after the evening of 11 July (which is not improbable), the time when the compound was being flooded with Displaced Persons, then it does seem very likely that Hodzic was refused entry by the guard. 'At that point there really were no orders as such', as Warrant Officer Dijkema later remarked in response to the problems involving the local staff.¹³⁷¹ If the policy had escaped Oosterveen, then this surely also applied to the guards at the main gate. Casteleijn explained that Hodzic 'as far as is known' has not made any attempts to gain entry. This, however, directly contradicts the account of Hodzic's brother, who as early as July 1995 had approached Biser. Evidence for his deviating version was not presented by Casteleijn.

Casteleijn was also not sure if Alic and Hodzic would have been put on the list by Dutchbat, had they been in Potocari: 'In the view of the Dutchbat command, putting names of people on the list who didn't have an ID card from the UN was very dangerous for the UN personnel who did have such a pass'. However, as has become evident, having a UN pass was less important than proving that someone was already working for a UN organization for a longer period. To Alic, who already had chosen beforehand to flee to Tuzla, this did not matter. But in the case of Hodzic it does appear as though a request for assistance was wrongfully turned down. He was employed by the UN and as Biser remarked, 'UNPROFOR does have an obligation to this individual'.¹³⁷²

Except for Hasan, the Nuhanovic family was one of the last to leave the Dutch compound, on July 13. UNMOs at the main gate took their names down visibly to the VRS, in the hope that this might give them protection. Franken was also there, who, as earlier mentioned, had still pointed out in vain to Ibro that he could remain on the compound. He was completely astounded when Ibro Nuhanovic kissed him on the cheek and said goodbye.¹³⁷³

This was the last that was heard from Ibro, Naisha and Muhamed Nuhanovic. Their son Hasan, after first still having hoped that they were alive, meanwhile assumed that they had perished. Through the grapevine and through asking questions for a long time, he now has certainty.¹³⁷⁴

Shortly after the departure of his family, Hasan to his amazement found out that a number of family members of *Médecins Sans Frontières* had indeed remained behind on the compound. He could not understand why they had been saved but his brother had not. This question would also repeatedly arise in later debates. As early as November 1995 Deputy Spokesman Kreemers discovered that NRC reporter Frank Westerman had 'information that *Médecins Sans Frontières* had, in fact, cheated about the status of local personnel and that Dutchbat on the whole had not'.¹³⁷⁵ Groen-Links MP Sipkes couched her questions in similar terms in 1996, when she inquired why Dutchbat had gone strictly by the book, while *Médecins Sans Frontières* 'didn't give a hoot about the 'pass regulation''.¹³⁷⁶ Also Defence Minister Voorhoeve, in an internal correspondence, designated as a 'key question' 'whether Dutchbat could not have done a little more in order to save a number of lives'. With that he already indicated himself that an answer could not be given, 'as we do not know how far Dutchbat could have gone in stretching the possible limits'.¹³⁷⁷ Hence the attempt now to define this limit and examine to what extent the impression is true that *Médecins Sans Frontières* were more flexible in regard to their own personnel than Dutchbat was.

¹³⁷¹ Interview W.J. Dijkema, 21/09/98.

¹³⁷² UNGE, UNPF, Division of Civil Affairs UNPF HQ, Box 25/77, 4 April-23 Aug. 95. Fax Ken Biser to Michel Moussalli, 'Missing UNPROFOR interpreter from Srebrenica', 21/07/95.

¹³⁷³ Interview R.A. Franken, 21/05/01; interview J. Otter, 26/05/99.

¹³⁷⁴ Various interviews Hasan Nuhanovic.

¹³⁷⁵ NIOD, Coll. Kreemers. Memorandum from Deputy Spokesman H.P.M. Kreemers to Defence Minister, V95021626, 'conversation with NRC journalist', 16/11/95. Kreemers deemed this knowledge 'extremely annoying' and announced that the issue would be discussed with Karremans and Franken the week after.

¹³⁷⁶ 'Kamervragen over lot personeel Srebrenica' ('Questions in Parliament about fate of employees in Srebrenica'), *De Volkskrant*, 16/04/96.

¹³⁷⁷ DAB. Hand-written note J.J.C. Voorhoeve to DAB, 24/04/96.

32. Uncertainties Surrounding The Deportation

The difference in stance between *Médecins Sans Frontières* and Dutchbat can to a major extent be reduced to the fact that the Netherlands battalion adhered to certain guidelines and instructions issued by the UN and the Netherlands. Moreover, the family members of *Médecins Sans Frontières* did not include men of military age. Aside from the two women there was a three-year old infant and two boys aged 14 and 15. At the most one could consider it to be an extraordinary circumstance that one of the male *Médecins Sans Frontières* workers had lost his UN pass. It also was not the case that *Médecins Sans Frontières* intended to evacuate all local personnel, even though Christina Schmitz did her best to evacuate as many men as possible.

So *Médecins Sans Frontières* and Dutchbat in that sense were not on the same wavelength, as during much of that time it was assumed that *Médecins Sans Frontières* would evacuate independently. The impetus for this came from two sides. Technically speaking, UNPROFOR was bound by rules. In the Annex to Standing Operating Procedure 308, 'Directive for the movement of personnel in UNPROFOR vehicles and convoys', it was stated that 'NGO vehicles cannot be incorporated in a UN convoy nor can they be offered protection by any UN forces'. Civilians were further prohibited from being transported in UNPROFOR vehicles under any circumstance, unless under specific permission from Bosnia-Herzegovina Command. Indeed it is not clear how these instructions related to those which dealt with the protection of civilians, but the tenor of the initial position was quite clear.

On the other hand, *Médecins Sans Frontières* also had much interest in leaving on their own. The correspondence and conversations of Schmitz with her superiors show that *Médecins Sans Frontières*, who after all had a somewhat anti-militaristic orientation, also wanted to underline their neutrality in regard to UNPROFOR. For example, Schmitz expressly prohibited anyone in military clothes from entering her hospital. When a girl who worked for *Médecins Sans Frontières* was once visited by a friend wearing military trousers, Schmitz did not allow him in, even though he was not a soldier. She apparently wanted to strictly guard the neutrality of *Médecins Sans Frontières*.¹³⁷⁸ She also refused the offer of an armed guard on July 10. Rave made the following entry in his logbook: 'No arms-uniform. *Médecins Sans Frontières* wants hosp. as neutral zone!' On that day she also turned down the offer to have some wounded people moved from Srebrenica to Potocari in an APC equipped for medical transport; this was only possible, she said, with permission from *Médecins Sans Frontières* in Belgrade.¹³⁷⁹ What it came down to was that *Médecins Sans Frontières* carried an entirely separate responsibility, which only gradually became mixed up with that of Dutchbat. In order to follow this process it is necessary to examine how the treatment of the issue of the local personnel developed from July 13.

To begin with, it is necessary to establish that also the UNHCR during the first days after the end of the deportation tried independently to arrange the evacuation of its two local personnel members. To achieve this the UNHCR in Pale was in contact with the Bosnian-Serb authorities.¹³⁸⁰ At any rate, until July 17 everything humanly possible was done – incidentally, to no avail – to obtain special permission for them to leave the enclave separately. On July 14, however, it was still so unclear as to what would happen that Schmitz reported that the UNHCR staff, as well as the interpreters for Dutchbat and the UNMOs 'are completely cracking. There is no clear idea what happens to them'.¹³⁸¹

As far as the two UNMO interpreters were concerned, the situation became a little clearer that evening, after a fax from Ken Biser had been received by battalion command: Irrespective of its own problems, the battalion was ordered to take all necessary measures to ensure the safety and safe evacuation of the two UNMO interpreters, Hasan Nuhanic and Emir Suljagic. What is remarkable about this fax is that it could be deduced that the advice of the UNPF Legal Advisor apparently had to

¹³⁷⁸ Interview Zahira Ramic, 08/11/99.

¹³⁷⁹ Annotations of B. Rave. Submitted to the NIOD for perusal.

¹³⁸⁰ See: UNGE, UNHCR, File 1995 FY00 ops. 16 situation reports Bosnia (Jan.-July).

UNHCR BH desk Belgrade/JPC (Jean-Paul Cavalieri) to UNHCR Zagreb, 14/07/95.

¹³⁸¹ MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 14/07/95, 12:18:18.

be asked in order to determine the correct approach. The Legal Advisor pointed to the legal obligation to evacuate personnel ‘under the Series 300 contract’.¹³⁸² This says a great deal about their familiarity with the regulations applicable to these kinds of special situations.

On Saturday July 15, Schmitz was drawing up lists of the wounded and of the local staff and family members in view of the anticipated evacuation. ‘This is the day of the lists. (I can’t hear the word anymore)’, she entered in her situation report.¹³⁸³ *Médecins Sans Frontières* hoped to leave together with the International Red Cross when the evacuation of the wounded was to take place. On the previous day, Schmitz had assured the desperate staff (who also did not get any clarity about their exact fate from Dutchbat) that this is what she would try.¹³⁸⁴ There was much anger when the International Red Cross informed them that they considered the evacuation of the local staff to be an issue that had nothing to do with the medical evacuation.¹³⁸⁵ The uncertainty also continued on July 15. They anxiously awaited the result of the consultations with VRS Major Nikolic in the late afternoon of that day, in which the evacuation was once again on the agenda. The meeting, however, did not bring the desired clarification, because a meeting was to take place between Generals Smith and Mladic in which the issue would be discussed.¹³⁸⁶

The Bosnian-Serb General had replied to Karremans’ letter of July 13 that he would personally come and discuss the issue of the remaining evacuation on site, but afterwards nothing more was heard of him. It was correctly assumed that the capture of Zepa would demand all his attention. It must have come as good news for Karremans that he would finally be able to discuss the evacuation issue with someone of equal rank, as he had asked Mladic for increasingly higher-ranked negotiation partners.

In a telephone conversation between Karremans and Minister Pronk, who at that time was in Tuzla, the Dutchbat Commander also discussed the situation of the civilian staff on the compound. Pronk informed him that international pressure was being mounted to at least let the International Red Cross evacuate the wounded. Results, however, had not yet emerged.¹³⁸⁷ Only late in the evening did the Minister from the Netherlands hear about the agreement that had been forged in Belgrade. In his rendition of this in his travel report, a comment regarding the local staff is remarkable, which shows that at that time apparently no agreement had yet been reached about their fate: ‘serbs reportedly were still ‘examining’ compiled lists of local UNPROFOR forces in Srebrenica’.¹³⁸⁸ The final decision was indeed only to fall on July 19, albeit not without difficulty. Only ‘after some debate’ did Mladic seem prepared to unconditionally allow the local staff to leave with the battalion.¹³⁸⁹ This indicates once more just how precarious their position had been for a long time.

So on July 15 there was still total uncertainty, which prompted the battalion command to operate with extreme caution. Everything possible had to be done to avoid endangering the evacuation. It is probably also in this context that the incident which occurred that evening at the main gate of the compound should be seen. As dawn set in, five ABiH troops reported to the guard, asking for permission to enter the compound. They had presumably retraced their steps after nearly walking into the Bosnian-Serb trap in their attempt to get to Tuzla. At any rate, one of them was lightly wounded. A doctor took care of his wounds, but then they were sent away on orders by Major Otter, the Base Commander. The men were ‘too late’ and moreover, troops weren’t admitted ‘anyway’, as Otter would

¹³⁸² UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. ‘95. Capsat Ken Biser to Cdr. Dutchbat, Team Leader UNMO-Srebrenica, ‘Evacuation of local staff, 14/07/95.

¹³⁸³ MSF, Brussels. Christina Schmitz, ‘situation report Srebrenica – Potocari period 6.7. – 22.7.95’.

¹³⁸⁴ MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 14/07/95, 12:18:18.

¹³⁸⁵ MSF, Brussels. Capsat ICRC Bijeljina to Christina Schmitz, 14/07/95, 14:30:47.

¹³⁸⁶ MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 15/07/95, 17:20:19.

¹³⁸⁷ Karremans, *Srebrenica*, p. 229.

¹³⁸⁸ ABZ, DPV/ARA/01654. Memorandum DMP/NP (J. Kappeyne van de Coppello) to R (Minister Pronk), DMP/no. 1023, NH-618/95, 31/07/95, (confidential) ‘Report of the journey of Minister Pronk to Tuzla and Sarajevo, 14-18 July 1995’.

¹³⁸⁹ DCBC, 897. Vsat 7201 LCol J.R.J. Baxter, MA to COMD, to (see distribution list), ‘Meeting Gen. Smith/Gen. Mladic – 19 Jul 95’, 19/07/95.

explain a short time later in Zagreb.¹³⁹⁰ Shortly after the men had walked away, shots were heard. A Dutch soldier was later to state that one death had occurred.¹³⁹¹ However, this observation could not be confirmed.

In the context in which Dutchbat was operating at that time, Otter's decision was presumably inevitable. After the incident with the 'so-called wounded' during the convoy of July 12, the VRS had become even more suspicious. Schmitz and Franken therefore had decided to take it upon themselves that the remaining wounded could be inspected by the VRS.¹³⁹² Only afterwards did they accidentally discover to their dismay that several ABiH troops were among the wounded, one of them an officer: 'a small time bomb in our hospital'.¹³⁹³ Admitting even more, and indeed healthy, soldiers, which incidentally was prohibited by UN regulations, would complicate the situation infinitely more, carrying with it all the risks of such an action.

The prospective outcome of an independent evacuation of *Médecins Sans Frontières* initially became gloomier on July 16 due to a report concerning the Norwegian medical unit in Tuzla, *Normedcoy*, that was to take care of the evacuation of the wounded in consultation with the International Red Cross. This unit had been attacked the day before by irregular VRS elements, in the same way as the Dutch logistics convoy with the KHO-5 group had been, and had to return to Tuzla.¹³⁹⁴ Only on the evening of July 16 did there seem once more to be positive developments as the results of the consultation between Generals Smith and Mladic became known. At 20.30 hours a report came in from Bosnia-Herzegovina Command that permission had been granted for the movement of all equipment to central Bosnia, and for the evacuation of the wounded, re-stocking of supplies and access by the International Red Cross to the wounded and prisoners of war.¹³⁹⁵ The 'Operations Room' then reported to the 'expedition force in Belgrade' – the reconnaissance group of what was to become Dutchbat IV, which had arrived in the area shortly before the fall of the enclave, in view of the then still anticipated rotation of the battalion – that the departure was planned for July 20 or 21. In addition it was stated: 'local staff are most probably coming with us'.¹³⁹⁶

However, what was to happen with *Médecins Sans Frontières* and the UNHCR was still not established. Representatives of both organizations were still heavily engaged in trying to independently arrange permits for their local staff and to determine how they had to be evacuated. Schmitz conferred with Major Franken over what the best strategy might be; he was of the opinion that it was best for *Médecins Sans Frontières* to leave with the International Red Cross.¹³⁹⁷ However, everything depended on permission being granted from the Bosnian Serbs as well as from Belgrade – Serbia had to issue transit permits – which simply did not emerge. The UNHCR was also struggling with the same problem; they too could not obtain certainty about how and when their staff was allowed to leave. In the office in Belgrade, Programme Officer J.P. Cavalieri even counted on the possibility 'that the Bosnian Serb army may attempt to consider them as POWs, for further exchange with the ABiH'.¹³⁹⁸

The uncertainty and fear among the local staff members was further intensified by the fact that the Bosnian Serbs suddenly announced on July 17 that the departure of the *Médecins Sans Frontières* staff and the women and children was alright, but that the male staff would first have to undergo a

¹³⁹⁰ SMG, 1007. Gen. Bastiaans (debriefing), C. Klep (report), 'Debriefing Report, Major Otter (C-St-Company) 23/07/95, Camp Pleso'.

¹³⁹¹ SMG/Debrief. *Feitenrelas* debriefing 'srebrenica', p. 289.

¹³⁹² MSF Brussels. Capsat (Christina Schmitz) to Stefan (Oberreit), 13/07/95, 16:56. This issue is described extensively in the chapter covering medical support to the local population.

¹³⁹³ MSF Brussels. Capsat Christina (Schmitz) to Barbara, 15/07/95, 14:49:01.

¹³⁹⁴ The involvement of Normedcoy was said to have been one of the results of the consultation between Smith and Mladic on July 15. See: MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 16/07/95, 10:07:12.

¹³⁹⁵ SMG, 1004. Monthly register of the Operations room, 16/07/95, entry 20.30.

¹³⁹⁶ SMG, 1004/53. Operations room, 16/07/95, 11.3, the original text lists the Dutch word 'zeer' (very) as 'zeeeeer'.

¹³⁹⁷ MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 16/07/95.

¹³⁹⁸ UNGE, UNHCR, File: Srebrenica, Statistics etc. Fax Jean-Paul Cavalier (UNHCR BH Desk, Belgrade) to UNHCR Tuzla, 'UNHCR local staff in Potocari', 17/07/95.

screening.¹³⁹⁹ Also, the UNHCR was told that same day that the clearances had been refused and that a new request for evacuation had to be submitted, albeit without the male local staff, who by now were 'very scared'. The person who compiled the situation report added this comment: 'it gives an idea of the climate'.¹⁴⁰⁰

33. The 'Declaration Of July 17'

The climate indeed had much of the appearance of psychological warfare, in which seemingly arbitrary acts were in reality an instrument to manoeuvre the situation as much as possible in the direction that the Serbs wanted. On the very same evening that the demand had come through regarding the screening of the male staff, two incidents occurred which may be presumed to be related. It is not possible to ascertain this completely, as it is no longer possible to reconstruct the chronology.

In the morning, during a meeting between Franken and the representatives of the VRS, in which the medical evacuation, the evacuation of the local staff and that of the employees of *Médecins Sans Frontières* and Dutchbat was discussed, it was announced that President Karadzic had decreed an 'amnesty' for all the local personnel, including Nesib Mandzic.¹⁴⁰¹ The message had been conveyed by Bosnian-Serb interpreter Petar Usumlic.¹⁴⁰² No matter how reassuring this may have sounded, the amnesty said nothing about the manner and time in which everyone would be able to leave. The bureaucratic regulations were still in full effect and with this came also the possibility for endless procrastination and obstruction. This undoubtedly played a role when the representatives of the Bosnian Serbs produced a document during the same meeting that was supposed to seal their good intentions.

The priorities and starting points applied by Major Franken during the deportation of the Displaced Persons also dictated his stance during the signing of what was to become known as the 'Franken declaration' or 'the declaration of July 17'. The latter reference was better than the first, which was an incorrect label coined by the media. It involved an agreement made between Serb authorities and Nesib Mandzic, as representative of the Bosnian civilians in Srebrenica. The agreement was signed on July 17 in the presence of Franken, who was asked to co-sign in the name of the UN. Lieutenant Colonel Karremans was at the time recovering from a stomach problem that had struck down a large part of the battalion, the result of the arrival of a convoy with decent food for the first time in months.¹⁴⁰³ Both Karremans and Franken incidentally disclaimed that the Commander, as was later frequently claimed, had also been taken ill at other times. According to Karremans, he was only stricken down with stomach problems on 15, 16 and a part of July 17.

The agreement also stated that the 'evacuation' of the Displaced Persons had been conducted according to humanitarian international law. According to interpreter Mujo Nukic, who was present, Franken at first was hesitant to put down his signature.¹⁴⁰⁴ After an exchange of looks with Mandzic, he yielded.¹⁴⁰⁵ However, before Franken signed the agreement, he added – to the fury of the present

¹³⁹⁹ MSF, Brussels. Capsat MSF Belgrade to Christina Schmitz, 17/07/95, 11:05.

¹⁴⁰⁰ UNGE, UNHCR, File 1995 FY00 ops. 16 situation reports Bosnia (Jan.-July). BH Desk Belgrade/Cavalieri to UNHCR Tuzla/CMB a.o., 'Eastern BH daily update for 17/07/95', 17/07/95.

¹⁴⁰¹ MSF, Brussels. Christina Schmitz, 'situation report, Srebrenica – Potocari period 6.7. – 22.7.95'; SMG, 1006. Letter TK95119 from Th. Karremans, 'Transfer of local personnel', 18 July 1995. Karremans, *Srebrenica*, p. 233. Rave noted about the meeting that a reference to Omanovic was also made. (Notes B. Rave, 17/07/95. Submitted to the NIOD for perusal). This is why her name ended up on the list of names that was drawn up one day later. Due to her psychological condition, however, she was considered to be a patient and was evacuated with the ICRC convoy at the end of the day.

¹⁴⁰² Interview Petar Usumlic, 14/09/99.

¹⁴⁰³ Interview Th. Karremans, 30/11/00.

¹⁴⁰⁴ Interview Mujo Nukic, 07/02/98.

¹⁴⁰⁵ ICTY, (IT-98-33-T). Testimony N. Mandzic, 21/03/00.

lawyer in the Bosnian-Serb delegation – an annotation in English to the document: ‘as far as it concerns convoys [that were] actually escorted by UN forces’.¹⁴⁰⁶

According to Franken, no physical danger was apparent during the meeting.¹⁴⁰⁷ Mandzic understandably experienced the presence of the VRS troops in a very different way.¹⁴⁰⁸ Also, in Franken’s view this was still indeed a matter of an enforced situation. It is true that an amnesty had been declared, but at that time everyone was still in fact under the power of the VRS. In order not to endanger the position of the wounded, the local staff, employees of *Médecins Sans Frontières* and the battalion itself, Franken ultimately decided to co-sign the declaration as an observer. At any rate, his annotation was intended as a cover for himself and to prevent the declaration from being misused all too easily for the purposes of propaganda.

Still, the manner in which he did this was not watertight. According to the Bosnian-Serb declaration, no incidents had occurred during the ‘evacuation’, but the operation included more than just the convoys which Franken emphasized by his annotation. Strictly speaking, he did not cover the events that occurred prior to the departure of the convoys, and in particular the violence that occurred during the separation of the men and women, let alone the executions.

Moreover, Franken forgot something else. Pursuant to applicable Standing Orders ‘not a single declaration may be made or signed, unless in the presence of an authorized UN official. It is further required to request that the closest UN headquarters may be informed’.¹⁴⁰⁹ Even if it is understandable that under the circumstances the first directive could hardly be complied with, it is a different matter for the latter. When afterwards much upheaval developed about the declaration, Defence Minister Voorhoeve informed Parliament that Franken ‘had not attached any special significance’ to the document: ‘For that reason, the Deputy Commander, prior to signing the declaration, did not have contact with the UNPROFOR headquarters in Sarajevo’.¹⁴¹⁰ It was one of the reasons why the existence of the declaration remained unknown for a long time. Karremans later explained that during a consultation with Franken on July 18, the declaration was also not raised.¹⁴¹¹ However, Karremans had faxed the document with the list of local staff to Van Baal in The Hague. In the accompanying letter, he made reference to the added explanation.¹⁴¹² No attention, however, was paid to it in The Hague.¹⁴¹³

Afterwards, in the discussions over Franken’s actions in regard to these issues, it often was suggested that his decisions were prompted exclusively by the desire to get Dutchbat out of the enclave as quickly as possible. This undoubtedly played a role, but Franken pointed out that battalion command had made it clear that departure was only possible once the safe departure of the remaining wounded and the local staff was assured.¹⁴¹⁴ Karremans had already conveyed this message on July 14, and it was confirmed once more on July 17.¹⁴¹⁵

The implicit suggestion in such accusations that there was a clear alternative also appears difficult to maintain. As was earlier mentioned, Franken said that he briefly considered making a stand

¹⁴⁰⁶ A photo-copy of this statement is included as Appendix 39 in: Karremans, *Srebrenica*, p. 347.

¹⁴⁰⁷ DAB. Memorandum from J.H.M. de Winter to the Minister, D95/403, ‘Declaration’ Franken / role Karremans’, 10/08/95. De Winter based this upon a telephone conversation with Franken.

¹⁴⁰⁸ ICTY (IT-98-33-T). Testimony N. Mandzic, 22/03/00.

¹⁴⁰⁹ SMG/Debrief. Standing Order 1 (NL) UNINFBAT, Chapter 1, Personnel; Subject 1/14: Discipline; paragraph 8: Local authorities, p. 33.

¹⁴¹⁰ DAB. Draft of letter from the Minister of Defence to the Speaker of Parliament, D101/95/15825, August 1995, p. 11. This passage did not appear in this form in the final letter.

¹⁴¹¹ DAB. Memorandum from J.H.M. de Winter to the Defence Minister, D95/403, ‘Declaration’ Franken / role Karremans’, 10/08/95. De Winter based this upon a telephone conversation with Karremans.

¹⁴¹² SMG, 1006. Letter TK95119, from Th.J.P. Karremans to PBLs, ‘Transfer of local personnel’, 18/07/95.

¹⁴¹³ The commotion that developed in the wake of the 17 July declaration will be discussed in detail in Part IV, Chapter 8.

¹⁴¹⁴ Interview R.A. Franken, 21/05/99.

¹⁴¹⁵ Ken Biser reported on 17 July that the CO of Dutchbat had insisted upon that he should not leave without the local staff. Biser once more pointed out, perhaps needlessly, that this was also a matter of legal responsibility. UNGE, UNPF, Division of Civil Affairs UNPF HQ, Box 25/77, 04/04 –23/08/95.

Fax from Ken Biser to Michel Moussalli, ‘Local staff in Potocari with Dutchbat’, 17/07/95.

in Potocari, but had quickly rejected this idea. He only had 150 fighting men left, many of whom were completely drained. The others had done their absolute best to alleviate the stay of the Displaced Persons on the compound, but were not in a condition for being deployed in fighting action. Moreover, there was a large shortage of ammunition. Most convincing was the argument that conducting a battle in an environment with thousands of civilians was impossible. The Serb artillery held the civilians hostage, and therefore indirectly held Dutchbat.¹⁴¹⁶ Also, as was already described, Franken deemed impossible the consideration to ‘freeze’ the situation as far as the displaced at the compound were concerned by not permitting their deportation. A different kind of humanitarian disaster would then have resulted.

34. Development Of Evacuation Plans After July 17

On July 17, the evacuation plans of *Médecins Sans Frontières* finally seemed to move into fast gear. In the course of the day the permit finally arrived, albeit for a journey via the left bank of the Drina river to Tuzla. Although the directive worked out conveniently from the viewpoint of family reunification, it was first and foremost the result of the continuous refusal by the Serbs to let the *Médecins Sans Frontières* convoy cross their terrain.¹⁴¹⁷ The route to Tuzla, however, was not without danger, as was evident from the problems with the Dutch logistics convoy on July 15 and the Norwegian medical unit one day later. *Médecins Sans Frontières* in Belgrade would have preferred a UNPROFOR escort, or alternatively that *Médecins Sans Frontières* could travel along with a convoy of the International Red Cross. However, on that day they could not immediately leave with the convoy that came to pick up the wounded. In the permit it was stipulated that the *Médecins Sans Frontières* vehicles first had to drive to Bijeljina, where an office of the International Red Cross was located, and were only to join the convoy to Tuzla from there.

Schmitz felt very uncomfortable with the idea that she had to travel part of the trip on her own. Franken, with whom she discussed this problem, was very opposed to the plan due to the unsafe conditions. Also, Franken considered the idea of asking the VRS for an escort to be too dangerous, as there was a risk that the column might become a target for ABiH units that were still roaming around. Schmitz herself found the suggestion from Belgrade to ask Dutchbat for an escort not feasible. The equipment losses as a result of plundering during the attempts to escort the convoys on July 12 and 13 were still fresh in their memory: ‘they would lose everything and they are even more a target’. Moreover, Franken refused.¹⁴¹⁸ The same evening Schmitz felt steadily more uncomfortable about the journey: ‘Being with the local staff 10 hours a day, while they are totally frightened? I doubt it’. In addition, the local staff also included the cook, who had totally broken down out after the fall.¹⁴¹⁹

The confusion was great over what should happen with *Médecins Sans Frontières*. In The Hague on the evening of July 17 it was assumed that *Médecins Sans Frontières* would leave with the interpreters and Dutchbat.¹⁴²⁰ Karremans, however, was very surprised when he met Schmitz that same evening on the compound, as he was under the assumption that *Médecins Sans Frontières* had left with the International Red Cross.¹⁴²¹ This incident makes it clear that even after the fall and the deportation internal communication did not always function well, although the fact that Karremans was temporarily out of the picture due to his short illness might have played a role. Whether or not Van Baal had got wind of this, he in any case called Karremans the following morning to discuss, among other things,

¹⁴¹⁶ ICTY, (IT-98-33-T). Testimony of R.A. Franken, 04/04/00; Interview R.A. Franken, 21/05/01.

¹⁴¹⁷ MSF, Brussels. Capsat MSF Belgrade to Christina Schmitz, 17/07/95, 16:06:36.

¹⁴¹⁸ MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 17/07/95, 19:40:48.

¹⁴¹⁹ MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 17/07/95, 21:49:23.

¹⁴²⁰ DJZ. Report from Voets/Royal Netherlands Army to DCBC, dated 17/07/95, 21.11.

¹⁴²¹ Interview Th. Karremans, 15-17/12/98; Karremans, *Srebrenica*, p. 233.

‘the measures that need to be taken in order to ensure the safety of the ‘locally recruited personnel’ of Dutchbat’.¹⁴²²

In the letter to Van Baal written by Karremans after the conversation, which presumably contained the upshot of what he had discussed with him, he made it clear that both Dutchbat’s own interpreters as well as those of the UNMOs, the two UNHCR workers and Nesib Mandzic should be ‘moved (...) to the ultimate destination’ with the battalion.¹⁴²³ A list containing the data of the local personnel that had been already compiled on the previous day, which had then already been dispatched by the UNMOs, was stapled to the letter together with the list of the wounded.¹⁴²⁴ This was the reason why the name of Camila Omanovic was still on this list, although she had already been evacuated on the evening of July 17 with the International Red Cross.

The list which Karremans forwarded also contained the particulars of the eight *Médecins Sans Frontières* workers, although these were not mentioned in his letter. For Schmitz had set her doubts aside and, in consultation with *Médecins Sans Frontières* in Belgrade, decided to risk departure after all. In the morning she received the ‘Action plan - *Médecins Sans Frontières* team evacuation’.¹⁴²⁵ They were to attempt to leave for Belgrade on that day, in the hope that the permits from the Serbs would come in time after all. Should the Serb authorities refuse at the last moment, then, based on the VRS clearance which was valid for two days, the same route should be taken on July 19 as the one the International Red Cross had taken to Tuzla. Early in the morning the three *Médecins Sans Frontières* vehicles were loaded and checked, with Schmitz determining their distribution. Franken arranged that the UNHCR would meet the local staff at six o’clock in the evening at the airfield in Belgrade to put them on the plane for Zagreb.¹⁴²⁶

However, shortly afterwards Franken announced that the local staff were at risk of being arrested in Serbia or Croatia. This risk would be all the greater if their papers were not in order. Because one of the staff members had lost his UN pass and the family members also had no papers, Schmitz sent their names to Belgrade in the early afternoon. Upon crossing the border at Zvornik, *Médecins Sans Frontières* staff then could still hand them the necessary documents. Franken meanwhile tried to settle the question of the clearances through UNPROFOR headquarters in Sarajevo. But shortly afterwards Schmitz received the despondent answer that once again everything in Belgrade was amiss: ‘It is so complicated that the whole thing could not have been imagined even by Kafka’. Now there were problems regarding the transit on the airfield.¹⁴²⁷

The plans were changed once more. Maybe it would, after all, be best to take the route to Tuzla on the next day. However, a new obstacle presented itself. In the afternoon of July 18, the VRS soldiers brought two elderly inhabitants from the south of Srebrenica to the compound. The couple, aged 80 and 81, had remained behind after the population had fled, and by now were suffering from dehydration.¹⁴²⁸ Their arrival overturned all the plans once again. *Médecins Sans Frontières* in Belgrade informed Schmitz that she could not possibly take them with her, as it would never be possible to make all the necessary changes to the plans in time. The clearances for the travel to Tuzla, along the left bank

¹⁴²² DCBC, 2828. Internal Memorandum from PHJZA (Deputy Head of Legal Affairs) to HJZ, SCO and BLS, ‘Declaration dated 17 July 1995 in the presence of UNPROFOR (Maj. Franken, Deputy C DUTCHBAT signed by representatives of the VRS and inhabitants of Srebrenica’, 07/08/95.

¹⁴²³ SMG, 1004/76. Letter TK95119, from Karremans to PBLB, ‘Transfer of local personnel’, 18 July 1995. In this letter Karremans also referred to the enclosed declaration of 17 July, which, however, would totally escape everyone’s attention in The Hague.

¹⁴²⁴ UNGE, UNPF, Division of Civil Affairs UNPF HQ, box 25/77, 04/04-23/08/95. Maj. Kingori to UNMO HQ BH NE, ‘UN local staff and wounded’, 17 July 1995. Archive UNPF Geneva, Division of Civil Affairs UNPF HQ, box 25/77, 404/04-23/08/95 (Biser reports).

¹⁴²⁵ MSF, Brussels. Capsat MSF BLG to all MSF stations, ‘Action plan – MSF team evacuation’, 18/07/95, 06:27:25.

¹⁴²⁶ MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 18/07/95 11:18:30.

¹⁴²⁷ MSF, Brussels. Capsat MSF Belgrade to Christina Schmitz, 18/07/95, 14:11:53.

¹⁴²⁸ MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 18/07/95, 20:28:31.

of the Drina river, would lose their validity if two people were to be added to the convoy. To do this it would require making arrangements all over again with the local authorities.¹⁴²⁹

Schmitz, however, reported on the same evening that Dutchbat was also unable to take the elderly with them. 'UNPROFOR is not able to take them', was all that Schmitz reported. She did not explain what the nature of the problem was, so it can only be guessed at: formally speaking, the battalion was not allowed to transport civilians, but the question is whether this would still have been a problem at this point in time. Practical problems may also have played a role; undoubtedly it was left unclear what the battalion should subsequently have done with them.

Also, the UNHCR could not assume responsibility, as, according to Schmitz, they couldn't even take care of their own people: 'How come our staff gets [a] protection letter, while their own staff is completely desperate here and cannot leave anywhere?' There further was the possibility that Dutchbat might also get into trouble over the two UNHCR staff members, as the travel documents – which, in spite of the announced amnesty, were still required for a problem-free departure – still had failed to arrive. According to Schmitz, the battalion meanwhile even had written an angry letter to the UNHCR about this.¹⁴³⁰ It was typical, that the UNHCR as late as July 20, when by then another solution already existed, was still engaged in attempting to obtain safe conduct for a departure 'before or at the same time with the Dutch troops'.¹⁴³¹

Schmitz and Franken decided to try and reach an agreement on the following day with the local VRS authorities that the two elderly persons would also be allowed to leave that day with *Médecins Sans Frontières*. Late in the morning of July 19 it turned out that this was no longer necessary, as the head office of *Médecins Sans Frontières* in Paris had succeeded in settling the matter directly with Pale.

Prospects of a real solution came during the day of July 19. On the day before, Karremans had received a letter from Mladic in which he announced that the departure of Dutchbat would be discussed on the following day with General Smith. Around noon the results filtered through and Schmitz was told by Franken that *Médecins Sans Frontières* was permitted to evacuate together with Dutchbat. Under no circumstances were the results of this sensitive meeting to leak out, and Schmitz was instructed to even keep it secret from her colleagues in Belgrade. The only thing she was allowed to report without any further explanation was that she would not be leaving on that particular day. Schmitz somewhat covered up the matter by saying that she would prefer to evacuate via Serbia, for which the required clearances were still outstanding. Moreover, in spite of the accord reached between *Médecins Sans Frontières* in Paris and the Serbs in Pale, the details of the clearances were still unknown. While Schmitz finally began to relax a little, her colleagues, who could only compliment her on her sudden and incomprehensible calmness, continued to make every possible effort to acquire the necessary permits.

The enormous bureaucratic complications and obstructions that had hampered the evacuation of the local staff had not reached an end for the head offices of *Médecins Sans Frontières* and the UNHCR, who still did not know about the agreement reached between Generals Smith and Mladic. Although these were no longer relevant in the final course of events, they still reflect the climate which determined the negotiations until the very last moment. Perhaps they also say something about the internal differences of opinion within Republika Srpska. First there was the declaration on July 19 by Dragan Kekic, the chairman of the 'Coordinating Council for Humanitarian Help', that all local staff could be evacuated with Dutchbat. Schmitz heard about this in the early afternoon via the UNHCR.¹⁴³² However, on the next day *Médecins Sans Frontières* in Belgrade was informed that the clearances for the departure with Dutchbat to Belgrade had been approved for the local staff, women, children and the

¹⁴²⁹ MSF, Brussels. Capsat MSF Belgrade to Christina Schmitz, 18/07/95, 20:07:38.

¹⁴³⁰ MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 18/07/95, 23:13:08.

¹⁴³¹ DCBC, 942. PV Geneva to The Hague, 20/07/95. Report of a conversation with Netherlands UNHCR official A.W. Bijleveld.

¹⁴³² MSF, Brussels. Capsat Christina Schmitz to MSF Belgrade, 19/07/95, 13:45:40.

elderly, but: ‘no men’.¹⁴³³ Their fears had immediately returned. One day later, however, when it had become clear that everybody could leave, it was put down to being the ‘local sense of humour’.¹⁴³⁴

On the evening of July 19, the official confirmation of the agreement between Generals Smith and Mladic had arrived at Dutchbat. As there was now the possibility of leaving with Dutchbat, Schmitz and O’Brien decided to come to a final decision and leave with the battalion instead of making their own way. In spite of principles and practical considerations – a journey to Zagreb instead of Tuzla – the protection by Dutchbat was the decisive factor after all. It was also clear that the battalion did not want to leave without them. *Médecins Sans Frontières* even was placed in the first part of the convoy, together with the UNHCR, UNMOs and Karremans.¹⁴³⁵

Presumably sometime on July 19 or 20 the final departure list was drawn up, on which the names of the Dutchbat soldiers and the UNMOs, all the names of the local staff and foreign workers were listed. In the April 1996 letter which Defence Minister Voorhoeve sent to Parliament following the issue of Rizo Mustafic, he explained that this list had been inspected on 21 July by the VRS.¹⁴³⁶ It is open to interpretation what this means; most likely a copy of the list had gone to the VRS as part of the bureaucratic pressure described above. To everyone’s surprise, the usual physical inspection, with hours and hours of delay in which all information was examined in detail, did not occur. According to their own accounts, this created mixed feelings for many of the Dutchbat soldiers, including Major Franken. All the concerns over the possible risks, if Dutchbat were to have tried to circumvent the bureaucratic regime, turned out to have been in vain. The battalion, so it appeared, could have taken along everybody who was not registered unnoticed, such as the brother of Hasan Nuhanovic.¹⁴³⁷

Whether this should be cause for self-reproach is a question which can only be answered with great caution. Moral considerations quickly become involved here. These, however, have to be offset against the reality contained in Karremans’ and Franken’s assessments. The extremely difficult progress of the attempts to gain permission to depart from the enclave indicates that these risks were not imaginary. Moreover, there were the experiences of other UNPROFOR units and Dutchbat itself, with the exasperating dependence on the VRS for any movement. Added to this was the fact that, particularly after the fall of the enclave, UNPROFOR was a plaything of the VRS. Vehicles were taken away and convoys robbed. The idea of complete dependency on the whims of Mladic and his consorts gave cause to an understandable fear.

In those chaotic days, victims have thus fallen. Rizo Mustafic as such could have been saved, and as regards Bekir Hodzic it is clear that he – formally speaking – had a right to be saved. What went wrong in his case, however, remains even more unclear than in that of Mustafic.

The refusal to save Muhamed Nuhanovic is the hardest case to judge. Franken knew very well what he did when he sent him off the compound. Some would refer to it as courageous for him to take such far-reaching decisions. But it is clear that to each choice, real risks were attached, no matter how bitter the irony of the ultimate course of events. The latter therefore should not automatically be the standard against which Major Franken’s decision is measured.

Schmitz seems to have made a different assessment than Franken, although fairness begs the question of whether their situations and responsibilities were comparable. For to an important extent, they were not. In taking this into consideration under closer examination, however, there also seem to be similarities. *Médecins Sans Frontières* was also unable to evacuate all its personnel, simply because, as in the case of Dutchbat, a large number of them could no longer be traced after July 11. As mentioned before, in one case an employee decided of his own accord to stay with his family and it seems that nobody thought about adding him to the group which eventually left with Dutchbat. Of the *Médecins Sans Frontières* employees who did leave, everyone had a pass except for one person who had lost his,

¹⁴³³ MSF, Brussels. Capsat MSF Belgrade to Christina Schmitz, 20/07/95, 15:50:17.

¹⁴³⁴ MSF, Brussels. Capsat MSF Belgrade to Christina Schmitz, 21/07/95, 05:46:04.

¹⁴³⁵ MSF, Brussels. Capsat Christina Schmitz to Stephan (Oberreit), 20/07/95, 15.45 hours.

¹⁴³⁶ TK, annual meeting 1995-1996, 22 181, no. 157 (25/04/96).

¹⁴³⁷ Interview R.A. Franken, 21/05/01

but whose employment was beyond doubt. The other original evacuees of *Médecins Sans Frontières* were women and children. At the most it could be said in hindsight that, based on practical experience, the two boys aged 14 and 15 belonged to an at-risk group, but technically speaking they did not belong to the category which Mladic had indicated for screening to find ‘war criminals’. The claim that *Médecins Sans Frontières* may have ‘cheated’ with ‘passes’ or ‘ignored’ regulations is therefore not tenable. From the dragging negotiations after July 13 regarding clearances to leave the enclave it is abundantly clear that *Médecins Sans Frontières* also emphatically went ‘by the book’, while the same negotiations also make it clear that the possession of an ID did not automatically mean protection from screening by the VRS. There was, after all, the continued threat by the VRS up until the last moment that the male personnel would be subject to separate treatment.

35. Conclusion Regarding the Killings in Potocari

Aside from being a scene of ethnic cleansing, Potocari was the site of a local exercise of revenge with outside assistance. The judges in the trial against Krstic could not determine whether the accompanied killings were sporadic or on a larger scale. As already mentioned, the historian tends to believe the latter. Exactly how many victims there were will never be possible to establish, but the number presumably lies between 100 and 400 dead. This number is considerably higher than was suspected in July 1995, based on the reports by Dutchbat. Already in Assen it became clear during the debriefing that the number of atrocities in Potocari must have been higher. The wholesale executions outside the enclave, however, drew much of the attention away from the victims in Potocari.

However, ever since that time the battalion has been pursued with accusations that it had failed in reporting war crimes. This assertion is now easily gaining weight, as it is clearer what the presumable scale of the atrocities in Potocari was. Still, some important remarks must be made in this context.

There are many indications that the perpetrators have consciously attempted to hide their deeds from the view of Dutchbat (and that of the UNMOs and *Médecins Sans Frontières*). The problems during the convoy escort, in particular the removal of the Dutch vehicles, were more than simple robbery. By rendering Dutchbat immobile, it became impossible for them to monitor what was taking place on the road and the VRS soldiers could stop buses unhindered. In Potocari the VRS intimidated the Dutch soldiers by taking away their weapons and equipment. Although the impression exists that some Dutchbat soldiers put up less resistance than others, it is an illusion to think that someone could ultimately have fully prevented this situation. Armed resistance was not an option in Potocari: the VRS held absolute sway.

The Dutch soldiers and UNMOs who tried to investigate possible abuses were stopped by the VRS. The discovery of the two execution sites by Rutten and Oosterveen and their colleagues, probably were – from the VRS’s perspective – ‘industrial accidents’. The same applied to the execution observed by Groenewegen. If there is one predominant pattern in the reports later made by Dutchbat soldiers in the Netherlands, then it is the very strong suspicion of executions having been committed, where the run up was indeed observed, but the murder itself was literally hidden from their view. A large number of soldiers thus also had an idea that things were ‘very wrong’, but this was a feeling that they had difficulties in handling due to the lack of incontrovertible evidence.

However, this does not mean that no other deaths, murders and rapes were observed. An above average number of Dutchbat soldiers developed serious psychological complaints after the events, which in a number of cases were caused by observation of killings and rapes.¹⁴³⁸ It is telling that only five years after the events, during the trial against Krstic, a Dutchbat soldier went public for the first time over the account of the rape he had witnessed. This circumstance prompted a reserved stance in the investigations on this point.

¹⁴³⁸ In talks between the NIOD and mental health professionals, various anonymous examples of such incidents came up.

The great impact of the events upon the soldiers was one of the factors in Potocari which determined that reports of possible human rights violations had fallen short. Although the number can not be established, there were various soldiers who collapsed under the stress (or at least folded temporarily). In others, their perspective narrowed to focus upon the immediate task and they shut themselves off from what was going on around them. The fact that the battalion was not prepared, or barely so, for the kind of situations that occurred during and after the fall of the enclave, undoubtedly played a role here.¹⁴³⁹

In some cases, there was also the factor that the Dutchbat soldiers were concerned more about the question of how they themselves could survive this hell than for the (military-aged) Muslims who had made things so difficult for them.

Due to all of these things, communication failed almost completely on July 12 and 13. It is illustrative of the situation that Commander Karremans only found out long after the fall of the enclave that his presumption that the men who had been screened were simply deported with the rest of the population was incorrect. As was earlier mentioned, Franken was also convinced that men had, in any case, left with the first four convoys.

The failure of the humanitarian reporting in particular is partly explicable due to these circumstances. However, there is one point which is particularly difficult to comprehend. It is strange that battalion command, and certainly Franken, who after all had already stated that he had gloomy suspicions early on, had undertaken nothing in the week after the fall of the enclave to determine for themselves the events surrounding the deportation. On July 15, for example, Franken heard from the returned OP-A unit that they, on the way back, had seen bodies lying by the side of the road.

In the week in which the battalion somewhat regained their composure, both Karremans and Franken had not made a single attempt to retrieve information in the form of an appeal or a debriefing about possible grave breaches of human rights. Both later admitted that they now were surprised themselves that this idea had not occurred to them.¹⁴⁴⁰

Finally, this also begs the question of whether initiatives should not also have been taken higher up in the UNPROFOR hierarchy. The reactions of General Nicolai and Lieutenant Colonel De Ruiter to the reports by Lieutenant Colonel Karremans raises questions. These questions are all the more relevant, as General Nicolai and Lt. Col. De Ruiter did have certain information at their disposal. In spite of their justifiable doubts over the reliability of what the Displaced Persons from Srebrenica told the media immediately after their arrival in Tuzla, this should nevertheless have been cause to inquire more emphatically of Dutchbat. Nicolai stands out as one of the few who, in those days, supported the statement by Minister Pronk that he feared a genocide – this shall be discussed in the following two chapters in detail.

When the battalion left Bosnia on July 21, Nicolai, who was present at that time, did indeed ask Mladic for permission to have a quick look around in Srebrenica before leaving, but this, of course, did not produce any results.

¹⁴³⁹ Interview E. Koster, 19/10/99.

¹⁴⁴⁰ Interview Th. Karremans, 13/11/00 and R.A. Franken, 21/05/00.

Chapter 5

The debriefings in Zagreb

‘What does it mean – that the UN peacekeepers saw it with their own eyes, or that they were just in the area, or something else again? The flexibility of this type of observation or statement must be investigated before the peacekeepers’ behaviour may be judged’.¹⁴⁴¹

1. Confusion surrounding the Dutchbat debriefings

The Srebrenica aftermath was not only dominated by the question of what Dutchbat members observed and reported in the way of indications and evidence of human-rights violations whilst the Dutch were still in the enclave, but also by questions concerning the information the Dutchbat members provided in Zagreb after they had returned to a safe environment. Much of the media and politicians’ attention was focused on the debriefings by the various Dutch military bodies, particularly the efforts of the Royal Netherlands Army. This chapter describes and analyses these efforts in conjunction with several related issues, such as the manner in which the responsible authorities – and in a number of cases the media - dealt with the obtained information.

There was much confusion concerning the nature and the course of the debriefing activities in Zagreb. Initially this concerned two groups – the 55 OP crew who were released after being held hostage and the members of the Army Hospital Organization (KHO) and the First-Aid Group. The Royal Netherlands Army ‘s Military History Section had been closely involved with Srebrenica from the 13th. On the 27th of July they still- assumed that the ‘first group’, as the ex-hostages and KHO members were called, had not been debriefed at all¹⁴⁴² and that misunderstanding was to continue for quite some time. Bert Kreemers, the deputy Press Officer at the Ministry of Defence’s Central Organization, notes in his memoirs of 1998: ‘It was curious for the group of 55 military personnel that had been captured by the Serbs not to have been interviewed’.¹⁴⁴³

Although after a period of time it became clear that there had been attempts to glean information from them, questions remained and misunderstandings persisted. For example, in 1998 KHO surgeon G. Kremer stated to investigator J.A. van Kemenade that he had been debriefed in Zagreb on the 17th of July, but he added – erroneously – that no report had been drawn up.¹⁴⁴⁴ In 1998, the Deputy Commander in Chief of the Army in 1995 Warlicht stated to the same committee: ‘A number of people had already undergone a psychological debriefing in Zagreb. A report was not drawn up, but it did happen’.¹⁴⁴⁵ Shortly before his conversation with the committee, Warlicht himself had refreshed his memory in a conversation with Lieutenant Colonel P.M.P. (Paul) Venhovens - the psychologist who had been responsible for undertaking the psychological debriefing in Zagreb.¹⁴⁴⁶ Although Bert Kreemers stated that he had only recently discovered that there were extensive reports

¹⁴⁴¹ J. de Milliano, of MSF, with respect to assertions that atrocities were to have taken place ‘under the eyes’ of Dutchbat members, in: K. Versteegh, ‘Nederlandse hulp was te beperkt’ (Dutch assistance was too limited), *NRC Handelsblad*, 19/07/95.

¹⁴⁴² SMG, 1004. SMG Project Group Report, 27/07/95.

¹⁴⁴³ Kreemers, ‘*Aan de achterkant van de maan*’, p. 109.

¹⁴⁴⁴ Van Kemenade, *Omtrent Srebrenica*. Part 2, Appendix 4, Interview reports and additional notes: Report of conversation with G.D. Kremer, 08/09/98.

¹⁴⁴⁵ Van Kemenade, *Omtrent Srebrenica*. Part 2, Appendix 4, Interview reports and additional notes: Report of conversation with E.E. Warlicht, 20/08/98.

¹⁴⁴⁶ Interview P.M.P. Venhovens, 17/11/00.

of the separate conversations in Zagreb,¹⁴⁴⁷ these concerned the events of a week later. Although these debriefing reports were also made available to investigator Van Kemenade, he did not pay further attention to the debriefings in Zagreb and therefore it did not become clear that more had been going on than van Kemenade had outlined.

During the subsequent debriefing conversations in Assen in the autumn of 1995 members of the group of 55 ex-hostages said that they had not only received a psychological, but also an ‘operational debriefing’ in Zagreb. What is confusing is that some reported this to have been in writing - some Dutchbat military personnel of the group of 55 referred to ‘UN forms’.¹⁴⁴⁸ Others spoke of a ‘group debriefing’, such as Dutchbat member M. van der Zwan, who referred to this during a subsequent conversation with the Royal Netherlands Army spokesperson Hartman. He too was unclear whether the debriefing in Zagreb had been carried out by the UN or by the Royal Netherlands Army.¹⁴⁴⁹ This lack of clarity was caused by the fact that this group of 55 had three debriefings in Zagreb – one psychological debriefing by the Royal Netherlands Army which served to diagnose psychological complaints of the Dutchbat members; one albeit temporary operational/humanitarian debriefing by the intelligence section (G2 in military terms) of the UNPF headquarters in Zagreb, which aimed to chart the treatment of the Dutchbat members and the Muslims; and a hardly-worth mentioning operational debriefing by the operations section (G3 in military terms) of UNPF, which was no more than some brief conversations about the operational aspects with Dutch Colonel J.H. de Jonge. The confusion increases even more because a member of the Dutch Armed Forces, Major C.A.T.M. Bourgondiën, played a prominent role during the debriefing by the UNPF intelligence sector. Already during the first debriefings of the ex-hostages in Zagreb the rumour started that the ‘MID’ (Dutch Military Intelligence) had also played a part in the debriefing activities.¹⁴⁵⁰ It was further complicated by the presence of not only Major Bourgondiën was present in Zagreb, but also Sergeant Major N. Franssen of the MID/Netherlands Army. He was the military security officer of Dutchbat IV that had been meant to relieve the third battalion whilst awaiting the arrival of a Ukrainian battalion. He was part of an advance unit, which in the framework of rotation had attempted but failed to reach Srebrenica before the fall (see difficulties with the relief of Dutchbat, Chapter 4 of Section III). In Zagreb Sergeant Major Franssen, who worked for the Intelligence and Security Section of MID/Netherlands Army, spoke with the members of KHO-5 who had arrived on the 15th of July;¹⁴⁵¹ In contrast to the group of 55 hostages the KHO group only had a psychological debriefing in Zagreb, but this shall be explained later.

The speculation concerning the flow of communication directly touches the crucial question surrounding the debriefings, i.e. which of the released Dutchbat members had information about possible human-rights violations and who had reported this during a debriefing conversation. Various lead players stated that they might have acted differently if they had possessed that knowledge in time. However such statements with hindsight should be treated with care, as they can easily serve as a false excuse. This applies to Commander Karremans for example - the Dutchbat Commander stated later that if he had been aware in Zagreb of possible human-rights violations observed on the outskirts of the enclave by personnel taken hostage, he would have spoken about Mladic in different terms on his return from Srebrenica – these words still haunt him.¹⁴⁵² The then UN Commander, the British General Smith, stated with hindsight that he would have treated Mladic totally differently during the

1447 Van Kemenade, *Omtrent Srebrenica*. Part 2, Appendix 4, Interview reports and additional notes: Report of conversation with H.P.M. Kreemers, 24/08/98.

1448 Such as in W.A. Ceelen’s debriefing statement 08/09/95.

1449 NIOD, Coll. Kreemers. Note W. Hartman on conversation with M. van der Zwan, 09/08/95.

1450 Interview P.M.P. Venhovens, 17/11/00. Based on notes from that time.

1451 SMG, 1004. Chr. Klep, ‘Verslag gesprek SM1 N. Franssen’, 15/08/95. According to this report, Franssen reported to Major De Ruyter of I & V. During conversations with the First-Aiders Franssen heard the countless accusations of the battalion leadership.

1452 Telephonic information Th. Karremans, 08/02/99.

negotiations on the 19th of July (the follow-up of earlier conversations on the 15th) if he had been aware of what the 55 Dutch soldiers had seen en route.¹⁴⁵³

Commander Karremans and General Smith were by no means the only ones with the uncomfortable feeling of having been wrong footed. This chapter will show that the absence of knowledge of the hostages' observations possibly also played a role during the operational debriefing held by Brigadier G. Bastiaans on the 22nd and the 23rd of July following orders from General Couzy. Subsequently Brigadier Bastiaans too put a heavy emphasis on the observations originating from the group of 55. According to him he was only confronted with those during a telephone conversation with one of them after his return from Zagreb, which forced him to make considerable adjustments to his report and his conclusions. Brigadier Bastiaans wondered why General Couzy acted the way he did - General Couzy had been the first to have contact with the released, and Brigadier Bastiaans wondered why if he had heard something from them he had not reported that to him before Bastiaans started work with his debriefing team.¹⁴⁵⁴

2. Reporting human-rights violations – methodological problems

Besides the level of knowledge of General Couzy it is also important to establish the level of knowledge at the UN, where there was also a great need to ascertain what had happened and what would be an appropriate response. A considerable number of questions need to be answered to be able to determine that. The first question that should be answered is exactly which attempts were undertaken by the UN to obtain information on possible human-rights violations. There should be an investigation of what the Dutchbat military personnel observed and when this was reported. This requires a comparison of what the different witnesses reported and to whom on the various occasions, to determine what differences occurred if any, and to see how the recipients of this information dealt with the information and what value they attached to it. And before that there should be a study of the factors influencing the weighting of the data coming from the reporting person.

This concerns to what extent certain observations were ignored on purpose or trivialised in error. The final and most important question is whether the understanding that was obtained with hindsight on the basis of the available information could and should have led to that same understanding at the time. Although this is a question that concerns all those involved at the UN, it particularly concerns the Dutch as much of the subsequent criticism was directed at them. This applies to General Couzy in particular, because he appeared to 'make light of' the human-rights violations *in the eyes of the media*. It is important to determine to what extent this criticism is justified.

Answering the above questions forms the framework for the following account. Not all questions can be dealt with systematically, because of their mutual effects and the story line. A number of questions are therefore considered in a separate analysis and conclusion at the end, when the answers to some other questions are clear. In order not to stray from the line of reasoning, the question of the truthfulness of the individual reports is only considered when it is immediately relevant to the analysis. Furthermore, the reports themselves were fully dealt with in Chapter 3 of this section. However the manner in which the responsible authorities and/or persons, such as the UN and General Couzy, dealt with these sources and to which actions this led is considered. It is also important to consider whether their doubts were 'reasonable'. Sometimes hindsight seemingly indicates that certain sources were 'right' in their reading of the events and were ignored erroneously, but it may equally concern a prediction coming true by coincidence. Therefore it is important to determine the validity of the premise of a prediction (e.g. of a mass murder) rather than determining with hindsight who was

¹⁴⁵³ He is to have said this to the American journalist and Pulitzer Prize winner Roy Gutman of *Newsday*, who in turn reported this in a telephone conversation with Bert Kreemers. According to Kreemers, Smith was 'sweeping his own street at the cost of his own military personnel'. NIOD, Coll. Kreemers. Memo H.P.H. Kreemers to Minister, V95018652, 'publiciteit Srebrenica', 03/10/95.

¹⁴⁵⁴ Interview G. Bastiaans, 26/10/00 and 20/11/00.

right. There can only be a fruitful discussion of the responsibilities of the authorities involved when this is clear.

3. Dutch reception of KHO-5 and the 55 ex-hostages

On Saturday afternoon, the 15th of July Minister Voorhoeve and the Commander in Chief of the Royal Netherlands Army General Couzy were in Soesterberg at a parents' day, organized by Couzy and the Home-front Committee for the benefit of worried relatives and relations of Dutchbat members. The relatives' tension had increased considerably - they followed the news in every possible way, but that did not provide many answers regarding the fate of their nearest and dearest. In many cases the concern worsened and the number of questions increased. Countless parents, relatives and friends phoned the Royal Netherlands Army Crisis Staff, which looked like it might collapse under the pressure. There were days when they received as many as thousand telephone calls.¹⁴⁵⁵ Therefore Commander Couzy had suggested they gather all those involved in Soesterberg for a 'home-front contact afternoon', which offered the opportunity to provide further information. Minister Voorhoeve had decided spontaneously to be present too.

In as far as possible under the circumstances, the afternoon seemed to serve its purpose. Minister Voorhoeve stated that the government was doing everything in its powers to bring home the battalion as soon as possible. Furthermore he spoke positively of the deployment of the men in Bosnia. The initially downbeat mood of his audience improved noticeably, although they actually heard no current information. On behalf of Karremans Minister Voorhoeve said that nobody should worry. In his speech Commander Couzy gave the advice not to send 'the boys' on holiday immediately on coming home, as they would probably have a lot to cope with.¹⁴⁵⁶

During that same afternoon the first reports were coming in from Sarajevo on a possible release of the 55 Dutchbat military personnel taken hostage. However the news went no further than Minister Voorhoeve and General Couzy, as it was still unclear whether the 55 hostages would indeed be released. It was also not known exactly who would be released, as the figure quoted in the reports exceeded 55. Those figures may have incorporated the twenty Dutchbat members of KHO-5 and the First-Aid group who had left the enclave with the logistical convoy (known as Lima-7) returning to Zagreb at that time. After the fall of Srebrenica, this convoy had received permission to provision Dutchbat and some Dutchbat members were allowed to return to Zagreb. The confusion resulting from the simultaneous movement of the medical group and the group of the 55 hostages would only increase the concerns of the families and relatives, and the news was therefore kept quiet.¹⁴⁵⁷

The hostages did not return to the compound in Potocari, but to Serbia, which was a surprise for everyone, and made Zagreb the most obvious place for their reception rather than the Dutch logistics base in Busovaca, just north of Sarajevo. To get to Busovaca they would again need to travel via the Republika Srpska, which was out of the question. As set out in Chapter 9 of Section III, the Hague assumed that Dutchbat would go to Busovaca – against the wishes of Karremans – because of the available facilities and the geographical logic. The Deputy Commander in Chief of the Royal Netherlands Army Van Baal, who was also involved with the organization of their return, intended to give the battalion a first short operational debriefing in isolation in Busovaca.¹⁴⁵⁸ None of this appeared possible, and an alternative reception had to be organized quickly. Physically this did not pose too much of a problem, as Camp Pleso, the UN base near Zagreb, had a Dutch contingent quartered there permanently. There was a veritable Holland House and sufficient accommodation. Subsequently it became clear that the site also had some disadvantages, but these were not insurmountable.

¹⁴⁵⁵ Interview H.A. Couzy, 07/09/98, 14/09/98 and 17/09/98.

¹⁴⁵⁶ 'Terugkeer 13^e: groot feest' (Return on 13th: big party), *Falcon*, (1995) (July/August) pp.2-5.

¹⁴⁵⁷ Interview H.A. Couzy, 07/09/98, 14/09/98 and 17/09/98.

¹⁴⁵⁸ Interview A.P.P.M. van Baal, 01/11/01.

As advice to the relatives already indicated, General Couzy himself thought that the biggest problem would be the psychological state of the soldiers: ‘We had absolutely no experience of how military personnel returns after such a thing’, said General Couzy.¹⁴⁵⁹ However this is relative – his deputy Van Baal stated the ‘enormous expertise’ acquired – particularly after the missions to Lebanon in the 1970s/1980s, which had provided countless useful lessons on that issue.¹⁴⁶⁰ In the meantime psychological guidance for troops to be deployed was commonplace. Apart from incidental involvement with all sorts of problems and calamities, there was a standard psychological final debriefing to which all participants in a mission were subjected. The aim was the prevention of risks, such as a subsequent occurrence of post traumatic stress syndrome (PTSS).

The deployed battalions had their own psychologist. The psychologist of Dutchbat III, Lieutenant Colonel P.M. (Paul) Sanders, had already started with such a final debriefing at the time the enclave was attacked. He continued this after the 13th, when the bulk of the Displaced Persons had left the compound. Lieutenant Colonel Sanders had done so in consultation with his colleague in the Netherlands, his predecessor at Dutchbat II, W.J. (Wil) Martens.¹⁴⁶¹ This psychologist had been deployed for the first time in 1992 and in 1994 he served another three months in Dutchbat II of Lieutenant Colonel P. Everts. In November that year, Wil Martens had experienced the leave convoy near Zvornik being taken hostage, which had lasted some days.¹⁴⁶² From the hostages’ reactions it became clear to him that some had developed feelings of fear.¹⁴⁶³ Martens’ personal experience was one of the reasons why General Couzy approached him to discuss the care and reception.

Later on Couzy dated all his initiatives, including the contact with Martens, on the 15th of July, but his recollection is likely to be incorrect. According to the notes of Deputy Public Relations Director Bert Kreemers, there had been a meeting in the afternoon of Friday the 14th of July concerning the care and reception of the two Dutchbat groups. The probable reason for the meeting was that day’s message that the KHO group would be allowed to leave on the 15th. Both Minister Voorhoeve and Chief of Defence Staff Van den Breemen were present at this meeting. General Couzy stated that the main issue was the way the military personnel coped with their experience. Therefore an extensive team of psychologists and MDD members (Defence Social Work Team) were ready to provide care and reception, if possible, in Busovaca.¹⁴⁶⁴ Minister Voorhoeve’s detailed notes also mention a conversation about the manner in which the Dutchbat members could best cope with their experiences.¹⁴⁶⁵

According to diary entries by Chief of Defence Staff Van den Breemen, General Couzy said that the plan came from the Dutch Army psychologists.¹⁴⁶⁶ General Couzy recalls that he decided on his plans after a discussion with the psychologist Martens. The conversation centred on the question whether it was desirable to have extensive psychological debriefing in Zagreb. According to General Couzy, Martens intimated that the Dutchbat members’ only wish would be to return home as quickly as possible. He thus passed on a message he had received from the enclave – psychologist Sanders and social worker captain E. Dijkman later stated that in Potocari they had got wind of plans for a psychological debriefing, for which a special team was to be flown in. Such a set-up implied that the Dutchbat members would be detained a few days before being able to travel home. Both Sanders and Dijkman did not think that a good idea, because they did not think it necessary and the Dutchbat

1459 Interview H.A. Couzy, 07/09/98, 14/09/98 and 17/09/98.

1460 Interview A.P.P.M. van Baal, 01/11/01.

1461 Interviews P.M. Sanders, 12/12/00 and 13/12/00; W.J. Martens, 05/11/98.

1462 See: *Dutchbat on tour, juli’94 – januari’95* (Delft [1995]) pp. 131-137.

1463 See e.g. the statements of Sgt. Tiny Jansen: ‘Doemdenken begon pas na afloop van gijzeling’ (Defeatism only began once hostage-taking was over), *De Volkskrant*, 05/12/94.

1464 Kreemers, *Aan de achterkant van de maan*, p. 89. The detailed notes of Voorhoeve also mention a conversation about the manner in which the Dutchbat members could best cope with their experiences.

1465 ‘The best idea is to give them a day of rest in Santici.’ The dates are problematic. The note is on 13 July, however the diary continues immediately to 15 July. Diary Voorhoeve, p. 120.

1466 NIOD, Coll. Van den Breemen. Diary entries H.G.B. van den Breemen.

members only wanted to go home as quickly as possible. Therefore Sanders and Dijkman had alarmed the battalion.¹⁴⁶⁷

There was a similar type of discussion during the following week around the care and reception of the rest of Dutchbat, and it is not impossible that in the recollections these two events have merged. The 15th was the last day before Marten's holiday and therefore he subsequently did not play a role for a while. He recalls that he had a discussion with General Couzy, during which he indicated that he did not see any direct cause for a psychological debriefing, because he had heard no noises 'of something being up'. Media reports that did point to traumatic events he took with a pinch of salt. On the basis of his own experiences in Bosnia he did not have high expectations of the reliability of the media who reported horror stories by the Displaced Persons.¹⁴⁶⁸

It is therefore certain that General Couzy took the decision to subject the Dutchbat members who arrived in Zagreb on the 15th of July to a psychological debriefing against the advice of Martens (and indirectly Sanders). General Couzy's reason for wanting to debrief the Dutchbat members was that such a debriefing would tell him whether it was responsible to let the Dutchbat members go home immediately. Later he said to NIOD in relation to Martens' advice: 'He was totally against it. I thought that sounded none too professional'. He also stated: 'I came along, because I believed that if you act against advice, someone needs to be there who is prepared to take decisions and responsibility'.¹⁴⁶⁹

However, General Couzy had other reasons to travel to Zagreb and to keep the released hostages together for the time being and to have them debriefed. To NIOD he indicated that he was driven by another reason, i.e. that he was 'terribly interested' in what exactly happened in Srebrenica: 'I had snippets of information, but large elements were missing'. Those elements not only concerned the way in which the OPs were overrun, but also another issue: 'My hidden agenda was that I had doubts about the leadership of the battalion commander.' The old rumours about Karremans' alleged unsuitability as battalion commander reared up again; in this context a conversation with KHO was also desirable 'because I really had a lot of questions on this issue'.¹⁴⁷⁰ The tensions between KHO and the battalion leadership had not escaped The Hague, and therefore General Couzy had good reason to be the first to check out the situation in Zagreb. Therefore what had been termed a psychological debriefing for him also had aspects of an operational debriefing. In the recollections of the spokesperson Major M. Beneker who had also travelled to Zagreb, General Couzy's operational questions played a role right from the start.¹⁴⁷¹

General Couzy travelled to Zagreb early on Sunday morning. The *Fokker Friendship* which left from Soesterberg carried not only the aforementioned spokesperson, but also his Warrant Officer R. Olijeve and a quickly gathered team of Majors, comprising the psychologist S. Berendsen of the AIH (Individual Support Department), and E. Schenkers and R. de Wolf of the MDD (Defence Social Work Team). At eleven o'clock in the morning they arrived in Zagreb, shortly before the plane from Belgrade with the 55 Dutchbat members landed at the airport.

4. KHO-5's journey to and arrival in Zagreb

The KHO and First-Aid group had arrived late on the previous evening, the 15th of July. They had received temporary care and reception from Chaplain N. Meurkens who was already in Pleso and from the psychologist Lieutenant Colonel Venhovens, who had been called up especially. On the 14th of July Lieutenant Colonel Venhovens had received orders from the Royal Netherlands Army Crisis Staff to travel to Zagreb to provide care and reception for initially just the KHO team. At that time he was the psychologist of the 42^e Battalion Limburgse Jagers, Dutchbat Griffin, that was to relieve the plagued

¹⁴⁶⁷ Interview P.M. Sanders and E. Dijkman, 12/12/00 and 13/12/00.

¹⁴⁶⁸ Interview W.J. Martens, 05/11/98.

¹⁴⁶⁹ Interview H.A. Couzy, 07/09/98, 14/09/98 and 17/09/98.

¹⁴⁷⁰ Interview H.A. Couzy, 07/09/98, 14/09/98 and 17/09/98.

¹⁴⁷¹ Interview M. Beneker, 04/12/01.

Dutchbat III as Dutchbat IV whilst awaiting the arrival of the relief Ukrainian battalion. As customary, a so-called reconnaissance group went to Srebrenica to prepare the relief. As it was a rule of thumb that the psychologist would be the first to enter the deployment area and the last to leave it, Venhovens was a member of that group. Furthermore, he hoped that he could assist his colleague Sanders with the final psychological debriefing in Potocari. His own commander, Lieutenant Colonel T. Damen, had agreed.¹⁴⁷²

On the 4th of July this company left Zagreb and consisted of the pre-deployment of 14 people, six Dutchbat III drivers and KHO-6, the surgical team led by Naval captain Hegge that was to be the long-awaited relief of the KHO-5 team of surgeon Kremer. The group encountered difficulties at Iron Bridge where it wanted to drive into the Republika Srpska. With hindsight and in the light of the subsequent attack on Srebrenica it is logical that only the KHO group was allowed through, as its members were not or only lightly armed. One of the military personnel even heard from a VRS soldier: 'In fourteen days Srebrenica will be gone'. He did not do anything with that information, 'as he did not know whether to take it seriously'.¹⁴⁷³ The KHO group arrived in Srebrenica on the 4th of July, the rest stayed behind.

After taking leave of KHO 6 those staying behind waited another night. On the 5th of July they tried again in vain and disappointed they withdrew to Hotel Yugoslavia in Belgrade where they awaited further developments. Finally on the 18th of July they returned without success – some to the battalion's home base in the German town Seedorf and others to the Netherlands.

On orders of The Hague Lieutenant Colonel Venhovens had travelled to Zagreb some days before. As already mentioned Chaplain Meurkens was there too. He had arrived in June to relieve a colleague who needed leave. He knew the region because he had been there the previous year. His reports had made an impression on his superiors in The Hague, which was a reason why Army Head Chaplain J. Broeders had asked him to relieve his colleague in Zagreb. There was another reason for asking Chaplain Meurkens to go to Zagreb - there had been an uncomfortable feeling around Srebrenica for some time. Chaplain Meurkens was part of the pastoral team of the Christian military trade union. In May there had already been some signals that 'it was going the wrong way' in the Eastern Bosnian enclave.¹⁴⁷⁴ The sad truth of that the chaplain experienced himself barely one month later - on the 9th of July he led the farewell ceremony for private Raviv van Renssen in Split. Almost one week later he had to make preparations for the care and reception of Dutch soldiers who had experienced all sorts of horrific things. Chaplain Meurkens had some dark sentiments. Although his first concern was to have all the Dutch as quickly and safely out of Srebrenica, he feared for the fate of the local people. On the 12th of July he faxed to Army Head Chaplain Broeders: 'In terms of the Muslims there is a threat of genocide. The worst case scenario is for this to happen whilst the world watches'.¹⁴⁷⁵

In that ominous atmosphere, Chaplain Meurkens and Lieutenant Colonel Venhovens consulted on the KHO's care and reception immediately after the Venhovens' arrival on Saturday morning, the 15th of July. The psychologist said that the Royal Netherlands Army Crisis Staff had made him responsible and that reinforcement had been promised. As this would only arrive on Sunday, it was agreed that Chaplain Meurkens would remain on stand-by for the debriefing. That was in line with the tasks of spiritual carers who were involved with the final stages of deployments by holding e.g. so-called reintegration discussions. Lieutenant Colonel Venhovens and Chaplain Meurkens also agreed that the chaplain would deal with the first care and reception in Holland House.¹⁴⁷⁶

Only at quarter past twelve in the evening of Saturday the 15th of July did convoy Lima 7 arrive at the Pleso base after a journey of seventeen hours. In the morning, shortly after leaving Srebrenica,

1472 P. Venhovens, '*Verslag uitzending* 1 (NL) VN INFBAT (Dutchbat Griffin)', p. 5. Access given by the author.

1473 Feitenrelaas Debriefing Srebrenica, p. 111.

1474 Interview N. Meurkens, 24/03/00.

1475 NIOD, Coll. Meurkens. Fax Chaplain N. Meurkens to Army Head Chaplain J. Broeders, 12/07/95.

1476 Interview P.M.P. Venhovens, 17/11/00.

irregular Bosnian-Serb soldiers had held up the convoy in the Zvornik area and weapons and vehicles had been stolen. In temperatures of 35 degrees Celsius, the KHO team had spent hours under the tarpaulin of the four-tonne truck. The atmosphere had been touchy, not only for the KHO team. Shortly after the convoy had started moving again and on its way to the border crossing near Iron Bridge, convoy leader A. Solkesz heard over the radio from one of his drivers that the hold-up had been in the news everywhere. During the twelve-o'clock news bulletin, the World Service had announced that a convoy of the so-called Log/T-bat had been held up in Bosnia. It was said that there had only been material damage, but Solkesz was wound up about 'the UN, my own leadership or whoever got it into his head to inform the press at this stage'.¹⁴⁷⁷ They were still in an unsafe area, and he did not want to provoke the Bosnian Serbs in any way.

Happily nothing further happened. Not long after the Bosnian-Serb checkpoint was passed with much cheering and the convoy came to a halt at the other side of the Drina before the Serbian border crossing. At that moment a satellite telephone message was received from Opsroom (the operations room) at the Busovaca home base that 'on behalf of the Minister of Defence' everyone was subject to a ban on speaking in public 'concerning the events of the morning, but also concerning our visit to the enclave'.¹⁴⁷⁸ Solkesz passed the message on to his drivers via the radio. During the hold-up at Iron Bridge Solkesz informed the KHO team of the ban on speaking in public. Colonel Kremer, supported by some others, let it be known immediately that he considered the ban ridiculous 'and that he would not obey it should the situation occur'.¹⁴⁷⁹ However, the ban on speaking in public was not new for him – when the convoy had left Potocari that morning, Karremans had given the order 'NOT to provide info until DB-3 is back in NL'.¹⁴⁸⁰

The reception in Pleso, almost half a day later, also seemed to have been organized in an atmosphere of privacy. Everything was set up for the immediate protection of the KHO group. When the vehicles arrived at the base at quarter past twelve in the evening, the convoy was met at the gate by someone from Logbase (the Dutch logistics base in Pleso). He explained what would happen further with the group – on arrival at the permanent parking area the KHO group would be taken to Holland House immediately and separately from the rest. Solkesz and his men would only be welcome there after the KHO team had left. Again it was impressed upon everyone that it was absolutely prohibited to talk to the press.¹⁴⁸¹ It appeared that the press was present, but the only two journalists that were allowed on the parking area were kept at a safe distance. According to the report of one of them, the vehicles had to continue to the 'dump', a sort of vehicle graveyard for scrapped UN vehicles. The lorries were parked in such a way that the access roads to the site were blocked to the press. Having reported off duty, the 'medics' at that point transferred to a minibus that took them Holland House.¹⁴⁸²

The very first care and reception was provided by Lieutenant Colonel Venhovens and according to some KHO members an 'unnecessary ritual'.¹⁴⁸³ After showering, changing and handing over the weapons, they arrived in Holland House to eat and drink around half past one. Everyone was very quiet at first, but after the meal the first stories started to come out and it became clear from which

¹⁴⁷⁷ Solkesz, *Hier Romeo!*, p. 142; interview A. Solkesz, 15/11/00.

¹⁴⁷⁸ Solkesz, *Hier Romeo!*, p. 143; Solkesz could not recall whether the message came from the contingent commander Lieutenant Colonel Verschraegen or from his own commander, Lieutenant Colonel Kablau. Interview A. Solkesz, 15/11/00.

¹⁴⁷⁹ Solkesz, *Hier Romeo!*, p. 143; interview A. Solkesz, 15/11/00.

¹⁴⁸⁰ SMG, 1004. 'Bericht C-DB-3 dtg 150800B JUL 95', in: 'Bericht diverse bronnen aan sitcen-A/ BLS', 15/07/95.

Shortly afterwards, this fact was also known to some media representatives. See: Gerard van Gils (ANP), 'Dutchbat heeft even geen trek in snacks' (Dutchbat has no appetite for snacks right now), *De Limburger*, 17/07/95.

¹⁴⁸¹ Solkesz, *Hier Romeo!*, p. 148; interview A. Solkesz, 15/11/00; see also: Gerard van Gils (ANP), 'Dutchbat heeft even geen trek in snacks', *De Limburger*, 17/07/95.

¹⁴⁸² G. van Gils (ANP), 'Dutchbat heeft even geen trek in snacks', *De Limburger*, 17/07/95.

¹⁴⁸³ NIOD, Coll. Meurkens. Fax Chaplain N. Meurkens to Army Head Chaplain J. Broeders, 18/07/95.

‘miniature Goma’¹⁴⁸⁴ they had escaped. The expression was in a fax in which Chaplain Meurkens reported his findings to his head army chaplain some days later. After he had reported the stories about the increasing ‘third degree’ by the Bosnian Serbs, he wrote:

‘sometimes there was the vision of fear that they would never get out. Some farewell letters had already been written ... The last month was really *unheimisch* - continuous mortar attacks or whatever that stuff is called, often really close by. ‘It is a miracle that we survived and that there were no more casualties bar poor Raviv!’ says one. And then particularly the experiences of the last week that are etched in your memory. How the Serbs took the town, combed house by house, streams of Displaced Persons started travelling... How the Serbs operated a perfect selection system, all able men of 12 [sic] to 60 years old were picked out and deported in lorries. How at a certain point a group of men was deported and a little later a number of volleys were heard, which must have been execution on the spot. How there are more statements about executions. Also witness accounts of raping women, young girls even. Other abuses, even mutilation of people. And then the indescribable chaos during the flight of thousands of women, children, old people. People who were run over, could have been trampled, which was sometimes only just avoided by the intervention of our people. People who were dying along the way. ... The penetrating stench that made you sick, shit everywhere, filth to make you puke.’

Meurkens stated to Broeders that he had no reason to doubt the veracity of these stories: ‘These are just fragments I believe. There is much more to come...!!!’.¹⁴⁸⁵

5. The group of 55’s journey to and arrival in Zagreb

The group of 55 hostages comprised the crew of the OPs that had fallen in Bosnian-Serb hands. A number of them, members of OP-U, had been captive in Bratunac since the 8th of July. On the 9th of July they had the company of the crews of OP-S, and on the 12th of July of the crews of OPs N, R and Q. Their colleagues of OPs C and K had ended up in a school building in Milici.¹⁴⁸⁶

At the latter location there was an unreal atmosphere, as - much to the amazement of the Dutchbat members - the local hotel was populated by tourists who were busy making use of the swimming pool. That luxury was not available to the Dutch – they had to bath in the polluted river. Whilst they were cooling down in the river countless buses arrived from the north, which continued on the road to Vlasenica and Kladanj. The military personnel realized quickly that the enclave’s population was being deported. Some soldiers waved to the overflowing buses - there was no response

The Dutchbat members were treated well by the VRS (military forces of the Bosnian Serbs) in Milici. The men were fed well and were even allowed to phone home. On the 15th of July, after a stay of a few days, the Dutchbat members were put on a bus that took them to Bratunac. The road taken went via the turn-off at Konjevic Polje to Bratunac over the roads that formed a line around the western and northern part of the enclave and which was to be crossed by the column of enclave dwellers which was starting on the way to Tuzla. It appeared later that some Dutchbat members made more or less similar observations during this journey. At least ten of them had observed a strong smell of corpses and here and there they saw corpses lying on the side of the road. At a certain point their

¹⁴⁸⁴ A reference to the Displaced Persons camp Goma in D.R. Congo (Zaire), where Displaced Persons from Rwanda lived in inhumane conditions and that made world news in 1994.

¹⁴⁸⁵ NIOD, Coll. Meurkens. Fax Chaplain N. Meurkens to Army Head Chaplain J. Broeders, 18/07/95.

¹⁴⁸⁶ SMG 1006/20. Military History Section, ‘*Chronologisch overzicht van de gebeurtenissen in de enclave Srebrenica 6-21 juli 1995*’, p. 34.

bus stopped near a lorry, whose trailer was filled with bodies. The estimates of the military personnel range from ten to fifty bodies. A ‘shovel’ was loading the dead bodies in the back. Nearby there were little piles of clothing, shoes and personal effects. On a side path there were lorries, a hole and a bulldozer visible. Elsewhere on a grass field several rows with around fifty pairs of shoes were observed. The observations made a big impression.

In Bratunac the men from Milici were reunited with their colleagues. They too had information that did not bode well. Some had made contacts locally with Bosnian Serbs. Around the 13th of July they saw a four-tonne truck probably containing Muslim men. When asked the caretaker of the school in which they were kept prisoner said that it concerned a transport of ‘key figures’ who were going to be screened for war crimes. The innocent were to be transferred to the football stadium in Bratunac, as a stopover to the promised freedom in Tuzla, whilst the others were going to be tried. ‘The caretaker made it clear that those who had committed crimes would be murdered.’¹⁴⁸⁷ Some Dutchbat members heard stories from Bosnian-Serb military about bloody cleansings, gruesome rapes and a ‘manhunt’ of some thousand Muslims – the latter was a story that would play a role during the subsequent events.

On the 15th of July - during talks in Belgrade between Milosevic and Bildt amongst others - it had been agreed by Generals Smith and Mladic that Dutchbat would be allowed to leave *at the end of the following week*. The immediate result of the meeting was furthermore that the hostages were to be released that very same day. Towards the end of Saturday morning the 15th of July, the 55 Dutchbat hostages were taken by bus with escort at high speed to Zvornik, where they were put across the border with Serbia. At half past seven in the evening they were in the suburb Ribarsko Ostrvo in Novi Sad, where they received the first care and reception from military attaché Colonel A. Oudwater and a Swedish UN Colonel.¹⁴⁸⁸ A Dutch journalist, Charles Sanders of *De Telegraaf*, and a photographer were also present.

Colonel Oudwater quickly heard the first stories pointing to suspected war crimes. There were reports of executions of male Bosnian Muslims, of the lorry full of corpses and the bulldozer digging a hole, as well as observations of (naked) bodies along the way to Zvornik. There were also stories about observations of around fifty to a hundred dead in Potocari. With hindsight the reference to Potocari is particularly intriguing, but it is difficult to determine whether Colonel Oudwater’s rendering was correct or whether there were some misunderstandings. The hostages had all come from the OPs and they had not been back to Potocari. Further details were missing, because the hotel where Colonel Oudwater spoke with the Dutchbat members was not a suitable location for thorough conversations. Back in Belgrade, Colonel Oudwater discussed his findings with temporary *chargé d’affaires* Robert Engels, for whom the stories fitted with the uncomfortable suspicions he had had from some days. His employee Stella Ronner had good contacts with journalists and had heard all sorts of rumours. Therefore Engels took Colonel Oudwater immediately to the Dutch representation in order to draw up a code telegram in which he pointed out the possible implications of these reports.¹⁴⁸⁹

The code dated the 16th of July was sent to the Dutch Ministry of Foreign Affairs, with the heading ‘limited distribution’: Minister (M), Junior Minister (S), DGPZ, Minister of Defence and the Dutch Army Crisis Staff. It is probably at Foreign Affairs where the code received the hand written note that ‘mindef’ should be read as ‘vbdcen’ (the Defence liaison centre that distributes messages) and ‘sitcen’ as ‘MID’ (Dutch Military Intelligence). It cannot be traced who received the information in the end, but Engels never received any response.¹⁴⁹⁰

1487 Feitenrelaas Debriefing ‘srebrenica’, p. 290. See also the remainder of Section 4.5.15, ‘*Waarnemingen op 15 juli*’, pp. 290-292. For an interview with one of the hostages, Martin van der Zwan, see: F. Lardenoye, ‘Ik dacht: nu zijn er geweest’ (I thought: now we’ve had it), *Oplinie*, 05/08/95.

1488 The ‘swedish UN Colonel’ is mentioned by journalist Charles Sanders: ‘Ik moest rennen voor mijn leven’ (I had to run for my life), *De Telegraaf*, 17/07/95.

1489 Interview R. Engels, 21/05/99.

1490 Interview R. Engels, 21/05/99.

The code also suggested some attention be paid to this subject during the debriefing of the 55.¹⁴⁹¹ Given the time it was sent, it is unlikely that the message reached General Couzy and his team before their departure. Neither are there any indications that they were informed by the Netherlands in Zagreb.

On Sunday morning at half past eleven, these 55 Dutchbat members arrived by plane in Zagreb. They were taken to the American MASH (field hospital) in Pleso for immediate medical screening. Three of them required a drip, because of dehydration symptoms. In the meantime it was getting very busy in Holland House – a large number of journalists was steadily coming in. A little later Captain Wout Mulders summoned all the press members to leave Holland House, for ‘security reasons’. Only then did the group of 55 come in gradually to await their turn to be debriefed.¹⁴⁹²

6. Couzy’s role during the psychological debriefing

Immediately after the arrival on the 16th of his colleagues who had travelled with General Couzy, the psychologist Paul Venhovens organized a meeting to discuss the approach.¹⁴⁹³ The newcomers had also received instructions on the plane on the way to Zagreb. General Couzy later stated that on board ‘I had in fact briefed the team on what I expected from them. I did so by asking questions, as I had never experienced this in my life. They thought it was a good idea and they were very enthusiastic.’¹⁴⁹⁴ What General Couzy expected became clear very quickly. Paul Venhovens too got to know General Couzy’s decisiveness. The Commander took the lead immediately after his arrival in Pleso. The psychologist quickly got the strong impression – which subsequently turned out to be correct – that General Couzy had ‘all sorts of priorities’ and that he also had ‘a hidden agenda’.¹⁴⁹⁵

According to Lieutenant Colonel Venhovens in Zagreb General Couzy had the idea to unite the KHO group and the group of 55 with the rest of the battalion in Busovaca - the care and reception centre that had been planned for the entire battalion. The people in Camp Pleso would have to move to Busovaca, but the problem was that the precise date on which the rest of the battalion would leave the enclave was not yet known - there was just the expectation that this would not take too long. Lieutenant Colonel Venhovens says he protested strongly against this idea, because he feared that it could produce psychological damage in those already released: ‘You would let them drift, because it was not clear when Dutchbat would come out of the enclave’. General Couzy then wanted the debriefing team to check how those involved would respond to his idea. When Paul Venhovens indicated that this too would cause problems, General Couzy no longer insisted.

At that point Lieutenant Colonel Venhovens still assumed that the entire operation was to be completed by around ten o’clock in the evening. According to the psychologist, General Couzy was shocked when he heard that and he let it be known that he wanted to take a decision on whether people required further treatment on arrival in the Netherlands or whether they could go on holiday immediately before six o’clock. It was only later that it became clear to the debriefing team that a press conference had been planned for that time.¹⁴⁹⁶ General Couzy later denied that the time of the press conference had determined the time frame. According to him the issue was to take a decision on the question as to whether the men could go on holiday immediately or whether they needed to undergo a number of ‘coping sessions’ as a group. The Commander felt that he could not leave his men on tenterhooks for a whole evening or even a night: ‘It was simply a practical set-up. I wanted to stop at half past five. Then I get the information and I can tell them at seven o’clock what the decision is. They can either be really joyous and happy or they can deal with the pain of not going on holiday the next

1491 DCBC, 866. *Stg-confi* code Belgrade to Foreign Affairs, Engels 81, 16/07/95; interview R. Engels, 21/05/99.

1492 NIOD, Coll. Meurkens. Fax Chaplain N. Meurkens to Army Head Chaplain J. Broeders, 18/07/95.

1493 Interview P. Venhovens, 17/11/00.

1494 Interview H.A. Couzy, 07/09/98, 14/09/98 and 17/09/98.

1495 Interview P. Venhovens, 17/11/00.

1496 Interview P. Venhovens, 17/11/00.

day. Therefore I intervened in the time frame'.¹⁴⁹⁷ However, that immediately halved the time available for the debriefing. The balance sheet would have to be drawn up no later than half past four.

There was a time problem anyway. Initially it had been thought to debrief the KHO group too, because the group was not as big they could be briefed individually. However, the hold-up at Zvornik spoiled that plan. It did not appear necessary to debrief all the drivers involved directly, but about half a dozen of them did require attention and this put extra pressure on the debriefing team. It was therefore decided to debrief KHO and First-Aid group organically, i.e. as a unit. Professionally that did not pose a problem, as the importance of sharing experiences and emotions was beyond doubt. The numbers involved meant that the debriefing team also wanted to use this approach for the group of 55, where the ex-hostages would only be interviewed together with colleagues from their own OP. The problem cases would receive individual attention afterwards. It was not just the latter that came under pressure – halving the time also meant that the size of the groups was going to be doubled. Given the ninety minutes available for every group, that meant less room for every individual. One member of the group of 55 commented later on that the debriefing was limited to listening to ‘the biggest mouth’ and that he himself had only spoken for two minutes: “Then (too) they would look at their watch with the words “we will come to that later””.¹⁴⁹⁸

There were some snags in relation to the use of the psychological debriefing in providing answers to the question as to what was and what could have been known around the 16th of July in relation to the observations by the Dutchbat members. In that respect the criticism of the role the psychological debriefing played in Zagreb expressed by the doctor and psychoanalyst F.E.J. Bouricius in September 1995 is interesting. This was in relation to a complaint from the Yugoslavia tribunal that very little useable information had come from this debriefing. According to Bouricius, a psychological debriefing should only have happened if there were obvious complaints. Until that time the priority should have been an operational debriefing with the aim of gathering intelligence. Due to the time pressure, the latter came off badly.¹⁴⁹⁹

The aim of a psychological debriefing is indeed fundamentally different from an attempt to discover the truth. It concerns the prevention of psychological risks, such as a later incidence of PTSS. Lieutenant Colonel Venhovens: ‘During such a debriefing I’m not interested in discovering the truth. The point is that people must be able to express their story and their feelings’. During such sessions, the psychologist takes a backseat. In the case of group debriefings he stimulates the exchange of experiences and emotions, but he remains in the background as a listener. It is also crucial that he guarantees safety – the participants are told in advance that the conversation is strictly confidential. Lieutenant Colonel Venhovens therefore resolutely refused court requests to draw up reports. When General Couzy later asked him to be reticent towards the press, Paul Venhovens answered him almost indignantly that he would not speak to the press at any rate. For the same reason there is no formal report of the conversations. Afterwards Lieutenant Colonel Venhovens restricted himself to recording some general personal impressions.¹⁵⁰⁰

In the light of all this, it is understandable that the psychologist was less than pleased when General Couzy said he wanted to be present at a number of the group conversations. In the area of tension between professional ethics and military hierarchy, the Lieutenant Colonel lost out to the three-star General. General Couzy took a place in the group of all the KHO members, assisted by Venhovens and De Wolf. This group was incomplete, because three personnel members were too ill to

¹⁴⁹⁷ Interview H.A. Couzy, 04/10/01.

¹⁴⁹⁸ NIOD, Coll. Kreemers. Note by Royal Netherlands Army spokesperson W.P.P. Hartman on conversation with M. van der Zwan, 09/08/95.

¹⁴⁹⁹ F.E.J. Bouricius, ‘Onduidelijke rol psychologen bij evaluatie Dutchbat’ (Unclear role for psychologists in evaluating Dutchbat), *Algemeen Dagblad*, 07/09/95.

¹⁵⁰⁰ Interview P. Venhovens, 17/11/00 and 06/12/00.

take part. Their names and addresses were written down so that they could be approached after their return to the Netherlands.¹⁵⁰¹

As said, the Commander sought answers from the KHO group to his ‘many questions’ on the problems between the medics and the battalion leadership. In a manner of speaking he got what he was looking for. Strictly speaking he should not have been there, because this concerned a confidential contact between a psychologist and a client, but it is to his credit that he intervened little in the conversations. On the other hand this was not really necessary, as the opinions on the battalion leadership came out anyway. According to Venhovens the simple presence of the Commander produced ‘all anger against the Royal Netherlands Army organization’: ‘My pattern is always to ask people about their most positive and most negative experiences.’ Here one negative experience, the functioning of the battalion leadership, was starting to dominate the conversation.¹⁵⁰² However, that was the experience about which Couzy had been most curious.¹⁵⁰³

The manner in which General Couzy gathered knowledge on the actions of the battalion and the internal relationships and the role this was to play later will be dealt with further on in this chapter. The emphasis here is on the fate of the population and what General Couzy learned about that. The KHO members talked about this too, even though for them those internal relationships took the lead in the conversation. General Couzy made notes of them saying that on the road from Srebrenica to Potocari ‘there are many corpses with neck shots’. Someone reported an ‘execution of Muslim fighters’. Finally he noted ‘The Serbs picked out some people and deported them. They are convinced that the shots they heard were all just executions’.¹⁵⁰⁴

The next day, the 17th of July, in the morning before his return journey to Soesterberg, General Couzy had a separate 45-minute conversation with surgeon Kremer. It is unclear at who’s initiative this conversation took place. The Commander asked about frustrations with the battalion leadership, in response to which Kremer spoke about the invisibility of Karremans, the factual leadership of Franken, the conflict with *Médecins Sans Frontières* and the problems Kremer himself had had with the battalion leadership. Afterwards General Couzy asked him about the ‘terrible things concerning the Muslim Displaced Persons’. Kremer answered that the APC’s of B-company ‘drove over bodies to Potocari’ - referring to the withdrawal together with the Displaced Persons from Srebrenica city to Potocari. He also reported that there had been 5000 people in the compound in Potocari: ‘They were registered. L. col. K. has a list of all the men who were on the compound’.¹⁵⁰⁵ Kremer himself said later that he had also informed General Couzy of the photographs taken by Lieutenant Ron Rutten of the nine to ten executed men.¹⁵⁰⁶ However, nothing can be found regarding this in Couzy’s notes from Zagreb. The Commander was to announce this fact to world, but only a week later during his press conference of the 23rd of July in Camp Pleso in Zagreb.¹⁵⁰⁷

7. Couzy’s level of knowledge after the first debriefing

In order to find an answer to the many questions about Couzy’s role in the aftermath of the fall of Srebrenica, the chronological order must be abandoned temporarily. The question of Couzy’s actions during the July days is so closely related to questions concerning his subsequent actions, that an analytical interim stage is required for the sake of clarity.

1501 P. Venhovens, ‘Verslag uitzending 1 (NL) VN INFBAT (Dutchbat Griffin), p. 13

1502 Interview P. Venhovens, 17/11/00 and 06/12/00.

1503 Interview H.A. Couzy, 17/09/98.

1504 SMG/Debrief. ‘Aantekening BLS. Strictly Confidential, [July 1995].

1505 SMG/Debrief. ‘Aantekening BLS. Strictly Confidential, [July 1995].

1506 Report G. Kremer to B. Kreemers on 08/09/98; see: B. Kreemers, *Aan de achterkant van de maan deel 2*, pp. 3, 37.

1507 Given that Lieutenant Rutten was only interviewed in Zagreb after the debriefing team had him pointed out, the question whether Kremer really did report this on the 17th is not academic when determining what Couzy knew and passed on or not.

Couzy has made it difficult for subsequent investigators to work out his knowledge level of those days. This is not only due to the silence and lack of clarity that characterized his actions for a long time, but also to the lack of written documents that could provide clarity on this issue. Couzy himself stated that he destroyed all his notes from those days later on.¹⁵⁰⁸ On further reflection this did not seem to apply to all the material. During the NIOD investigation, in the so-called debriefing archive, in which all the material was gathered from the subsequent big debriefing operation in Assen, an undated 'Note Commander of the Army' from Couzy was found. That document had a hand written note indicating that the document was to be accessed 'exclusively BLS/Ckab' (Couzy himself and his private secretary Colonel J.M.J. Bosch).¹⁵⁰⁹ The notes referred to the conversations with the released hostages of the OPs and KHO-5. As early as July 1995 Couzy's private secretary Colonel Bosch informed the Military History Section (SMG), who by order of Couzy had started an investigation of the existence of interview reports. Bosch added that he was not authorized to provide access to the investigators.¹⁵¹⁰

The former private secretary to the Commander of the Army Bosch, subsequently promoted to General, later stated to NIOD investigators that Couzy had returned 'very moved' by his encounters in Zagreb. Afterwards Couzy had written down for himself what he had heard, 'something he never or seldom did'. Bosch was one of the few who got to read something. A copy disappeared in his Srebrenica file, which he left behind for his successor when he changed post.¹⁵¹¹ The former private secretary believed he could remember a number of topics from the notes destroyed by Couzy, such as Dutchbat vehicles possibly driving over people. This did indeed occur in the record of Couzy's conversation with Kremer on the 17th of July. An extensive description of the moving farewell of Raviv van Renssen, notes of the words by the commander of his vehicle, had made the biggest impression on Bosch.¹⁵¹² This incident is not really described in the notes that were found, so there is the impression that General Couzy recorded more at the time than was eventually handed over.

In the retrieved 'Notes' General Couzy described his experiences with debriefing the KHO group and the separate conversation he had a day later with surgeon Kremer. It can also be deduced that he attended the conversation with the crew of OP-S. According to his notes, this was the first time General Couzy was confronted with negative statements about the ABiH, the military forces of the Bosnian Muslims and positive statements about the VRS, the military forces of the Bosnian Serbs. The psychologists had noticed that pattern too, and it appeared to be a precursor of the attitude General Couzy in particular noticed a week later amongst large parts of the main force of Dutchbat. According to Couzy's notes the military personnel also expressed criticism of Karremans, who had visited them in Bratunac after his conversation with Mladic. On that occasion he had not made an overwhelming impression on his men. The most noteworthy aspect of the report is that evidently none of the OP-S soldiers reported the incidents that attaché Oudwater had heard in Novi Sad.¹⁵¹³

The latter is perfectly plausible. It could be that General Couzy happened to come across a group of which the members had not made any observations on that issue. In the evening Chaplain Meurkens heard from the psychologists and the MDD members, with whom he was having a drink in the bar to celebrate his promotion that had just been announced, that they believed that 'some groups had experienced a relatively large and some a relatively small amount'.¹⁵¹⁴ However, it is equally possible that those particular Dutchbat members were reticent towards General Couzy for some unknown reason. Press spokesman Major Beneker noticed that the men were very quiet and had a

¹⁵⁰⁸ The same applied to all his diaries from the beginning of the 1990s, which NIOD requested in the framework of a reconstruction of the decision making that led to deployment. To his own surprise there were only some notes concerning the question of the so-called 'leaking colonel'. Interview H.A. Couzy, 07/09/98.

¹⁵⁰⁹ SMG/Debrief. 'Aantekening BLS. Strictly personal', [July 1995].

¹⁵¹⁰ Interview P. Groen, 17/02/99. The SMG study is considered further on in this Chapter.

¹⁵¹¹ Interview J.M.J. Bosch, 10/05/99. During the NIOD study it became clear that the Cabinet archive had been purged and that it did not contain any other personal notes by the then former Commander of the Armed Forces.

¹⁵¹² Interview J.M.J. Bosch, 10/05/99.

¹⁵¹³ SMG/Debrief. 'Aantekening BLS. Strictly Personal' [July 1995].

¹⁵¹⁴ NIOD, Coll. Meurkens. Fax Chaplain N. Meurkens to Army Head Chaplain A J. Broeders, 18/07/95.

defensive attitude when he talked about the stories he heard coincidentally.¹⁵¹⁵ From the report forms the Dutchbat members filled in for the UN on 16 July, and which will be discussed later, it appears that almost all of them had seen bodies along the way. Later during the debriefing in Assen, members of OP-S stated that when they were still on the OP, they got the impression that violent cleansing was happening around them. They heard all sorts of things that seemed to point to that, but they saw no victims.¹⁵¹⁶ One of the other Dutchbat members, Van der Zwan, later told how stories had been exchanged with the OP-S crew in Bratunac: 'They were a little lower than we. They could hear the screaming of the Muslims on the positions around them who were being murdered. It was clearly a knife job'.¹⁵¹⁷

The possibility that General Couzy met a quiet group by coincidence is favoured by the fact that Couzy apparently did not exercise any self-censorship in his notes of the conversations with the KHO group. That makes it unlikely that he would not have recorded certain information. The question remains whether the Commander held more conversations than those recorded in his submitted 'Note' or whether he heard the results from the debriefing in another way and did or did not make notes of that.

Lieutenant Colonel Venhovens stated that Couzy never asked him what facts he heard from the Dutchbat members during the debriefing conversations, and because of the ethics already referred to he would not have been able to provide that. In his later notes, the psychologist recorded conversation topics as e.g. 'seeing corpses along the road, bodies on a tractor in a field combined with little piles of clothes and personal non-military effects, such as passports, purses, papers'.¹⁵¹⁸ From his memoirs too it cannot be gleaned whether General Couzy heard anything about this. He refers to his conversation with Kremer in order to refer subsequently to conversations with 'others' who did not repeat Kremer's observations: 'They were contradictory opinions and observations, with which I could do little'. He had not heard of 'mass murders'.¹⁵¹⁹

In November 1995 during the written preparation for the debate on the debriefing report, Dutch Parliament *did* ask the question which sources Couzy had available during his statement at the 23 July press conference that Dutchbat had not noticed any genocide. In the light of the above, the answer is not strange: 'The Commander in Chief of the Royal Netherlands Army based his assessment during the press conference in Zagreb purely on the Dutch UN peacekeepers' limited observations of some war crimes in Potocari. He was not aware of the observations of some of the 55 Dutch UN military personnel who were taken hostage and, as known, had been released earlier and were not present in Zagreb when Dutchbat arrived there. This concerns the observation of a dumper truck with corpses and a 'shovel' with corpses, which is included in the letter of the Minister of Defence to Parliament, dated 3 August 1995.'¹⁵²⁰

In 1998, Van Kemenade did not pay any attention to this issue during his investigation of a possible 'hush up' at the Ministry of Defence. During the conversation with General Couzy, Couzy was not asked about his conversations on 16 and 17 July. The General himself twice referred superficially to his first stay in Zagreb and he referred amongst others to a conversation with surgeon Kremer, albeit that he refers to this conversation in a totally different context.¹⁵²¹

1515 Interview M. Beneker, 04/12/01. One of those stories, which he reported to Couzy, was that photos had been taken from the bus. When he asked about them he got no answer and he could not work out whether someone had boasted or whether things were kept silent.

1516 See amongst others: Feitenrelaas Debriefing 'srebrenica' (Assen 1995), pp. 135-136, 214, 217.

1517 Fred Lardenoye, 'Ik dacht: nu zijn er geweest', *Oplinie*, 05/08/95.

1518 P. Venhovens, 'Verslag uitzending 1 (NL) VN INFBAT (Dutchbat Griffin)', p. 14.

1519 Couzy, *Mijn jaren als bevelhebber*, p. 166.

1520 TK, Parliamentary session 1995-1996, 22 181, no.134, p.21; letter Minister of Defence, 03/08/95, in: TK, parliamentary session 1994-1995, 22 181, no. 111, p. 2. The quoted observations are a very brief representation of what the group of 55 and KHO-5 reported on the 15th and the 17th of July.

1521 J.A. van Kemenade, *Omtrent Srebrenica*. Appendix 4, Reports of conversations and additional notes: Conversation with H.A. Couzy, 28/09/98.

Later, in 2000, doubts arose on the same issue during the hearings of the Temporary Committee For Deployment Decisions (TCBU). Some media quickly drew their conclusions. On 2 June 2000, *De Volkskrant* wrote under the headline ‘Top army knew of executions near Srebrenica’, that there ‘had been clarity much earlier about mass executions near Srebrenica [sic]’. Deputy Commander in Chief Van Baal was to have confirmed that during his conversation with the Temporary Committee for Deployment Decisions. He referred to the reports of the 55 ex-hostages who on ‘the 15th of July [sic] were in a plane on their way to the Netherlands’ and which concerned an observation of between fifty and a hundred corpses.

On reading the transcription of the reports it seemed less clear than the newspaper suggested. Van Baal gave a somewhat evasive answer to a question from committee member A. van Ardenne, whether Dutchbat members had reported their observations of the corpses to the top of the Army ‘before or during the plane journey from Zagreb to Soesterberg’. Van Baal answered: ‘As far as I know that happened’ and: ‘Afterwards I heard that he [Couzy] was told’. He did not know what had been done with the information.¹⁵²²

That the indication ‘50-100 bodies’ definitely did circulate in the week following the 16th of July is shown by a so-called ‘Deny Flight Intsum’ of the MID-KLu (an analysis of the KLu ‘Royal Netherlands Airforce’ by the Military Intelligence Service about maintaining the no-fly-zone over Bosnia) of the 19th of July 1995, which was copied to the Defence General Policy Directorate, the DCBC, and the Ministry of Foreign Affairs. There was a specific reference to the debriefing of the Dutchbat members of some days before: ‘The first conversations with the released Dutch peacekeepers indicate that male Bosnians were executed – the estimate is between 50 and 100. Further debriefing is to provide particulars’.¹⁵²³ From which source this information originated is not clear from the documents, neither is it clear what the recipients did with it.

In the end Couzy more or less saved the situation by stating to the Temporary Committee for Deployment Decisions that in Zagreb he ‘probably’ had heard of the observations of a dumper truck with corpses, although he had his doubts at the time.¹⁵²⁴ Towards NIOD he spoke in more detail and without any trace of doubt. Outside the debriefings, Couzy had held a number of conversations, amongst others with the OP commanders:

‘There was a man, I believe a private, who told me that he saw that shovel with a couple of corpses in the boot. He had seen that from the bus. That is the only story of that nature, as far as I can remember. I did not hear any other stories from them. However, I did hear a story from one of the people of the hospital organization. That he had driven on a road – I believe from Potocari to Srebrenica – which according to him ‘was littered with corpses’. However, another said he had seen nothing. The times? Well there was five or ten minutes difference between them driving there. That story also stuck.’¹⁵²⁵

This lack of clarity gave Couzy reason to be very careful. The same applied to the other story: ‘When it was reported that one of the Dutchbat members had seen a lorry with some fifty dead from the bus, a question arose. I thought: be careful with drawing conclusions, as it could also be dead Muslims who fell in the enclave.’¹⁵²⁶

¹⁵²² NIOD, TCBU. TCBU, Hearing A.P.P.M. van Baal 14/06/00, 121U.doc-8.

¹⁵²³ DCBC, box 66. RNLAf Deny Flight Intsum Commcen MOD NL, stg confi Nato secret, dtg 191330z Jul 95. This sitrep went to a large number of addressees, including DCBC (Defence Crisis Management Centre).

¹⁵²⁴ NIOD, TCBU. TCBU, Hearing H.A. Couzy, 05/06/00, 106U.doc-25.

¹⁵²⁵ Interview H.A. Couzy, 04/10/01. Couzy claims to have destroyed his notes of the conversations with the OP commanders after publication of the debriefing report. Information from H.A. Couzy, 18/08/98.

¹⁵²⁶ Interview H.A. Couzy, 07/09/98.

So with hindsight the answer from the Minister of Defence to the Parliamentary question of 1995 was incorrect. Apart from the question how problematic the interpretation of the information was, Couzy did know. Against this background Couzy's attitude towards the media in July 1995 is placed in a clearer light.

8. Couzy, the group of 55 and the media

According to the psychologists and the MDD members, the debriefing of the 16th of July in Zagreb went 'smoothly and well'.¹⁵²⁷ At the end of the afternoon Couzy was able, in the words of Meurkens, '[to deliver] a clear and sound speech, where he managed to avoid tricky questions with evasive answers and by not dealing with them'.¹⁵²⁸

The Dutch and international press had turned up en masse and were kept at bay as far as possible. Press spokesman Beneker remembered that the theme was mainly 'careful'. Shortly before the press conference started, journalists told him the first stories of 'mass slaughter', probably from the mouths of the Displaced Persons who had received much attention from the media in Tuzla. Although not as explicitly as some days later, then too the word 'genocide' was bandied about. Just to be sure spokesman Beneker asked General Couzy whether facts were known that pointed to this. Through the grapevine he himself had heard of observations of bodies, but he had filed these in the category 'settling scores' - a category he had experienced during his earlier stay in Bosnia. Therefore spokesperson Beneker maintained to journalists that nothing had been reported that pointed to large-scale murders. When asked General Couzy told him that the debriefing had not produced any hard evidence on that issue.

That was also the line for the press conference, where General Couzy was asked 'ad nauseam' what he knew of observations of executions. However, the Commander maintained that there were no indications of large-scale murders.¹⁵²⁹ He also made a statement about Mladic that would be forgotten: 'As a military man I admire the manner in which he deals with things. That basic rules of combat are always: surprise the enemy and attack him where he is weakest. Well those starting points he applies daily with great insight'.¹⁵³⁰ That comment is remarkable, as Karremans suffered much criticism a week later when he made positive comments about the Bosnian-Serb General.

Twan Huys, a reporter from the Dutch television programme *Nova*, was also present at the press conference. He had arrived that morning in Zagreb from Tuzla, just before the first Dutchbat members arrived. Twan Huys' quick movements through Bosnia were the envy of many a colleague - he had managed to organize a UNHCR pass, which meant he could come on helicopter flights. Many journalists needed to cope with the problem of being committed to one location and had the greatest difficulty with movements. Poor connections meant they were not always aware of what news their colleagues, even those of their own paper, had managed to dig up in other locations. The editors 'at home' were difficult to reach and often did not have the ability or the time to analyse the flow of reports and to put them in context.¹⁵³¹ However Huys had the special advantage of being able to gather information from several different locations in a short time.

Huys had ended up in Tuzla after a tip from Margriet Prins, a Dutch UNHCR employee in Tuzla, who happened to travel with Huys' cameraman on the way back from leave in the Netherlands to Zagreb. She told him the real story was in Tuzla. The *Nova* reporter and his cameraman took the advice to heart and had left for the East-Bosnian town. There they did indeed hear the stories of the

¹⁵²⁷ NIOD, Coll. Meurkens. Fax Chaplain N. Meurkens to Army Head Chaplain J. Broeders, 18/07/95.

¹⁵²⁸ NIOD, Coll. Meurkens. Fax Chaplain N. Meurkens to Army Head Chaplain J. Broeders, 18/07/95

¹⁵²⁹ Interview M. Beneker, 04/12/01.

¹⁵³⁰ K. Bagijn, 'Karremans kon niets anders dan zuur kijken' (Karremans couldn't look anything but sour), *Algemeen Dagblad*, 21/07/95. This article was the result of images showing Mladic and Karremans raising a glass.

¹⁵³¹ Based on several conversations with former correspondents in Bosnia, such as Othon Zimmerman (*Algemeen Dagblad*), 28/04/00.

Displaced Persons who were staying on Tuzla Air Base. They also spoke with employees of aid organizations, who pointed to the disconcerting phenomenon that thousands of men were missing from the Displaced Persons from Srebrenica. On the way back from Tuzla via Split to Zagreb, Huys had also encountered the Dutch Minister for Development Cooperation Pronk. On behalf of the government, the Minister had travelled to Bosnia to see what help the Netherlands could offer and to gather information about the events. On the basis of conversations he had held, Pronk stated frankly that there had been a 'genocide' – to which we will come back later in this chapter.¹⁵³²

When Twan Huys arrived in Zagreb on the 16th, he was especially alert. His attempts to have the stories confirmed by military personnel initially did not produce anything, because of the ban on speaking in public of which he had already got wind on the 15th. That morning in Holland House he had also encountered Chaplain Meurkens, whom he had met before. Twan Huys had asked him for an interview and the Chaplain had agreed, but then Twan Huys was made to leave Holland House together with the rest of the press. That afternoon he again sought contact with Chaplain Meurkens.

The Chaplain had been busy with the people who were being debriefed. Those still waiting their turn were hanging around on the sunny terrace of Holland House. Chaplain Meurkens claimed that whole afternoon he acted 'as a spider in a web'. He spoke with a large number of the Dutchbat members amongst whom he thought he detected 'layers' in the intensity of the experiences. Furthermore, some did not want to talk at all. Those who did talk specifically spoke about the worries the home front had experienced. But more came out: 'Again stories of particularly gruesome human-rights violations during the last week of Srebrenica', according to Chaplain Meurkens.¹⁵³³ During the conversation with NIOD he did not recall any details, but a week after the fall he told Elsevier journalist Bert Bommels at Pleso that one of the First-Aiders had seen two rapes – one of which was a girl - by VRS soldiers with their own eyes.¹⁵³⁴

When Huys approached him, Chaplain Meurkens said candidly that 'it was very bad'. The journalist explained the problem that he was not allowed to speak with the Dutchbat members and asked the Chaplain if he wanted to go in front of the cameras. 'I can remember that we sloped off secretly from Holland House. And somewhere at the back at a parking area, after long negotiations about the terminology he would use, he said something about what the Dutchbat members had seen. The implication was that it was serious.'¹⁵³⁵ The shots of Chaplain Meurkens were part of the Nova broadcast the next day, Monday the 17th of July. They showed a displaced woman from Tuzla who told a story of a rape. According to Huys other reports were also 'alarming'. Chaplain Meurkens then spoke in the programme of 'the most awful things' that had happened and that people 'were driven to death in all sorts of ways'. He also expressed the fear that the awful events would have a great 'impact' on the organization. The Dutchbat members would be 'haunted by the images'.¹⁵³⁶

'Do not say anything to the press'

Finally the broadcast contained some images that would make a strong contribution to the subsequent image of a closed Defence machinery. The departure of all released Dutchbat members was foreseen for Monday the 17th of July. Although they did not feel like it, this was accompanied by some ceremony. The press had already left, bar one or two such as Twan Huys' cameraman who happened to be in Holland House when he saw the military line up and General Couzy making moves to address them. Thus it came to pass that under the watchful eye of the camera General Couzy told his men that

¹⁵³² Interview T. Huys, 07/07/00 and 08/07/00. The next chapter deals with the manner in which Pronk arrived at his statements.

¹⁵³³ NIOD, Coll. Meurkens. Fax Chaplain N. Meurkens to Army Head Chaplain J. Broeders, 18/07/95.

¹⁵³⁴ Interview N. Meurkens, 24/03/00; Bert Bommels, 'De 'black box' Srebrenica'(The 'black box' of Srebrenica), *Elsevier*, 29/07/95.

¹⁵³⁵ Interview T. Huys, 07/07/00 and 08/07/00.

¹⁵³⁶ Nova, 17/07/95.

at home in the Netherlands they should not speak to the media about their experiences in order not to endanger their colleagues in Potocari. After this Nova broadcast the media quickly explained Couzy's actions as a 'ban on speaking in public', which was immediately refuted by the Ministry of Defence in a press release. Although this denial was formally correct, it ignored the fact that in military culture such a request from the highest commander is close to such a ban in practice.

The addressed Dutchbat members dealt differently with that instruction and the earlier calls for silence by Karremans and allegedly the Minister. Some did indeed maintain silence whilst their colleagues were still in Potocari¹⁵³⁷, whilst others did not wish to heed this urgent advice at all. To Huys' amazement, some military approached him almost immediately after the ceremony: 'At the end some men came to us of their own volition and said: "What we saw was very bad!" Then they talked about "dumper trucks with corpses" and "bodies on the way from Bratunac to Zvornik".', said Twan Huys. He immediately went to General Couzy to confront him with that information and to say that he wanted to film this. He wanted to know what the situation was in relation to this ban on speaking to the press. Huys: 'He then gave a very plausible, reasonable explanation. Couzy urged me not to film and broadcast, as this would endanger the lives of those remaining in Potocari.' Although later he had serious doubts about whether he committed a cardinal error, Twan Huys agreed to General Couzy's request. In return he got the commitment that he could meet the main body of Dutchbat at the border, as soon as they were released.¹⁵³⁸ General Couzy also promised a videotape showing executions.¹⁵³⁹

As it did not appear possible to film the witnesses in Pleso, Huys asked for their telephone numbers. He immediately instructed his colleagues in Hilversum to have his contacts tell their story in front of the camera immediately on return of the 55 to the Netherlands. That set-up worked. Back in the Netherlands First-Aider Y. Schellens spoke of his observations during the bus journey from Milici to Bratunac and the dumper truck with bodies. Captain/Senior nursing officer F. Wessels, who had been in Potocari, outlined the separation of the men from their families. He also said that heard subsequent shots and that he saw how the men were deported in buses. He also contradicted the then current assumption that a UN soldier had travelled on every bus. Private Van der Zwan spoke of Bosnian-Serbs soldiers returning from the front, boasting about their rapes and murders. Finally Sergeant J. Bos described the escape plans he and his men had concocted to escape the Bosnian Serbs.¹⁵⁴⁰ The images were only broadcast on Saturday the 22nd of July – the day on which the rest of Dutchbat had arrived safely in Zagreb.

Most Dutchbat military personnel who granted interviews after their return home, kept their silence on sensitive issues whilst their colleagues were still in Potocari. Schellens for instance remained vague to some newspapers that approached him shortly after his return.¹⁵⁴¹ Only on Saturday the 22nd of July did *Trouw* publish an extensive interview with R. Joosten, crewmember of OP-K. He too described the bus journey from Milici to Bratunac in much detail: 'We went right around the enclave. All sorts of things were happening to the Displaced Persons. Anyone who came out of the woods was

1537 See e.g. 'Dutchbat zwijgt bij terugkeer op Soesterberg' (Dutchbat silent on return to Soesterberg), *De Volkskrant*, 18/07/95; J.K. Emmer, 'Verschrikkingen van gezichten af te lezen' (The ordeal is written on their faces), *De Telegraaf*, 18/07/95.

1538 Interview T. Huys, 08/07/95. When asked, Couzy could not recall whether he had made these commitments to Huys. Interview H.A. Couzy, 04/10/01.

1539 Although it is not in Couzy's record of his conversation with Kremer, it is likely that the information about the videotape comes from Kremer. The question of the tape was to lead its own life later, when it appeared that it had been destroyed. Kremer, who had made the recordings himself, had destroyed the tape before his departure from Potocari, because it contained recognisable images of Close Air Support requests by FAC-ers (commandos and JCOs). In some way or another this element escaped Couzy in the first instance. It is inconceivable that he would otherwise have 'offered' this tape. In the NOVA broadcast of Saturday the 22nd of July Couzy reported from Zagreb in general terms that the tape had been destroyed for security reasons.

1540 NOVA, 22/07/95.

1541 He only said to *NRC Handelsblad*: 'Everybody saw it, everybody'. In: 'Emotionele ontlading bij aankomst VN-ers' (Emotional release as UN troops arrive), *NRC Handelsblad*, 18/07/95.

shot. Those men sat there waiting for them. Bulldozers were busy clearing corpses. There were dead people everywhere you looked. How many, I don't know. Not hundreds. We also saw a football pitch, with just clothing and shoes. That says enough.'¹⁵⁴²

Not everyone waited with his story until the 22nd. Prior to that there were some Dutchbat members who could not or would not be silent and told their story to journalists, including Karel Bagijn of *Algemeen Dagblad*. On Sunday the 16th of July he was also in the vicinity of Holland House. Karel Bagijn met a young Dutchbat soldier, who wanted to get things out of his chest despite the advice to be silent. He painted a picture of the countless atrocities that had happened, which he summarized in a few words: 'The hunting season is in full swing'.¹⁵⁴³

Those were the words that hit UN Deputy Secretary-General Kofi Annan on Monday morning in New York when reading the morning paper. The press agency AFP had picked up the news from the *AD* and sent it around the world, where it was picked up by various news papers 'A hunting-season [is] in full swing (...) it is not only men supposedly belonging to the Bosnian government who are targeted (...) women, including pregnant ones, children and old people aren't spared. Some are shot and wounded, others have had their ears cut off and some women have been raped.'¹⁵⁴⁴

This news item led to the UN secretariat writing to Yashusi Akashi on the 18th of July that more and more disturbing information was coming out, which was 'widespread and consistent' and 'given credence by a variety of international observers, including UNHCR'. The secretariat noted that nothing had been heard from UNPROFOR on this issue and therefore Akashi received the request to ensure that those Dutch people who had already returned from Srebrenica would be interviewed as soon as possible. The instruction referred to growing concerns about being unable to confirm or deny the reports with authority, although it largely concerned events 'of which UNPROFOR in Potocari could not have been unaware'.¹⁵⁴⁵ Annan wrote that he had also understood that the Dutch military personnel 'may be reluctant to speak about the subject out of regard for the safety of their colleagues taken hostage by the Serbs', but believed that nevertheless they were obliged 'to report comprehensively to you about what they have seen'.¹⁵⁴⁶ In fact this instruction came too late – on the 16th of July there had already been an improvised debriefing, organized by Military Information Office of the UNPF in Zagreb.

9. Debriefing of the 55 by the intelligence section in Zagreb

The concerns of the UN in New York about the absence of information from UNPROFOR, with which they initially seemingly meant Dutchbat, had already been an issue at the UNPF in Zagreb for some days. A worried Force Commander Janvier had requested aerial photographs on the 11th of July, as he was taking account of the possibility of atrocities. However, the weather and priorities meant this had not happened. After the first deported people arrived in Kladanj, the UN in Zagreb decided to do everything for the 13th or the 14th of July to document any possible atrocities. Pressure groups also urged this. In a press release of the 13th of July Human Rights Watch called for NATO 'to immediately embark on intelligence gathering operations to monitor Serb actions in the safe zones'.¹⁵⁴⁷ But even requests from UNPF headquarters for 'atrocities verification' were turned down, because there were insufficient indications or proof. Only on the 15th of July, when the problem of the missing men

¹⁵⁴² M. van Houten, 'Blauwhelm aan de overkant van de rivier' (UN soldier on the other side of the river), *Trouw*, 22/07/95.

¹⁵⁴³ K. Bagijn, 'Vreselijk wat mensen elkaar kunnen aandoen' (Terrible, what people can do to each other), *Algemeen Dagblad*, 17/07/95.

¹⁵⁴⁴ *Report of the Secretary-General pursuant to General Assembly resolution 53/35 (1998), A Srebrenica report* (New York 1999) paragraph 389. Hereinafter referred to as the UN Srebrenica report.

¹⁵⁴⁵ UN Srebrenica report, par. 390.

¹⁵⁴⁶ Coll. NIOD, Bo Pellnas diary, Annan to Akashi, 18/07/95, quoted in Bo Pellnas' diary.

¹⁵⁴⁷ UNGE, UNHCR, Fund 31 subfund Pale: Srebrenica. Press release Human Rights Watch/Helsinki, 13/07/95.

manifested itself ever clearer, was such an attempt undertaken with a Predator (an unmanned espionage plane). However this failed due to technical imperfections during filming.¹⁵⁴⁸ That the Americans had gathered images on that day and the four previous days remained unknown to UNPF personnel.¹⁵⁴⁹

During the staff meeting of Force Commander Janvier in the early morning of the 13th of July, the possibility of an investigation into possible war crimes was already discussed.¹⁵⁵⁰ A few hours later, at 10 o'clock, the morning briefing of Akashi's staff also dealt with the first reports of possible atrocities. It was reported that UNHCR representative Bijleveld, who had returned the previous evening from Tuzla, had already lodged a protest with the VRS (the military forces of the Bosnian Serbs) against the separation of men and women in Potocari. Attempts by Deputy Force Commander Ashton to contact General Mladic on this issue had produced nothing. According to the notes of his Military Assistant Last, Yashusi Akashi had already sent an instruction to Karremans to document the separation. He also sent a letter to Karadzic in which he pointedly asked after the fate of the Displaced Persons and Dutchbat.¹⁵⁵¹

In the meantime the first few thousand enclave inhabitants had arrived in Tuzla and another group was waiting in Kladanj for further transport. The head of Civil Affairs of Sector North East in Tuzla, Ken Biser, reported that no men between the ages of 16 and 60 had been observed among the Displaced Persons. During the discussion of this issue there was a general assumption that they were hiding in the mountains.¹⁵⁵² Beyond that insecurity reigned, and had not disappeared two days later. However, the concerns increased. At the so-called SRSG (Special Representative of the Secretary-General) meeting later on in the morning of the 13th of July, Yashusi Akashi himself was also present and Bijleveld expressed fears of a bloodbath. Through UNHCR channels rumours had been heard of buses with men disappearing and of executions, including a possible massacre between Kladanj and Bratunac.¹⁵⁵³

The fall of the enclave produced mixed feelings amongst civilian and military staff members about the events that were to follow. Just like many other involved parties, Bosnians, NGO employees, UN organizations and journalists, the assessments of the consequences of the fall ranged from a likely bloodbath to a situation, albeit serious and tragic, that did not give cause for special fears. There was no reliable information available that could tip the scale one way or another. However very shortly after the fall stories about committed atrocities went around the media, but it was perfectly unclear how reliable all those stories were and whether they referred to incidents or to a systematic campaign of violence. They largely came from the first groups of Displaced Persons who were deported from Potocari, and started arriving in Tuzla from the 12th of July. During those first days there were statements from the Bosnian Government raising the alarm, but they were met with much scepticism – particularly within UNPROFOR.

Too many examples of news manipulation, seemingly aimed at undermining UNPROFOR's efforts, had damaged the Bosnian government's credibility. 'They had screamed blue murder so many times that nobody really took them serious. Every time they came with yet another awful story, which seemed to be much less clear cut later', according to the Dutch military adviser of Boutros-Ghali, Major General F.H. van Kappen.¹⁵⁵⁴ In an evaluation of the mission dated early 1996, there was even talk of

1548 Confidential interview (54).

1549 This concerned e.g. U-2 flights on 11, 12 and 13 July, where Potocari was photographed. The photos showed the lorries and the buses that were to deport the citizens. There were also traces of turned over earth. See: ICTY Dossier, Krstic Case, OTP Exhibits, Volume 1, Ex. 5/2 and 5/4; 6/3 and 6/4. For an extensive consideration of these operations see: Appendix Intelligence, Chapter 8, dealing with Imint and Bosnia.

1550 Confidential interview (54).

1551 This is the only reference to such an instruction that was found. It is unclear in which shape and via which channels such an instruction was issued.

1552 Notes of D. Last; telephone interview D. Last, MA to the DFC UNPF, 05/07/00.

1553 UNNY, UNPROFOR, Box 88040, File 4-2 SRSG Meeting, Srebrenica Staff 95 May-Oct. SRSG, Senior Staff Meeting, 13/07/95.

1554 Interview F.H. van Kappen, 21/06/00.

'blatant government campaigns in [Bosnia-Herzegovina] and Croatia to discredit the UN force'.¹⁵⁵⁵ The Bosnian government's lack of trust in UNPROFOR was sharpened by what the authors Burg and Shoup call 'the feud between the media and UNPROFOR' which was prompted by a conviction prevalent amongst journalists that UNPROFOR was indifferent towards the fate of the Muslims.¹⁵⁵⁶

In turn, this attitude amongst media representatives led to many within UNPROFOR believing that the Bosnian Muslims could count on the Western media during their campaigns. They believed the Western media to favour the Bosnian Muslims and to be hostile against UNPROFOR - CNN and its personification in Bosnia Christiane Amanpour in particular could count on increasing irritation on the side of UNPROFOR.¹⁵⁵⁷

This situation full of suspicion and lack of trust once again showed the painful absence of a fully-fledged intelligence service as a part of UNPROFOR - particularly one that was also equipped to signal and monitor humanitarian disasters. The information provision was so poor that according to some involved it was questionable whether the information levels in New York were much poorer than those in Zagreb, which was nearer the scene of battle.¹⁵⁵⁸ In May 1995, a Human Rights Office (HRO) was set up at the head quarters in Zagreb as part of the Department of Civil Affairs, but it was still in a difficult start-up phase.¹⁵⁵⁹ On the military side there was an intelligence department, which for political reasons – the UN did not undertake intelligence work as a 'transparent' organization - hid behind the concealing name Military Information Office.¹⁵⁶⁰

The name did not only have a purely cosmetic meaning, but reflected that this truly was a flawed intelligence department. Professional personnel was scarce in the department. Many officers had no intelligence background and were more or less dumped in that post. Some came from NATO member states and others did not, which produced a lack of clarity on procedures and, more importantly, a lack of trust in terms of information exchange. There were still traces of enemy thinking from the Cold War. It was literally impossible to work with some people - an Egyptian and Jordanian Lieutenant Colonel were part of the Military Information Office who did not speak English.¹⁵⁶¹ Such restriction of mandate, lack of manpower, and lack of means, meant the employees of the Military Information Office could do little. Where they could do something, they quickly developed a backlog.

The department, characterized as 'messy', depended on what filtered through its own inadequate information chain and what leaked through other channels deemed reliable. The internal information flow left much to be desired. The department was not on the normal mailing list for Civil Affairs reports and depended on copies the Force Commander or his assistant were prepared to distribute or on what could be 'arranged' through personal contacts, even though Civil Affairs documents were essential in a situation such as the one around Srebrenica. As the Bosnia-Herzegovina Command in Sarajevo was also none too forward with information, the Military Information Office often had to gather this more or less directly and secretly from contacts at Sector North East in Tuzla. There was certainly no direct supply of reports from Dutchbat.¹⁵⁶²

1555 Col N. Innell, Maj. J. Oosterwijck Veldhuisen, SAC (W) N. MacIntosh (ed.), *Force Commander's End of Mission Report* (31/01/96) par 63a, p. 56.

1556 S.L. Burg and Paul Shoup, *The war in Bosnia-Herzegovina. Ethnic conflict and international intervention* (New York/London, 1999) pp. 160-161.

1557 Interview R. Theunens, 08/02/00. Theunens worked at the time for G2 at UNPF HQ in Zagreb. Also confidential interview (9). Also: Col N. Innell, Maj. J. Oosterwijck Veldhuisen, SAC (W) N. MacIntosh (ed.), *Force Commander's End of Mission Report* (31/01/96) pp. 35-35, where the international media are awarded an important role 'in exerting pressure for UNPROFOR to be manoeuvred into tasks beyond its capability and mandate.' At the end of the Chapter 'Circus Zagreb' the problematic relationship between the media and UNPROFOR shall be considered more extensively.

1558 Interview F.H. van Kappen, 21/06/00.

1559 The role of the HRO is dealt with extensively in the chapter '*Debriefings en mensenrechten*', section '*Meldingen door Dutchbatters aan UNHCR en UNPF Civil Affairs*'.

¹⁵⁶⁰ See the more extensive Chapter 1 of the intelligence appendix to this report.

1561 Interview C.A.T.M. Bourgondiën, 26/04/00. He was at the time employed by UNPF MIO.

1562 Interview R. Theunens, 08/02/00.

Therefore they were happy to make use of the information the European monitoring mission ECMM and NGOs such as UNHCR and the International Red Cross shared with the Military Information Office, but that exchange did not happen systematically and was also influenced by the interests of the relevant organizations. The only more or less formal contact consisted of the fortnightly co-ordination meetings with the NGOs chaired by Deputy Force Commander Ashton.¹⁵⁶³ It was generally assumed that all NGOs were infiltrated by employees of the various national intelligence services or people who were subsequently recruited, but the information that produced went to national channels and therefore played an unclear role in UNPF's information gathering.

Another problem was that the information was filtered at various places in the long UNPF line. When colleagues compared the information at the intelligence section (in military terms known as G2) of the UNPF and the UNMO organization in Zagreb, the general conclusion was that the information from the UNMO line was usually qualitatively speaking 'more useful' than that from the UNPF line. The Belgian Major Jean Segers, at the time head of the intelligence section at the UNMO head quarters in Zagreb, undertook that comparison together with his fellow countryman Renaud Theunens, who worked at the Military Information Office of UNPF. Segers noted: 'As head G2 UNMO I saw documents which had only passed through selection once. At UNPF there were more selection layers for information'.¹⁵⁶⁴ This meant much information was lost. He also stated that the selection of information at UNPF was dictated much more strongly by political wishes, which meant that even the UNMO information that came to the UNPF would undergo selection, however good the overall quality.

Although Deputy Force Commander General Ashton officially had the task to monitor the UNMO operations¹⁵⁶⁵, this did not dispel the UNPF's general reservations towards UNMO which reported directly to the UN in New York. UNMO employees had the fear that UNPROFOR would prefer to 'gobble up' the UNMOs, particularly when General Rose was Commander in Sarajevo.¹⁵⁶⁶ Not all UNPROFOR officers took the UNMO organization equally serious. The discrimination against certain nationalities within UNPROFOR also applied to the UNMO organization, which was a popular employer for many individual military personnel from various countries that did not wish to supply large contingents of troops. There was often the reproach, unjustified according to Major Segers, that the UNMOs were unreliable, because too many nationalities of 'dubious nature' were represented. However, the UNMOs had the advantage that they lived close to the population and operated in small teams, would could usually move easier than UNPF units. So the UNPF headquarters knew how to find the UNMOs when their activities provided usable scoops for the daily press conference. However, according to Majors Segers, 'not much was done with it analytically'.¹⁵⁶⁷

In the case of Srebrenica and Potocari later, the UNMOs present were an important source of information besides Dutchbat. However, the problem was that just like the UN peacekeepers their freedom of movement was seriously restricted. And as described earlier, the team members also experienced personal difficulties in dealing with the tensions. Therefore UNPF and UNMO were largely blind to what was happening outside Potocari.

Communication problems at the UNMO made the situation even more difficult and some UNMOs taken hostage elsewhere in Bosnia also partly detracted the UNMO headquarters' attention from Srebrenica. There was no direct contact between Zagreb and the enclave. The faxes sent from Srebrenica usually went to Zagreb via the regional headquarters in Tuzla.

When the importance of the UNMO line became clearer, the call from other parties at the UNMO sector headquarters in Tuzla to pass on information strongly increased at the cost of the

¹⁵⁶³ Interview R. Theunens, 08/02/00.

¹⁵⁶⁴ Interview J. Segers, 16/06/00 and 30/10/00.

¹⁵⁶⁵ Col N. Innell, Maj. J. Oosterwijck Veldhuisen, SAC (W) N. MacIntosh (ed.), *Force Commander's End of Mission Report* (31/01/96) par 66, p. 61.

¹⁵⁶⁶ Interview B. Pellnas, 03/11/99.

¹⁵⁶⁷ Interview J. Segers, 16/06/00 and 30/10/00.

UNMO organization in Tuzla gathering and analysing information itself. The resulting overload meant that Tuzla announced an information stop, because the employees could not manage and had lost grip of the situation. The intelligence section of the UNMO headquarters in Zagreb was therefore threatened to be bereft of information and had to exert pressure on Tuzla to pass on reports, if need be at the cost of other recipients.¹⁵⁶⁸ The reports that did reach Zagreb were passed on to UNPF.

The UNMO reports played an important role in New York focusing attention on the fate of thousands of imprisoned men from Srebrenica who were to be in the football stadium of Bratunac. Indirectly they played a role too, as apparently autonomous warnings in press reports of e.g. *Médecins Sans Frontières* could also be traced back to UNMO information. Not all UNMO reports became public - Yashusi Akashi suppressed a number of reports, because he feared they might endanger the UNMOs.¹⁵⁶⁹ So reluctance to disclose sensitive information, whilst the couriers were still in potential danger, was not just the prerogative of General Couzy and Dutch politicians.

Reports from Bratunac

For about a week, 'Bratunac' was the dominant centre of attention for the authorities involved with the fate of the inhabitants of the former enclave. On the basis of what he had heard, Kofi Annan had informed Yashusi Akashi as early as the 13th of July of his concerns over what was to have happened in Bratunac. A day later the figure of 4,000 men circulated around the intelligence section in Zagreb – a figure that originated from a conversation with the intelligence section in Sarajevo.¹⁵⁷⁰

In the media and the diplomatic service too 'the Bratunac affair'¹⁵⁷¹ played an ever more dominant role. On the 14th of July the press reported UNHCR reports from the previous day, based on witness accounts from Bosnian-Serb military personnel, that between seven hundred and one thousand Muslim men were held in Bratunac football stadium. The organization refused to speak of Prisoners of War ('POWs') for as long as this could not be verified and continued with the term Displaced Persons ('DPs'). On the 15th of July, UNHCR was already taking account of possibly 4,000 prisoners, but neither UNHCR nor the International Red Cross managed to gain access to the site. Two UNHCR Field Officers, who tried to determine the whereabouts of the prisoners and the remainder of the population, had been 'politely but firmly invited' by the local Bratunac police to leave Srpska before the end of the afternoon of the 14th and they were now just over the border in Serbia.¹⁵⁷²

Both the UNHCR and the International Red Cross signalled a worrying discrepancy between the estimated number of inhabitants of the enclave at the time of the fall (42,000) and the figure of 30,000 evacuees given by the Bosnian Serbs. The Dutch Minister of Defence Voorhoeve stated during a press conference that he could not confirm the reports on Bratunac, because the reported events were outside the observations of Dutchbat. Therefore the Dutch Government, through Minister Voorhoeve and the Minister of Foreign Affairs Van Mierlo, pleaded with the UN to send international observers to Bratunac as soon as possible. That concern fitted in with the concerns the UN had already expressed on the fate of men above the age of sixteen.¹⁵⁷³

On the 15th of July a UNMO source reported that possibly a thousand men (probably from Potocari) were deported in the direction of Bratunac with an unknown destination. The source also reported corpses with neck shots, men who had been beaten with rifle butts, VRS soldiers who had

1568 Interview J. Segers, 16/06/00 and 30/10/00.

1569 UN Srebrenica Report, par. 353.

1570 Confidential interview (54).

1571 The expression originates from the aforementioned DCBC daily report, entry 151431. MvD, xxx

1572 UNGE, UNHCR, Fund 31 sub-fund Pale: Srebrenica. UNHCR Update ex-Yugoslavia, 15/07/95; UNGE, UNHCR, Fund 19 sub-fund 6: 1995 FYOO OPS 16, Sitreps Bosnia Jan-July. Fax Jean-Paul Cavalieri/BH Desk to SOFY [Special Operation in the former Yugoslavia] Desk/PI Section, Update on 14 /07/95.

1573 'Nederland wenst waarnemers bij gevangenen Moslim-mannen' (The Netherlands wants observers for imprisoned Muslim men), *De Volkskrant*, 15/07/95; 'UNHCR bezorgd om lot mannen' (UNHCR worried about men's fate), *Trouw*, 14/07/95.

‘gone berserk’ and many dead.¹⁵⁷⁴ When it became known that same day that the 55 Dutch UN hostages which had been gathered in Bratunac would be released and were to go to Zagreb, that seemed a perfect opportunity to find out more about the situation there.

How did the Military Information Office organize the debriefing?

The task to debrief the Dutchbat members fell first of all to the Military Information Office in Zagreb. It was going to be the first time that UNPF would subject its own military personnel to a debriefing. Following the hostage crisis in May UN Force Commander Janvier had given the order to design a debriefing procedure, but it had never been tested in practice. It is ironic that the first eligible group, French UN peacekeepers who had been taken hostage, escaped the debriefing. Their plane from Sarajevo landed in Zagreb, where the plane that would take them directly to France was waiting. The French changed planes fully protected by French troops, and UNPF could but watch.¹⁵⁷⁵

The foreseen procedure was also impossible for debriefing the Dutch, but in this case due to lack of time for both good preparation and implementation. It was also clear that the UN would take second place and that the priority for care and reception lay with the Royal Netherlands Army, although the Military Information Office did not realize that the Royal Netherlands Army only intended to undertake a psychological debriefing. The head of the Military Information Office, the Swedish colonel Jan Svensson, was on leave and therefore the responsibility to make the best of it under the circumstance lay with his deputy, the American Lieutenant Colonel and experienced intelligence man Rick Morgan.

His nationality was remarkable for somebody in that position. There was a curious phenomenon during the war in Bosnia and Croatia - although the US systematically refused to make ground troops available to the UN, a large number of American military and civilian (often ex-military) personnel could be found in key positions in both the military and civil branches of the UNPF bureaucracy. That did not always please the other nationalities, because there was a strong suspicion that most Americans wore several hats. Rick Morgan, who was characterized as hard to fathom, had a similar reputation. ‘He told little and needed to know much’, a former employee recalled later.

His accessibility meant he had a good name amongst journalists,¹⁵⁷⁶ but not everyone shared that positive image. In the classified Force Commander’s End of Mission Report that was completed early 1996, there were harsh comments about the situation at the Military Information Office. Although Swedish colonel (Svensson) officially headed up the section, he managed an American Lieutenant Colonel, ‘who, at all times had access to more accurate intelligence than his [Commander]’. This ‘deeply unhealthy relationship’ made their relationship more difficult and was awkward for those who had to work with them, according to a number of employees of the Military Information Office.¹⁵⁷⁷

Due to Svensson’s absence, the responsibility for debriefing the 55 Dutchmen came to rest with Lieutenant Colonel Morgan. Together with his employees he designed a questionnaire that was intended to quickly select the most important witnesses and to subject them to further questioning.¹⁵⁷⁸ The bulk of the total of ten questions was relatively standard – they concerned the place and circumstances of any remaining hostages, any abuse experienced, what the instructions of the ‘hijackers’ had been on what they were and were not allowed to say, and their current destination. That last question led to most saying ‘home’ in several variants, whilst others filled in ‘Dutchbar’ or ‘What do you think!’. Only the last three questions of this debriefing concerned rumours about atrocities: ‘Do

¹⁵⁷⁴ According to the summary of the report given by Major De Rooter in a telephone conversation with SCOCIS in The Hague of the UNMO reports. DCBC, 528; daily report DCBC, 151431 [15/07/95].

¹⁵⁷⁵ Interview R. Theunens, 08/02/00.

¹⁵⁷⁶ Interview E. Neuffer, 15/07/00. At the time Neuffer was head of the *Boston Globe*’s European desk.

¹⁵⁷⁷ Col N. Innell, Maj. J. Oosterwijck Veldhuisen, SAC (W) N. MacIntosh (ed.), *Force Commander’s End of Mission Report* (31/01/96) par. 77, p.66.

¹⁵⁷⁸ Interview C.A.T.M. Bourgondiën, 26/04/00.

you know something about atrocities in the stadium of Bratunac'; 'Did you see something special during the transport? For example dead bodies with neck-shot' and finally 'Did you see people with strange wound [sic]'.

This English questionnaire, with a Dutch translation, ended with a comment in Dutch: 'This was the first brief operational debriefing. If we wish to speak to you again, we will contact you. Should you later remember things you forgot to report, please contact the security officer/non-commissioned officer of the Dutch contingent as soon as possible'.¹⁵⁷⁹ This Dutch addition and the translation of the questions came from Major C. (Cees) F. Bourgondiën. He was one of Lieutenant Colonel Morgan's employees at the Military Information Office and was involved in the debriefing because of his nationality. A large amount of the practical work surrounding the care and reception and debriefing of the 55 Dutchmen fell on his shoulders. Bourgondiën was originally an expert in nuclear and biological weapons, but had obtained some intelligence experience as deputy intelligence and operations officer of a helicopter squadron, and later at the Dutch Provincial Military Command Gelderland-Overijssel. Now he filled the post of head of the Croatia department in the Military Information Office, as the first Dutchman in an intelligence post at UNPF in Zagreb. He had had nothing to do with Bosnia, and the events in Srebrenica therefore were a big surprise for him. He received the first reports of the attack via Lieutenant Colonel Morgan who informed him of the expected release of the 55 Dutchbat hostages and the need to debrief them with the words: 'That is our job. You speak Dutch, so you do it!'

Major Bourgondiën felt confronted with a tough job. Normally, the immediate Commander undertakes the debriefing, but in this case the organic links were broken. Major Bourgondiën painted the picture as follows:

'A couple of people who had been prisoners of war came back separately, whilst the battalion itself is still in that enclave. We also knew that these people would be in Pleso for a very short period. They were to return to the Netherlands as quickly as possible. If you want to have any information, you need to interview those people on the spot. They really fell under Sarajevo, but they came back to Zagreb to us. That is why we did it like that. Of course I had little time. They were due to arrive in Pleso in a few hours. They needed a medical. We had no idea how they would come out. We had no information on that. Neither did we know how they would be psychologically.'¹⁵⁸⁰

According to Major Bourgondiën he worked on the questionnaire with fear in the back of his mind: 'We knew then that they [the Muslim men from Potocari] had been deported. We feared that there might have been massacres'. For the interviews he ensured the support from his colleague, the Belgian captain Theunens. Lieutenant Colonel Morgan was present during the debriefing for supervision and gathering of the forms.¹⁵⁸¹

On the 16th of July a Dutch operations officer of UNPF G3, Colonel J.H. de Jonge also reported for duty. He also spoke with some Dutchbat members, 'focussing [sic] specifically on operational aspects'.¹⁵⁸² Colonel De Jonge stated later that he had heard nothing to cause him concern on that very brief occasion.¹⁵⁸³

After the plane with the ex-hostages had landed and they had gone to the American MASH tent for a medical, Major Bourgondiën was the first to meet them:

¹⁵⁷⁹ NIOD, Coll. Hicks. Collection debriefing forms 'De-briefing Srebrenica', compiled by Major C. Bourgondiën, 26/09/95. Also: SMG, 1002.

¹⁵⁸⁰ Interview C.A.T.M. Bourgondiën, 26/04/00.

¹⁵⁸¹ Interview R. Theunens, 08/02/00.

¹⁵⁸² NIOD, Coll. Hicks. Interoffice memorandum, 'First debrief Dutchbat personnel', G3 Land Ops to FC [Janvier], 18/07/95.

¹⁵⁸³ Interview J.H. de Jonge, 30/05/01.

‘I had a lot of pens and pencils with me. Quickly fill in. No more than five minutes work. They had to hand it in to me or our Belgian captain. We could check quickly whether it was interesting. People who were not interesting could go straight to the medical and the clothes, food, etc. We could make a selection then.’

In his instruction he also pointed to the Dutch comment at the end of the form:

‘I told them also and put this specifically in the questionnaire: “If you remember something later or whatever, or when you’re back in the Netherlands ...” I could imagine that they did not want to say anything then. I don’t know what sort of pressure they were under. But keep it in the channels. Keep it in the line.’¹⁵⁸⁴

One of the lines referred to went via the security officers, and it is no coincidence that a number of the reports made here can be found in a note of the aforementioned MID/Netherlands Army Intelligence and Security Officer N. Franssen. Apart from that he also heard from individual members of the group of 55 in Holland House that they had seen many men ‘who had all died of neck and head shots’.¹⁵⁸⁵ This story fits well with the report from an UNMO source that reached the DCBC (Dutch Defence Crisis Management Centre) via Nicolai’s employee De Ruiter on the 15th of July.¹⁵⁸⁶

Franssen also recorded the rumour that military personnel had seen ‘that civilians had been driven together with a shovel (construction machinery) and were subsequently crushed to death against a wall’. He also heard reports of people who were run over during the chaotic retreat from Srebrenica to Potocari.¹⁵⁸⁷

How did the information from the debriefing reach the Dutch Army top?

Franssen reported his findings to a colleague of the MID/Dutch Army (Intelligence and Security Section) in The Hague, who deduced that the ‘shit was hitting the fan’. However, it seems that neither this impression nor the information on which it was based played any further role in the information provision towards the Minister or the Commander in Chief of the Royal Netherlands Army, although the head of the MID/Netherlands Army Colonel H. Bokhoven had ‘more or less free access’ to General Couzy.¹⁵⁸⁸ However, he hardly used the MID.¹⁵⁸⁹ The line via which this information reached Bokhoven cannot be traced, but Bokhoven – who was on holiday during these July days – later stated that he did not know the name Franssen.¹⁵⁹⁰

So the information does not seem to have reached the top of MID/Netherlands Army via this line. A number of the 55 reported to the Ministry of Defence on the return of the rest of the battalion to the Netherlands with the message that they had something to tell. At least one of them, E.P. (Eric) Smid, was subsequently referred to General G. Bastiaans, who was just completing his report on the operational debriefing of Dutchbat, carried out by him on the 22nd and the 23rd of July in Zagreb. The

¹⁵⁸⁴ Interview C.A.T.M. Bourgondiën, 26/04/00.

¹⁵⁸⁵ SMG, 1007/7. Note, ‘Information sources’, according to a handwritten note from smi N. Franssen, not dated. Judging by the content, the note was made before the return of the rest of the battalion on 22 July. Franssen noted that he had heard this information personally ‘or was told in Holland House (Zagreb)’.

¹⁵⁸⁶ DCBC, 528. Daily report DCBC, 15/07/95. Report from SCOCIS cdr C.G.J. Hilderink, who had spoken to De Ruiter on the telephone.

¹⁵⁸⁷ SMG, 1007/7. Note, ‘Information sources’, according to a handwritten note from smi N. Franssen, n.d.

¹⁵⁸⁸ Confidential interview (20).

¹⁵⁸⁹ See Chapter 3 of the appendix on the role of intelligence during the war in Bosnia 1992 – 1995.

¹⁵⁹⁰ Interview H. Bokhoven, 16/05/01.

General was shocked by Smid's reports and they threatened to give his report an unexpected and disconcerting turn.¹⁵⁹¹

The answers during the debriefing

The debriefing and Bastiaans' report are dealt with more extensively further on in this chapter. However, the core of the reports heard by the General must be determined now, i.e. the observation of the lorries full of corpses, which can also be found on the forms that were filled in Pleso at the request of Major Bourgondiën. Sixteen of these contained 'relevant information' according to the debriefing team. In all but one of the forms, the key issue was the answer to question 9 – observations 'during your transport'. The answers concerned 'lined up clothing' along the road, and particularly the tractor with trailer, or a dumper truck or a lorry full of corpses. None of the debriefed people had information on Bratunac. Only one form contained an answer to the question whether something was known about possible atrocities in the Bratunac stadium: 'Yes, all Muslims were shot dead'.¹⁵⁹²

On the basis of this the intelligence section selected some Dutchbat members for a further conversation. 'I think we picked out eight people', Major Bourgondiën said later.¹⁵⁹³ The conversations were difficult – the Dutchbat members were tired and irritable and the debriefing team was in a hurry ('we had no more than an hour'). So it was not a real debriefing. 'It was a conversation to quickly pick up the *hot news* and to put that in the cauldron', Theunens said later.¹⁵⁹⁴ Nevertheless, the debriefing team did a proper job. One of those who was interviewed, Sergeant Ceelen, specifically remembered the feeling of relief when the debriefing was over. He had become angry, because the debriefing team kept 'banging on' about whether the observed bodies along the road were Bosnian Serbs or Muslims, although he was unable to say anything conclusive.¹⁵⁹⁵

However, this persistent approach was due to necessity. The debriefing team did not have the opportunity to weigh up the statements and therefore they were extra careful. Major Bourgondiën:

'For a number of days they had perhaps been in very strange circumstances. We did not know that at that time. What sort of pressure did they experience? How were those people worked on psychologically? You cannot make any heavy judgements. I am not a doctor. I do not know whether those people make things up. You have to be sure whether something really happened or not. That is of course very dangerous. If you have not seen it and you are operating on suspicions, you are of course accusing someone. That can spark things off. That is why we tried to stick to the facts.'¹⁵⁹⁶

Major Bourgondiën subsequently turned these facts as quickly as possible into a brief report of one and a half pages. The facts concerned partly military information about the attack and the composition of the troops involved, which could be found in a general comment and in 'detailed daily reports' running from the 6th to the 15th of July. The two other general comments concerned the issue of the

¹⁵⁹¹ Interview G. Bastiaans, 20/11/00.

¹⁵⁹² NIOD, Coll. Hicks. Collection debriefing forms 'Debriefing Srebrenica', compiled by Major C. Bourgondiën, 26/09/95. Also: SMG, 1002: Debriefing form Private Peperkamp. Of the remaining 39 forms with 'non-relevant information' there were nine that referred to Bratunac, almost all with reference to 'rumours' and one to the World Service.

¹⁵⁹³ One UNPROFOR official remembered that he had spoken with 30 of the 55 Dutchbat members and that they had not wanted to say anything to him about atrocities. He had the impression that they were very traumatised and mistrusted him as an outsider. (confidential interview, 54) That silence had also been noted by the press spokesman present Major M. Beneker. Interview M. Beneker, 04/12/01. Whether the number of 30 is correct is in doubt. It is possible that there is confusion, because a week later the intelligence section in Zagreb also approached some Dutchbat members from the main body in Potocari. More than thirty of them filled in debriefing forms.

¹⁵⁹⁴ Interview R. Theunens, 08/02/00.

¹⁵⁹⁵ Interview W. Ceelen, Assen, 02/07/99.

¹⁵⁹⁶ Interview C.A.T.M. Bourgondiën, 26/04/00.

observations. Under comment 2: ‘(...) On their way from the OP to Bratunac they saw a lot of civilian clothes on the road and a tractor with a trailer, this tractor was clearing away dead bodies’. And under comment 3: ‘In Bratunac, during the evening, they heard a lot of shooting, but they didn’t know whether it was from executions or feasting. (...)’. On the short chronological list the 13th of July also refers to this shooting, but the most relevant information concerned the 14th of July: ‘Two buses full of men were seen near the stadium, the men were sitting in a dejected manner. In the school building there were BSA-[VRS-]soldiers from almost all corps the Dutch knew about, for example Arkan-brigade, Banja-corps, etc.’¹⁵⁹⁷

The reference to the Arkan tigers was particularly interesting, but the debriefing team did not draw any conclusions from that. In conversations with Bosnian authorities, the name Arkan was one of the most alarming indicators for possible large-scale atrocities for the Dutch Minister Pronk (whose information mission in Bosnia round about the same time shall be discussed later).¹⁵⁹⁸ As in other cases there was no real agreement at UNPF or at NGOs about what could be considered an indication of impending human-rights violations and it remained a matter of individual ‘gut-feeling’.

Although the debriefing team had a disconcerting gut feeling, they did not have the image that there really had been large-scale, systematic executions.¹⁵⁹⁹ Later Major Bourgondiën discussed this with Captain Theunens: ‘What is very strange is that we thought “happily it did not happen like that.” Personally it would not have surprised me if it had happened. You were actually glad that your own fears and suspicions had not been confirmed.’¹⁶⁰⁰

That feeling was more prevalent, as shown by the words of Major Segers of the UNMO intelligence section:

‘We, the UNMOs, never realized that there had been a massacre of those proportions [as would become known subsequently]. First we heard the rumour of a few executions, and we had some questions. Are we not exaggerating? Has it all been hyped up perhaps? We had quite a few of such stories and you wonder whether you’re in the same situation – should we stand back and wait and see?’¹⁶⁰¹

The separation of the men and women in Potocari, where the Dutchbat members had not or hardly intervened, had not caused any special concerns.

‘That also happened in various other situations. That was quite logical for us military people. Women and children are not prisoners of war. They are approached differently. They are not questioned. Military people are. If you take somebody prisoner during a conflict, you question them. One of the functions is to determine whether you will release someone immediately or keep them for further interviews. We do that too. Every police service does it. So that selecting was not that unusual.’¹⁶⁰²

¹⁵⁹⁷ NIOD, Coll. Hicks. Maj. Bourgondiën to SMIO, ‘De-briefing of the Dutch soldiers from Srebrenica’, 18/07/95. Part of an Interoffice Memorandum from Major Bourgondiën to DCMIO, ‘De-briefing Srebrenica’, 28/09/95. Also in: SMG, 1002.

¹⁵⁹⁸ Interview J. Pronk, 03/04/00. See also: Jan Hoedeman, ‘VN hebben nooit luchtsteun beloofd’ (UN never promised air support), *De Volkskrant*, 11/07/00.

¹⁵⁹⁹ Interview R. Theunens, 08/02/00.

¹⁶⁰⁰ Interview C.A.T.M. Bourgondiën, 26/04/00.

¹⁶⁰¹ Interview J. Segers, 16/06/00 and 30/10/00.

¹⁶⁰² Interview J. Segers, 16/06/00 and 30/10/00.

10. Why was the KHO group not debriefed?

A simple lack of information meant that at that moment Zagreb did not realize that there was a different, much more threatening situation in Potocari. A report from the intelligence section dated the 17th of July notes: 'No specific information available regarding treatment of the males separated'.¹⁶⁰³ The reports from Dutchbat about confirmed observations of executions (see Chapter 4) had not reached the UN headquarters. Media reports on the 14th of July, which spoke about murders and rapes that were to have happened in Potocari, also did not receive attention. There are no indications that open sources were systematically monitored and analysed by the Military Information Office. There was probably no capacity, quite aside from considerable practical problems with obtaining newspapers and magazines - something journalists and others involved in the area also needed to cope with.

The irony was that the 55 ex-hostages were together with the KHO group in Pleso. The KHO group had come directly from Potocari and its members had all sorts to report as described. They were not debriefed by the Military Information Office and the question is why. Major Bourgondiën answers that question by: 'The order was purely to debrief the people who came from Bratunac. Not the others'.¹⁶⁰⁴ As reported, he nevertheless attempted to, but did not insist when Solkesz advised against it.

In the end this was also an important reason for not interviewing KHO-5, albeit in a less direct manner. In Pleso Major Bourgondiën encountered Major Solkesz, the plagued leader of the convoy that had taken KHO to Camp Pleso. They knew each other from before when there were both members of a division staff. Shortly after his arrival on the 15th of July, Major Solkesz had been caught by Lieutenant Colonel Morgan for a preliminary debriefing, of which the American sent the result to Hayden the next day: 'reports no details on fate men'.¹⁶⁰⁵ From a written note in English of the conversation with Major Solkesz it appears however that the convoy leader had heard stories from the Dutchbat members (these must have been members of KHO-5) about 'a lot of bodies on the way from Srebrenica to Potocari'.¹⁶⁰⁶

Major Bourgondiën probably received a similar report on bodies from Major Solkesz with the indication that the information could also be found with members of the KHO group. A reconstruction of the further course of their conversation appeared difficult because of the years gone by. According to Major Bourgondiën he intimated to Major Solkesz that he would like to get in touch with the KHO members: 'But he said that they absolutely did not want to discuss it'. This was a curious statement given the problems Major Solkesz had near Zvornik with a surgeon (Kremer) who did not seem minded to adhere to the ban on speaking in public, and had to be stopped rather than stimulated. The irony is that in the eyes of Chaplain Meurkens too the ex-hostages were 'less expressive than the people from the medical team'.¹⁶⁰⁷

Later the former convoy commander stated that it must have concerned a 'misunderstanding'. On the basis of his own experiences Major Solkesz did not have much faith in debriefings:

'It has all got to do with the way I see it. Debriefing in that situation and under those circumstances has everything to do with mollycoddling. And that's the last thing you need at such a time.' He had not realized that Major Bourgondiën's interest came from his position with the intelligence section:

¹⁶⁰³ Quote from documents during confidential interview (54).

¹⁶⁰⁴ Interview C.A.T.M. Bourgondiën, 26/04/00.

¹⁶⁰⁵ Quote from documents during confidential interview (54).

¹⁶⁰⁶ NIOD, Coll. Hicks. Note without date, 'FIR of the returning of the Dutch convoy Portocari-Plezo [sic] Convoy-commander Solkesz (Dutch)'. The note is part of the collection debriefing forms 'De-briefing Srebrenica', compiled by Major C. Bourgondiën, 26/09/95. Also in: SMG, 1002. The reports possibly referred to the stories going around Dutchbat that there had been casualties on the 11th of July during the Displaced Persons' journey to Potocari (in relation to possible runovers).

¹⁶⁰⁷ Interview N. Meurkens, 24/03/00.

‘That is because in such a period everyone is working on all sorts of things everywhere. That a Commander might hand out water as a manner of speaking and that the CSM [Companies Sergeant Major] arranges flight tickets. There is work and everyone mucks in. (..) So if someone says to me: “Should the people be debriefed?” The first thing that springs to my mind is mollycoddling. Here we go again! You don’t need it.’¹⁶⁰⁸

This attitude had already produced a run-in with psychologist Venhovens, who had come to ask which of his drivers might qualify for a debriefing and only after much insistence had he received a list of names.¹⁶⁰⁹

Given that Major Bourgondiën had no formal basis for approaching KHO he decided to heed Major Solkesz’ answer and to refrain from further attempts.¹⁶¹⁰ However he did get wind of the fact that KHO and Major Solkesz had come with videotapes and rolls of film. He attempted to intercept the shipment at the army postal service, but did not manage because of time pressure. Major Bourgondiën:

‘I then informed the Netherlands and told them where they were going – they knew that anyway – to have them intercepted. They were meant to go to the attached S-3 [operations officer] of the battalion (...) He was to ensure that [the videotapes and rolls of film] would arrive at people’s homes. He was asked to hold on to it for a week. That means nothing happens and you have a week’s time. The MID in The Hague was informed. Only after a few months did they phone me: ‘You were to have videotapes somewhere?’ I then said: ‘now you sort it out yourself.’¹⁶¹¹

Nevertheless Major Bourgondiën obtained another two rolls of film in Pleso, which had been handed in at the Contingent’s office. He consulted Colonel De Jonge, who claims he pointed out their importance and private nature.¹⁶¹² Major Bourgondiën: ‘They all came out. We had them developed by us in Zagreb. We looked at them and there was nothing interesting on them.’¹⁶¹³

¹⁶⁰⁸ Interview A. Solkesz, 15/11/00. This attitude also comes through in an incident Solkesz later described in his book. He fended off a spiritual carer (probably Chaplain Meurkens) when he asked after the need for a debriefing: ‘What he said I found logical on the one hand, but on the other hand it did not seem necessary to me to have everyone participate compulsorily in a debriefing session.’ Arco Solkesz, *Hier Romeo, we gaan rijden!*, p. 151.

¹⁶⁰⁹ Interview P.M.P. Venhovens, 17/11/00.

¹⁶¹⁰ Interview C.A.T.M. Bourgondiën, 26/04/00.

¹⁶¹¹ The videotapes belonged to Warrant Officer Dijkema, who had given them to Solkesz. They contain e.g. images of the arrival of the Displaced Persons on the 11th of July and the beginning of the deportation on the 12th. The videos were lost for a while and only got back into Dijkema’s possession on the 28th of August after the necessary efforts. The next day Dijkema made them available to the Intelligence and Security Section of the Royal Netherlands Army Staff. See: NIOD, Coll. Kreemers. [B. Kreemers] ‘summary sitrep videotapes Adj Dijkema’.

¹⁶¹² DCBC, 1109. J.H. de Jonge [to R.S. van Dam], 29/08/95.

¹⁶¹³ Interview C.A.T.M. Bourgondiën, 26/04/00. This conclusion fits with the information from the Royal Netherlands Army regarding these films - one of which belonged to Private M. van der Zwan, who had asked after his photographs. See: NIOD, Coll. Kreemers. Memo B. Kreemers to G. ter Kuile, ‘Re: Roll of film’, 10/08/95. At a later stage, the NIOD heard from a source considered reliable, who spoke anonymously due to possible repercussions, that he had seen colour photographs in Zagreb (Pleso) of possible victims of executions. It concerned two series of photographs – one showed possibly two bodies in a ditch, another concerned two to three photographs of the front and back of a house. The photo of the back of the house showed three to five bodies. Given the description of the house, it is likely that the photos came from the military personnel who arrived in Pleso on the 22nd. They must have been developed there, because Potocari only had a black-and-white darkroom. Quite aside from that it would be very unlikely that someone would have dared to take the risk of smuggling photographs outside. Asking around a number of those involved made clear that the military personnel in Pleso had a lot of freedom of movement and could leave the camp. It is possible that some of them went into Zagreb to have their films developed at a 1-hour service. The source also reported that the owner(s) of the photographs, whose

Major Bourgondiën's report went to Lieutenant Colonel Morgan, who took it further up the line. He was to have given it directly to the Chief of Staff of the UNPF, Kolsteren, because it was 'appropriate' for him. Colonel De Jonge and Hayden also quickly received copies. It is likely that the results ('they didn't see atrocities nor women dragged off') were reported orally to UN Force Commander Janvier.¹⁶¹⁴

When on the 18th of July New York ordered Yashusi Akashi to subject the Dutch to a debriefing and he passed this task on to General Janvier, who could report shortly thereafter that the investigation had already taken place. He also let it be known that specific questions had been asked about human-rights violations, which had produced nothing: 'No information was obtained as apparently the BSA [VRS] was very meticulous in what it allowed the detained soldiers to see'.¹⁶¹⁵ General Janvier was possibly guided by Lieutenant Colonel Morgan, but possibly also by his Dutch Chief of Staff Kolsteren, who had asked the Military Information Office specifically whether questions about possible human-rights violations had been part of the debriefing. He reported the conclusion that 'nothing was seen by the soldiers' and he added the note that this seemed logical to him 'as they were under guard and the BSA [VRS] are not stupid' [underlining in the original].¹⁶¹⁶

Yashusi Akashi adopted General Janvier's conclusions and reported to New York that there had been a debriefing immediately upon arrival in Zagreb of those soldiers who had stayed in Bratunac, but 'that such debriefings did not reveal any first-hand accounts of human rights violations'.¹⁶¹⁷

11. The role of the Military Information Office during the debriefing of the rest of the battalion on 22-23 July

Only a week later could the Military Information Office fully focus its attention on Potocari, after the remainder of Dutchbat had arrived in Camp Pleso. Judging by the recollections of the UNPF officers, including Major Bourgondiën, and the submitted debriefing forms, some thirty two Dutchbat members were interviewed.¹⁶¹⁸

It mainly concerned officers and under officers and just one private. Why they were chosen could not be traced, but it is likely that the debriefing team considered the Dutchbat management a good access point to sources that could be amongst their lower ranks. In only one case did a specific question play a role. That was during the debriefing of naval Captain Doctor H.G.J. Hegge, who provided information on the Bosnian-Serb refusal to let pass medical supplies. That had in any case meant the death, through lack of insulin, of a fifteen-year-old diabetic girl.¹⁶¹⁹ This issue is considered more extensively in the Appendix 'Dutchbat and the population: medical issues'.

The other Dutchbat members had among them two of the main witnesses of possible executions - Rutten and Oosterveen. Groenewegen was missing, although colleagues had named him as the witness of an execution. The important witnesses of the separation of men and women, such as lieutenants Egbers and Van Duijn, were also interviewed. It was remarkable that neither Karremans nor Franken were interviewed by the Military Information Office, although they could have thrown light on

identity he could no longer remember, showed them 'from a folder'. It was also made clear to him that the owner(s) wanted to keep the material secret out of fear of Bosnian-Serb reprisals. As some Dutchbat members reported during the debriefing in Assen, this fear was not unfounded, because some VRS soldiers in Potocari had told them they had been in the Netherlands relatively recently.

¹⁶¹⁴ Confidential interview (54).

¹⁶¹⁵ UNGE, ICFY, Box 139, cryptofax in 46. Janvier to Annan, Z-1206, 20/07/95.

¹⁶¹⁶ NIOD, Coll. Kolsteren. Note on cover sheet with debriefing report, 19/07/95.

¹⁶¹⁷ *Report of the Secretary-General pursuant to General Assembly resolution 53/35 (1998), A Srebrenica report*, (New York 1999) par. 390.

¹⁶¹⁸ Interview C.A.T.M. Bourgondiën, 26/04/00; confidential interview (54). The figure seems very high given the limited time available.

¹⁶¹⁹ NIOD, Coll. Hicks. Interoffice Memorandum FMEDO to DFC to FC, 'Debrief Dutch medical group medical supplies hindrances', 26/07/95.

the problems with communicating the observations.¹⁶²⁰ As it appears that no report was drawn up on the findings of the debriefing – or rather nothing was found in the archives nor references in other documents – the image Lieutenant Colonel Morgan and Major Bourgondiën distilled from the forms and the conversations cannot be reconstructed.

As will be discussed later in this chapter, Major Bourgondiën also played a role during other debriefings by the UN. Major Bourgondiën's, Lieutenant Colonel Morgan's and Captain Theunens' recollections of their activities on the 22nd and the 23rd of July was less vivid than those of the 16th of July when, however improvised, they did in fact undertake their only operational debriefing. A week later they were just a bit part in the play where General Bastiaans and his team of debriefing team took the lead. Furthermore, at that time their focus, just like the focus of the rest of the UNPF, the UN, the NGOs and the larger part of the media, had moved away from Srebrenica, because of the dramatic developments in Croatia, which lead to Operation Storm.

There was therefore no evaluation of the debriefing operation of the 15th of July, because the content did not provide any reason to do so. Only at the end of September 1995 did the debriefing of the Dutchbat members by the Military Information Office receive renewed attention, albeit only internally. The political importance of this effort had increased strongly because of what had become known – mostly through the efforts of the media – about the events in and around the enclave. The big debriefing operation of Dutchbat in the Netherlands had also started, and the Dutch UNPF officers in Zagreb were suddenly asked all sorts of questions about the set-up and the implementation of the debriefing in an attempt to reconstruct the course of the information process. This was against a background of media accusations that Dutchbat had been slack in reporting indications of large-scale human rights violations.

12. The debriefing of the 55 and KHO-5: conclusion

Against that background an analysis of the actions of the Dutch who were the first to come out of the disaster area provides a detailed picture. It is impossible to determine to what extent the emotions and experiences, the manner of the care and reception and the flawed debriefings prevented witnesses from providing statements and blocked the extent of detail therein. Some Dutchbat members expressed criticism of the (psychological) debriefing: 'We could not get what was bothering us of our chest'. Some months later it appeared that there were 'people with serious problems, who were at odds with themselves'.¹⁶²¹ It was established that some military personnel, who later publicly expressed criticism about the fact that their observations were not taken seriously, were very reticent when filling in the questionnaires and were probably not noticed as a source. It is also noticeable that sometimes they said very different things later. It is possible that some were reticent due to concerns about comrades left behind or due to a ban on speaking in public or advice to remain silent. Some military personnel only spoke publicly after the release of the rest of the battalion. A number of those did make statements to the Military Information Office. Finally there was also military personnel who did not heed the advice to remain silent in any way, and immediately spoke freely with the media, although in some cases that was in an emotional state or on the basis of anonymity.

When all the remarks are compared with the information that reached the Military Information Office, there are a number of obvious differences. Comments by anonymous Dutchbat members to journalists about rapes (possibly based on the boasts by the VRS soldiers in Bratunac) were almost certainly not reported to the Military Information Office. The story about the possible fifty to a hundred dead in Potocari, which military attaché Oudwater in Novi Sad had heard from released Dutchbat members, also did not go up the UN line. However, as said, that story was reported to The

¹⁶²⁰ NIOD, Coll. Hicks. Collection debriefing forms 'De-briefing Srebrenica', compiled by Major C. Bourgondiën, 26/09/95. Also in: SMG, 1002.

¹⁶²¹ Interview with radiographer Fons Wichink, in: 'Machteloos toezien' (Looking on helplessly), in *Trivizier*, September 1995.

Hague.¹⁶²² The absence of an obvious response to that message makes clear that nobody from the Netherlands passed it on to the UN.

The stories that came up during the psychological debriefing in the presence of Couzy - about the selection, deportation and probable execution of men in Potocari – also did not reach the UN. With hindsight it is very unfortunate that members of the medical team remained outside the debriefing by the Military Information Office due to an incomplete order and an apparent misunderstanding between Majors Bourgondiën and Solkesz. It is more difficult to understand why General Couzy did not realize the importance and meaning of the reports about probable executions, particularly those from surgeon Kremer.

To a lesser extent this also applies to the observation of a lorry full of bodies, of which General Couzy probably was aware (as he stated the Temporary Committee for Deployment Decisions in 2000). Probably, because Dutchbat members did report these matters to the Military Information Office and it is not impossible that those involved informed General Couzy of that fact.

There was also something curious about those reports of vehicles (the tractor and trailer and the dumper truck) full of bodies. Although the relevant Dutchbat members later made much more detailed statements – probably in more favourable circumstances – they cannot be reproached for having kept the events silent – something that applies to more incidents that started playing a role during the aftermath. The interpretation of the reports being important indications for large-scale murders only arose a week later. The observation of the ‘dumper truck with bodies’ later became an important building block in the reconstructions of the events that were published by the various media over time. This led to the question why that same information did not lead immediately to that interpretation at the Military Information Office and UNPF.

The answer probably does not lie in the shortcomings of the debriefing team. They were aware of the enormous shortcomings of the debriefing and the political need to be very careful with far-reaching conclusions on the basis of shaky evidence. On the other hand they were certain enough to experience some relief that their worst fears did not come true. The explanation for the differences in interpretation of the same observation lies probably in the change of the context in which the observations were placed during the course of the following weeks. The media played a crucial role in that process.

Because of the nature of newsgathering certain incidences and observations, such as those of the lorries with bodies, were taken out of proportion. The media’s prejudices also played a role. At that time, the incidents were placed in a context that assumed large-scale human rights violations largely perpetrated by the Bosnian Serbs – the context that this concerned that largest mass murder in Europe since the Nazis, came a little later. With the exponential growth of the number of indications for enormous abuses, and seemingly the plausibility of those events, the first fragmented reports obtained with hindsight a forecast value they could not or hardly have had at the time itself.

The question is to what extent all the information that was released surrounding the events around Srebrenica was interpreted correctly at the time, and whether it was awarded the meaning that it should reasonably have had at the time (and not later). It is also important whether *all* the data available at that time were analysed in conjunction. When one considers all (anonymous) utterances by the returned Dutch people during the psychological debriefing, which are considered in conjunction at the Military Information Office and towards the media, the sum is a much more disconcerting picture than when one just looks at the statements recorded by Lieutenant Colonel Morgan, Major Bourgondiën and Captain Theunens. Only well designed operational debriefing, undertaken by the Royal Netherlands Army on the spot or immediately on return to the Netherlands could have produced this complete picture. At the time there did not seem to be any cause for such an operation. General Couzy was not only interested in the mental well-being of his men, but also in operational information. However possible human rights violations did not dominate, because it was not an issue at that time. This

¹⁶²² DCBC, 866. *Stg-confi* code Belgrade to Foreign Affairs, Engels 81, 16 July 1995; interview R. Engels, 21/05/99.

changed gradually in the week following the 16th of July, until eventually it became Couzy's main problem.

It is not entirely surprising that General Couzy was caught unaware by the humanitarian question in a way. Until 1995 hardly any attention had been paid to the role of UN soldiers when reporting human-rights violations. The discussion on that only really started after the events in Rwanda in 1994 and in Srebrenica.¹⁶²³ 'It is a question of methods. That is crucial with Srebrenica', noted the human rights investigator Marguerita Lagos-Bossel of the UN Centre for Human Rights.¹⁶²⁴ And in July 1995 those methods had hardly been developed within the UN or the troop-contributing nations.

The difficulty in obtaining and verifying witnesses of possible human-rights violations not only played a role for the UN military. The investigators who on behalf of various organizations interviewed those deported from Srebrenica who had arrived in Tuzla faced the same crucial question of methodology and interpretation. (See Chapter 1 of this part) And the same applied, albeit not equally strongly, to the countless journalists who tried to find out from the Displaced Persons what had happened in the black box Srebrenica. In the week after the return of the first Dutchbat members, the problem manifested itself in its clearest form in the discussion that arose between Dutch Ministers Pronk and Voorhoeve and General Couzy about the use of the genocide label for the events surrounding Srebrenica.

13. 'The politics of suffering': Tuzla Air Base - Introduction

Earlier in Section IV attention was paid to the ousting of the inhabitants from Srebrenica. In a day and a half they were deported in buses and lorries to the border near Kladanj, from where they needed to cross the area of the Muslim-Croat Federation on foot. Particularly on the second day, the 13th of July, Dutchbat military personnel no longer provided adequate escort of the convoys. The VRS took their vehicles and took the crew hostage temporarily. Only four static posts, set up en route in response by Karremans, tried to maintain any view of the convoys. Truly adequate monitoring was absolutely impossible, and that appeared to be the intention. It gave the VRS free reign to stop buses as they pleased. The few men who had managed to board the buses were still stopped and deported, as were some young women. The other passengers were robbed and intimidated. En route they got an impression of the fate of their men, of whom a large number had meanwhile been captured after a failed attempt to escape from the enclave. Their observations during the deportations, in conjunction with what they had seen and heard in Potocari, made the group of Displaced Persons an important source for the events. They made the first reports of human-rights violations. Furthermore they were the first visible consequence of ethnic cleansing in Srebrenica. The images of the desperate Displaced Persons made a great impression on public and political opinion.

The central issue in this chapter is the care and reception of this group at Dubrave airport near Tuzla. The manner in which this took shape played an important role in the first perceptions of the fall of Srebrenica. From the 25th of May 1994 Dubrave had not been an operational airport, as it had come to be within the scope of the Bosnian-Serb anti-aircraft guns and also because the necessary equipment and personnel were lacking.¹⁶²⁵ After that it had been taken in use by the UN as accommodation for units and as storage space for supplies. The UNHCR also had the larger part of its supplies stored at

¹⁶²³ Interviews Diane F. Orentlicher, Director of War Crimes Research Office, American University, 06/07/00. ; Paul R. Williams, Washington Law Center, 06/07/00. Orentlicher also acts as the ICTY's adviser in The Hague. Williams was e.g. adviser of the Bosnian Government during the Dayton negotiations and of the Albanian delegation during the Kosovo discussions in Rambouillet. Together with Norman Cigar he wrote 'War crimes and individual responsibility: a *prima facie* case for the indictment of Slobodan Milosevic' (The Balkan Institute, Washington D.C., 1997).

¹⁶²⁴ Interview M. Lagos-Bossel, UN Centre for Human Rights (UN CHR), 20/12/00.

¹⁶²⁵ On the possible secret use of the airport for weapon shipments to Bosnian forces with so-called 'black flights', see the Appendix Intelligence, Chapter 4 'The Croatian Pipeline and Black Flights on Tuzla.

‘TAB’, the abbreviation for Tuzla Air Base, as it was called by the UN.¹⁶²⁶ UNPROFOR and aid organizations did everything in their powers to receive those displaced from the enclave Srebrenica and to ameliorate the awful circumstances in which they stayed at the airport. The publicity function the suffering of the Displaced Persons provided to the Bosnian government gave a UN officer cause to speak of the ‘politics of suffering’.¹⁶²⁷ The manner in which this obtained a political life is central in the first section of this report on Tuzla Air Base.

As a result the airbase had been the centre of the attention of the international press for more than a week since the 13th of July. Camera teams and members of the press descended on the thousands of Displaced Persons to record their story of the fall of Srebrenica. All manner of international organizations too tried to find out what had happened in the former Safe Area. So the Displaced Persons community at the airbase functioned as a ‘barometer of genocide’.¹⁶²⁸

The second section deals with the role of both the media and some of the main organizations that interviewed the Displaced Persons. This Section also deals with the practical and methodological problems they experienced in establishing exactly what had happened in Srebrenica, and the difficulties with clarifying the fate of possibly thousands of missing persons.

14. The role of the Bosnian Government

From the moment the Bosnian-Serb attack on Srebrenica had started, both UNPROFOR and the aid organizations present in Sector North East had been put on a state of alert. Based on countless experiences with ethnic cleansing from the past, they prepared for the arrival of an enormous number of Displaced Persons.¹⁶²⁹

The Bosnian Government had to find an answer to the question how to care for this mass of people, and it became clear very quickly that they were not going to be helpful. The relationship between the Bosnian authorities and UNPROFOR was no longer what it had been when the first UN peacekeepers arrived in Sarajevo. The Bosnian Government had speculated some time on an armed intervention that would mean the balance of power would move in its favour. UNPROFOR seemed to be ever more of a hindrance to such a solution.

The impending fall of a Safe Area protected by the UN confirmed the UN’s failure to the Bosnian Government. It was clear to that same UN that they were going to be given the responsibility. As early as 10 July Displaced Persons from Srebrenica demonstrated against the UN in Tuzla – they had stayed there since the beginning of the war. Chapter 6 of Section III already discussed that the Deputy Commander of Sector North East, the Dutch Colonel C.L. (Charlie) Brantz, had been held together with some staff members and Swedish and Norwegian military personnel near the compound of Nordbat-2, which was blocked by demonstrators.¹⁶³⁰ The fierce demonstrations continued the next day, the day on which Srebrenica fell.¹⁶³¹

When it came to preparing for the care of thousands of homeless people, the Bosnian authorities responded with reproaches directed at UNPROFOR. Minister H. Muratovic accused the UN of co-operating with ethnic cleansing.¹⁶³² At the meeting in the morning of the 12th of July, the minister denied the local representatives in Srebrenica every authority to negotiate on behalf of the Bosnian Government and stated to be against ‘the movement of any people out of the enclave other

¹⁶²⁶ NIOD, Coll. Brantz. Diary C.L. Brantz, p. 5.

¹⁶²⁷ NIOD, Coll. Brantz. Fax Ken Biser to Philip Corwin, ‘srebrenica update/Tuzla weekly report’, 15/07/95.

¹⁶²⁸ This term was coined by Bill Frelick of the US Committee for Refugees (USCR). See his contribution ‘Refugees: a barometer of genocide’, in *World Refugee Survey: 1988 in review*. Quoted in: Bill Frelick, ‘Refugees: contemporary witnesses to genocide’, in: Helene Fein (ed.), *Genocide Watch* (New Haven, London 1992), pp. 45-58.

¹⁶²⁹ Although ‘Displaced Persons’ is the correct term, the text also uses the term refugees.

¹⁶³⁰ ‘Ellende opvangen. De werplek: waarnemend sector-commandant Noord-Oost Bosnie’ (Coping with misery. Workplace: acting sector commander in North East Bosnia), in: *Trivizier*, 53(1998) 12.

¹⁶³¹ NIOD, Coll. Brantz. Fax Ken Biser to Philip Corwin, ‘srebrenica update/Tuzla weekly report’, 15/07/95.

¹⁶³² UNGE, ICFY, Box 234, file 6 15. Akashi to Annan, Z-1152, ‘situation in Srebrenica’, 12/07/95.

than in case of medical emergencies'. According to him, the care and reception of the new Displaced Persons (those who had fled to Potocari before the Bosnian Serb attack) should be in Srebrenica - the Safe Area. According to Muratovic there was no room in Tuzla, which already housed many displaced persons. Evacuated wounded needed to go to foreign hospitals, because there was no room for them in Bosnian hospitals.¹⁶³³

When these demands were superseded by hard facts, the Bosnian authorities passed all responsibility for the fate of the deported to the UN with a precondition. When it became clear that the Displaced Persons would enter on the 12th of July near Kladanj, Muratovic determined in a meeting with ministers of Tuzla Canton and UN officials that the Displaced Persons should go to a new 'safe area' – the airbase near Tuzla.¹⁶³⁴

In the eyes of the UN this was a totally unsuitable location for the care and reception of people. It not only lacked the necessary facilities, but the airbase was also in the range of Serb artillery. Furthermore some time in advance 11,000 reception places had been prepared in Tuzla Canton in the event of more Displaced Persons.¹⁶³⁵ Minister M. Cero for Refugee Affairs, Canton Governor I. Hadzic and other relevant Bosnian authorities maintained that there was no other place to receive the Displaced Persons. They stated most explicitly that they considered the people from Srebrenica 'UN refugees'. As a veiled threat they added "To avoid "social turbulence", it would be better to receive them"¹⁶³⁶, which given the demonstrations of the 10th and the 11th of July could not be seen as a throw-away comment.

As it was clear to UN officials that an enormous problem was on its way, General Smith was employed to turn the tide. On the afternoon of the 12th of July he spoke with Prime Minister H. Silajdzic and Minister Muratovic, where he brought it to their attention that no more than 2,500 people could be received at the airbase. However, the Bosnian Government were unwilling to take that on board. The aim of the Bosnian wish to bring everyone to Tuzla became very clear– they did not only think that the location had sufficient room, but furthermore: 'UNHCR would not be able to hide the problem from the world'.¹⁶³⁷ Srebrenica had to become a media event at Tuzla Air Base. The Bosnian Muslims wanted to show the world the kind of suffering the Muslims had to endure and they wanted to confront the UN with the consequences of a failing policy. That message came through clear to the UN officials – they considered the decision to 'dump' the Displaced Persons a 'punishment'.¹⁶³⁸

At a meeting with Yashusi Akashi the next day UNHCR representative A.W. Bijleveld expressed the expectation that 'the Bosnian Government will remain obstinate in its refusal to help the Displaced, until Tuzla Air Base is overflowing with people, and Sarajevo succeeds in embarrassing both the UN and the international community'.¹⁶³⁹ Later that day General Smith made a final attempt to personally convince President Izetbegovic that there were much better and safer reception possibilities and that the Bosnian Government would have to take its share of the burden. But the Bosnian President remained intractable.¹⁶⁴⁰

¹⁶³³ SMG, 1004. Telegram Akashi to Annan, Z-1142, 'situation in Srebrenica', 12/07/95.

¹⁶³⁴ NIOD, Coll. Brantz. Fax Ken Biser to Philip Corwin, 'srebrenica update/Tuzla weekly report', 15/07/95.

¹⁶³⁵ UNGE, ICFY, Box 234, file 6 15. Telegram Akashi to Annan, Z-1154, 'situation in Srebrenica', 13/07/95; NIOD, Coll. Brantz. Diary C.L. Brantz, p. 298.

¹⁶³⁶ NIOD, Coll. Brantz. Fax Ken Biser to Philip Corwin, 'srebrenica update/Tuzla weekly report', 15/07/95; interview C.L. Brantz.

¹⁶³⁷ UNGE, UNPROFOR, box 216 BH Commands '95. 87298, 1060, Jul 95-Jan 96. Fax Baxter to HQ UNPF, 'Notes on the meeting gen Smith/prime minister Silajdzic – 13 Jul 95', 14/07/95. At the headquarters of the UNPF in Sarajevo they also considered it a possibility that in this manner the Bosnian Government could regain possession of the airbase which was in UN hands. Interview A. de Ruyter, 26/06/00.

¹⁶³⁸ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95 [Biser reports]. C.T. Sy, 'Briefing note', 13/07/95.

¹⁶³⁹ UNGE, ICFY, Box 234, file 6 15. Telegram Akashi to Annan, Z-1154, 'situation in Srebrenica', 13/07/95.

¹⁶⁴⁰ UNGE, ICFY, Box 234, file 6 15. Telegram Akashi to Annan, Z-1154, 'situation in Srebrenica', 13/07/95. See also: 'Reactie van C.H. Nicolai op artikel van kolonel Ch. Brantz' (C.H. Nicolai's response to article by Colonel C. Brantz), in

The next few days it became ever clearer that the Displaced Persons were pawns in a political game. The ABiH (the military forces of the Bosnians Muslims) in Tuzla refused to provide help in the form of housing and food to the 'srebrenica rebels', as the Displaced Persons were called.¹⁶⁴¹ As early as the 13th of July, when the flow of Displaced Persons reached its peak and the international media had flocked to the airbase in large numbers, Governor Hadzic issued a press release in which he stated a number of additional demands concerning the care and protection of the Displaced Persons. If there were insufficient reception facilities at the airbase, they should be taken to 'third countries'; the Displaced Persons themselves had 'expressed their wishes to be evacuated to the Netherlands, Great Britain, France as well as to other western countries'.¹⁶⁴² Muratovic, the highest representative of the Bosnian Government in Tuzla, underlined that demand and added that otherwise the Displaced Persons would stay at the airbase until the end of the war.¹⁶⁴³ Besides a few other demands about improvements in the care and reception, Hadzic required that the High Commissioner for Refugees, Mrs Ogata, would make a personal visit to Tuzla. When she did so on the 17th of July, she was greeted by a demonstration where more than 200 people carried English texts for the benefit of the international media.¹⁶⁴⁴ It was a protest by the local SDA, Izetbegovic' party. One of the carried slogans read 'UNPROFOR are fascists'.¹⁶⁴⁵

Although the Bosnian authorities did not want to lend a hand, they did take care of the transport of the Displaced Persons who arrived near Kladanj. That way they could be sure they would go to Tuzla Air Base. Near Kladanj, where the Pakistani battalion was stationed, the UN did organize a first reception with immediate medical attention and food. The Dutch General Nicolai of the Bosnia-Herzegovina Command in Sarajevo sent his deputy Colonel Ph. Coiffet on the 13th of July to make an inventory of the needs in Kladanj.¹⁶⁴⁶ The International Red Cross went backwards and forwards with armoured Landrovers to collect 29 seriously weakened Displaced Persons.¹⁶⁴⁷

15. Organization and course of the initial care and reception

Only late on the 12th of July, when it became clear that the buses would come to the airbase, did the UN military start preparations for the care and reception on the orders of Colonel Brantz. During the first 72 hours, up to and including the 15th of July, this would be purely on the shoulders of the UNPROFOR soldiers. Only afterwards were the NGOs able to take over the aid, although many complaints could be heard amongst UN officers about the slow response of UNHCR.¹⁶⁴⁸ It had been designated by the UN headquarters in Zagreb as 'leading', but could only formally take over the

Trivizier 53 (1998) 12', in: *Trivizier*, 54 (1999) 1. Colonel Brantz had accused UNPROFOR Sarajevo of having chosen Tuzla Air Base as a site. Nicolai erroneously refers to 12 July as the day of the conversation between Smith and Izetbegovic.

¹⁶⁴¹ Interview D. Last, 16/11/99: Last's notes of meeting on 13/07/95 with Janvier, Ashton and Moussalli, HCA.

¹⁶⁴² NIOD, Coll. Brantz. I. Hadzic, 'Request' [by the Government of the Bosnia Herzegovina/Federation of Bosnia and Herzegovina and the Government of the Canton Tuzla/Drina], 13/07/95.

¹⁶⁴³ NIOD, Coll. Brantz. Fax Ken Biser to Philip Corwin, 'srebrenica update/Tuzla weekly report', 15/07/95. Typifying Bosnian opportunism (or division within the leadership), Izetbegovic dismissed the statement about 'third countries' on the 14th of July as 'false rumours'. Prime Minister Silajdzic also began to distance himself on the 14th of July from Muratovic and his 'extreme position'. See: SRSG Senior Staff meeting, 14/07/95.

¹⁶⁴⁴ UNGE, ICFY, Box 234, file 6 15. Telegram Akashi to Annan, Z-1187, 'situation in Tuzla and Srebrenica', 17/07/95; interview N. Skokic, 21/02/98. Skokic worked as an interpreter for Colonel Brantz and regularly visited the airbase with him.

¹⁶⁴⁵ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95 [Biser reports]. Fax K. Biser to M. Moussali, 'srebrenica/Tuzla update', 17/07/95.

¹⁶⁴⁶ 'Reactie van C.H. Nicolai op artikel van kolonel Ch. Brantz, in *Trivizier* 53 (1998)12', in: *Trivizier*, 54(1999)1.

¹⁶⁴⁷ CRST. Fax Y. Hoogendoorn (ICRC) to Col Dedden, 17/07/95; appendix 'Update no. 9 on ICRC activities in the former Yugoslavia', 17/07/95.

¹⁶⁴⁸ Interview N.E. Petersen, 29/10/99. Captain Petersen was Commander of the Danish tanks in Tuzla, who were protecting the Swedish soldiers on TAB. He led the construction of the camp at the airbase. According to Petersen, UNHCR was only able to organize adequate aid after some weeks.

responsibility on the 9th of August – two weeks before the camp was cleared.¹⁶⁴⁹ Journalists reported the UNPROFOR officers' accusations that the UNHCR apparently did not have any emergency rations and tents ready and that most of the senior officials were on holiday. Those who were there responded slowly.¹⁶⁵⁰ From the 13th of July representatives of the Joint Crisis Action Team had been present. This was the team Yashusi Akashi had set up in the light of the impending disasters, and in which officials from Civil Affairs, UNPROFOR, UNHCR, the International Red Cross and the European Monitoring Mission were represented.¹⁶⁵¹

With the use of material in the UNHCR depot, the UN military started the construction of an interim camp, whilst others tried to set up some organization, including security. They had only been working on this for one-and-a-half hours - the work was by no means finished - when the first buses with some 1,000 to 1,500 Displaced Persons arrived at 11 o'clock at night. Only at quarter to three in the morning that day did the last arrive at the airbase.¹⁶⁵² The bus drivers had clearly been given orders to collect a new load of passengers as quickly as possible. However in order to avoid being overwhelmed and losing control, the UN military prevented the buses from driving on immediately. In order to be absolutely sure this did not happen, two armoured vehicles were at the start and the end of the column of buses that were lined up on the narrow access road to the base.

The first deportees were partly housed in empty storage sheds, but most had to spend the night in the open air alongside the runway due to lack of space. They were too exhausted to protest. Brantz: 'Furthermore, they were utterly desperate and unable to follow our instruction to use the latrines dug by us. Because of the heat and the stench their misery appeared inhumane to us. We could but try to keep the thing manageable'.¹⁶⁵³ On the southern side of the runway a 'Tent City', as the UN people called it, was set up through the efforts of Norwegian troops in particular. The tent builders managed to stay a cluster ahead of the arriving Displaced Persons.¹⁶⁵⁴ Later other facilities were added, including a mosque even, in a big white tent.

The next day, the 13th of July, it became clear gradually that the situation was escalating despite all efforts. From sunrise to the end of the afternoon the number of people grew to nearly 8,000, although there was room for only 4,000 people. Eventually, after some extra provisions had been made, 6,259 homeless people could be housed on the base.¹⁶⁵⁵ Even then the flow continued¹⁶⁵⁶, and the arrivals only stopped on the 14th of July when the International Red Cross collected the last passengers. They were four old women who had been found a hundred meters from the 'crossing point' - the place where the Displaced Persons had to cross the front line on foot - where they had hidden for three days, because they were no longer able to walk. The UNHCR and the local authorities estimated that a total of 23,000 women, children and elderly people reached the airbase, although the majority would get no further than the gate.¹⁶⁵⁷ However, at UNPROFOR they were sceptical about those numbers, because they seemed a little high. It did become clear on the 13th of July that there was an alarming absence of

¹⁶⁴⁹ 'Ellende opvangen. De werkplek: waarnemend sector-commandant Noord-Oost Bosnie', in: *Trivizier*, 53(1998)12.

¹⁶⁵⁰ John Pomfret, "We count for nothing": Srebrenica refugees unwelcome in Tuzla', *The Washington Post*, 15/07/95.

¹⁶⁵¹ UNGE, ICFY, Box 234, 6 15. Telegram Akashi to Annan, Z-1158, 'Emergency group for Srebrenica', 13/07/95. Idem: telegram Akashi to Annan, Z-1168, 'situation in Tuzla and Srebrenica', 14/07/95.

¹⁶⁵² UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95 [Biser reports]. C.T. Sy, 'Briefing note', 13/07/95; Diary Ch. Brantz, p. 298.

¹⁶⁵³ 'Ellende opvangen. De werkplek: waarnemend sector-commandant Noord-Oost Bosnie', in: *Trivizier*, 53(1998)12.

¹⁶⁵⁴ MvD, DCBC. Fax H. Post Uiterweer (dep CO UN Air Base Tuzla) to OCKLu, 'Refugee Safe Haven Tuzla Air Base Day 2', 14/07/95.

¹⁶⁵⁵ NIOD, Coll. Brantz. Fax Ken Biser to Philip Corwin, 'srebrenica update/Tuzla weekly report', 15/07/95; interview Ch. Brantz. According to the Norwegian Lieutenant Colonel R. Holm, who worked on the base as an engineer, there were 7,800 Displaced Persons in 1,300 tents at the height of the situation. Interview R. Holm, 11/03/99.

¹⁶⁵⁶ Idem.

¹⁶⁵⁷ CRST. Fax Y. Hoogendoorn (ICRC) to Col Dedden, 17/07/95; appendix 'Update no. 9 on ICRC activities in the former Yugoslavia', 17/07/95. According to Colonel Brantz a count on the 21st of August showed that the number of Displaced Persons given by the UNHCR was 3,000 below the figures given by the Bosnian authorities. See: 'Ellende opvangen. De werkplek: waarnemend sector-commandant Noord-Oost Bosnie', in: *Trivizier*, jrg. 53, no. 12, December 1998.

able men amongst those arriving at Tuzla Air Base.¹⁶⁵⁸ The assumption was that most were hiding in the mountains.¹⁶⁵⁹

On Friday the 14th of July, the matter appeared to get completely out of hand. In the morning 5,100 Displaced Persons had been registered and housed on the airbase,¹⁶⁶⁰ however out of necessity the larger part of the Displaced Persons remained outside the base and became boisterous. That morning Colonel Brantz had been alerted by the base commander, who had asked him to address the Displaced Persons:

‘There are no words to describe what I encountered at the gate. Screaming, raging, beating, spitting, irrational and desperate people. The noise was deafening and I knew beforehand that this crowd would not listen to me. I tried to climb on a Swedish armoured vehicle, but I did not get far. People were spitting at me, I was hit by stones and sticks. From the corner of my eyes I saw how a number of Bosnian men in uniform were egging on the crowd.’¹⁶⁶¹

Swedish guards and Bosnian police prevented the storming of the airbase. After his failed attempt to calm the mass, Colonel Brantz telephoned Governor Hadzic:

‘Hadzic was not in, so they said. I said through the interpreter that he had half an hour to send someone. If not, I would personally put the first dead Displaced Person in his office. Twenty minutes later the scenes at the gate had calmed down through the efforts of Canton representatives. But I had not solved the problem of the estimated 10,000 people at the gate.’¹⁶⁶²

The heat of nearly 40 degrees and the lack of water had meanwhile taken their toll – the doctors of Nordbat reported that five people had already died of the consequences.¹⁶⁶³

That same Friday the attitude of the Bosnian authorities suddenly became more flexible. The reason for the change in attitude was possibly the down side of the publicity they themselves had helped to generate.¹⁶⁶⁴ Large numbers of media representatives had indeed descended. The images of the desperate Displaced Persons in inhumane conditions, where heat alternated with downpours that would flood parts of the camp, were sent over the world. However, the images of the chaotic scenes of the first few days also put pressure on the Bosnian authorities.¹⁶⁶⁵ Ken Biser, the head of Civil Affairs in Tuzla who had been appointed as co-ordinator by the UN in Zagreb, reported on the 14th of July that the authorities no longer used the term ‘UN refugees’.¹⁶⁶⁶ That same day both Minister Muratovic and

¹⁶⁵⁸ UNGE, ICFY, Box 234, file 6 15. Telegram Akashi to Annan, Z-1168, ‘situation in Tuzla and Srebrenica’, 14/07/95.

¹⁶⁵⁹ Interview D. Last, 06/11/97: Last’s notes of meeting on 13/07/95 with Janvier, Ashton and Moussalli, HCA, who made the statement about the men. However, two days later UNHCR representative Bijleveld expressed the fear of a ‘bloodbath’.

¹⁶⁶⁰ CRST. C. de Moel (MIO) to Royal Netherlands Army Crisis Staff, L. Weghagen”L.B. Morkholt [ECMM], ‘DP’s from Srebrenica’, 17/07/95.

¹⁶⁶¹ ‘Ellende opvangen. De werkplek: waarnemend sector-commandant Noord-Oost Bosnie’, in: *Trivizier*, 53(1998)12; NIOD, Coll. Brantz. Fax Ken Biser to Philip Corwin, ‘srebrenica update/Tuzla weekly report’, 15/07/95; interview Ch. Brantz, 11/07/99.

¹⁶⁶² ‘Ellende opvangen. De werkplek: waarnemend sector-commandant Noord-Oost Bosnie’, in: *Trivizier*, 53(1998)12.

¹⁶⁶³ UNGE, ICFY, Box 234, file 6 15. Telegram Akashi to Annan, Z-1168, ‘situation in Tuzla and Srebrenica’, 14/07/95.

¹⁶⁶⁴ On the 12th of July UNPROFOR itself had also used the weapon of publicity. Via his Public Information Officer, Colonel Brantz had called for the international media to pay attention to the demonstrations and blockades that threatened to hold up the expected convoys until they had stopped. See: NIOD, Coll. Brantz, H. Kjaerstad to international and local media, ‘Press release: fugitives from Srebrenica. Emergency: media attention needed immediately’, 12/07/95.

¹⁶⁶⁵ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. ‘95 [Biser reports], fax. K. Biser to J. Ryan, ‘sector NE Civil Affairs weekly report’, 22/07/95.

¹⁶⁶⁶ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. ‘95 [Biser reports], fax K. Biser to Ph. Corwin, ‘Communiqué of B-H Republic/Federation regarding Srebrenica’, 14/07/95.

the Canton Minister for Refugee Affairs, Cero, announced that the authorities would co-operate. However, in exchange the authorities wanted to enter into contracts with UNHCR concerning compensation for accommodation and goods and to make UNHCR fully responsible for the Displaced Persons. According to Governor Hadzic that was necessary, because the Displaced Persons could only be housed in homes left by Serbs and Croats. According to him this endangered the Muslim-Croat Federation, due to the fears of tension amongst themselves.¹⁶⁶⁷ However, for the time being the UNHCR did not feel like participating in that trade off.

Hadzic was not the only one who came asking for money – Sector Commander Brigadier General H. Haukland, who had returned from leave on the 15th of July, later received a visit from Osman Suljic, the Mayor of Srebrenica. He had walked from Srebrenica to Tuzla. Suljic came to ask for 50,000 dollars for UNPROFOR's rental of the bakery in Potocari and for services provided by local employees. Colonel Brantz: 'However, the latter we had already paid to the former employees we had managed to track down in Tuzla. The rent for the bakery appeared to be DM 8,000 after recalculations. We did not pay that person the money'.¹⁶⁶⁸

Shortly after the incident on the 14th of July, the canton authorities removed 10,000 bivouacking outside the gate in order to receive them in seven reception centres elsewhere in the canton.¹⁶⁶⁹ Although that stabilized the situation, not all problems had come to an end. 'Much political propaganda has been generated this week at the expense of the Srebrenica DP's', Ken Biser wrote in a report at the end of the first week.¹⁶⁷⁰ There were still large numbers of Displaced Persons on the base itself and the Bosnian authorities did not seem to take steps to provide housing for them elsewhere. Some Displaced Persons who had left the airbase of their own volition were returned by Bosnian police.¹⁶⁷¹ Furthermore, some Displaced Persons who had been housed elsewhere returned to their first reception location of their own volition, looking for relatives or because the facilities at the airbase were better.¹⁶⁷² The International Red Cross had quickly started to set up a tracing service where everyone could register. By means of a billboard and the camp's announcement system, this organization tried to reunite families.

The obstruction by the Bosnian side made resupplying the Displaced Persons at Tuzla Air Base considerably more difficult. Aid convoys had to deal with roadblocks and extensive checks by the Bosnian army. As early as the 14th of July, the Bosnian army announced that convoys within Sector North East 72 had to be announced 72 hours in advance and within Sector South West 24 hours in advance. A convoy was defined as 'two or more vehicles'.¹⁶⁷³ At a certain point the First and Third Corp even forbade all convoys from Sector South West to Sector North East. The argument they used was 'that the UN should not be getting involved in facilitating the movement of Displaced Persons what [sic] is a municipal authority problem'.¹⁶⁷⁴ The drivers of the convoys had to wait hours in the sun, because their papers were supposedly not in order. A convoy with tents was delayed more than sixteen hours by the ABiH.¹⁶⁷⁵

¹⁶⁶⁷ NIOD, Coll. Brantz. Fax Ken Biser to Philip Corwin, 'srebrenica update/Tuzla weekly report', 15/07/95; interview Ch. Brantz.

¹⁶⁶⁸ 'Ellende opvangen. De werkplek: waarnemend sector-commandant Noord-Oost Bosnie', in: *Trivisier*, 53(1998)12; interview Ch. Brantz, 11/03/99.

¹⁶⁶⁹ NIOD, Coll. Brantz. Fax Ken Biser to Philip Corwin, 'srebrenica update/Tuzla weekly report', 15/07/95.

¹⁶⁷⁰ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95 [Biser reports], fax. K. Biser to J. Ryan, 'sector NE Civil Affairs weekly report', 22/07/95.

¹⁶⁷¹ CRST. C. de Moel (MIO) to the Royal Netherlands Army Crisis Staff, 'DP's from Srebrenica', 17/07/95.

¹⁶⁷² UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95 [Biser reports], fax. K. Biser to M. Moussali, 'srebrenica/ Civil Affairs update', 20/07/95.

¹⁶⁷³ UNGE, ICFY, Box 234, file 6 15. Telegram Akashi to Annan, Z-1162, 'situation of Displaced Persons in Tuzla', 14/07/95.

¹⁶⁷⁴ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95 [Biser reports], fax J. Carter to J. Ryan, 'RoM [restrictions of movement]', 21/07/95.

¹⁶⁷⁵ Interview H. Haukland, 03/05/99; N.E. Petersen, 29/10/99.

However, around the same time the civil authorities seemed to become a little more flexible. As early as the High Commissioner for Refugees, Mrs Ogata's visit on 17th of the July, Minister Muratovic had promised that the people on Tuzla Air Base would be removed as soon as possible, although it remained no more than a statement.¹⁶⁷⁶ Only on the 21st of July did the Bosnian authorities promise that they would start transferring five thousand Displaced Persons to other reception centres that afternoon.¹⁶⁷⁷

After some days the press reports were no longer focused on just the Displaced Persons, because some Displaced Persons and Bosnian officials were no longer focused on just the UN, but also questioned the attitude of their own government. Particularly the poor defence of the enclave by their own troops started to become an issue, partly because from the 16th of July onwards the survivors of the column started arriving in Tuzla. However in conversations with UN officials on the 15th of July, Minister Muratovic had already expressed his amazement with the words: 'Why didn't they fight?'¹⁶⁷⁸ Representatives from Tuzla council also started to express their concerns that a 'deal' on Srebrenica and Zepa had perhaps been struck higher up and that perhaps Tuzla was part of that too.¹⁶⁷⁹ As early as the 12th of July, the chairman of the 'Association of Residents and War Invalids from Zepa', Becir Heljic, expressed the thought in Sarajevo that Srebrenica, Zepa and Gorazde had become part of an exchange (see Section III, Chapter 1). According to him that did not only involve the international community, but also the Bosnian authorities. His statement is to have received much support.¹⁶⁸⁰ When this topic was discussed increasingly more often in public during the next few days, the Bosnian officials took their foot of the pedal. In relation to these stories Ken Biser reported that 'regional authorities have suddenly become less vocal about UNPROFOR's role in defending the enclave, and are noticeably more agreeable to moving the Displaced Persons off the base, while utilizing their initial coup to obtain as much international financial support as possible'.¹⁶⁸¹

Yet it was still to take until the 28th of August until the last Displaced Persons left the airbase – the reason was a Bosnian Serb shelling of Tuzla Air Base.¹⁶⁸² In UNPROFOR circles the – rather predictable- rumour was doing the rounds that the shelling was in reality undertaken by ABiH, because Tuzla Air Base had served its purpose.¹⁶⁸³

16. Barometer of a genocide?

Tuzla Air Base provided journalists and representatives of local authorities and international governments the first opportunity to obtain information from Displaced Persons about what had happened in Srebrenica. However, it seemed very difficult for all those involved to obtain a clear picture of the events. UN military personnel who were the first to deal with the Displaced Persons were shocked by the traumatised impression many of them made. Some were literally paralysed with fear.¹⁶⁸⁴ Several women committed suicide shortly after arrival – one because VRS soldiers had taken away both

¹⁶⁷⁶ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95 [Biser reports], fax K. Biser to M. Moussalli, 'srebrenica/Tuzla update', 17/07/95.

¹⁶⁷⁷ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95 [Biser reports], fax K. Biser to M. Moussalli, 'srebrenica/Tuzla update', 21/07/95.

¹⁶⁷⁸ NIOD, Coll. Brantz. Fax Ken Biser to Philip Corwin, 'srebrenica update/Tuzla weekly report', 15/07/95

¹⁶⁷⁹ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95 [Biser reports], fax. K. Biser to M. Moussali, 'srebrenica/ Civil Affairs update', 20/07/95.

¹⁶⁸⁰ BBC Summary of World Broadcasts 18/07/95: Iraqi News Agency, 'Government criticized over fall of Srebrenica', Zagreb, 1404 gmt 16/07/95.

¹⁶⁸¹ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. '95 [Biser reports], fax. K. Biser to J. Ryan, 'sector NE Civil Affairs weekly report', 22/07/95.

¹⁶⁸² Interview H. Haukland, 03/05/99; M. Prins, 03/01/98.

¹⁶⁸³ Interview G. Arlefalk, 18/05/00.

¹⁶⁸⁴ Interview N.E. Petersen, 29/10/99; NIOD, Coll. Brantz. Fax Ken Biser to Philip Corwin, 'srebrenica update/Tuzla weekly report', 15/07/95.

her sons of 12 and 13 with the empty promise that they would come later.¹⁶⁸⁵ The image of one young woman who hanged herself on a tree after she had taken off her shoes went around the whole world.

Given that professional interviewers required some time to organize themselves, the media were the first to descend on the Displaced Persons. All the big American networks were present with camera crew, as were a large number from other countries. Many got the impression that particularly certain media were looking for the most sensational stories and images. The Dutch print journalist O. (Othon) Zimmerman of the *Algemeen Dagblad* saw 'very strange things'. He witnessed a British camera crew filming from the roof of a car. Suddenly one of them, apparently an interpreter, called that the women should protest: 'At a certain point this became: "We want our men back!" That was broadcast that evening. Shortly afterwards I got the editor on the line and he said: "Did you miss the demonstration? We just saw it on the news. A demonstration by Serb women in Tuzla!" I answered that it would be better not to write that.'¹⁶⁸⁶

Although there was much to be said about reporting on Tuzla Air Base, most journalists did their best to achieve responsible reporting of the events. An analysis of the extensive reporting where Displaced Persons were left to speak indicates how difficult it was to draw hard conclusions on the nature and the extent of the events in Srebrenica and Potocari. The journalists reported countless heartbreaking stories of the separation and deportation of the men, of bodies encountered with slit throats, of buses that were stopped on the way by the VRS and the men and girls who disappeared. However, the conclusion was often 'These tales of horror cannot be confirmed', also because the Bosnian Serbs refused access to the area.¹⁶⁸⁷ The journalists were hit by the emotion of the witnesses: 'The refugees' accounts of Serb cruelty – of slit throats and women raped – were impossible to verify, but nearly all said they had seen evidence of atrocities or suffered them themselves, and few could tell their stories without breaking down in tears'. In this case the Displaced Persons recounted how hundreds of men 'were killed by Serbs in the hours after their victory'.¹⁶⁸⁸

Evidently the authorities' opinions were also reported, but they were also in the dark. UNHCR spokesperson Kris Janowski in Sarajevo recounted that a woman had told representatives of his organization how her husband's throat had been slit and how she had seen other victims killed in the same way. Other refugees had on the way in the buses seen 'piles and piles, and indeed hundreds of bodies, stripped of clothing'¹⁶⁸⁹. 'All these are very alarming signals and we are afraid some very ugly things happened and are continuing to happen to these people', said Janowski.¹⁶⁹⁰

The Bosnian authorities' assertions also did not provide much to go on. As early as the 13th of July the Bosnian Government used the word 'genocide' to indicate what happened in Srebrenica. According to Prime Minister Silajdzic this concerned 'mass killing' and on the way to Kladanj refugees had seen at least 500 dead and at least 500 dead near Konjevic Polje. He also pointed to the separation of able men above the age of 15 and to rapes.¹⁶⁹¹ Although with hindsight it could be established that many of these stories were true, in the media and certainly at UNPROFOR they were received with a certain caution. That sort of statement had become too much a part of the standard Bosnian repertoire during real and alleged humanitarian disasters to be able to count with much credit. In that sense the Bosnian government became the victim of the 'cry wolf' phenomenon it had created itself.

¹⁶⁸⁵ Interview N. Skokic, 04/02/98. Skokic, Colonel Brantz' interpreter spoke with a large number of Displaced Persons at the airbase.

¹⁶⁸⁶ Interview O. Zimmerman, 28/04/00.

¹⁶⁸⁷ Christopher Bellamy, 'Refugee women 'see menfolk shot'', *The Independent*, 16/07/95.

¹⁶⁸⁸ Stephen Kinzer, 'Muslim refugees flee terror, find misery', *The Ausitn-American Statesman*, 15/07/95.

¹⁶⁸⁹ This quote appears to have been taken literally from a press release by the Bosnian Ambassador in Washington, Sven Alkalaj, after an audience between Prime Minister Silajdzic and Secretary of State Warren Christopher. Press-release PR704, Embassy of the Republic of Bosnia and Hercegovina Washington D.C., 'slaughter in Srebrenica', 13/07/95.

¹⁶⁹⁰ Chris Simon, 'serbs tighten noose around Zepa', *UPI*, 14/07/95.

¹⁶⁹¹ Press-release PR704, Embassy of the Republic of Bosnia and Hercegovina Washington D.C., 'slaughter in Srebrenica', 13/07/95.

There are many indications that despite statements to the contrary, the Bosnian Government too thought for a long time that thousands of missing men had been taken prisoner. On the 17th of July they reported that around 5,000 men were held prisoner by the Bosnian Serbs.¹⁶⁹² On the 21st of July there was even a meeting at Sarajevo airport between Bosnian Muslim and Bosnian Serb representatives, under UN auspices, which dealt with the exchange of prisoners of war taken by the VRS in Srebrenica and with the evacuation of Zepa. The meeting failed, because the Serbs wanted an ‘all for all exchange’, but refused to provide the names of the prisoners they had taken in Srebrenica. The Bosnian Government, who at that point was assuming 6,500 missing persons, refused every agreement if there was not one, albeit partial, list of prisoners of war from Srebrenica.¹⁶⁹³ The scale of the murders was a surprise later.¹⁶⁹⁴

So it is no great surprise that for most journalists the perspective of a mass murder was outside their horizon. ‘It was terrible, but we simply did not get the scale. There was something very shady going on’, according to the Dutch journalist Zimmerman. He particularly referred to the secrecy surrounding the number of men who had survived Srebrenica.¹⁶⁹⁵

Zimmerman was one of those who quickly managed to reconstruct the gruesome story of the escape from Srebrenica, despite obstruction by the Bosnian Government. On the 16th of July the vanguard of the column which had left the enclave five days earlier for Tuzla arrived in a safe area. Some of them, probably the first who arrived immediately left of their own volition to family and friends. However, the majority was taken to a secret location just outside Tuzla, where they were protected from the media. However, some journalists still managed to find them. In the area of Tuzla Zimmerman saw a lorry full of men with old weapons and he followed it to Zivinice: ‘There we arrived at a small secret airfield. A small landing strip. That’s where all those men were gathered. They were not allowed to report and were not allowed to contact their family.’ Zimmerman had parked his car and had entered the terrain with his interpreter where he started conversations with the men. As soon as the authorities discovered this, they threw Zimmerman and his interpreter from the field. One guy came after them: ‘We gave him a coke a half a mile down the road and we spoke with him for a few hours. Three, four hours. He recounted the whole trip from Srebrenica to Tuzla in every detail.’¹⁶⁹⁶ The story was published on the 18th of July 1995.¹⁶⁹⁷ That day other newspapers also had a story about the journey.¹⁶⁹⁸ That way the UN also heard of the ‘secret camp’.¹⁶⁹⁹

A few days later some journalists encountered men who claimed to have survived mass executions. One journalist, who wants to remain anonymous, wrote down the story of Smail Hodzic, one of those survivors, on the 21st of July. The interview was not published, because there was no second independent source who could confirm his story. And although this is a good journalistic principle, they shot themselves in the foot.

Unintentionally this illustrated the fundamental problem with determining genocide or large-scale human rights violations – i.e. by definition there are very few witnesses. Dealing with this required

¹⁶⁹² AFP, ‘some Srebrenica soldiers reach government territory’, 17/07/95.

¹⁶⁹³ CRST. Fax C.L. de Moel to Royal Netherlands Army Crisis Staff, 22/07/95. Appendix: Memorandum David Harland to John Ryan, ‘Negotiations on Zepa’, 21/07/95.

¹⁶⁹⁴ Interview D. Harland, 11/07/00. Harland was present at the meetings on behalf of the UN. In his recollections a later meeting had been planned, with on the Bosnian side Izetbegovic, Silajdzic and Muratovic, but the Bosnian Serb delegation had not turned up. From that moment it started to sink in that perhaps something very different was going on with the missing persons.

¹⁶⁹⁵ Interview O. Zimmerman, 28/04/00.

¹⁶⁹⁶ Idem.

¹⁶⁹⁷ O. Zimmerman, ‘Moslimstrijders in helse tocht opgejaagd als wild’ (Muslim fighters hunted down like wild animals on hellish journey), *Algemeen Dagblad*, 18/07/95.

¹⁶⁹⁸ See e.g.: Clare Nullis, ; ‘After six-day flight, 4,000 Muslims arrive in Tuzla. Escape path from Srebrenica was littered with bodies’, *Associated Press*, 18/07/95. Published in several newspapers.

¹⁶⁹⁹ UNGE, Division of Civil Affairs UNPF HQ, box 25/77, 4th April-23 Aug. ‘95 [Biser reports], fax. K. Biser to M. Moussalli, 18/07/95.

a totally different methodological approach. Other journalists did manage to get the story about Hodzic and another survivor, Mevludin Oric, published in the last week of July.¹⁷⁰⁰

17. Investigations among Displaced Persons

These methodological problems, as well as the hindrances created by the Bosnian authorities, also confronted the interviewers who approached the Displaced Persons for information on behalf of various organizations. Important roles were assigned to UNHCR and the International Red Cross, but they were joined from Zagreb by a combined team of the Human Rights Office of Civil Affairs and the UN Centre for Human Rights. Furthermore various other bodies were active, such as the 'Bosnian State Commission for the collection of information on war crimes', as well as the Tribunal, Amnesty International and a number of smaller NGOs. Some of these were eager to publicize their findings as soon as possible. As early as 31 July, for instance, the US Committee on Refugees published an extensive report on the 'death march' from Srebrenica based on interviews conducted by its staff member Bill Frelick in Tuzla and the surroundings.¹⁷⁰¹

Due to the nature of their work most of the organizations were cautious about publicizing politically sensitive information. UNHCR was less reserved in this respect and several times its spokespersons released details from the 'unconfirmed reports' by Displaced Persons. This included the suspicion that the VRS had used Dutchbat uniforms to mislead refugees.¹⁷⁰² Serious research, however, was commenced only on 21 July after Protection Officer Manca de Nissa had arrived in Tuzla. He submitted his report a week later, based on 70 interviews with both normal Displaced Persons and survivors of the march. Manca de Nissa did not however draw any conclusions about possible large-scale murders.¹⁷⁰³

It was much more difficult for an organization such as the International Red Cross to publicize findings. The strictly observed neutrality ruled out any statements that could be given a political slant. Another factor in this case was that the delegates were too familiar with the Bosnian propaganda and thus usually regarded the rumours issuing from Tuzla with great suspicion. In a communiqué on 14 July, three days after the fall of the enclave, nothing was said about missing persons or possible summary executions. Nevertheless, staff of the International Red Cross had already gathered much information by this time. Although the International Red Cross had no official access to the men who arrived in Tuzla from 16 July onwards, staff had in fact spoken to several of them. A communiqué of 19 July however mentioned only that the International Red Cross demanded of the Bosnian Serbs that it be given access to prisoners. Still no mention was made of deaths. But according to Christoph Girod of the International Red Cross the pressure was increasing.¹⁷⁰⁴ Consequently, at a press conference on 31 July, Girod referred to the fact that there were 5000 to 6000 missing persons with the statement: 'We have no indications of this whatsoever'. It was only on 14 August that the International Red Cross first dared to publicly mention the possibility of executions.¹⁷⁰⁵

The UN headquarters in Zagreb had also issued instructions that Displaced Persons be questioned about possible human rights violations (actually: violations of international humanitarian law). As early as 17 July a mixed team from Civil Affairs/Human Rights Office (HRO) and UNCHR had left for Tuzla Air Base on a fact-finding mission, i.e. to interview the Displaced Persons from

¹⁷⁰⁰ E.g. the French newspaper *Libération* published an article about Mevludin Oric on 24 July. Quoted in: Alain Maillard, 'srebrenica, ce que le CICR savait', *L'Hebdo*, no 16, 18/04/96.

¹⁷⁰¹ 'special issue: the death march from Srebrenica', in: *Refugee Reports*, Vol. XVI, no. 7, 31/07/95; interview B. Frelick, 05/07/00.

¹⁷⁰² Alexander G. Higgins, 'UN Agency says refugee accounts of atrocities matching up', *Associated Press*, 19/07/95.

¹⁷⁰³ DCBC, unnumbered. Michele Manca de Nissa, Protection Officer, to Cynthia Burns, Senior Protection Officer, 'Report on recent arrivals from Srebrenica in Tuzla', 28/07/95.

¹⁷⁰⁴ Another factor was the discussion being conducted at that time about the silence of the Red Cross during the Second World War.

¹⁷⁰⁵ Alain Maillard, 'srebrenica, ce que le CICR savait', *L'Hebdo*, no. 16, 18/04/96.

Srebrenica. Ken Biser of Civil Affairs in Tuzla had already begun this task after an attempt to travel to Srebrenica, together with HRO staff member Peggy Hicks, had met with the resistance of the Serbs. From 18 July onwards Biser received the support of the team from Zagreb.¹⁷⁰⁶

A confrontation soon took place with a Field Delegate of the International Red Cross: 'He bluntly told us that the ICRC was not happy with our work because it potentially interfered with its own work'. According to the delegates it was possible that people would not report certain information to the International Red Cross if they had already spoken to other researchers; they might think it was no longer necessary. The humanitarian debriefers of the two UN organizations ensured that they avoided the potential confusion between the two organizations by telling their respondents that they should afterwards also talk to the International Red Cross.¹⁷⁰⁷

There were other problems too. The investigation was considerably hindered by the journalists present. Anyone could walk in and out of the relief camps. According to the Swiss investigator R. Salvisberg, UNCHR Bosnia coordinator based in Sarajevo, the journalists encouraged the Displaced Persons to say what they wanted to hear. In his eyes the media were engaged in 'a sensational hunt' for the worst crime, and this would then be published in the papers. As a result Salvisberg and his colleagues were constantly working in the wake of newspaper headlines and television sound-bites (however strange it sounds, televisions were soon present in the camp too).¹⁷⁰⁸ The investigators noticed in the process that the journalists were strongly focussed on Dutchbat. This possible distortion made it difficult to discern what the Displaced Persons had experienced themselves and what they were repeating from other sources.¹⁷⁰⁹

Salvisberg's team initially took a random approach, with evaluations taking place each day, after which the work became more systematic. The investigators chose a gentle, passive approach. They asked who wanted to talk to them, and then interviewed these people. According to Salvisberg they were not after 'sexy stories like the ones in the press'.¹⁷¹⁰ A total of five women came forward who said they had been raped. In general the stories of those who had been transported away in buses were relatively 'uneventful'. They had experienced few incidents. A picture gradually emerged, but the main question was whether the reported executions were isolated incidents or indications of a widespread phenomenon. It was also very difficult to gain a picture of the number who had been executed, but things certainly gave cause for concern, according to the investigator Peggy Hicks of the Human Rights Office of Civil Affairs in Zagreb.¹⁷¹¹

After about a week the investigators of the two UN organizations noticed that their respondents had been told what to say; they suspected that these instructions came from the Bosnian authorities. The gist of these prompted stories was that the Serbs and the UN (not specifically the Dutch) had been the bad guys, who had 'sold out' the people of the enclave. At this time Salvisberg had not yet heard any criticism of the actions of the people's own Muslim soldiers. It was to be some days before the first stories emerged which also assigned blame to the Bosnian government.¹⁷¹²

After a few days the team of investigators started looking for men who had entered the Safe Areas following the march. They visited a camp full of soldiers outside Tuzla. This proved a difficult affair: the authority of T. Mazowiecki, the Special Rapporteur for Human Rights who arrived in Tuzla on 22 July, was required to facilitate this visit. This solved only part of the problem: the interviewers were not permitted to approach people themselves but were 'accompanied' by the Muslim authorities.

¹⁷⁰⁶ NIOD, Coll. Hicks. Ken Biser ScvAO, Tuzla, to Michel Mousalli, HCA, 'sector Northeast Human Rights Update', 21/07/95.

¹⁷⁰⁷ NIOD, Coll. P. Hicks. Grace Kang, 'Note for the file: visit to Displaced Persons at UN Airbase', 18/07/95.

¹⁷⁰⁸ Interview M. Prins, 03/01/98.

¹⁷⁰⁹ Interview R. Salvisberg, 08/03/99.

¹⁷¹⁰ Interview R. Salvisberg, 08/03/99.

¹⁷¹¹ Interview P. Hicks, 10/07/00

¹⁷¹² Interview R. Salvisberg, 08/03/99.

'They were presented to us', reported the investigator Hicks. This was supposedly to save the investigators' time. 'It made me feel very uneasy', said Hicks later.¹⁷¹³

Other investigators shared her experience. According to R. (Roman) Wieruszewski of the UNCHR office in Sarajevo, one of the consequences of this 'accompaniment' was that everyone with whom he and his colleagues spoke claimed that he had been unarmed. In later interviews conducted independently of the authorities the interviewees generally declared that of course they had carried weapons, otherwise they would not have survived the march.¹⁷¹⁴ Sometimes it was women who said that of course the soldiers had been armed. Salvisberg recounted: 'They even laughed at us when we asked about this.' He and the other researchers calculated that of the Muslim men, about one-third had been armed and about two-thirds had been unarmed. They gained the impression that there had been an element of organization in the distribution of the available weapons: 'You get one, you don't', which according to them led to conflicts. Other Displaced Persons reported fights between the Muslim soldiers. There were also reports that Bosnian Muslims had executed Serbs.

The impression gained by the research team was that the soldiers had several prepared standard stories, such as a mass murder of 25 people conducted by the Bosnian Serbs, in which the respondent kept under cover or pretended to be dead. 'We heard this story ten times or so', said Salvisberg.¹⁷¹⁵ Although the reconstruction of the march presented problems, the biggest problem proved to be establishing what had happened to the group in Srebrenica and Potocari.¹⁷¹⁶

In the first report sent by Hicks on 21 July, she nonetheless concluded that there was sufficient basis 'to believe that significant human rights violations occurred both before and during the transport from Srebrenica'.¹⁷¹⁷ Much remained unclear, however. In the final report finished by Hicks on 31 July, the issue of numbers remained open. She could do nothing else than to conclude that further investigations were required.¹⁷¹⁸ It was only in October 1995, following new revelations in the press, that even she realized what the probable scale of the murder had been.¹⁷¹⁹

Typical of the problems in defining the events shortly after the fall were the statements made by two high-ranking UN officials in Tuzla. The Peruvian diplomat H. Wieland, the highest official of the UN Centre for Human Rights in the region, said on 23 July that 'we have not found anyone who saw with their own eyes an atrocity taking place'.¹⁷²⁰ On the same day, however, the Special Rapporteur for human rights, Tadeus Mazowiecki, also declared in Tuzla that 'barbaric' acts had taken place.¹⁷²¹ Thus for a long time it remained unclear what precisely had happened in Potocari and the surroundings, together with the fate of the thousands of men who had been missing since the fall. A major factor for those concerned was the disbelief that these thousands of men had been murdered in cold blood. It was thus the case that not only did the 'barometer' give no clear indications in itself: those reading it were also influenced by their own expectations and assumptions when trying to establish what had really happened. The discussion of the issue as to whether a genocide, or a mass murder, had been committed after the fall of Srebrenica, was to an important extent determined by the various points of departure.

1713 Interview P. Hicks, 10/07/00.

1714 Interview R. Wieruszewski, 06/02/98.

1715 Interview R. Salvisberg, 08/03/99.

1716 Interview P. Hicks, 10/07/00.

1717 NIOD, Coll. P. Hicks. Fax K. Biser to M. Moussalli, 'sector Northeast Human Rights Update', 21/07/95. Hicks was the author of this.

1718 NIOD, Coll. P. Hicks. Interoffice memorandum, M. Moussalli to Y. Akashi, '*srebrenica human rights report*', 31/07/95. Hicks was the author of this too.

1719 Interview P. Hicks, 10/07/00.

1720 Tim Butcher, 'serb atrocities in Srebrenica are unproved', *Daily Telegraph*, 24/07/95.

1721 Alan Cowell, 'Dutch cite limited abuse', *New York Times*, 24/07/95.

18. Genocide?

The question as to whether the term ‘genocide’ was applicable to the events taking place after the fall of Srebrenica became one of the dominant themes in the aftermath. Above all the resistance by Lieutenant General Couzy to the use of this term to describe the events following the fall of Srebrenica was to play a major role in the negative impression of the way that Dutch military personnel had responded to the disaster. It also became an element in the speculations concerning the poor relations between Minister Voorhoeve and his Army Commander Couzy, because a difference in approach to this matter soon became evident. The following section of this chapter examines the way that this ‘genocide issue’ took shape, based on a description and analysis of the actions of the main players and their interrelationships. The role of the media is also spotlighted, as this formed an important ingredient in the complex of actions and events.

Firstly it will be described how, following Couzy’s activities between 15 and 17 July, the issue of interpretation of the events played an increasingly important role in the public discussion. It will then be recounted how Couzy responded, partly in consultation with others, and how his actions should be viewed in the light of the knowledge that he had of the events. This is why detailed attention is also devoted to the debriefing of the main Dutchbat group conducted on Couzy’s instructions in Zagreb on 22 and 23 July, as opposed to the group of the 55 hostages and the Military Hospital Organization group who had already been interviewed between 15 and 17 July. The points of departure and the methods applied for the debriefing of the main group, which influenced the sort of information thus obtained, are also closely examined. In this context the simultaneous attempts made by UN bodies to gather information specially relevant to human rights violations are also dealt with. The interaction between the two debriefings and the resulting problems then form a subsequent important theme. In addition to revealing how strongly the Dutch authorities influenced the events in Zagreb, this also enables a comparison of the results to conduct a better analysis of the way in which Couzy arrived at his statements on human rights violations in the concluding press conference on the afternoon of Sunday 23 July. The final question to be examined is to what extent these statements, later subjected to strong criticism, were justified and understandable under the circumstances.

19. Pronk’s use of the term ‘genocide’

The origin of the ‘genocide issue’ lay with the Dutch Minister for Development Cooperation, J. Pronk. On Friday 14 July he and an aide travelled to Tuzla on behalf of the Ministerial Council. Pronk was given permission to organize an airlift between Tuzla and the Netherlands for the Displaced Persons. On 15 July he arrived via Split in Tuzla in the company of a reconnaissance group under the leadership of Lieutenant Colonel L.M.T. Kuijpers. The delegation was to establish what assistance the Netherlands could provide for the Displaced Persons from Srebrenica. Pronk also hoped, however, to find out more about the fate of the several thousand missing men – an issue that was raising a growing number of questions. He conducted a large number of conversations with representatives of the UN, NGOs, Bosnian authorities and Displaced Persons at Tuzla Air Base, where the Displaced Persons were accommodated. In the evening he appeared in a direct broadcast on Dutch television news at 8pm. Pronk stated that he had consulted with Prime Minister Kok and Defence Minister Voorhoeve on the ‘chief problem’ in Tuzla. According to him this problem was not the Displaced Persons, but the ‘stragglers’, the ones who had not arrived in Tuzla. He advocated that international pressure on Mladic be stepped up. When the news presenter Hennie Stoel asked whether pressure and threats would help to motivate the Serbs ‘to do something for the stragglers’, Pronk responded in irritation: ‘Do something for the stragglers? Stop the people being murdered, that’s the issue here.’¹⁷²²

¹⁷²² NOS news broadcast N1, 8pm, 15/07/95 (transcript)

On Monday 17 July the Dutch newspapers and radio reported comparable statements made by Pronk in Sarajevo on his return journey from Tuzla. Pronk once again expressed his concern for the men in Bratunac. *Het Parool* reporter Kolijn van Beurden noted his words: ‘No one can get there and that makes you fear the worst’. Pronk was afraid that the Bosnian Serbs wanted to prevent the men from joining up with the Displaced Persons and then once again serving in the ABiH: ‘This points to murder as a preventative measure’. Pronk advocated that satellite photographs be used to obtain more information.¹⁷²³

These signals sent by Pronk failed to make a major impact. That only changed when he expressed them in strong terms on television. On the evening of 17 July Pronk had arrived in Split, from where he was to travel back to the Netherlands. Twan Huys was now also in Split. Pronk gave the NOVA reporter a frank interview, telling Huys about a number of atrocities in Srebrenica which he said had cost ‘thousands’ of lives. The interview was to be broadcast the following evening.

In The Hague the first alarm bells started ringing when NOVA approached the Ministry of Defence on Tuesday 18 July, one day after the interview in Split. Twan Huys’ team had also been in Zagreb on 16 July at the moment that the 55 ex-hostages and the Military Hospital Organization team were addressed by Couzy about their departure for the Netherlands. The camera was running when Couzy warned the assembled personnel about the expected media attention and urgently advised them to remain silent with respect to the press. The media quickly interpreted this as a ‘muzzle’, and it meant that the silence maintained by the 75 Dutchbat members who arrived at Soesterberg in the afternoon of 17 July was news in itself.¹⁷²⁴ The discrepancy between this ‘muzzle’ for the Dutchbat members and the frankness of Minister Pronk thus also smelled newsworthy. The question was also quickly raised as to why, if Pronk’s account was true, the Dutch had done nothing to prevent the drama. The first critical commentaries appeared in the press, some of which did not shrink from comparisons with the Second World War. On the opinion page of *De Volkskrant* on 17 July, for instance, the old journalistic hand Herman Wigbold asked what the principal difference was between the engine drivers who drove the trains to Westerbork (the deportation transit camp set up by the Germans in the Netherlands during the Second World War) and ‘UN peacekeepers who ride on the Bosnian Serb trucks’. The example of the mayor in wartime was cited again too.¹⁷²⁵ Voorhoeve, who had already been affected by the critical words of the historian Jan-Willem Honig about the actions of Dutchbat, hit back the following day with his own contribution to the opinion page in which he rejected all criticism of Dutchbat.¹⁷²⁶

It was thus no surprise that on 18 July NOVA contacted the Ministry of Defence to request that someone, preferably Voorhoeve or Couzy, should respond to Pronk’s statements in the programme. The Deputy Director of Information of the Ministry of Defence, H.P.M.(Bert) Kreemers, who had already been approached by *Nova* without success, immediately warned his minister of the impending danger. He advised him to consult as soon as possible with Pronk, who was due to arrive at Valkenburg Navy Air Base in the afternoon and to hold a press conference there: ‘Contact with the both of you seems advisable to me, because in the public eye we’re heading for a ‘clash’.¹⁷²⁷

This estimate proved to be correct. The interview recorded with Pronk in Split was broadcast on the evening of 18 July. Huys had initially not recognized the newsworthiness of Pronk’s statements about ‘large-scale murders’, as ‘everyone’ already knew this. But when he reported the interview to his editor-in-chief Ad van Liempt, the latter instructed that the recording be sent to Hilversum as soon as

¹⁷²³ ‘Extra geld Pronk voor vluchteling’ (Pronk releases extra funds for Displaced Persons), *Het Parool*, 17/07/95.

¹⁷²⁴ ‘Dutchbat zwijgt bij terugkeer op Soesterberg’ (Dutchbat silent on return to Soesterberg), *De Volkskrant*, 18/07/95.

¹⁷²⁵ H. Wigbold, ‘VN lieten zich manoeuvreren in rol van collaborateur’ (UN allowed itself to be manoeuvred into the role of collaborator), *De Volkskrant*, 17/07/95.

¹⁷²⁶ J.J.C. Voorhoeve, ‘Kritiek op Dutchbat volkomen onterecht’ (Criticism of Dutchbat totally unjustified), *De Volkskrant*, 18/07/95. Honig, teacher at the Department of War Studies of King’s College in London and in 1996, together with Norbert Both, the author of the first comprehensive study of the fall of Srebrenica, wrote that the Netherlands had virtually issued an invitation to the Bosnian Serbs with its inconsistent policy in Bosnia. See: ‘Nederland droeg zelf bij tot vernedering in Bosnië’ (The Netherlands contributed to its own humiliation in Bosnia), *De Volkskrant*, 15/07/95.

¹⁷²⁷ NIOD, Coll. Kreemers. Memo from H.P.M. Kreemers to Minister, ‘Re: statements by Minister Pronk’, 18/07/95.

possible because it would initiate ‘an enormous political debate’. He said he knew that the government had agreed not to make any statements about the situation on the ground until the Dutchbat members were in safety.¹⁷²⁸ The broadcast was thus announced with the words that the minister would say ‘what no politician or soldier has dared to utter’. Pronk said that no one should be fooled ‘by people who say that none of this had been confirmed. Thousands of people have been murdered. (...) Real mass murders have taken place. This is something that we knew could happen. The Serbs have done this several times. It’s genocide that is taking place.’ Pronk also referred to the presence of special Bosnian Serb troops who had frequently committed such actions before.¹⁷²⁹ A few years later Pronk told the NIOD that this remark was prompted by reports from the Bosnian authorities about the presence of Arkan and his Tigers in the operations against the population of Srebrenica.¹⁷³⁰

The ‘clash’ predicted by Kreemers had now come about. In the absence of Voorhoeve and Couzy, who remained silent due to the position of Dutchbat, it was the CDA (Christian Democrats) spokesman De Hoop Scheffer who responded to Pronk’s statements in the *Nova* programme. Shortly after the fall of the town the CDA spokesman had already declared in *Nieuwe Revu*: ‘As we already knew, the Serbs can commit the most terrible acts if they want to do harm.’¹⁷³¹ This may be why, in the *Nova* broadcast, he did not focus on the content of Pronk’s statements but on their political opportunism. Although ‘understandable from the human perspective’, De Hoop Scheffer considered them ‘politically irresponsible’. He felt that Pronk had mixed private opinions and emotion with political responsibility, and called this ‘a political mistake’. De Hoop Scheffer said that he himself had ‘a whole lot of questions about what has happened there’ – here apparently referring to the missing men – ‘But we as the Dutch government now have one major priority. And that is to get Colonel Karremans and his 306 men back to the Netherlands safe and sound.’ The CDA politician said that with his statements Pronk had deviated from the reserved attitude taken by his colleagues Kok, Voorhoeve and Van Mierlo in the past week.¹⁷³² Five years later De Hoop Scheffer, by then chairman of the CDA, was to declare four times that when making his criticism at that time he was bearing in mind the interests of both ‘Displaced Persons and Dutchbat’ – in that order.¹⁷³³ This is not, however, the impression gained from those days.

Although the D66 spokesman Jan Hoekema accused his CDA colleague of trying to make political capital from the statements, he too felt that Pronk was ‘jumping the gun’ and that his remarks were ‘not prudent and not opportune’. The VVD spokesman Blaauw described the statements as ‘extremely unwise’.¹⁷³⁴

One day after the programme, however, Pronk received support from an unexpected quarter. The AVRO radio news broadcast an interview with the Dutch Chief of Staff of the UN headquarters in Sarajevo, Brigadier General C. Nicolai: ‘Of course it’s ethnic cleansing. It’s only the scale that is completely unclear.’ Nicolai made his remarks two days before the departure of Dutchbat from Potocari, but he did not believe that he could thus endanger the return of the UN soldiers.¹⁷³⁵ The PVDA (Labour) spokesman Gerrit Valk also played down the risks for the 307 Dutchbat members in Potocari: ‘I don’t have the impression that Mladic tunes in to *Nova* every day.’¹⁷³⁶

¹⁷²⁸ Interview T. Huys, 07/07/00 and 08/07/00.

¹⁷²⁹ NOS/VARA, NOVA, N3, 18/07/95, 10.35pm (transcript).

¹⁷³⁰ Interview J. Pronk, 03/04/00.

¹⁷³¹ ‘Wie denkt Joris Voorhoeve wel dat hij is?’ (Who does Joris Voorhoeve think he is?), *De Nieuwe Revu*, no. 30, 19-26 July 1995.

¹⁷³² NOS/VARA, NOVA, N3, 20.35pm (transcript).

¹⁷³³ NIOD, TCBU. TCBU, Hearing J. de Hoop Scheffer, 29/05/00.

¹⁷³⁴ ‘Kok steunt Pronk na kritiek op genocide Serviërs in Bosnië’ (Kok supports Pronk following criticism of Serb genocide in Bosnia), *De Volkskrant*, 20/07/95.

¹⁷³⁵ AVRO, Radio news, R1, 19/07/95, 12.05am and 1.10pm; see also: ‘Generaal steunt verhaal Pronk’ (General supports Pronk’s account), *Het Parool*, 20/07/95.

¹⁷³⁶ ‘Kok: ‘Pronk ging boekje niet te buiten’ (Kok: Pronk did not overstep the line), *Trouw*, 20/07/95.

Jacques de Milliano, the director of *Médecins Sans Frontières*, who had arrived at airbase Valkenburg at the same time as Pronk, was equally forthright in using the word ‘genocide’.¹⁷³⁷ De Milliano had gone to Bosnia because he had strong indications that Dutchbat had not supervised the transport of the Displaced Persons as well as the Dutch military leadership had claimed. Reports from the representatives of *Médecins Sans Frontières* in the enclave had made it clear to him that this had not been the case. Dutchbat and Karremans in particular had given the Displaced Persons ‘a false sense of protection’ by creating the impression that the Dutch would accompany them.¹⁷³⁸ This picture was further strengthened by De Milliano’s conversations with Displaced Persons in Tuzla. This gave him grounds enough ‘to burst that balloon’.¹⁷³⁹

More important for Pronk from the political perspective, however, was the unreserved support from Prime Minister Kok the day after the *Nova* broadcast. He informed Parliament in a letter that he did not agree with the accusation that his party colleague had acted ‘irresponsibly’ and declared simply that Pronk’s actions were ‘not in conflict’ with the government policy: ‘under the present circumstances, maintaining the necessary degree of reserve when making public statements’.¹⁷⁴⁰ Kok also referred to the fact that other members of the government had also expressed their concern. Indeed, on 17 July the Minister of Foreign Affairs Van Mierlo, when attending a General Council with EU colleagues in Brussels, had given a ‘chilling account’ during an intervention in the debate of the atrocities committed by the VRS. But for security reasons he did not wish to provide any details.¹⁷⁴¹ On the other hand, Van Mierlo also asked Pronk to moderate his statements until Dutchbat was free.¹⁷⁴²

Reserved or not, Pronk’s statement about genocide was received in the international media as the ‘first’ serious political indication of a mass murder.¹⁷⁴³ His words led to a variety of reactions. Akashi, for instance, said he was not aware of the genocide that his ‘great friend’ Pronk had talked about. He said he would direct an inquiry to the Dutch government.¹⁷⁴⁴ The really fierce reactions, however, came from the side of the Dutchbat military personnel. In the Netherlands the military trade union ACOM, in the person of its chairman P. Gooijers, was one of the first to heavily criticize Pronk’s statements in a press release and a letter to Minister Voorhoeve. In this ACOM asked him to assign ‘the highest priority now’ to the safety of the Dutchbat soldiers, for instance by ensuring that ‘colleague politicians take a restrained approach to the situation in the former Yugoslavia until the Dutch UN soldiers have safely returned to the Netherlands’.¹⁷⁴⁵ Following this Voorhoeve asked his Deputy Director of Information Bert Kreemers to call Gooijers and to reassure him. This was successful, as Gooijers then expressed his support for Voorhoeve’s policy.¹⁷⁴⁶

The Dutchbat personnel in Bosnia also showed little understanding. In Potocari they had heard Pronk’s statements on satellite television. Some of the debriefing forms filled out by the group of 55 in

¹⁷³⁷ ‘Nederlandse hulp was te beperkt’ (Dutch assistance was too limited), *NRC Handelsblad*, 19/07/95.

¹⁷³⁸ Karel Bagijn, ‘Dutchbat maandag naar huis’ (Dutchbat to return on Monday), *Algemeen Dagblad*, 21/07/95.

¹⁷³⁹ M. Wilbrink, ‘De littekens van Jacques de Milliano. “Karremans wist misdaden Serviërs uit”’ (The scars of Jacques de Milliano. “Karremans erases Serb crimes”), *Gelders Dagblad*, 28/07/95.

¹⁷⁴⁰ ‘Kok steunt Pronk na kritiek op genocide Serviërs in Bosnië’, *De Volkskrant*, 20/07/95.

¹⁷⁴¹ J. Palmer, ‘Dutch tell EU of rebel atrocities’, *The Guardian*, 18/07/95. Palmer also quoted an anonymous ‘Dutch official’ who declared that the Dutch government ‘had decided to suppress details of the atrocities until all the 400 Dutch UN troops (...) had been safely withdrawn’. It was not possible to establish who formed this source. During the same General Council the European Commissioner for Humanitarian Affairs, Emma Bonino, also reported on her findings in Bosnia. Regarding the fate of the men she said, ‘Everything is possible’. See: ‘Bonino: 12.000 vermisten in Srebrenica’ (Bonino: 12,000 missing in Srebrenica), ANP 172114 July 95.

¹⁷⁴² Interview H.A.F.M.O. van Mierlo, 02/02/00.

¹⁷⁴³ ‘Jan Pronk, (...) est le premier à parler d’assassinats de Musulmans par milliers’, Alain Maillard, ‘srebrenica, ce que le CICR savait’, *L’Hebdo* no 16, 18/04/96. [http://www.webdo.ch/hebdo/hebdo_1996/hebdo_16/cicr_16_usa]

¹⁷⁴⁴ ‘Akashi ‘niet op de hoogte van genocide’ (Akashi ‘not aware of genocide’), *ANP report*, 191435 July 95.

¹⁷⁴⁵ ‘ACOM verbijsterd over uitslatingen Minister Pronk’ (ACOM surprised at statements by Minister Pronk), *Press release ACOM*, 19/07/95.

¹⁷⁴⁶ Memo from Minister Voorhoeve, no. 1139, 19/07/95 (included in Ministry of Defence media collection ‘The fall of Srebrenica in the media, 15 to 21 July 1995).

Pleso contained gibes directed at Pronk. After the rest of the battalion had arrived in Zagreb on 22 July and the media put the issue of possible genocide to a number of Dutchbat soldiers, extremely angry reactions resulted which were aimed not only at Pronk. Minister Voorhoeve now also came under fire. On 21 July he had attended the international Bosnia Conference in London. He had an informal meeting with General Smith, who informed him confidentially that he feared the worst for the men still missing, even if hard proof was still lacking: 'He was the first from the military sector who told me informally, "I think they've murdered two to three thousand men." I don't know how he knew it, but he also said, "I don't have any hard facts, but things aren't right. There are too many men missing." That was on 21 July. He also said, "I don't precisely know why I'm saying this, but it's my feeling, intuition".'¹⁷⁴⁷ Strengthened by this information and the knowledge that Dutchbat had now left the Republika Srpska, Voorhoeve then issued strong accusations directed at the Bosnian Serbs: 'Genocide means murder of a group, and that is what the Bosnian Serbs are doing'.¹⁷⁴⁸ In the NOS television news of that evening he explained his words further:

'We now no longer have any constraints on the things we can say. We know that very serious things have happened in Srebrenica. We don't have the full picture yet, but I fear that hundreds if not thousands have died. There's no longer any need to keep our voices down. We know that very serious things have happened and we also want them fully investigated on behalf of the Tribunal that is to investigate war crimes. I believe that serious war crimes have indeed taken place.'¹⁷⁴⁹

The reactions of some Dutchbat personnel to these statements were so fierce that a rather nonplussed Voorhoeve had to back-pedal a day later before the cameras in Pleso. But it was not only the normal troops with whom he clashed. General Couzy also rejected the far-reaching statements of his own minister and his colleague Pronk.

20. Couzy and the pressure of the media

Chapter 9 of Part III described how the destination of Dutchbat was unclear for a long time. The battalion itself wished to keep to the route via Belgrade to Zagreb, but for a long time the Army Command in The Hague assumed a departure route via Busovaca to Split. By Monday 17 July the Ministry of Defence had prepared an initial publicity plan to deal with the arrival of 'the Karremans group' in Split, at that moment still the assumed departure point for the journey back to the Netherlands. Karremans and his men were to arrive there after an interim halt in Busovaca, where the commander of Dutchbat III would be able to draw up a plan for the press conference together with the Army Commander and a representative of the Information department.¹⁷⁵⁰ A day later a concerned Minister Voorhoeve wrote a 'strictly confidential' memo to Bert Kreemers in which he urged that caution be applied to interviews with Karremans. The minister now appeared to be aware of the criticism 'by his junior commanders of the course of events in the crisis; he seems to have been less solid than we thought'.¹⁷⁵¹ Voorhoeve had been warned by Junior Minister J.J.C. Gmelich Meijling, who had travelled to Zagreb to greet the released Dutchbat personnel and in the process had heard the

¹⁷⁴⁷ Interview J.J.C. Voorhoeve, 15/04/97.

¹⁷⁴⁸ ANP report, 21/07/95.

¹⁷⁴⁹ NOS Journaal, N 1, 8pm, 21/07/95, verbatim uncorrected text.

¹⁷⁵⁰ NIOD, Coll. Kreemers. Memo from H.P.M. Kreemers, deputy direction of information, to Minister and Junior Minister of Defence, 17/07/95.

¹⁷⁵¹ NIOD, Coll. Kreemers. Memo from J.J.C. Voorhoeve to DV attn. Mr Kreemers, 18/07/95.

criticism of Karremans (and Franken).¹⁷⁵² The minister urged that no interviews should be agreed to yet.¹⁷⁵³

The idea of preparing the information for the public in peace and quiet in Busovaca came to nothing, because Smith and Mladic had agreed in their conclave in Belgrade on 15 July that Dutchbat would go to Zagreb. That meant that the preparations for meetings with the media had to take place by telephone or fax with Karremans in Potocari, or otherwise after his arrival in Pleso. The task of preparing Karremans was initially assigned to an army information officer who had now arrived in Tuzla. Troop Captain J.S. Riepen, press officer for the Royal Netherlands Army in Zagreb, had been sent to Tuzla to assist Brantz as spokesman during his contacts with the media, which had descended in large numbers on the Displaced Persons from Srebrenica who were staying at Tuzla Air Base.¹⁷⁵⁴ Riepen was thus well-situated to brief Karremans.

On 19 July in Tuzla Riepen wrote a memo in which he compiled possible questions that might be put to the soldiers in Zagreb. The questions had been supplied to him from various quarters (The Hague, Tuzla, Zagreb).¹⁷⁵⁵ This list of questions was sent to Karremans from Tuzla on 20 July.¹⁷⁵⁶ The idea was that he would read this at an early stage so that the parties could get to work immediately on his return.¹⁷⁵⁷ The list was drawn up with considerable expertise and knowledge: the 20-plus questions not only covered a wide range of tricky issues, but were also formulated in the suggestive and sometimes even provocative tone that Karremans could expect from mistrustful journalists. The issue of Close Air Support was dealt with, but also the issue of excessively light armaments ('Would Raviv van Renssen still be alive with a different weapon and a better armoured vehicle?') and the quality of training. Many of the rumours now in circulation were also incorporated in the questions. The support given to the separation of men and women was dealt with, the gift or even sale of uniforms to the VRS, as well as Karremans' 'toast' following conclusion of the negotiations with Mladic.

In the meantime media information was being prepared elsewhere too. On Thursday 20 July Couzy once more departed for Zagreb, where Dutchbat was now expected to arrive the following evening. On Friday afternoon of 21 July, on board the aircraft from Split to Zagreb, Couzy was informed by the Head of Army Information, Colonel W.P.P. (Paul) Hartman, of the 'Plan with action points' for the media information. 'We were in agreement', said Hartman later.¹⁷⁵⁸ The plan envisaged that the returned soldiers would first be able to rest and that the press would be kept away until the press conference had been conducted. To this end another information officer, Major M. Beneker, had agreed with the camp commander Livingstone that the area be completely sealed off.¹⁷⁵⁹ In consultation with the press officer at the UN headquarters in Zagreb, Beneker had arranged that Finnish UN soldiers would protect Dutchbat from the press.¹⁷⁶⁰

The press conference with Couzy and Karremans and the discussion with 'the men' were among the six 'major publicity moments' defined by Hartman in his plan. The first moment was the arrival in 'safe' Serbian territory, at 'Iron Bridge' near Zvornik. It was expected that an NOS news team would be waiting to film the passing Dutch soldiers; the chance of interviews being conducted there

¹⁷⁵² Telephone interview J.J.C. Gmelich Meijling, 04/12/01.

¹⁷⁵³ NIOD, Coll. Kreemers. Memo from J.J.C. Voorhoeve to DV attn. Mr Kreemers, 18/07/95.

¹⁷⁵⁴ Interview J. Riepen, 03/10/99.

¹⁷⁵⁵ NIOD, Coll. Kreemers. W.P.P. Hartman, Head of Army Information, 'Memo on publicity aspects of return of Dutchbat 3', 26/07/95.

¹⁷⁵⁶ Kreemers, *Achterkant van de maan*, p. 93.

¹⁷⁵⁷ Interview J. Riepen, 03/10/99.

¹⁷⁵⁸ NIOD, Coll. Kreemers. W.P.P. Hartman, Head of Army Information, 'Memo on publicity aspects of return of Dutchbat 3', 26/07/95.

¹⁷⁵⁹ NIOD, Coll. Kreemers. W.P.P. Hartman, 'Plan/action points for return of Dutchbat '300'', 21/07/95 (11am). Appendix to memo from H.P.M. Kreemers to minister, V95014995, 'Press conference in Zagreb, 23 July 1995', 02/08/95.

¹⁷⁶⁰ Interview M. Beneker, 04/12/01.

was considered to be small. The next moment would then not occur until the arrival at Pleso.¹⁷⁶¹ For unknown reasons Dutchbat's border crossing from Serbia into Croatia was not designated a 'major publicity moment'.

Following the arrival of Couzy and Hartman in Zagreb on 21 July, the final details were discussed on a sunny terrace of Holland House together with Beneker and Riepen, who had now returned from Tuzla. At this time the border crossing was indeed discussed. A discussion ensued of Beneker's idea that he himself would go to the border, but Hartman decided, as he was later to regret, to keep Beneker in Pleso. There was still a great deal to do there for just a small number of information officers.¹⁷⁶² Beneker did however take a number of measures. One of the problems was that they did not know where Karremans would be in the convoy, which consisted of four 'packets'. Beneker thus arranged three teams with their own transport, consisting of the Finnish UN soldiers who were also charged with sealing off Pleso. Each team was assigned one of the 'packets', with the strict orders not to allow any journalist to contact the soldiers and especially not Karremans and Franken. As he was lacking one team of 'minders', he asked a few Dutch military policemen to take care of the fourth packet.¹⁷⁶³

Despite these thorough preparations, everything went wrong. The majority of the Dutch press, more than 60 journalists, was waiting impatiently in Pleso in compliance with the request of Beneker, who had claimed that Karremans would first be available for interviews on 23 July. A few journalists however, including Jaap van Deurzen of RLT-4, had told him they would take their chance.¹⁷⁶⁴ There was no NOS team at Iron Bridge on Friday morning, 21 July, but Van Deurzen and a cameraman were waiting at the border crossing point between Serbia and Croatia at Lipovac, together with journalists from *Algemeen Dagblad* and *NRC Handelsblad*. Due to unexpected problems, including the toll charges, the convoy was held up at the border at 10am and was not allowed to continue until 12.30pm (i.e. after midnight).¹⁷⁶⁵ By sheer coincidence the Dutch military policemen ended up accompanying the packet Karremans. Possibly the long delay caused them problems, they lost track of the situation or were unable to withstand the pressure of the eager press. Whatever the case, for unknown reasons they could not prevent the Dutch journalists from approaching the soldiers.¹⁷⁶⁶

More went wrong at that moment. The list of questions that Karremans had faxed to Karremans also contained two questions on themes which were to strongly influence the later debate. One question concerned Karremans' opinion of Mladic: 'A brilliant general or a psychopath?' The other question consisted of a statement and a number of sub-questions: 'The Serbs are getting blamed in the press. Do you agree? We've heard that the Muslims are very unreliable. How do you view the Muslims, considering that they intentionally shot one of your men dead?'¹⁷⁶⁷ But one way or another these questions had totally failed to connect with Karremans: he was later unable to remember ever having seen this fax message.¹⁷⁶⁸ Beneker said that he had also telephoned the Dutchbat commander before his departure from Potocari on 20 July, urging him to avoid all contact with the press on the journey to Zagreb.¹⁷⁶⁹ This too was a message that had not registered with Karremans.

Consequently things went wrong. During the delay in Lipovac the Dutchbat commander made no secret to the press of his admiration for the military capabilities of General Mladic and he praised the Bosnian Serb organization of Dutchbat's departure. His line of argument was supplemented by

¹⁷⁶¹ NIOD, Coll. Kreemers. W.P.P. Hartman, 'Plan/action points for return of Dutchbat '300'', 21/07/95 (11am). Appendix to memo from H.P.M. Kreemers to minister, V95014995, 'Press conference in Zagreb, 23 July 1995', 02/08/95.

¹⁷⁶² Interviews M. Beneker, 04/12/01; J. Riepen, 03/10/99.

¹⁷⁶³ Interview M. Beneker, 04/12/01.

¹⁷⁶⁴ Interview M. Beneker, 04/12/01.

¹⁷⁶⁵ Frans Peeters, 'Konvooi Dutchbat urenlang vertraagd to grens Kroatië' (Dutchbat convoy held up for hours at Croatian border), *Het Parool*, 22/07/95.

¹⁷⁶⁶ Interview M. Beneker, 04/12/01.

¹⁷⁶⁷ NIOD, Coll. Kreemers. J.S. Riepen, Memo 'Press conference and possible questions from journalists', 19/07/95.

¹⁷⁶⁸ Interview Th. Karremans, 15-17/12/98.

¹⁷⁶⁹ Interview M. Beneker, 04/12/01.

Medical Naval Captain Hegge, who dismissed some of the Muslim refugees' stories about the actions of the Bosnian Serbs as 'disgracefully exaggerated'. Moreover he claimed that many inhabitants of Srebrenica were happy to be gone because they were now free of the local mafia.¹⁷⁷⁰

When the media representatives who had remained in Zagreb as agreed found out that other journalists had scooped them, they were furious about this 'deceit by the Ministry of Defence'.¹⁷⁷¹ Twan Huys in particular, who had been informed by his editor Lars Anderson in The Netherlands about Karremans' statements to RTL, kicked up a major row.¹⁷⁷² Relations were already tense at that moment. The army information office Hartman remembers how Huys and his cameraman, both strongly under the impression of their experiences in Tuzla, had already peremptorily demanded of him and Couzy that they be allowed to interview Karremans and his men on camera as soon as they arrived. Hartman recounts: "That was exactly what we didn't intend, to let everyone in immediately. It would have meant open house for the soldiers. We could only guess what psychological state they were in. These guys had been confronted with death." The talk between Couzy and Huys, which took place until long after midnight in the foyer of the hotel in Zagreb, became increasingly unpleasant: "It was two in the morning. We'd had a long, hard day. The guys from *Nova* too, of course. Couzy said that the arguments were starting to repeat themselves and that he wanted to go to bed. He walked away. Twan Huys went after him, shouting, "Couzy! Come here!" That was very unpleasant. Extremely unpleasant."¹⁷⁷³

The next morning Huys was back. He now knew that Karremans had already spoken to the media at the border. Although no journalist had passed the gates of Pleso, according to Hartman the pressure now became almost intolerable. The telephone rang again and again: "Are you guys completely off your heads?! Now you're breaking your word too!". Saying that Karremans wouldn't be available and that now we'd given him to RTL and *NRC* too. An intolerable situation.'

Hartman felt 'put through the mangle':

"In my years with Information I've always tended to say: "I'm on your side!" That becomes difficult when this seems to be at odds with the interests of your own people and your own organization. I'm not talking about the political dimension, but about the poor guys who've just arrived, about Karremans who is totally exhausted. These are two disparate concerns. Then you realize that you have to do something. Something's going to erupt. Don't ask me how. Don't ask me what. But something's going to go very wrong if we don't take action."¹⁷⁷⁴

A debate about the course to be followed now broke out between the information officers. Beneker thought that they should stand firm, all the more so because there had not been time to agree on an official line with Karremans, who had already stirred up a commotion.¹⁷⁷⁵ This stubbornness had already led to a flaming row between Huys and Beneker, because the information officer had told the *Nova* journalist that he had 'simply had bad luck'.¹⁷⁷⁶ Hartman however bowed to the pressure and conceived of a brief press conference as a 'conciliatory gesture', to take place just outside the gates of Camp Pleso towards sunset. There would be opportunity for 'a nice photo' and moreover Couzy and

¹⁷⁷⁰ Bert Kreemers, *de achterkant van de maan* (unpublished manuscript, 1998), p. 94.

¹⁷⁷¹ NIOD, Coll. Kreemers. W.P.P. Hartman, 'Plan/action points for return of Dutchbat '300', 21/07/95 (11am). Appendix to memo from H.P.M. Kreemers to minister, V95014995, 'Press conference in Zagreb, 23 July 1995', 02/08/95.

¹⁷⁷² Interview T. Huys, Washington D.C., 07/07/00 and 08/07/00.

¹⁷⁷³ Interview W.P.P. Hartman, former Head of Army Information (HLV), 08/10/99.

¹⁷⁷⁴ Interview W.P.P. Hartman, 08/10/99.

¹⁷⁷⁵ Interview M. Beneker, 04/12/01.

¹⁷⁷⁶ Interviews M. Beneker, 04/12/01; J.S. Riepen, The Hague, 03/10/99; Twan Huys, 07/07/00 and 08/07/00.

Karremans could withdraw at any desired moment. This option ‘wins no prizes for elegance, but under the circumstances it seems the only feasible one’, wrote Hartman in a note that morning.¹⁷⁷⁷

One of the shortcomings was the lack of clarity about what should be discussed during this gathering. Hartman had only generally indicated that it would involve just ‘a brief statement plus a few questions’, which could be about anything apart from the fall of the town and the following events. Hartman did not succeed in speaking to Karremans beforehand; the chaos that was to mark the following day, Sunday, was already present on Saturday.

The press conference at the gate of Pleso did indeed take place but it became, as one of the attending journalists later expressed it, ‘an embarrassing spectacle’.¹⁷⁷⁸ Once again it was unclear to what extent the battalion had witnessed human rights violations or the consequences of these. Karremans repeated that there was no question of genocide having taken place in Srebrenica.¹⁷⁷⁹ Otherwise he reported only that some of his men were suffering from symptoms of post-traumatic stress. He was also induced to make rather laconic statements about his negotiations with Mladic and the fact that he felt no regrets about his last greeting to the general on departure – short excerpts of corresponding footage had now been broadcast on television.¹⁷⁸⁰ ‘He seemed – to the indignation of some journalists – to consider this very normal’, noted Hartman later.¹⁷⁸¹ Karremans poured more oil on the fire by describing Mladic as ‘not a dangerous madman at all, but a professional who knows how to do his job’.¹⁷⁸²

Hartman also later recollected ‘the consistently sharp attitude’ of Couzy when stressing that he only wanted to talk about what ‘his’ people had seen, and also that – as previously agreed with Hartman – he rejected the use of the word genocide.¹⁷⁸³ Referring to the operational debriefing by the Brigade Commander General Bastiaans that was still underway, Couzy said that he did not know precisely what had happened: ‘We have to chart this in the coming hours’.¹⁷⁸⁴

According to Hartman these statements by Couzy stood in direct relation to Pronk’s mention of genocide.¹⁷⁸⁵ Since the Army Commander’s strategy was directed against Pronk, it came as an unpleasant surprise when a journalist startled Couzy with the statements about genocide that his own minister, Voorhoeve, had already made the previous evening in London. Hartman did not know about this either. He was also unable to remember later whether staff in The Hague (Bert Kreemers) had tried to reach him. The makeshift infrastructure at Pleso – no office, not enough telephones and faxes and large distances on the base – was taking its toll.¹⁷⁸⁶

Couzy’s rejection of the term genocide not only cemented the opposition between him and Minister Voorhoeve; his resolute statements also increased the scepticism felt towards him by a number of journalists, such as Twan Huys of *Nova*.

The Ministry of Defence plans had scheduled the real media event for Sunday 23 July, with a major press conference possibly followed by the opportunity for contacts between the media and Dutchbat personnel. The NOS was to conduct a special live broadcast. *Nova*, which did not broadcast

¹⁷⁷⁷ NIOD, Coll. Kreemers. W.P.P. Hartman, ‘Memo for the Commander in Chief of the Royal Netherlands Army’, 22 July 1995. Appendix to: Memo from H.P.M. Kreemers to minister, V95014995, ‘Press conference in Zagreb, 23 July 1995’, 02/08/95.

¹⁷⁷⁸ Bert Bommels, ‘De “black box” Srebrenica’, *Elsevier*, 29/07/95.

¹⁷⁷⁹ Idem.

¹⁷⁸⁰ Van Gils, ‘Meer dan honderd keer “Welkom terug”’ (More than a hundred ‘Welcome backs’), *ANP Bericht*, 22/07/95. It was not until 2000 that the complete footage of the farewell from Mladic, including the presentation of gifts to Karremans and Nicolai, was seen on Dutch television.

¹⁷⁸¹ NIOD, Coll. Kreemers. W.P.P. Hartman, ‘Plan/action points for return of Dutchbat ‘300’’, 21/07/95 (11am). Appendix to memo from H.P.M. Kreemers to minister, V95014995, ‘Press conference in Zagreb, 23 July 1995’, 02/08/95.

¹⁷⁸² B. Bommels, ‘De “black box” Srebrenica’, *Elsevier*, 29/07/95.

¹⁷⁸³ Interview W.P.P. Hartman, 08/10/99.

¹⁷⁸⁴ Van Gils, ‘Meer dan honderd keer “Welkom terug”’, *ANP Bericht*, 22/07/95.

¹⁷⁸⁵ Interview W.P.P. Hartman, 08/10/99.

¹⁷⁸⁶ Interview W.P.P. Hartman, 08/10/99.

on Sundays, would thus be sidelined. As already mentioned, Huys had already expressed his indignation about the unacceptably long time between the arrival of the battalion and the meeting with the media.¹⁷⁸⁷ Huys originally had the feeling, fed by professional jealousy, that he was not getting his fair share of the cake. But when he heard from his colleagues in the Netherlands how the programme on Sunday would be arranged, this mood changed. He started to fear that every critical objection would be eradicated. In the view of Huys, NOS was letting itself be (mis)used for a Ministry of Defence media spectacle: 'I found it terrible for *Nova* and for myself. I felt that a dirty trick had been devised to keep us away from the people who could tell us a lot.' He was even more angry because he had relied on the agreements that he made with Couzy a week earlier, as compensation for the delayed broadcast with testimonies by Dutchbat soldiers. At a further meeting, however, the Army Commander had told him that he had now been 'overruled' by The Hague. Huys later said, 'During that conflict with Couzy he literally said to me: "Twan, you're not getting the programme. We're celebrating our little party on Sunday." That was exactly what made me and others so furious.'¹⁷⁸⁸

One result of his anger was that Couzy agreed to the demand to appear, 'as a sort of peace offering', in a *Nova* broadcast from a studio in Zagreb.¹⁷⁸⁹ The Army Commander arrived there stinking of stale beer after several joyously celebrating Dutchbat soldiers had hoisted him onto their shoulders during a party and liberally sprayed his uniform.¹⁷⁹⁰ The programme was almost completely devoted to the issue of the possible genocide. The anchor man Charles Groenhuijsen responded to Couzy's statements from earlier in the day that there were no indications of genocide. According to the Army Commander this picture was still valid, even if not yet complete. Debriefing interviews were still underway and would hopefully be completed by Sunday afternoon. In general there was little to report. Up to that moment he was aware of nine deaths possibly resulting from execution, which was 'serious, but we're not talking about genocide here'. He also mentioned that one Dutchbat soldier had personally witnessed the execution of a person, but he wished to keep the details of this for the press conference on Sunday. Couzy's careful formulations did not rule out atrocities, but 'not in the enclave under the eyes of Dutch soldiers'. He also wished only to talk about what Dutchbat personnel had established themselves and to make no judgement about things that may have taken place out of their sight. With a variant of this answer he was also able to avoid Groenhuijsen's provocative question whether he was 'therefore in disagreement' with the statements made by Pronk and his own minister, Voorhoeve.

Nova started its programme that Saturday evening with footage of the Dutchbat personnel whom Huys had met in Pleso. However, due to technical problems the link did not function and the Army Commander missed the pictures and part of the sound from the Netherlands. He confirmed however that he was hearing stories from the Dutchbat soldiers now in Pleso 'which resemble or are precisely the same as what we just heard'. When Groenhuijsen asked for a specific reaction to Schellens' statements about 'trucks with corpses' and the noting of a strong smell of corpses, Couzy replied however that he had 'heard nothing [about that] this evening'.¹⁷⁹¹ Couzy later told the NIOD that he was surprised by the question and at that moment had simply not thought of the stories that he had already heard a week earlier. He also felt poorly prepared and 'dead-beat'. According to him he took the decision to respond guardedly 'in a split-second'.¹⁷⁹²

The fact that the reports by Schellens and his men did in fact satisfy Couzy's criterion for personal observations, even if the interpretation was not without problems, played no further role in the programme. Groenhuijsen did however, to be quite certain, ask Couzy whether he was not afraid

¹⁷⁸⁷ NIOD, Coll. Kreemers. W.P.P. Hartman, 'Plan/action points for return of Dutchbat '300'', 21/07/95 (11am). Appendix to memo from H.P.M. Kreemers to minister, V95014995, 'Press conference in Zagreb, 23 July 1995', 02/08/95.

¹⁷⁸⁸ Interview Twan Huys, 07/07/00 and 08/07/00.

¹⁷⁸⁹ NIOD, Coll. Kreemers. W.P.P. Hartman, 'Plan/action points for return of Dutchbat '300'', 21/07/95 (11am). Appendix to memo from H.P.M. Kreemers to minister, V95014995, 'Press conference in Zagreb, 23 July 1995', 02/08/95.

¹⁷⁹⁰ Interview W.P.P. Hartman, 08/10/99.

¹⁷⁹¹ NOVA, 22/07/95.

¹⁷⁹² Interview H.A. Couzy, 04/10/01.

that he might have to revise his conclusions in the future. The Army Commander remained confident about the observations in Potocari. Couzy based his firm stand on the results that the operational debriefing had provided up to that moment.

21. The instructions given to Bastiaans for an operational debriefing

Following his return to Zagreb on 17 July, Couzy had begun to prepare the return of the rest of the battalion with the support of various officers including the Deputy Commander in Chief of that time, A.P.P.M. van Baal. While the reception for the 55 and KHO-5 had been confined to psychological support, with unintended but major consequences for the supply of information, the emphasis was now placed on an operational debriefing. It cannot be clearly established who initiated this shift of policy. According to the diary notes of the Chief of Defence Staff of that time, H.G.B. van den Breemen, a meeting held in the Defence Crisis Management Centre, at which Couzy was present, revealed considerable resistance to the psychologists' plan, supported by the Army Commander, for a large-scale psychological debriefing. Minister Voorhoeve actually called these plans 'too bombastic' and Van den Breemen himself pointed to the fact that Karremans too had explicitly asked for a not overly elaborate reception. Van den Breemen also noted that Couzy had strongly urged that he be given full control of the organization in Zagreb. In order to arrange this the Commander in Chief of the Royal Netherlands Army specially contacted the Junior Minister of the Ministry of Defence, D.J. Barth.¹⁷⁹³

When planning the debriefing, Couzy was however forced to make a concession. According to the Deputy Head of Operations of the Defence Staff, C.G.J. Hilderink, it was only thanks to the pressure exerted by Van den Breemen, the Head of the Defence Crisis Management Centre, Commodore P.P. Metzelaar, the Deputy Head of the Military Intelligence Service/Central Organization, R. Wielinga, and himself that an operational debriefing took place: 'There were four people who used the term "operational debriefing"'. One factor playing a role here was that Minister Pronk had given a briefing in the Defence Crisis Management Centre following his return from Bosnia on 18 July, in which he had given emotional expression to his fears about a genocide. 'He was convinced that widespread murder had been committed', recollected Hilderink later.¹⁷⁹⁴

Within the Defence Crisis Management Centre this increased the already existing unease that something had gone very wrong. According to Hilderink this had been generated by 'three stories' which had reached the Defence Crisis Management Centre relatively quickly. These were firstly the reports about the uncertain fate of an estimated 5250 Bosnian men who were probably being held in Bratunac.¹⁷⁹⁵ In addition a report had been received via the contingent commander W. Verschraegen 'that things had been seen along the route'. Since Hilderink no longer remembered the details, it can only be assumed that this was a reference to the observations of the group of 55. Finally there was Karremans' report about the discovery of nine to ten corpses, which Hilderink thought the Defence Crisis Management Centre had received via Nicolai.¹⁷⁹⁶ Against this background Hilderink and his supporters resisted Couzy's wish that the battalion first be allowed to rest and be given psychological support. 'When things were decided differently, it definitely had to be arranged one way or another that

¹⁷⁹³ NIOD, Coll. Van den Breemen. Diary notes H.G.B. van den Breemen.

¹⁷⁹⁴ Interview C.G.J. Hilderink, 11/08/00.

¹⁷⁹⁵ See for instance: DCBC, Sitrep Peace Operations no. 142/95, 18/07/95.

¹⁷⁹⁶ Interview C.G.J. Hilderink, 11/08/00. As discussed earlier, this is a problematic issue in view of Nicolai's denial that Karremans reported anything to him. It is also not totally certain, as also mentioned earlier, that his assistant De Ruiter, who did confirm receipt of the message, passed it on to DCBC. This recollection by Hilderink does however increase this likelihood. Nonetheless there are two problems here. Firstly, that Voorhoeve's Diary contains no reference whatsoever to any message. Secondly, Bert Kreemers first heard of summary executions on 23 July. Shortly after this he received a telephone call from Hilderink, who was in the NOS studio in Bussum for the live broadcast of the press conference in Zagreb. According to Kreemers, Hilderink responded to his report of the executions by saying that he was surprised and had no knowledge of them. See: J.A. van Kemenade, *Omtrent Srebrenica*. Appendix 4, Reports of conversations and supplementary notes: Report of conversation with H.P.M. Kreemers, 24 August 1998.

everyone could let off steam. So a whole load of people set off in that direction', recounted Hilderink in a reference to the substantial team of counsellors who were also to travel to Zagreb to join up with the troops on a 'low profile basis'.¹⁷⁹⁷ The other side of the coin, however, was that Couzy was indeed given control of the organization.

While according to Hilderink it was chiefly thanks to the Defence Crisis Management Centre that an operational debriefing took place, although the Defence Crisis Management Centre was unable to exert influence on its execution, Van Baal recollected that recourse was made to a practice that had become established since Lebanon. A selected part of the battalion would first undergo a brief operational debriefing 'in the field' in order to gain an initial impression of the main events. After this the troops had time to rest and it would be possible to interview the Dutchbat soldiers in more detail at a later stage, once they had put the events in perspective and had started to come to terms with them.¹⁷⁹⁸

Just as in the previous week, Couzy himself had full control of the arrangements. Even his own Royal Netherlands Army Crisis Staff was kept out of the reception facilities in Zagreb – indeed, he generally showed little interest in the staff. According to the Head of Operations of the Royal Netherlands Army Crisis Staff of that time, Lieutenant Colonel M.J.J. Felix, Couzy rejected their offer to take on the organizational work: 'We wanted to do it ourselves, but that was prevented by Couzy. He said, "I'll take care of that". He was insistent about doing it and arranging it himself. Couzy did Zagreb.'¹⁷⁹⁹ This included the selection of those who were to conduct the debriefing on his behalf. On 19 July the Army Commander assigned this responsibility to Brigadier General G. (Gerard) Bastiaans, according to Van Baal 'one of the few brigadier generals who knew what Srebrenica was and under what circumstances the troops had operated there'.¹⁸⁰⁰

Indeed, Bastiaans had acquired considerable experience in the theatre of operations. From November 1993 onwards he spent a year as Chief Military Observer of the UNMOs and in this capacity had been able to visit many parts of Bosnia personally. Although formally this relationship was irrelevant because Dutchbat came under the UN, Bastiaans had also been the commander of the Airmobile Brigade since March 1995. This meant that he was also fairly familiar with the history of the 13th Battalion (Dutchbat III) and, among other things, had also heard the stories being told about Karremans. His chief of staff and deputy commander, Colonel Th. Lemmen, who was also assigned to travel to Zagreb, had informed him of these.¹⁸⁰¹

Nonetheless, according to his own account Bastiaans departed for Zagreb with a relatively open mind and without any preparation. He travelled together with Couzy, with whom he once again discussed the structure of the debriefing during the journey. Insofar as the conversations between the two generals can be reconstructed, it seems clear that the point of departure was definitely to be operational. The basis for determining who would be interviewed was hence 'more a list of positions than a list of names'.¹⁸⁰²

In the recollection of Lemmen, who acted as practical coordinator, one of the most important reasons for the debriefing was Couzy's wish not to be surprised 'by anybody or anything'. All those involved were aware that the Army Commander would have to face the media on Sunday afternoon: 'He wanted the most complete public presentation possible, and only with information that had been corroborated by several people. So everything was focussed on that'.¹⁸⁰³ Bastiaans thus immediately made it clear that it was a serious matter. The entire battalion was to assemble at 4pm, the time at

¹⁷⁹⁷ Interview C.G.J. Hilderink, 11/08/00.

¹⁷⁹⁸ Interview A.P.P.M. van Baal, 01/11/01.

¹⁷⁹⁹ Interview M.J.J. Felix, 06/04/00. In the end the Royal Netherlands Army Crisis Staff was involved only in the reception of Dutchbat at Soesterberg Air Base on 24 July.

¹⁸⁰⁰ Interview A.P.P.M. van Baal, 01/11/01.

¹⁸⁰¹ Interview G. Bastiaans, 26/10/00.

¹⁸⁰² Interview G. Bastiaans, 26/10/00.

¹⁸⁰³ Interview Th. Lemmen, 17/10/01.

which the debriefing was to begin. The brigadier general addressed the battalion with a short speech which in his later recollection boiled down to the following: ‘Listen, men. This is about recording the story. It won’t always be easy. But in the next fourteen days the whole world will be knocking at our door. I don’t care what we find out, but if we don’t do it, then things will get really unpleasant’.¹⁸⁰⁴

According to Bastiaans he was convinced that the euphoria about the return of the battalion would be short-lived: ‘To begin with everyone’s happy that they’re all back. Then they’ll immediately ask why things went as they did’. He himself explained this statement with his mistrust of the media, resulting from Bastiaans’ own experiences from 1994. When still working as Chief Military Observer, Bastiaans made the front page of *NRC Handelsblad* after giving an interview in which he had accused the Bosnian Muslims of provocations at the Gorazde enclave.¹⁸⁰⁵

Not everyone was happy with Bastiaans’ speech. Medical Naval Captain Zwarts, for instance, recalled that ‘a whole load of unclear remarks’ were made about the investigation into the battalion’s performance. He had a strong sense that it would involve a search for guilty parties: ‘That was the feeling I got. Not: things have turned out well in the end. No, it was more like: “Men, we’re going to find out whose fault it was”’.¹⁸⁰⁶ Karremans even felt compelled, once Bastiaans had departed, to explain ‘in [his] own words’ what the general had meant ‘because no one had understood him’.¹⁸⁰⁷ However, the aims were simple. An anonymous memo, apparently intended to function as a guideline in the conversations, indicates that the interviewees should be asked to tell their ‘own story’, with attention initially directed at five themes: the phase in which the OPs at the southern edge of the enclave were ‘put under pressure and surrounded’ by the VRS; the phase of the blocking positions; the ‘fall-back’ of B Company to Potocari, ‘including the stream of Displaced Persons’ and finally how this same stream had then been received by the rest of the battalion.¹⁸⁰⁸

This agenda was however amended at an early stage. Probably on the basis of Couzy’s conversations with Medical Colonel Kremer and the earlier indications of problems with the medical staff, persons such as the doctors Hegge and Van Lent and the Warrant Officer Knapen of the Dressing Station had been placed on the list of the people to be interviewed. The schedule drawn up by Lemmen also included the obvious names of the battalion commander and his deputy, Lieutenant Colonel Karremans and Major Franken; Major Otter, the commander of the Staff Service and Supply Company, Captain Groen and Lieutenant Hageman, the commander and the deputy commander of C Company; the intelligence officer in the Ops Room, Captain Wieffer, and the operations officer in the Ops Room, Sergeant-Major Van Meer; Sergeant-Major of Cavalry Rave as the officer responsible for civilian-military contacts; Sergeants Mulder, Struik and Zuurman, as the only remaining OP commanders of the OPs M, H and D; the command’s Forward Air Controllers Lieutenant Caris and Sergeant Erkelens; Lieutenant Koster as adjutant logistics staff officer and finally, the Warrant Officer Oosterveen, in charge of personnel matters.¹⁸⁰⁹

The debriefers finally added two other names to the 19 people who were candidates for an in-depth interview. These were Medical Naval Captain A. Schouten and Captain R. Voerman, the battalion personnel officer. Schouten was debriefed after Hegge on Sunday morning, especially regarding the transport of wounded on 12 July and the disappearance from the hospital in Bratunac of

¹⁸⁰⁴ Interview G. Bastiaans, 26/10/00.

¹⁸⁰⁵ Interview G. Bastiaans, 26/10/00.

¹⁸⁰⁶ Interview S.J. Zwarts, 23/02/00.

¹⁸⁰⁷ Interview Th. Karremans, 15-17/12/98. See also: Th. Karremans, *Srebrenica who cares?*, pp. 242-243.

¹⁸⁰⁸ SMG, 1007/18. [Draft of] ‘Report on debriefing Dutchbat III/Debriefing’.

¹⁸⁰⁹ SMG, 1007/28. ‘Debriefing 11 Airmobile Brigade/Dutchbat III’, Appendix to letter C 11 Airmobile Brigade to Commander in Chief of the Royal Netherlands Army, ‘Operational debrief Dutchbat III’, no. 172/confi, 28/07/95. It is evident that the main reason for Oosterveen’s inclusion in the list was his status as Warrant Officer for personnel and that he would thus surely be familiar with many of the internal ins and outs of the battalion. His observation of the executed persons were dealt with in the conversation that Colonel Lemmen conducted with Oosterveen in the presence of Petra Groen. See: SMG, 1007. ‘Debriefing Warrant Officer Oosterveen, personnel Warrant Officer (added to S1), Camp Pleso 23/07/95, 9am - 10am’.

a number of wounded who had been assigned to his care. Following his departure from the enclave with Boering, Voerman had originally returned to the Netherlands. Both he and Boering, who in the meantime had arrived home in Seedorf (Germany), were offered the chance of flying to Zagreb again.¹⁸¹⁰ Voerman was the only one to take up this offer, due to the responsibility that he as personnel officer felt towards the troops. Although he was debriefed in advance, he also became involved in the course of events at Pleso. He probably supplied the names of the list of functions that served as basis for the debriefing. Voerman was also given the task of collecting the questionnaire forms on Sunday morning. These forms had been distributed among the officers and NCOs by Major Bourgondiën on behalf of the intelligence section of UNPF in Zagreb, just as had been the case the previous week with the group of 55.¹⁸¹¹ On the basis of these forms and indications from earlier conversations, a few more Dutchbat soldiers were selected for closer questioning about the witnessing of war crimes.¹⁸¹² The resulting findings will be discussed later.

22. Involvement of the Military History Section

Apart from Bastiaans himself, Colonel Lemmen and Major N. Geerts, the logistics officer of the Airmobile Brigade, were the ones to actually carry out the debriefing. An attempt to involve spiritual counsellors in the debriefing had failed: they refused because they felt it was an improper task.¹⁸¹³ A number of minutes-keepers from the brigade had also been included. In practice however the reporting, as well as the first formulations of the final report, came to rest mainly on the shoulders of three historians of the Military History Section of the Royal Netherlands Army who had become involved in the operation in an unusual manner. As early as 13 July General Couzy had commissioned the head of the Military History Section, drs. P. (Piet) Kamphuis, to make a historical reconstruction at short notice of a number of events involving Dutchbat from 6 July onwards.

In the late afternoon Kamphuis received a telephone call from Couzy while Kamphuis was present at the opening of an exhibition in the Army Museum in Delft. This move illustrates, just like Couzy's own activities regarding the debriefing, the overriding desire of the Army Commander to establish as fast as possible what had happened. Besides the wish for a factual reconstruction, another important question was whether certain Dutchbat soldiers deserved a decoration for their actions. Kamphuis comments: 'That was actually the original work of the military historian, which always took place after a conflict. That is the organization's reflex'.¹⁸¹⁴

But the main focus of attention lay elsewhere. One of the things disturbing Couzy was the discrepancy between the reassuring words on 10 July that only a limited attack was underway and the taking of the entire enclave a day later. According to notes made during these days there were further questions marks regarding the abandonment of the blocking position by B Company and the issue of air support, but also regarding 'internal (informal) relations' within Dutchbat.¹⁸¹⁵ At this time the rumour was already circulating that it was not Karremans who had conducted the actual leadership of the battalion, but his deputy Franken. As early as 13 July Kamphuis was told by General Bastiaans, who like him was at the Army Museum when Couzy called him and with whom he subsequently discussed the assignment, that Karremans' function 'had been zero' and that Franken had been 'the real boss'.¹⁸¹⁶

¹⁸¹⁰ Interview P. Boering, 14/12/01.

¹⁸¹¹ SMG, 1007/28. 'Debriefing 11 Airmobile Brigade/Dutchbat III', Appendix to letter C 11 Airmobile Brigade no. 172/confi.

¹⁸¹² Interview G. Bastiaans, 20/11/00; SMG, 1007/28. Letter C 11 Airmobile Brigade to Commander in Chief of the Royal Netherlands Army, 'Operationel debriefing Dutchbat III', no. 172/confi, 28/07/95.

¹⁸¹³ Interview B. Hetebrij, 16/11/00. Hetebrij was the Humanistic Councillor for Dutchbat III.

¹⁸¹⁴ Interview P.H. Camphuis, 08/04/99.

¹⁸¹⁵ 'Blocnote' notes by Petra Groen, 'Conversation Piet 14/07/95'. Loaned to the NIOD for reference by Prof. Dr P. Groen.

¹⁸¹⁶ Interview P. Camphuis, 08/04/99.

In the following days it soon became clear to the Military History Section investigators that Couzy and Van Baal must be aware of their responsibility in dispatching Karremans as Battalion Commander.¹⁸¹⁷

Couzy had another special worry. There were indications that the communication between the Royal Netherlands Army Crisis Staff and the Defence Crisis Management Centre had not been without problems. It was clear that the gaps in his information supply and above all the relations with the Defence Crisis Management Centre were sensitive points which required a careful approach from the Section when conducting its investigations. In the discussion that Kamphuis conducted on 14 July with one of his main investigators, Prof. Dr P.M.H. (Petra) Groen, she noted that this part of the assignment should thus be kept 'strictly confidential'. Even internally, therefore, the 'need to know' principle was applied.¹⁸¹⁸ Kamphuis himself later mentioned 'a secret agenda'.¹⁸¹⁹ It was clear that the press in particular should get no wind of this operation.

All the involved investigators were aware of the tension between loyalty to the Commander in Chief of the Royal Netherlands Army on the one hand and scientific integrity on the other.¹⁸²⁰ Groen had the feeling that the investigation group almost took on the nature of an 'internal investigation'.¹⁸²¹ Due to all the potential traps and minefields that threatened academics who were burdened with such a task, Kamphuis took the additional measure of verifying Couzy's remark that Deputy Commander Van Baal and Couzy's Head of the Personnel Office, Colonel J.M.J. (Hans) Bosch, had also been informed.¹⁸²² Bosch quickly became the main support for the Military History Section and ensured, for instance, that several key functionaries such as Colonel B. Dedden, the Chief of Staff of the Crisis Staff, and Colonel H. Bokhoven, the Head of Intelligence & Security Section of the Royal Netherlands Army Military Intelligence Service, were also informed of the assignment.¹⁸²³

Kamphuis, who was about to go on holiday (this was in fact in consultation with Couzy), appointed Groen as the coordinator of the investigation team. This team also comprised C. (Christ) Klep, the Section's specialist on peacekeeping operations, and M. (Martin) Elands, who had already done work relating to the peacekeeping operation in Angola.¹⁸²⁴ A few other staff were added at a later stage as support or as sounding-board. The Military History Section initially allocated one month for the entire project.

During the first week after the fall the investigators concentrated on compiling the greatest possible amount of information through interviews and a search for documents. This latter aspect proved an impossible task at the Defence Crisis Management Centre. The staff of the Section, who were not permitted to reveal their secret objectives, were unable to make headway there. Their status was too low, they knew no one at the Defence Crisis Management Centre and moreover they had no written assignment. Finally Groen decided to ask Bosch, who as mentioned became the main contact person, to 'take the royal road'. She asked him to get Couzy to write a letter to the Defence Crisis Management Centre which would open the doors for them. The request, initialled by the acting Commander Major General E. Warlicht (Couzy was in Zagreb), was sent on 21 July. However, the Military History Section was not granted the requested access to the information of the Defence Crisis Management Centre.¹⁸²⁵

On the same day Bosch informed the Military History Section that the staff of the Airmobile Brigade had left for Zagreb to receive Dutchbat III and to debrief the battalion. In the initial assumption that Dutchbat would first be debriefed in the Netherlands, the Military History Section had

¹⁸¹⁷ Interviews P. Groen, 17/02/99; Chr. Klep, 18/02/99.

¹⁸¹⁸ 'Blocnote' notes by Petra Groen, 'Conversation Piet 14/07/95'. Loaned to the NIOD for reference by Prof. Dr P. Groen.

¹⁸¹⁹ Interview P.H. Camphuis, 08/04/99.

¹⁸²⁰ Interviews M. Elands, 15/02/99; P. Groen, 17/02/99; Chr. Klep, 18/02/99.

¹⁸²¹ 'Blocnote' notes by P. Groen, attached to notes of 14/07/95.

¹⁸²² Interview P.H. Camphuis, 08/04/99.

¹⁸²³ 'Blocnote' notes of P. Groen, 13/07/95.

¹⁸²⁴ M. Elands, *Nederlandse militairen in Angola: de VN-vredesmissie UNAVEM II, 1991-1993* (The Hague, 1994).

¹⁸²⁵ SMG, 1004. 'Report of developments and agreements Srebrenica project group 26/0795'.

already made arrangements with the Military Security Section of the Royal Netherlands Army Military Intelligence Service, which normally debriefed returning troops. Colonel Bokhoven had offered the Military History Section the chance to attend the debriefings and also to ask their own questions.¹⁸²⁶ Following this call from Bosch the Military History Section conducted internal consultations and a discussion with Bokhoven, after which it was decided that the three investigators would travel to Zagreb the next day to attend the debriefing there and where possible to conduct their own interviews. Speed was of the essence because it was now evident that the battalion would go on holiday directly after its return to the Netherlands. The standard Royal Netherlands Army Military Intelligence Service debriefings were not to take place until September – the decision for a large-scale debriefing in Assen had not yet been taken.¹⁸²⁷

In the assumption that the investigators would be able to conduct their own interviews, they had in the meantime drawn up a list of key persons which generally paralleled the list prepared by the Brigade. Extensive lists of questions were also compiled for each functionary. The issue of internal command relationships was already being spotlighted, as can be seen from the supplementary remark relating to the comprehensive series of questions to be put to Karremans: ‘For every question confirm whether the order was given by him or his deputy’.¹⁸²⁸

On 22 July Groen, Elands and Klep left Eindhoven Air Base for Zagreb, in the company of the military band of the Engineering Corps. Bosch had arranged the trip. In Pleso Couzy introduced the investigators to the debriefing coordinator, Lemmen. It soon transpired that much of the preparation in the Netherlands was wasted effort. Quite simply, the Military History Section investigators were not to be given a fully independent role. Lemmen made it clear that lists of questions had already been compiled. ‘We understood from this that the input of the project team would mostly be confined to minutes-keeping’, was the rather resigned conclusion that would later be recorded in the Military History Section report of the trip.¹⁸²⁹ Each of the three investigators would accompany one of the debriefers: Klep with Bastiaans, Groen with Lemmen and Elands with Geerts.

Despite their limited role, the staff of the Section were to become to be the main recorders of the debriefing interviews. At the same time, as involved outsiders with a scientific background, they were also the chief observers of the internal progress of the debriefing and the final reporting. That created an ambiguous and uncomfortable position for the investigators, which they were to feel ever more keenly as the debriefing progressed.

23. The course of the operational debriefing

Bastiaans made a brisk start on 22 July. The brigadier general had a number of important sources on his list. Besides Captain Groen, who had played an important role in the defence of the enclave, the list also included Sergeant Mulder, the commander of OP-M. He could cast light on what had happened in the north-west corner of the enclave. Major Otter was important mainly in view of the events that took place in Potocari and around the compound. Bastiaans also decided to interview the doctors Hegge and Schouten, according to him because ‘the medical side of the matter’ was naturally to be a ‘main area of attention’.¹⁸³⁰

General Couzy was also present at many of the conversations conducted by Bastiaans. He attended some of them in part only. In any case he missed the interviews conducted in the evening because he first attended the barbecue and the ‘little party’ that had been arranged. After this he went to the studio in Zagreb for the live *Nova* interview. The precise nature of his contribution during the interviews can to some extent be derived from the experiences of MHS investigator Klep, who like his

¹⁸²⁶ SMG, 1004. ‘Conversation Co. Bokhoven IeV 200795 9am-11am by P.G.’.

¹⁸²⁷ SMG, 1004. ‘Report of developments and agreements Srebrenica project group 210795’.

¹⁸²⁸ SMG, 1007/16. ‘Karremans list of questions’.

¹⁸²⁹ SMG, 1004. ‘srebrenica Project: report of Zagreb visit, 22-24 July 1995’.

¹⁸³⁰ Interview G. Bastiaans, 26/10/00.

colleagues Groen and Elands had been thrust into the role of minutes-keeper and who attended all of Bastiaans' interviews. He recalled above all that sometimes the Army Commander was visibly irritated by the superficial manner in which Bastiaans asked questions. During some of the interviews, in fact, Couzy was mostly in a state of sleep. Insofar as the Commander in Chief of the Royal Netherlands Army asked questions himself, these related less to military operational aspects (which he may have regarded as primarily a brigade matter) and more to humanitarian issues and the problems with relief and transport of the Displaced Persons. He asked Major Otter, for instance, about the assistance provided to the Displaced Persons at the fence of the Potocari compound.¹⁸³¹ Bastiaans himself had little recollection of Couzy's contribution, however.¹⁸³² In one case, which will be dealt with separately, Couzy did however clearly take the lead. According to Sergeant Mulder, who was debriefed on Saturday 22 July, Couzy was the one who asked all the questions and Bastiaans kept silent.¹⁸³³

This latter account sheds a slightly different light on the criticism of Bastiaans' actions that was expressed later. The other two Military History Section investigators, Groen and Elands, who accompanied Colonel Lemmen and Major Geerts respectively, recounted that the interviews were conducted in a generally relaxed manner and that the interviewers put open questions. Klep however soon became concerned about the way that Bastiaans 'heavily steered' the interviews he conducted, especially those with Karremans and Franken.¹⁸³⁴ General Bastiaans lived up to his nickname 'Iwab', which stood for *Ik weet alles beter* ('I know it all').¹⁸³⁵ Major Bourgondiën of the UNPF Military Information Office in Zagreb, who in this capacity also devoted attention to the Dutchbat soldiers and spoke to a number of those debriefed, was surprised at this fact. He heard their accounts: 'They [Dutchbat personnel] were already saying at this time: if this is supposed to be the debriefing, then what will be written down is sure to be no good.' Bourgondiën described how one Dutchbat soldier recounted:

'The map was on the table and the guys were describing how they went away. Then someone said: 'We came to a T-junction. You can turn left there or turn right. We turned right.' The general said: 'No, that can't be correct, because we always turned left at that junction'. 'No, we turned right.' [Then Bastiaans told the minutes-keeper:] 'Write down: we turned left.' Bastiaans commented: 'At this moment I don't think that anyone is prepared any longer to give a good account. You could just tell: this isn't going well, we haven't seen the last of it.'¹⁸³⁶

In particular the interviews with Franken and then Karremans took on a highly unpleasant quality for the interviewees. Because earlier interviews had taken longer than planned, Karremans first got his turn at 11pm. 'When I came in, Franken was almost going for Bastiaans' throat', said Karremans, who shortly afterwards experienced a similar clash.¹⁸³⁷ It showed a great lack of understanding, he felt, that after all the exhausting events they were ordered to report for debriefing in the evening: 'You just want to rest, and go home. It's fine that there's a chance to talk to someone. It's great that space is created for an operational debriefing. But do it during the day and not late in the evening. Not at the moment that you've been at the helm the entire day and night before. You're simply dead-beat', said Karremans later.¹⁸³⁸ Bastiaans had however intentionally scheduled him for the end of the day, so that Bastiaans

¹⁸³¹ Interview Chr. Klep, 18/02/99.

¹⁸³² Interview G. Bastiaans, 20/11/00.

¹⁸³³ Interview M. Mulder, Ede, 06/10/98.

¹⁸³⁴ Interview Chr. Klep, 18/02/99; SMG, 1004. 'srebrenica Project: report of Zagreb visit, 22-24 July 1995'.

¹⁸³⁵ Karremans, *Srebrenica who cares?*, p. 244.

¹⁸³⁶ Interview C.A.T.M. Bourgondiën, 26/04/00. Bourgondiën already expressed this criticism during his debriefing in Assen in late 1995.

¹⁸³⁷ Interview Th. Karremans, 15-17/12/98.

¹⁸³⁸ Interview Th. Karremans, 15-17/12/98.

would be well-prepared on the basis of the preceding interviews conducted by himself and his colleagues.¹⁸³⁹ The interviewers regularly compared their findings with each other.¹⁸⁴⁰

The general took a particularly tough line with Karremans and Franken about the issue of Close Air Support. Bastiaans judged that he, as former head of the UN observers, was an old hand when it came to the international procedures for requests for Close Air Support.¹⁸⁴¹ In his opinion there had been no promise of Close Air Support, let alone – as Karremans and Franken had expected – of massive air strikes on all the targets they had indicated.¹⁸⁴² The smugness of Bastiaans led to considerable irritation. Karremans was furious about what he himself called ‘the cross-examination’ by Bastiaans.¹⁸⁴³ ‘When you sit down with a debriefer, you don’t expect to enter into argument. You don’t expect one-way traffic either, but the main idea is that you should tell your own story, in your way, under these circumstances. It makes no difference whether you’re tired or not. You tell your story. And of course it shouldn’t happen that you start to get needled because the person debriefing you puts words into your mouth or has a totally different idea about what happened. But that’s just how it turned out’.¹⁸⁴⁴

Karremans’ anger was also awoken by the questions, at the end of the interview, about the internal relations in the battalion. This theme had also been dealt with in the interview with Franken, especially the division of tasks between the commander and his deputy. Here Franken himself had already said that he had ‘played a prominent role’ and chiefly due to lack of time had taken a number of key decisions himself.¹⁸⁴⁵ According to Karremans, however, he was the one who had determined the essential matters and he had supervised, and approved or rejected, all of Franken’s suggestions. Furthermore Karremans sometimes refused point-blank to answer questions, referring to the three conversations he had already had about these with Colonel Lemmen;¹⁸⁴⁶ according to Lemmen he referred here to conversations that had taken place before the battalion’s dispatch, as these matters had not been dealt with in Pleso.¹⁸⁴⁷ On leaving the debriefing room Karremans slammed the door behind him.¹⁸⁴⁸

24. The conflict about the content of the debriefing report

While a few extra debriefing interviews took place on Sunday 23 July, attended by Groen and Klep, the minutes-keepers of the Airmobile Brigade started to write a report on the events in Srebrenica based on the interviews of the preceding day. This was to serve as background information for Couzy’s press conference, scheduled to begin on Sunday afternoon at 4.45pm. Elands joined these persons on the instructions of the Military History Section coordinator Groen.

Due to the quantity of the material and the internal contradictions contained therein, the team of writers found itself confronted with an impossible task. The disparate opinions of Karremans and Franken about their own and each other’s roles formed just one of a series of unclear aspects, which also included the issue of Close Air Support and whether a ‘green’ assignment had been issued or not. Around 3pm, when the first draft had been completed, Elands made it clear to his writer colleagues

¹⁸³⁹ Interview G. Bastiaans, 20/11/00.

¹⁸⁴⁰ SMG, 1007/23. Letter Commander 11 LMB Brig. Gen. Bastiaans to Commander in Chief of the Royal Netherlands Army, 172/conf, 28/07/95, ‘Re: operational debriefing Dutchbat III’.

¹⁸⁴¹ Interview Chr. Klep, 18/02/99.

¹⁸⁴² SMG, 1004. ‘Report of discussion of report debriefing personnel Dutchbat III by Staff 11 LMB Schaarsbergen, 27 July 1995’.

¹⁸⁴³ Karremans, *Srebrenica who cares?* pp. 244, 245.

¹⁸⁴⁴ Interview Th. Karremans, 15-17/12/98.

¹⁸⁴⁵ SMG, 1007. Chr. Klep, ‘Report of debriefing of Major Franken, 22 July 1995, Camp Pleso’.

¹⁸⁴⁶ SMG, 1007. Chr. Klep, ‘Report of debriefing C-Dutchbat III I Col. Karremans, 22 July 1995, Camp Pleso’.

¹⁸⁴⁷ Interview Th. Lemmen, 17/10/01.

¹⁸⁴⁸ Interview Chr. Klep, 18/02/99.

‘that he considered both the working method and result of this overhasty exercise to be of inferior quality’.¹⁸⁴⁹

To the relief of the team of writers, Couzy already appeared to have sufficient information from other channels; as will be shown, the operational dimension was now of subordinate importance in comparison to the humanitarian issues. This gave the writers the chance to continue their work on the report. In the course of the afternoon, when the unscheduled debriefings had been completed, the other debriefers joined the writing team. Bastiaans, who had also arrived, pressed strongly for the completion of the report.

The Military History Section project group found it a hopeless task: the impression gained by the military historians was not so much that the stubborn Bastiaans was trying to whitewash his Airmobile Brigade, but rather that he was, in a military manner, trying to perform his task (excessively) quickly.¹⁸⁵⁰ In the process it was not always clear which direction he was trying to take, but wherever it was, ‘it was always off-course’. ‘Where I hesitated, he planted a full-stop’, recounted Groen. Seemingly the only constant factor, according to the Military History Section team, was that Bastiaans bore a grudge against Karremans.¹⁸⁵¹ Bastiaans also created the impression that he wanted to confine himself to a factual, military operational report. For the military historians, however, it was already becoming clear that especially the reported indications of war crimes required more space for interpretation. In contrast to Couzy, however, it seemed to the Military History Section team that Bastiaans had no sensitivity to, or interest in, humanitarian aspects. Groen in particular felt emotionally affected by this.¹⁸⁵²

The three historians increasingly feared that Bastiaans wanted to see the name of the Military History Section linked to the report as a sort of quality guarantee. But an ‘alibi function’ like this did not appeal to them, all the more so because it could put them in an unpleasant position with regard to Couzy.¹⁸⁵³ After all, the latter was responsible for the Section’s original assignment, without Bastiaans being aware of this.¹⁸⁵⁴ When a second version of the report had been prepared by around midnight, the Military History Section project team once again made it clear to Bastiaans ‘that they considered the result to be sub-standard and that they did not wish for the Section’s name to be associated with such a product.’ But, as the historians concluded, ‘This message was not fully received’.¹⁸⁵⁵

In the early morning of Monday 24 July the three Military History Section members consulted on their further actions. The staff of the Airmobile Brigade still held important documents that the project team needed for its investigation. Groen, Elands and Klep thus initially decided, for tactical reasons, to attend the definitive formulation of the debriefing report, which in fact was not scheduled to take place until 27 July in Schaarsbergen: ‘We did not however expect that the final report would receive with our approval’.¹⁸⁵⁶ Following their return to The Hague from Zagreb later that Monday, the Military History Section members decided however that the Airmobile Brigade should write the report itself and that it would be submitted only to the Army Commander. Groen and Klep were in fact present in Schaarsbergen on 27 July but – partly on the advice of Colonel Bosch – they declared that the Military History Section accepted no responsibility whatsoever for the report, with the fabricated excuse that the Section’s assignment had been confined to the compilation of material.¹⁸⁵⁷ In his final

¹⁸⁴⁹ SMG, 1004. ‘srebrenica project: report of Zagreb visit, 22-24 July 1995’.

¹⁸⁵⁰ Interviews M. Elands, 15/02/99; P. Groen, 17/02/99; Chr. Klep, 18/02/99.

¹⁸⁵¹ Interviews P. Groen, 17/02/99; Chr. Klep, 18/02/99.

¹⁸⁵² Interview Chr. Klep, 03/03/99.

¹⁸⁵³ Interviews M. Elands, 15/02/99; P. Groen, 17/02/99.

¹⁸⁵⁴ Interview G. Bastiaans, 20/11/00.

¹⁸⁵⁵ SMG, 1004. ‘srebrenica project: report of Zagreb visit, 22-24 July 1995’.

¹⁸⁵⁶ SMG, 1004. ‘srebrenica project: report of Zagreb visit, 22-24 July 1995’.

¹⁸⁵⁷ SMG, 1004. ‘Report of developments and agreements Srebrenica project group 260795’; ‘Report Srebrenica project group 270795’.

report Bastiaans mentioned that the Military History Section staff had attended the large majority of the interviews, but that he had determined the final report.¹⁸⁵⁸

The Military History Section insisted on distancing itself from the report during the discussion in Schaarsbergen because in a number of important points Bastiaans' report deviated strongly from the impressions gained by the project group in Zagreb. To give an example, under Bastiaans' direction the report stated that Karremans had protested against the separation of men and women, although Groen's impression from the interview with Rave was that no objections to this had been made. Bastiaans had also 'not been receptive' to critical remarks about the account of wounded persons missing from the convoy of wounded on 12 July, which had been captured by the VRS. Under Bastiaans' direction the report stated that the 'walking wounded' who had been removed from the convoy at Kladanj and were forced to walk had later been encountered by the supervising doctor Schouten in Bratunac Hospital. Klep had his doubts about this observation, but Bastiaans determined what the report should state.¹⁸⁵⁹ The same thing happened with regard to another passage dealing with Schouten's actions. The report indicated that a number of wounded Muslims had fallen into the hands of the VRS because Schouten had lost sight of them. This happened when he left for lunch on the urging of a nurse [of the VRS?], 'because he would otherwise run a major risk'. Schouten had interpreted this as a serious threat.¹⁸⁶⁰

During Schouten's debriefing Klep had gained the impression that this issue was dealt with much too superficially. In his opinion the situation in which Schouten found himself was not as dangerous as he had claimed. Klep felt this to be so because during the interview Schouten had repeatedly remarked that the laws of war gave the VRS a free hand to separate the men from the women. In Klep's opinion, Schouten had given a 'green' interpretation to a 'blue' assignment. Following the debriefing this had even led him to sigh: 'You wouldn't want him as your family doctor'.¹⁸⁶¹ The historian had not seen any opportunity to have his comments included in the report, because an irritated Bastiaans had repeated his version and followed this with the intimidating remark: 'That's how it was, wasn't it, Mr Klep?'¹⁸⁶²

Another reason for the Military History Section to distance itself was because the suspicion that the Military History Section staff had already felt in Pleso about possible war crimes had been fed since their return by the growing amount of information in the media. Bastiaans' report was highly summary in this respect, however, and confined itself to the neutral mentioning of observations without any form of analysis or interpretation. The chief observations – of an execution witnessed by Groenewegen and two discoveries of corpses by Oosterveen's and Rutten's small groups – were mentioned in the report. It was also mentioned that when persons who had remained behind were picked up from Srebrenica on 14 July, two corpses had been encountered. It was not mentioned however that both had gunshot wounds, one of them in the head.¹⁸⁶³

However, the issue of war crimes took an unexpected turn for Bastiaans too, and thus for his report. On 26 July it was reported to Bastiaans that a Sergeant Smid had information about war crimes

¹⁸⁵⁸ SMG, 1007/23. Letter Commander 11 LMB Brig. Gen. Bastiaans to Commander in Chief of the Royal Netherlands Army, 172/conf, 28/07/95, 'Re: operational debriefing Dutchbat III'.

¹⁸⁵⁹ SMG, 1004. 'Report of discussion of report debriefing personnel Dutchbat III by Staff 11 LMB Schaarsbergen, 27 July 1995'.

¹⁸⁶⁰ SMG, 1007/23. 'Report on debriefing Dutchbat III', appendix to Letter Commander 11 LMB Brig. Gen. Bastiaans to Commander in Chief of the Royal Netherlands Army, 172/conf, 28/07/95. See also in the NIOD report the appendix 'Dutchbat III and medical matters'.

¹⁸⁶¹ Interviews M. Elands, 15/02/99; P. Groen, 17/02/99; Chr. Klep, 18/02/99 and 03/03/99.

¹⁸⁶² Interview Chr. Klep, 18/02/99. When shortly after this Voorhoeve sent a letter to Parliament in which he threatened to adopt the passage in question, Groen and Klep were enabled to 'neutralize' or 'render harmless' the passage about Schouten. See: SMG, 1004.SMG, 1004. 'Report of Srebrenica project group 020895'; Groen and Klep, 'Report of conversation Col. Smeets, 02/08/95'.

¹⁸⁶³ This was based on the conversations with the Warrant Officers Elbers and Voets. See: SMG, 1007. Chr. Klep, 'Report of debriefing of Warrant Officer Voets and Warrant Officer Elbers, 23/07/95, Camp Pleso'.

by the VRS. E.P. (Eric) Smid was one of the members of the group of 55 who had returned to the Netherlands on 17 July. Bastiaans called Smid on 28 July and was confronted with ‘a flood’ of information about what he had experienced.¹⁸⁶⁴ Smid was surprised that he had not yet been approached by the Ministry of Defence and had then sounded the alarm himself. He told Bastiaans how the ‘captive’ Dutchbat soldiers had passed by the football pitch of Nova Kasaba while being moved from Simici to Bratunac on 15 July. On one part of the football pitch he saw a row of shoes and rucksacks lying on the ground, enough for about a hundred men as he estimated. Shortly afterwards he saw a tractor with a trailer on which corpses lay. Half a kilometre further on Smid saw another row of shoes and equipment, this time as he estimated for some 20 to 40 men. There he also saw a tip-up truck with corpses and shortly afterwards an excavator with corpses. His last observation was a corpse lying at a bend in the road.¹⁸⁶⁵ Bastiaans included this account in his report and in his covering letter to Couzy recommended that the other OP commanders and Sergeant J. (Johan) Bos (who had in fact taken part in Couzy’s press conference on 16 July) also be debriefed.

Once Smid’s report had been publicized by Voorhoeve, it quickly became viewed as one of the first indications of large-scale murders. Bastiaans himself was, in his own account, equally shocked.¹⁸⁶⁶ When Groen heard about it on 28 July, he immediately issued an ‘advance warning’ to Colonel Bosch, ‘in relation to previous statements by the Commander in Chief of the Royal Netherlands Army [Couzy] at the Zagreb press conference’.¹⁸⁶⁷ At that moment Groen had apparently not considered another vulnerable point: the presence of Couzy in Zagreb while Smid and his colleagues were also there. This could lead to the question as to whether Couzy had already heard these same stories.

The superficial attention given to possible war crimes in Potocari and the shock caused by Smid’s account prompt a closer examination of the way that attention was given in Zagreb to the issue of human rights violations.

25. Debriefings and human rights: introduction

The issue of what became known about human rights violations in Zagreb on 23 July plays a central role in analysing Couzy’s actions. In order to answer this, it is of course important to establish what relevant information was revealed both during and outside Bastiaans’ operational debriefing. The way in which this was done should also be considered, as this can help to explain why during the debriefing the Dutchbat soldiers mentioned, or did not mention, the things they had seen. The answers to these questions allow Couzy’s statements regarding the genocide issue made during his press conference on the afternoon of 23 July to be placed in perspective and to be analysed. The chief question here is whether the reserved position on the use of the term ‘genocide’ that he adopted as early as 16 July was still tenable on 23 July. In other words, what did Couzy know about the issues he talked about at the press conference, and how did he determine what he would and would not mention there?

Before these questions can be answered, it is first necessary to devote some attention to the debriefing activities of UN bodies, which in part took place parallel to the Dutch efforts. The role that the Dutch generals Couzy and Bastiaans played in the course of these is not only illustrative of the way that the Netherlands took control of the affairs in Zagreb. Even more important is that an analysis and comparison of the UN debriefings with the operational debriefing and Couzy’s personal activities can clarify any differences and failings. It also highlights the various approaches taken to the issue of the human rights violations.

¹⁸⁶⁴ Interview G. Bastiaans, 20/11/00.

¹⁸⁶⁵ SMG, 1007/23. ‘Report on debriefing Dutchbat III’, appendix to Letter Commander 11 LMB Brig. Gen. Bastiaans to Commander in Chief of the Royal Netherlands Army, 172/conf, 28/07/95, p. 10.

¹⁸⁶⁶ Interview G. Bastiaans, 20/11/00.

¹⁸⁶⁷ SMG, 1004. ‘Report of Srebrenica project group 010895’.

26. The UN becomes involved

The UN investigative bodies that tried to obtain information from Dutchbat in Zagreb were prompted by the major concern that had arisen following the many interviews with Displaced Persons at Tuzla Air Base. They reported countless stories of atrocities that were difficult to verify for all sorts of reasons (see the passages on Tuzla Air Base earlier in this chapter).

As a consequence, interest rapidly grew regarding what the Dutch UN soldiers had to report. It is not clear whether there is a corresponding link to the request received from New York on 18 July to debrief the 55 ex-hostages, who had now returned to the Netherlands; it is however known that the report of the imminent return of the rest of the battalion set various UN bodies in motion. This particularly concerned the UN Centre of Human Rights (UNCHR) (not to be confused with the UN organization for Displaced Persons UNHCR), a part of the High Commission for Human Rights, with Field Offices in Sarajevo and Zagreb among other places. These came under the leadership of the Peruvian diplomat Hubert Wieland and the Personal Representative of the High Commissioner for Human Rights, José Ayala de Lasso. One of the persons with whom the staff of UNCHR cooperated was the Special Rapporteur appointed by the High Commissioner, the Polish ex-Prime Minister Tadeusz Mazowiecki. This cooperation took place in a fresh and sometimes difficult collaborative relationship with the recently created Human Rights Office, a section of the Legal Office of the Civil Affairs department of the UNPF headquarters in Zagreb. The practical advantage of this was that the UNCHR Field Office in Zagreb was accommodated in the same building. Both bodies became involved in the attempt to question the returning Dutch battalion in Zagreb about possible human rights violations.

Some time around 18 or 19 July Mazowiecki heard about the imminent departure of Dutchbat from Potocari. He was then about to travel to Tuzla to view the situation in person. On 19 July he submitted a formal request to the Force Commander, General Janvier, for a debriefing of Dutchbat.¹⁸⁶⁸ This had probably been preceded by telephonic contact, because a verbal agreement to this had already been received from the Frenchman on the morning of that day. This rapid approval was probably related to the request received shortly before from the alarmed Annan, asking for an investigation of what the freed Dutch hostages had reported.

Armed with this verbal agreement from Janvier one of the UNCHR staff members in Zagreb, the Chilean/Swiss psychologist Marguerite Lagos-Bossel, set out on the morning of 19 July. She had been notified by her superior Wieland, who remained in Tuzla, that the Dutch would soon be arriving in Zagreb.¹⁸⁶⁹ Probably both he and Mazowiecki had been informed of the agreement that was to be settled between Smith and Mladic on that day.

On the morning of 19 July Lagos-Bossel had a meeting with the Dutch major C.A.T.M. (Cees) Bourgondiën, who together with his immediate superior, Commander R. (Rick) Morgan, had provisionally debriefed the ex-hostages on behalf of the intelligence section of UNPF the previous weekend. Members of the group now returning would also be debriefed by this section, based on the same procedure that had been followed a little less than a week before and which consisted of the selection of sources on the basis of questionnaires.

By his own account Bourgondiën was given the task of coordinating all UN activities, even if this had probably not been finalized at that moment.¹⁸⁷⁰ The Dutchman confirmed the approaching departure of Dutchbat and initially referred Lagos-Bossel on to Colonel De Jonge, who had been appointed – probably by Janvier – as liaison officer for this matter.¹⁸⁷¹ He visited him the following afternoon.

¹⁸⁶⁸ NIOD, Coll. Hicks. T. Mazowiecki to Lt. Gen. B. Janvier, 19/07/95.

¹⁸⁶⁹ Interview M. Lagos-Bossel, 20/12/00.

¹⁸⁷⁰ Interview C.A.T.M. Bourgondiën, 26/04/00.

¹⁸⁷¹ NIOD, Coll. Hicks. M. Lagos-Bossel, Note for the file, 'Chronology of negotiations with Dutch military authorities for interviewing Dutch peacekeepers coming back from Srebrenica'. (Hereinafter referred to as: Lagos-Bossel, 'Chronology').

The course of the contacts between De Jonge and Lagos-Bossel is important because later the Ministry of Defence strongly relied on De Jonge's account of the developments in an attempt to show that the Netherlands had fully cooperated with the debriefing by the UN. This was prompted, as will be discussed in more detail in the chapter about the aftermath of Zagreb, by Mazowiecki's criticism of the poor cooperation supposedly provided by the Netherlands. De Jonge's account of the efforts undertaken was later cited to show that these accusations were unjustified. The irony here is that De Jonge was at that moment a UN officer and that his efforts, in the formal sense, chiefly resulted from the assignment issued by Force Commander Janvier to his staff to provide full cooperation with Mazowiecki.¹⁸⁷²

Much of the knowledge of De Jonge's activities is derived from a substantial and confidential memorandum that he wrote on 29 August, addressed to Commodore Hilderink at the Defence Crisis Management Centre in The Hague. De Jonge drew up this document on the day after he had consulted with Colonel R.S. Van Dam about the formulation of a letter from Minister Voorhoeve to Parliament about Mazowiecki's criticism that the Netherlands had not fully cooperated with the UN debriefing. De Jonge expressed the hope that Hilderink would be able to benefit from his recommendations, and he also asked the Chief of the Defence Staff to provide access to these. De Jonge wanted to make clear that, in his opinion, the Ministry of Defence 'was unnecessarily allowing itself to be manoeuvred into a corner'.¹⁸⁷³ According to De Jonge this was, among other issues, the case with Mazowiecki's criticism of the poor cooperation supposedly provided to his team in Pleso.

In order to refute this De Jonge supplied a reconstruction of the events, and in particular of his own role in the contacts with Lagos-Bossel. Here he sketched a picture of someone in considerable confusion, who acted conceitedly and who did not keep to agreements. At the same time he emphasized the unintentionally important role that, as a result of this, he then played in the organization of the UNCHR debriefing. Lagos-Bossel found it hard to understand this criticism and even wondered whether De Jonge had not confused her with a colleague from Civil Affairs, the department that also became involved in the debriefing. Following 23 July she herself quickly wrote a 'note for the file' in which she gave a chronological description of her contacts, by her own account based on notes that she made during the conversations.¹⁸⁷⁴

A reconstruction is thus forced to move chiefly between the two poles of De Jonge and Lagos-Bossel. One important point must immediately be made here. The direct personal involvement of De Jonge in the debriefing was mostly before 22 July, the day that the battalion arrived in Zagreb. His knowledge of what took place afterwards was initially based on the small amount of information that he received from one of his subordinates. Furthermore, after the event De Jonge created a strong impression that his proposals and suggestions to Lagos-Bossel, which will be examined below, were formulated more or less spontaneously on the spot. However, a certain framework probably already existed, which guided – among other things – the activities of the intelligence section.

In the letter sent by Janvier to Mazowiecki on 22 July and in which he promised full support, the Force Commander was in fact referring to a recently developed procedure for the reception of soldiers who had been involved in stressful situations. This procedure had been designed 'to be as short and painless as possible for the returning soldiers', and seemed to be aimed at identifying individuals who could provide relevant testimony: 'within those parameters, we may be able to identify individuals

¹⁸⁷² NIOD, Coll. Hicks. Lt. Gen. B. Janvier to T. Mazowiecki, Zagreb, 22/07/95.

¹⁸⁷³ DCBC, 1109. J.H. de Jonge to C.G.J. Hilderink, 29/08/95.

¹⁸⁷⁴ Interview M. Lagos-Bossel, 20/12/00. The chronology of her account and that of De Jonge sometimes diverge strongly. Some of the facts mentioned in one of the two overviews (but also in interviews) are not always corroborated by the other account. This occasionally necessitates an interpretation of the most plausible order of events, which will not be explained and justified in detail unless there is a special reason for doing so.

whose testimony may be helpful to you'.¹⁸⁷⁵ After so many years, however, the various involved persons were unable or hardly able to remember how this procedure had been created.

De Jonge's main impression from the first contact with Lagos-Bossel on the afternoon of 20 July was that Lagos-Bossel did not know what she precisely wanted. He was nonetheless convinced that her work could be important, 'because the stories about mass murders and the disappeared people are already starting to take affect'.¹⁸⁷⁶ He himself had conducted a very brief operational debriefing of a few members of the group of 55 the previous weekend. Although there is no indication that he had received any disturbing information from them, he was aware of the report prepared by Bourgondiën.

De Jonge later claimed that it was agreed that he was to draw up a plan of action and would then 'submit it [to Lagos-Bossel] for approval'.¹⁸⁷⁷ This does not tally with the account later given by the UNCHR officer herself. According to her she had a clear idea of what she wanted, although she admitted later that De Jonge was partly correct with his impression that there was an element of confusion on her side at that moment. Her organization was specifically interested in testimonies about human rights violations. While in the recollection of De Jonge, Lagos-Bossel wanted to interview 'everyone' in Dutchbat, both the documents and her recollections indicate that sample interviews were to be conducted. To this end a 'preliminary check-list' would first be distributed on a random basis to at least one-third of the Dutch UN soldiers. In this way Lagos-Bossel hoped to identify those who had been witness to human rights violations. It was intended to interview at least 30 to 40 Dutchbat soldiers, about ten percent of the total. The time required to do this was estimated at six to eight hours on both Saturday and Sunday.¹⁸⁷⁸

De Jonge told Lagos-Bossel that he would first have to consult with Commander Couzy; he considered this necessary because 'I was gradually getting the impression that "The Hague" seemed to regard the procedure with Dutchbat as a Dutch affair'.¹⁸⁷⁹ It can no longer be established precisely on what he based this impression. In any case De Jonge sought contact with the Army Staff in The Hague, where he spoke to Chief of Staff Colonel B. Dedden by telephone that evening. The latter promised, following De Jonge's account, that he would discuss the request with the Commander in Chief of the Royal Netherlands Army on the following day, 21 July. Dedden then reported 'that the Commander in Chief of the Royal Netherlands Army did not consider this desirable/possible'.¹⁸⁸⁰ As De Jonge felt that the importance of the matter had possibly still not been understood, this time he called Commodore Hilderink at the Defence Crisis Management Centre, who in turn called Couzy. De Jonge then heard from Hilderink 'that the matter was now seen a little differently so that we could make some detailed arrangements with the Commander in Chief of the Royal Netherlands Army in Pleso'.¹⁸⁸¹ But the cooperation was limited. 'They weren't too happy about it. There was little enthusiasm about cooperating with the debriefing idea', said De Jonge later.¹⁸⁸² The hesitation by the Dutch soon became known. Lagos-Bossel heard the rumour from Civil Affairs circles that the Netherlands did not want the Dutchbat soldiers to be interviewed for political reasons.¹⁸⁸³ This therefore led to different aims for Lagos-Bossel and De Jonge. The former chiefly wanted to know what truth there was in reports of human rights violations; the latter did not agree with the Dutch objective but was instructed by the UN to cooperate.

Nothing could be done about the rapid return of Dutchbat to the Netherlands, as quickly became clear to De Jonge in his contacts with The Hague. A few hours after the first conversation with

¹⁸⁷⁵ NIOD, Coll. Hicks. Lt. Gen. B. Janvier to T. Mazowiecki, 22/07/95. The letter did not reach Mazowiecki until 23 July.

¹⁸⁷⁶ Interview J.H. de Jonge, 27/09/99.

¹⁸⁷⁷ DCBC, 1109. J.H. de Jonge to C.G.J. Hilderink 29/08/95.

¹⁸⁷⁸ Lagos-Bossel, '*Chronology*'; interview M. Lagos-Bossel, 20/12/00.

¹⁸⁷⁹ Interview J.H. de Jonge, 27/09/99.

¹⁸⁸⁰ Interview J.H. de Jonge, 27/09/99.

¹⁸⁸¹ DCBC, 1109. J.H. de Jonge to C.G.J. Hilderink, 29/08/95.

¹⁸⁸² Interview J.H. de Jonge, 27/09/99.

¹⁸⁸³ Interview M. Lagos-Bossel, 20/12/00.

Lagos-Bossel he told her that 300 soldiers would be arriving on Friday evening and departing again for the Netherlands on Monday. In view of the busy programme planned for them, the only possibility for a debriefing was on Sunday 23 July.¹⁸⁸⁴ The afternoon following the telephone call De Jonge went to Pleso 'to arrange the "debriefing"'. A plan was drawn up together with the representatives of the Contingent Command who were present and the press officer M. Beneker. The idea was for 'three periods of half an hour, in three groups of 10 men each. A total of 90 men'. Three rooms would be made available for this. The list of soldiers to be debriefed was to be compiled by Colonel Vellemans of the Contingent Command, on the assumption that he could use the results of the debriefing interviews already conducted by the Dutchbat battalion psychologist, Sanders, in Potocari. De Jonge also arranged for a project officer, the Warrant Officer Te Hennepe, who was to ensure 'that each chap would be in the right place at the right time. I wanted to have the thing tightly organized'. He also discussed the plan with the Dutch Chief of Staff in Zagreb, Major General T. Kolsteren, who would in turn discuss this with Couzy following his arrival in Pleso.¹⁸⁸⁵

This appeared to be a good plan, since the UNCHR staff would be able to talk to a large number of relevant witnesses, even if these had been preselected by others, and even though it was in the form of group debriefings. But both these aspects proved to be a problem. To begin with the assumptions about the debriefing conducted by the psychologist Sanders were based on a misunderstanding about the nature of this activity. This was in fact originally nothing more than a standard debriefing like that held at the end of every deployment. Sanders had already begun this *before* the attack on the enclave and he had completed it after the fall.¹⁸⁸⁶ It is obvious that those whom he debriefed between the fall and the departure also described the most recent events. But Sanders conducted a psychological debriefing, not an operational one. Not only was this by definition confidential, but also left a great deal to the debriefed persons with regard to subject matter. Further counselling was standard in the event of shocking events, but insofar as problem cases had been reported, arrangements had already been made for follow-up treatment in the Netherlands.¹⁸⁸⁷ Sanders had already signalled from the former enclave to his colleagues in the Netherlands that there was no need for extensive sessions in Zagreb; this led to the decision that the team of counsellors who were to accompany Couzy would mix with the soldiers on a low-profile basis only. They would then offer assistance as the need arose.¹⁸⁸⁸ De Jonge was not however aware of all these arrangements when he presented his plan to Lagos-Bossel.

According to De Jonge she responded 'with elation' and agreed to all proposals. De Jonge also requested her to contact him immediately if there should be any problems.¹⁸⁸⁹ This account, with a prominent role for De Jonge, does not however correspond to the picture that Lagos-Bossel herself had of the contacts, even though she was grateful for the efforts of De Jonge.¹⁸⁹⁰ Furthermore, the information derived from the documents concerning the nature of the activities of the UN investigators indicates that they were less disoriented than De Jonge depicts.

27. The UN debriefs the main group in Zagreb

As described, the UN debriefing was jointly conducted by two organizations, UNCHR and the Human Rights Offices of Civil Affairs of UNPF, both based in Zagreb. Measured by the composition of the team that operated in Zagreb, however, the emphasis was more on Civil Affairs than on UNCHR. Of

¹⁸⁸⁴ Lagos-Bossel, *'Chronology'*.

¹⁸⁸⁵ DCBC, 1109. J.H. de Jonge to C.G.J. Hilderink, 29/08/95.

¹⁸⁸⁶ Interview P.M. Sanders, 12/12/00 and 13/12/00.

¹⁸⁸⁷ Interview P.M.P. Venhovens, 17/11/00.

¹⁸⁸⁸ Interviews W.J. Martens, at that time head of the Counselling Department, Amersfoort, 5 November 1998; P.M. Sanders, 12-13/12/00; P.M.P. Venhovens, 17/11/00.

¹⁸⁸⁹ DCBC, 1109. J.H. de Jonge to C.G.J. Hilderink, 29/08/95.

¹⁸⁹⁰ Interview M. Lagos-Bossel, 20/12/00.

the six debriefers, four worked for Civil Affairs, and three of these as Legal Advisor at the Legal Office. One of them, the American David Brown, also formed part of the Human Rights Office of Civil Affairs. Brown, together with other legal rights lawyers such as Peggy Hicks, had been involved in setting up this organization at the end of May 1995.

Hicks, who also worked for Civil Affairs, had been requested specially for this post. She came to work in Akashi's office and reported directly to his deputy Harston and to the head of Civil Affairs, Moussalli. The initiative for the creation of the Human Rights Office derived from a change in policy of the UN that led to greater attention for human rights. Moussalli wished that a uniform structure be created for human rights issues, besides the traditionally strong attention given to political affairs in Civil Affairs. One of Hicks' first tasks was thus to examine the UN mandates to see what precisely the mandate in this field was. As she herself said, that proved to be a question of 'piecing together', but once all elements had been compiled 'a substantial mandate' was revealed. However, there was a major gulf between Civil Affairs and military practice. For instance, the UNPROFOR Standard Operating Procedures for humanitarian reporting were not known to the Human Rights Office. Ideally the civil and military lines should come together in Akashi's office, but in practice this was seen not to work: 'The ability to communicate with military personnel on the basis of the mandate proved very limited'.¹⁸⁹¹

As described in the section of this chapter dealing with Tuzla Air Base, another HRO/UNCHR investigation team, that included Hicks, had already started interviewing Displaced Persons on 18 July. These two teams maintained contact with each other. Salvisberg of the Tuzla team was also responsible for the content-related direction of the team in Zagreb.¹⁸⁹² In Tuzla the investigators became convinced that it was highly important to obtain information from other sources in addition to the Displaced Persons. The results in Tuzla thus played a role in determining the questions that the team in Zagreb wanted to ask the Dutchbat soldiers in Pleso.

Nonetheless there were differences in emphasis within the team. The point of departure for Civil Affairs in the Zagreb debriefing was to conduct as many interviews as possible with eye witnesses only.¹⁸⁹³ Second-hand testimonies should be ended or wrapped up as soon as possible. According to the report the questions were not given a specific focus, and concerned all possible human rights violations in the period leading up to the fall and shortly afterwards. The representatives of the Centre for Human Rights, by contrast, were much more interested in information relating to the specific accusations made by Displaced Persons and recorded by the investigation team in Tuzla. This concerned such matters as the separation of men and women, the removal of children, the deportation of Displaced Persons and information about the perpetrators of the crimes.¹⁸⁹⁴

The draft report that was prepared a few days after the debriefing shows how the UN debriefers had planned the execution of their task. Their idea was to use the random selection to discover the relevant sources that could provide information about human rights violations. This idea was at odds with the structure envisaged by De Jonge, in which the UN debriefers would be fully dependent on the indications provided by Dutchbat itself, in this case the battalion psychologist Sanders. Lagos-Bossel was not enthusiastic about this and her mood began to cool further on the following day, Saturday 22 July, when the exhausted battalion had finally entered the gates of Pleso.

According to De Jonge's account, the first cracks in the cooperation occurred at this point. In his account, in breach of what had been agreed Lagos-Bossel had already gone to Pleso instead of reporting for escort at the agreed time.¹⁸⁹⁵ Whether it was due to this or because the plans were less tightly arranged than De Jonge claimed, the UN officer certainly began to encounter problems. In the

¹⁸⁹¹ Interview P. Hicks, 10/07/00.

¹⁸⁹² Interview R. Salvisberg, 08/03/99. Salvisberg had however participated in the interviews with Displaced Persons and ABiH soldiers in Tuzla.

¹⁸⁹³ There is a probable connection with De Jonge's criticism that 'they wanted to talk to everyone'.

¹⁸⁹⁴ NIOD, Coll. Hicks. Confidential draft report, 26/07/95.

¹⁸⁹⁵ DCBC, 1109. J.H. de Jonge to C.G.J. Hilderink, 29/08/95.

early evening she had a meeting with the Warrant Officer Te Hennepe to discuss the activities for the following day. She found that he 'seemed to ignore anything about the agreement with Col. De Jonge'. At that time, for instance, it was still unclear at what precise time the debriefing could begin. It was only after a while that the Warrant Officer returned with the information that Lagos-Bossel and her colleagues could start at 10am the following day.¹⁸⁹⁶

28. Problems with Bastiaans

However, that Sunday morning suddenly appeared to be full of obstacles. When Lagos-Bossel and her colleagues reported to the Warrant Officer Te Hennepe at 10am, it appeared that they could not immediately start work. First of all a conversation needed to be conducted with General Bastiaans, who was conducting the Royal Netherlands Army debriefing. While they were waiting for this, the psychologist Venhovens informed them that he and his colleagues wanted to be present at all interviews, but Lagos-Bossel resolutely resisted this.¹⁸⁹⁷ Nonetheless Venhovens was in fact constantly nearby during the interviews.¹⁸⁹⁸ After half an hour Bastiaans was finally available.

The reconstruction of the contacts between the UN debriefers and Bastiaans is difficult because not all those involved could precisely remember the course of events many years later. For instance, it is thus no longer possible to establish the precise extent to which the efforts of Major Bourgon diën were also conducted on behalf of UNCHR and Civil Affairs, or whether they only concerned the activities of the intelligence section. His activities cannot always be chronologically integrated with the account of events later given by Lagos-Bossel.¹⁸⁹⁹ This does not however appear to be of crucial importance, because both give the same general description of the Dutch reactions. It is thus in any case clear that a conflict with Bastiaans took place on the morning of 23 July, in which both Lagos-Bossel and Bourgon diën were involved. This concerned the space that the UN debriefers were literally and figuratively to be assigned for their work.

On Sunday morning De Jonge sent a subordinate to Pleso to see whether everything was going as planned. Looking back, the colonel stated that 'the impression around 1pm was that the whole exercise was going satisfactorily'.¹⁹⁰⁰ That may have been the case around this time, but it was the hard-fought result of the actions that both Bourgon diën and Lagos-Bossel had to carry out to salvage something of the debriefing. On Saturday Bourgon diën had distributed the questionnaires among the Dutchbat soldiers; these were to form the basis for a selection of persons with whom further conversations were desirable. On the basis of the documents, they were mostly distributed among officers and NCOs and just a few normal soldiers.¹⁹⁰¹ The Dutch UN officer had himself arranged the rooms where the teams could talk to the Dutchbat soldiers, but discovered to his irritation on Sunday morning that Bastiaans and his staff had taken possession of them. According to Bourgon diën he was originally not even aware that the Dutch had set up their own debriefing.¹⁹⁰²

According to the notes made subsequently by Lagos-Bossel, Bastiaans declared that the UN debriefers could only start work when his own operation had been completed. He could then indicate on the basis of these results which soldiers came into consideration for a humanitarian debriefing.¹⁹⁰³ Bourgon diën recalled an unpleasant discussion about the question of who was actually to take the lead: 'Bastiaans had taken me off the list, because he was the one doing the debriefing. They were his troops,

1896 Lagos-Bossel, *'Chronology'*.

1897 Lagos-Bossel, *'Chronology'*; interviews M. Lagos-Bossel, 20/12/00; P.M.P. Venhovens, 17/11/00.

1898 Interview P.M.P. Venhovens, 17/11/00.

1899 This particularly concerns the moments at which Lagos-Bossel called on the assistance of Bourgon diën.

1900 DCBC, 1109. J.H. de Jonge to C.G.J. Hilderink, 29/08/95. De Jonge later declared that in his opinion 'Bastiaans put a spoke in the wheel' of the UN debriefings. Interview J.H. de Jonge, 30/05/01.

1901 NIOD, Coll. Hicks. Collection of debriefing forms 'Debriefing Srebrenica', compiled by Maj. C. Bourgon diën, 26/09/95. Simultaneously: SMG, 1002.

1902 Interview C.A.T.M. Bourgon diën, 26/04/00.

1903 M. Lagos-Bossel, *'Chronology'*.

he said. He was the commander of the Airmobile Brigade. “They are UN troops”, I said then, “I don’t think you are the one to decide”. Then he told me to count the stars on his shoulder. I felt sent away like a little kid’.¹⁹⁰⁴

This point was indeed not open to discussion for Bastiaans. His own operation took priority, and the UN would get a chance if circumstances allowed. ‘To put it bluntly, I had nothing to do with Janvier here’.¹⁹⁰⁵

Lagos-Bossel once again explained to Bastiaans about the agreements she had made two days previously with De Jonge and stressed the importance of being able to choose soldiers herself for individual interviews. The general countered that the soldiers had only a little time, ‘because there was an important programme with the press, and that there was a ceremony scheduled for the afternoon’. Lagos-Bossel then asked to speak to Couzy.¹⁹⁰⁶

Bourgondiën also turned to a higher level for help. He was ‘pretty angry about this debriefing’, as he declared later. He considered it to be a mistake that no use was made of the UN debriefing team: ‘At a moment like this you should create the impression that you want to be the first to know what has happened. Let the UN do that first, and then carry out your own debriefing afterwards. But whatever the case, try to remove the impression that you are influencing people’.¹⁹⁰⁷ Although the Netherlands was later often accused in UN circles of being the ‘most virtuous boy in the class’, this time Dutch interests were dominant. Bastiaans was indeed unrelenting on this point.

However, when Bourgondiën contacted Couzy to tell him that he had a problem with one of his generals, after some discussion the Army Commander finally agreed to a UN debriefing. The intelligence officer asked him, in view of previous experience with Bastiaans, to pass this message on to the general in person. Following the subsequent conversation between Couzy and Bastiaans, Bourgondiën was given his room together with the assurance that the UN could also conduct a debriefing.¹⁹⁰⁸

It was no longer possible to ascertain to what extent this intervention influenced or ran parallel to the efforts of Lagos-Bossel. According to her account it was only after considerable negotiation that permission was given to start debriefing at 11.30am, until 4pm, and that there would be a further opportunity in the evening from 7.30pm to 10pm.¹⁹⁰⁹ Couzy later recalled that he had indeed taken ‘some action, to make it clear that this should be done on a serious basis. I rather had the impression that people were giving it zero priority and not really taking it seriously’.¹⁹¹⁰ Lagos-Bossel noted with regard to her conversation with the Army Commander that in essence he repeated the arguments of Bastiaans: time was too short. In response to her repeated request that she should select her own subjects, Couzy answered that the soldiers were now distributed at various locations and it would be difficult to bring them together again. He did however say that ‘through the military and psychological debriefings’ twenty soldiers had already been selected who could provide ‘real testimonies’.¹⁹¹¹ As time was short, Lagos-Bossel could do nothing else than accept defeat on this last point. This departure from the agreement and the methodology was later to form an important element of Mazowiecki’s criticism.

In retrospect it proved difficult to establish who bore responsibility for the selection of the subjects for the humanitarian debriefing; both Couzy and Bastiaans had trouble with faulty memories on this point.¹⁹¹² Only Colonel Lemmen believed he could remember that Couzy was the one who had

1904 Interview C.A.T.M. Bourgondiën, 26/04/00.

1905 Interview G. Bastiaans, 20/11/00.

1906 M. Lagos-Bossel, ‘*Chronology*’.

1907 Interview C.A.T.M. Bourgondiën, 26/04/00.

1908 Interview C.A.T.M. Bourgondiën, 26/04/00.

1909 M. Lagos-Bossel, ‘*Chronology*’.

1910 Interview H.A. Couzy, 04/10/01.

1911 M. Lagos-Bossel, ‘*Chronology*’.

1912 Interviews G. Bastiaans, 20/11/00; H.A. Couzy, 04/10/01.

selected the soldiers: 'I certainly didn't do it, and Bastiaans didn't either'.¹⁹¹³ This latter point is however open to doubt. There is reason to assume that the selection took place on the basis of an arrangement between Couzy and Bastiaans, and was partly based on the information available at that moment. It does not seem probable that, as Lagos-Bossel suggested, the results of a psychological briefing played a role in the selection, because this had simply not taken place. It is likely that a role was played by the results of several interviews in the operational debriefing that had provided, more or less by coincidence, information about witnesses of human rights violations. There were also soldiers, such as Lieutenant Rutten and Private Dekker, who had themselves reported to Bastiaans. In addition Couzy, as will be described in more detail later, had also talked to people on his own initiative outside the formal interviews.

The questionnaires distributed by Major Bourgondiën on behalf of the intelligence section also played a part in identifying witnesses. These contained a number of questions about various sorts of human rights violations, but also a 'safety net' question for mentioning all unusual circumstances that could be of importance. The form gave an internal telephone number and a reference to the liaison officer.

Bastiaans had however ordered that all forms, which were to be submitted to Captain Voerman, should first be scrutinized by him. This course of action was dictated by his wish to put Dutch interests first and 'to maintain the initiative'. Bastiaans did not want to be surprised by testimonies which he would later hear about second-hand, and certainly not from the press. The general also wanted to prevent anyone experiencing unnecessary problems due to a faulty command of English. Here too he drew on his own past experiences as commander of the UNMOs.¹⁹¹⁴

It is an obvious step to suppose that the information from these forms played a role in designating candidates for the UN debriefing. Some of them had indeed not been debriefed by the Brigade, meaning that they had to be identified in another way.¹⁹¹⁵

The debriefing by the representatives of the Centre for Human Rights and of Civil Affairs finally started, after all the delays, at 12.30am. Due to the reduced programme, four groups were set up to conduct the interviews. The two members of the Centre of Human Rights, including Lagos-Bossel herself, formed one team with two of the Civil Affairs staff members. The two other Legal Officers operated independently. One of these was the American David Browne, a Legal Officer of Civil Affairs, who was on the team on behalf of the Human Rights Office.¹⁹¹⁶ There was also a Dutch Legal Officer, Frits Bontekoe, who was involved in the debriefing. He would conduct his interviews in Dutch.

The soldiers were interviewed individually in the prefabs made available for the task. The rest had to wait their turn outside in the sun. To begin with they did this, but as the afternoon wore on much time was lost in hunting down soldiers who had become tired of waiting and had disappeared. Four soldiers failed to turn up at all. The liaison officer too, who was supposed to ensure that the process went smoothly, had disappeared as well. The debriefers waited in vain until 7pm, at around which time Lagos-Bossel ran into Major Bourgondiën. As previously described in the chapter about the reception of the group of 55, he had already interviewed a number of Dutchbat soldiers together with Morgan and several other colleagues.

The UN debriefer explained to him the difficulties that she and her colleagues were experiencing and once more emphasized the need to obtain more information. She wanted to do this with the 'Preliminary Checklist' which she had been unable to distribute among the Dutchbat soldiers. At her request Bourgondiën was able to arrange for her another conversation with Couzy, who had

¹⁹¹³ Interview Th. Lemmen, 17/10/01.

¹⁹¹⁴ Interview G. Bastiaans, 20/11/00.

¹⁹¹⁵ This can be established by a comparison of the names of persons debriefed by Brigade and the UN and the UN debriefing forms.

¹⁹¹⁶ In this capacity, on 23 July in Zagreb he received from Major Bourgondiën a copy of the 'list of 239', which he in turn had received from Franken. Interview C.A.T.M. Bourgondiën, 26/04/00; P. Hicks, 10/07/00.

now just completed his press conference. Lagos-Bossel told him that a number of the promised witnesses had not turned up and asked him about the possibility of distributing the checklist. According to Lagos-Bossel's account, Couzy said that this would be almost impossible but that he would take responsibility for distributing it during the flight back to the Netherlands. He would then return the completed forms to Lagos-Bossel via Major General Kolsteren, the Chief of Staff at the Zagreb headquarters. She then gave him more than 60 forms. Of these she received back just ten, from Major Bourgondiën on 3 August, together with ten 'debriefing forms' which she said derived from the Dutch military authorities.¹⁹¹⁷ At the same time she received the report from General Bastiaans about his own activities in Zagreb. On the basis of these developments the Special Rapporteur for Human Rights, T. Mazowiecki, would later express considerable criticism of the low level of Dutch cooperation in Zagreb.

29. Reports by Dutchbat soldiers to UNCHR and UNPF Civil Affairs

In the draft report that the UN debriefers of UNCHR and Civil Affairs wrote on 26 April about their interviews with Dutch UN soldiers, the general impression was given that Dutchbat had enjoyed only a limited freedom of movement in the enclave. This implied that the observations of the soldiers were limited to their compounds and their immediate surroundings.¹⁹¹⁸ Bourgondiën had in fact given Lagos-Bossel access to his report on the debriefing of the hostage Dutchbat soldiers, but as already stated this said very little about observations at the outer perimeter of the enclave.¹⁹¹⁹ Taking this limitation into account, the investigators concluded that in four cases there was certainly first-hand evidence of possible human rights violations. This was firstly the separation, supposedly for questioning, of men of fighting age from the women, children and old people. Then there was the observation of a few executions; the discovery of nine executed persons; and finally the interference with and prevention of a medical evacuation of wounded local residents. In the latter case pressure had been exerted on seriously wounded persons to leave the ambulance and medical personnel had been prevented from seeing the patients 'while detained at the Bratunac check-point between 3am and 7am on [sic]'.¹⁹²⁰

These conclusions were reached on the basis of interviews with 17 persons. Further examination of who these people were shows that all those who are known to have been involved in the reports already made in Potocari were on the list of persons to be interviewed. These included the persons who had seen the corpses of the executed: Oosterveen, Dorst and Rutten. Lieutenants Schotman and Koster, who also played a role in the discovery of the executed persons, were also on the list of those to be interviewed, but they did not turn up for the debriefing.¹⁹²¹ This did not affect the

1917 M. Lagos-Bossel, *'Chronology'*; NIOD, Coll. Hicks. Confidential draft report, 26/07/95; interview M. Lagos-Bossel, 20/12/00. The 'debriefing forms' cited here were possibly forms distributed by G2 and titled 'Debriefing form (*verslagformulier*)'. These must then have been copies of forms completed either then or later in the Netherlands. The entire collection of forms probably first became available in the form of copies to the Ministry of Defence in October. This is indicated by the fact that Major Bourgondiën sent these sets to the Dept. Commander MIO (Ric Morgan) on 28 September. NIOD, Coll. Hicks. Covering letter Bourgondiën to DCMIO, 26/08/95. The sets, which concerned both the first group of Dutchbat soldiers and the second group, were split into forms with 'relevant information' and 'no relevant information'. Considering the number of forms with relevant information (no less than 16 in the first group alone), the harvest of ten forms that was sent to Lagos-Bossel seems thin. In view of the many uncertainties regarding the distribution of the completed forms it is not possible to draw any conclusions from this.

1918 NIOD, Coll. Hicks. Confidential draft, 26/07/95.

1919 NIOD, Coll. Hicks. Lagos-Bossel sent this report to her direct superior, H. Wieland in Tuzla, on 22 July. Fax M. Lagos-Bossel, Field Office UN Centre for Human Rights Zagreb, to Hubert Wieland, Civil Affairs Special Office, 22/07/95.

1920 NIOD, Coll. Hicks. Confidential draft, 26/07/95.

1921 This can be established by a comparison of the debriefing reports of the UN and list 'Interviewed personnel UN', included as an appendix to the Bastiaans' report on the debriefing in Zagreb. This list not only wrongly creates the impression that 21 persons were interviewed by the UN instead of 17; the name Schotman occurs twice and the name of the

reports; Groenewegen, who had been mentioned by Schotman in his form, did come to see the UN debriefers and told the story of the execution that he had witnessed.¹⁹²² The testimonies of the two other Dutchbat soldiers who did not appear, Lieutenant Egbers and Sergeant Reussing, presumably did not make any essential difference either, in view of what the other witnesses recounted. Egbers had reported the mistreatment of prisoners of war, the hindrance of the convoy escort by the VRS and the reluctance of the representatives of the International Red Cross whom he had met on the route to examine the situation. Reussing had seen wounded persons being beaten and kicked.¹⁹²³

The statements by Oosterveen, Dorst, Rutten and Groenewegen certainly belonged to the category of the 'real testimonies' that Couzy had promised to Lagos-Bossel. This did not however apply to all the witnesses called. Captain Matthijssen had been put on the list, but he declared that he had seen nothing.¹⁹²⁴ Karremans (strangely enough, Franken was not among those selected)¹⁹²⁵ also had nothing to report about his own observations, and he also made no mention of what had been reported to him in Potocari and what he had passed on. He did however make reference to the separation of the men for women, 'allegedly for questioning', and he mentioned the disarming of his men by the VRS.¹⁹²⁶ Groen gave an extensive account of the days between 10 and 12 July, and especially of the plight of the Displaced Persons.¹⁹²⁷

With some witnesses the description 'real testimony' proved problematic because they mostly provided indirect evidence. A number of them referred, like Karremans, to the separation and sometimes provided additional information. Sergeant Major H. Ritsema, for instance, recounted that the VRS had used 'photo albums' to identify persons.¹⁹²⁸ Some people described the course of events in and around the White House. A number of soldiers indicated that they were strongly convinced that executions had taken place, even though they had not seen any corpses. Sergeant R.H. van Beukering, for instance, stated that he was '99% certain' that he had seen an execution of a man aged between 30 and 40 in a white shirt, who had first been kicked and beaten with a rifle butt. VRS soldiers had then dragged him behind a house, after which a shot sounded.¹⁹²⁹ A similar suspicion of an execution was expressed by Sergeant R. Van der Vliet, who twice saw how men were mistreated and then disappeared out of sight behind a bus, after which shots were heard. Van der Vliet did not however see any corpses after the bus had been driven away. He also reported that after the departure of the Displaced Persons 'all of Dutchbat were confined by Dutch officers to the Dutch compound'.¹⁹³⁰

Lieutenant Mustert also expressed his grave fears. According to him it was made impossible for the Dutchbat soldiers to observe the men who disappeared on the other side of the road behind the buses following the separation of the women. He also reported that the men who were taken away through the White House had their identity papers taken from them. He also described how he heard a number of pistol shots from the direction of the cornfield which, according to the sketch he made, was

soldier Van der Vliet, who was interviewed by the UN, is missing. See Appendix to: SMG/Debrief. Brief C 11 Airmobile Brigade to Commander in Chief of the Royal Netherlands Army, 'Operational debrief Dutchbat III', no. 172/confi, 28/07/95.

1922 NIOD, Coll. Hicks. UN debriefing form Schotman; Margarita Lagos-Bossel (UNCHR)/Edric Selous (CVAO), Incident report Paul Roeneuvegen [Groenewegen], 23/07/95.

1923 SMG/Debrief. Appendix 'Interviewed personnel UN', appendix to letter C 11 Airmobile Brigade to Commander in Chief of the Royal Netherlands Army, 'Operational debrief Dutchbat III', no. 172/confi, 28 July 1995; idem NIOD, Coll. Hicks. UN debriefing forms from Egbers and Reussing.

1924 NIOD, Coll. Hicks. Statement C.J. Matthyssen, 23/07/95. The format of the reports and the references vary per debriefing team. Sometimes reference is made to an 'incident report', sometimes to a 'statement' and sometimes just 'interview'. The debriefers are not always mentioned either.

1925 According to Roland Salvisberg an interview with Franken was not permitted by the Dutch authorities. No confirmation of this could be obtained. Interview R. Salvisberg, 08/03/99.

1926 NIOD, Coll. Hicks. Statement Th. Karremans, 23/07/95.

1927 NIOD, Coll. Hicks. Margarita Lagos-Bossel (UNCHR)/Edric Selous (CVAO), Incident report Jelte Groen, 23/07/95.

1928 NIOD, Coll. Hicks. [interview] Homme Ritsema [23/07/95].

1929 NIOD, Coll. Hicks. [interview] Robert van Beukering [23/07/95].

1930 NIOD, Coll. Hicks. [interview] Robert van der Vliet [23/07/95].

situated behind the White House. ‘Nobody checked the field however, he assumed that the BSA [VRS] soldiers were killing [ABiH] soldiers there’, noted the debriefer.¹⁹³¹

One notable interview was the extensive conversation conducted by the Dutch Legal Officer Bontekoe with the doctor Schouten. His report, in which Schouten, as with Bastiaans, chiefly described the events involving the convoy of wounded, was in many respects more detailed than the account made by the Military History Section minutes-keeper Klep; the Military History Section was also present at these debriefings. In view of Klep’s uneasy feeling about Schouten’s account of the disappearance of the seven wounded, when he was ‘invited’ to go for a meal, it was striking how the doctor confided to Bontekoe ‘that he feared for their life’.¹⁹³² Other Dutchbat personnel also made statements about the convoy of wounded; these included Ritsema, who reported that two nurses of *Médecins Sans Frontières* had been taken away by VRS soldiers.¹⁹³³

In the draft report the testimonies which did not directly confirm human rights violations did not yet play a role. In the actual report drawn up on the basis of the reports, however, the authors did take these accounts seriously. In the internal ‘Srebrenica Human Rights Report’, written by his staff member Peggy Hicks and sent by the Head of Civil Affairs Moussalli to Akashi on 31 July, Hicks combined the information from the debriefings with the information gained from the interviews with Displaced Persons in Tuzla. Besides the confirmed reports of executions (Oosterveen/Rutten and Groenewegen), Hicks supplemented the statements by Displaced Persons with statements by Dutchbat soldiers ‘who witnessed beatings that apparently resulted in executions’. She specifically referred to the (anonymous) statement by Mustert about the pistol shots coming from the direction of the cornfield. She also cited ‘compelling testimony’ from Dutchbat soldiers about the way that the VRS had treated the convoy of wounded that left Potocari on 12 July.¹⁹³⁴ Mazowiecki even devoted a separate section to this event in his report, that was first published on 22 August.¹⁹³⁵ Furthermore he gave a general account of the same events and suspicions reported by Dutchbat soldiers. He did however sometimes add a detail that they had reported too. For instance, he described how VRS soldiers separated a father from his two children, who were estimated to be aged two and four.¹⁹³⁶

30. Reports by Dutchbat soldiers to Royal Netherlands Army debriefers

A comparison of the names of those interviewed by Bastiaans and his staff and those debriefed by the UN clearly shows that those who believed that executions had taken place, such as Van Beukering, Van der Vliet and Mustert, were in any case not formally interviewed by the Royal Netherlands Army debriefers. Couzy’s claim during his press conference on 23 July about the high priority given to obtaining information about war crimes during the debriefing seems in retrospect hard to sustain. ‘The key issue was not human rights’, said Bastiaans himself at a later date. Indeed, he had no reason to take this approach. The general was not previously informed about what Couzy had already heard from the ex-hostages the weekend before in Zagreb. As already remarked, Bastiaans only found out about this after his return to the Netherlands. In retrospect Bastiaans expressed the opinion that if this

1931 NIOD, Coll. Hicks. Margarita Lagos-Bossel (UNCHR)/Edric Selous (CVAO), Incident report Johannes Edgar Mustert, 23/07/95.

1932 NIOD, Coll. Hicks. Interoffice memorandum Frits E. Bontekoe to HCA [M. Moussalli], ‘Interviews of members of DutchBatt III’, 28/07/95.

1933 NIOD, Coll. Hicks. [interview] Homme Ritsema [23/07/95].

1934 Hicks, who worked at the Human Rights Office (HRO) of Civil Affairs, in fact wrongly dates this event to 13 July. Chronology was a generally weak point in the testimonies. See: NIOD, Coll. Hicks. Interoffice memorandum Michel Moussalli to Yasushi Akashi, ‘Srebrenica Human Rights Report’, 31/07/95.

1935 Section ‘E. The journey by medical convoy’ in: ‘Final periodic report on the situation of human rights in the territory of the former Yugoslavia submitted by Mr Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, pursuant to paragraph 42 of Commission Resolution 1995/89’. (hereinafter: Mazowiecki Report).

1936 Section ‘C. The situation in Potocari’, in: Mazowiecki Report. This observation was from Sgt. Van Beukering. See: NIOD, Coll. Hicks. [interview] R. van Beukering [23/07/95].

information had been at his disposal on the evening before the debriefing, instead of him receiving it later, he would have undertaken the task in a very different manner. However, Bastiaans, as he himself stressed, had an above-average experience of Bosnia and may have been able to assess certain indications on their correct significance.¹⁹³⁷ In the eyes of the Military History Section investigator Christ Klep however, who was present at all the interviews conducted by Bastiaans, the general lacked sensitivity for humanitarian issues.¹⁹³⁸ The trouble with Bastiaans' claim, which can certainly also be interpreted as an apology, is that it cannot be proved.

Couzy later declared that he had seen no reason to inform Bastiaans of his experiences. He felt there was no point in 'telling him a small thing' while Bastiaans would be talking to so many people. Moreover his main concern was the battalion, Couzy said. 'I wasn't so concerned about an overall picture of what had happened in Bosnia. I was interested in what Dutchbat had experienced.' The emphasis was on 'those turbulent days which were the subject of so much confusion.' Priority was given to course of the battle and the subsequent transport of the Displaced Persons: 'These events needed to be clarified. To begin with I was not in favour of the debriefing team establishing other things, such as what else happened in the enclave that we didn't know about? Or what happened to the ten to fifteen thousand men who left the enclave on foot? That was not the aim of the assignment I gave Bastiaans. We wanted to find out as quickly as possible what had happened to the battalion. That theme was already broad enough'.¹⁹³⁹

Couzy showed little interest in the fact that the observations of the hostage Dutchbat soldiers could be an indication of the nature of the events in Potocari and regarding the transports of Displaced Persons. While this can be understood to some extent, it is harder to understand that he did not pass on to Bastiaans the indications given by the Military Hospital Organization during the debriefing on 16 July, and in particular those received from the surgeon Kremer during the interview with him on 17 July and which certainly concerned the events in Potocari. What did however register with Couzy, and then played a role in the operational debriefing of 23 July, was his criticism of the battalion leadership. Couzy's attitude towards humanitarian affairs can thus at the least be called ambivalent.

As a result of this, the theme of human rights violations only came onto the agenda in the course of the debriefing conducted by Bastiaans. The UN activities too worked as a catalyst in this respect. But it was then too late for a systematic approach to be taken. The original concept and the tight schedule, dictated by the press conferences planned for Sunday afternoon, left little room for manoeuvre. The NOS live broadcast would be allowed to last until 5.15pm at the latest. 'After 5.45pm this would disrupt 'studio Sport' (the most important sports program in the Netherlands), and that is something that cannot be permitted', noted Hartman with rather acerbic irony in his plan of action. That meant that the Dutch-language press conference had to start by 3.45pm at the latest.¹⁹⁴⁰ Moreover, from 2pm onwards Couzy would be fully occupied with the visit by the dignitaries, including Prime Minister Kok and Crown Prince Willem-Alexander.

These circumstances meant that reports on humanitarian issues were initially more or less 'by-products' of the operational debriefing. The interviews conducted on Saturday did not provide a clear picture of the scope of human rights violations. Various witnesses, for instance, observed that the deportation took place in a manner that was 'not degrading'¹⁹⁴¹ and even 'correct'¹⁹⁴² and that 'not a single Serb atrocity was seen'.¹⁹⁴³ Karremans did mention the report of the discovery of nine corpses

1937 Interview G. Bastiaans, 20/11/00.

1938 Interview Chr. Klep, 03/03/99.

1939 Interview H.A. Couzy, 04/10/01.

1940 NIOD, Coll. Kreemers. W.P.P. Hartman, 'Plan/action points for return of Dutchbat "300"', 21/07/95 (11am).

1941 SMG, 1007. P. Groen, 'Debriefing Sgt. Maj. of Cavalry 1 B. Rave, member Sie 5 and security officer. Camp Pleso 220795, 9-9.30pm'.

1942 SMG, 1007. M. Elands, 'Debriefing Dutchbat 3 – Saturday 22/07/95. Interview II: Sgt. Suurman [Zuurman]'.

1943 SMG, 1007. M. Elands, 'Debriefing Dutchbat 3 – Saturday 22/07/95. Interview I: Sgt. 1 Erkelens, Lt. Caris – FAC 109'.

(and not the execution observed by Groenewegen) and the fact that he had raised this issue with a local colonel, with just as little success as with Mladic, whom he spoke to about mistreatments that had been reported to him. He also mentioned his protest, made in vain, regarding the separation of men and women.¹⁹⁴⁴ Franken, by contrast, said according to the report that the ‘screening’ of the men had taken place ‘with the agreement of the Muslims’. There had also been some rumours and some convoy escorts had seen an occasional corpse along the route, but he was not aware ‘of any eye-witness accounts of actual executions’.¹⁹⁴⁵ In no manner whatsoever did the report of the interview with Franken refer to the growing unease which he later emphasized so strongly in his testimony in the trial of Krstic.¹⁹⁴⁶

The debriefers did not hear the most important testimonies until Sunday. Oosterveen and Koster then reported the possible executions.¹⁹⁴⁷ Their debriefer Lemmen and the minutes-keeper Groen had already been informed by Rave, who had cited their names and those of Rutten and Dorst in this respect during his own interview.¹⁹⁴⁸ This explains why it was only Oosterveen’s interview that started by asking about observations of war crimes.¹⁹⁴⁹

Franken himself had already advised Rutten to report to the debriefers, on Saturday evening of 22 July when the battalion was enjoying a celebratory barbecue. On the occasion Franken also asked Rutten whether he still had his roll of film.¹⁹⁵⁰ Following this, Franken had mentioned Rutten’s photos in his debriefing interview which took place later in the evening.¹⁹⁵¹ Before the debriefers themselves could approach Rutten he himself reported on Sunday morning. However, there was hardly any room in the schedule until the start of the afternoon. It was not until around 1pm that Oosterveen and Rutten were brought together to establish whether they had seen the same corpses or different ones, at different locations.¹⁹⁵² This encounter was definitely attended by Colonel Lemmen and the Military History Section investigator Groen. Following this Rutten talked for a while more with Couzy and Groen separately.¹⁹⁵³ No separate report of this meeting is available, but some of the notes in the record of the encounter with Oosterveen probably refer to this. Groen noted that Rutten mentioned a house (the term White House had not yet been used) in which ‘selected men’ were held. He also recounted that troops were posted by the house to count the men, among whom were ‘few young men’. Rutten also indicated that the selection was conducted by special troops, who did not wear any insignia of rank or unit. He specifically referred to the Arkan Tigers (who had also been named by Rave) and the Drina Wolves.¹⁹⁵⁴ What was not recorded, but what Rutten clearly remembered, was

1944 SMG, 1007. Chr. Klep, ‘Report debriefing C-Dutchbat III lCol. Karremans, 22/07/95, Camp Pleso’.

1945 SMG, 1007. Chr. Klep, ‘Report debriefing Major Franken, 22/07/95, Camp Pleso’.

1946 It should however be noted that none of the reports drawn up by the SMG were authorized by the debriefed persons. But in some cases, including those of Karremans and Franken, a minutes-keeper from the Brigade, Captain Lagaune, was also present; his notes were later incorporated in the SMG report.

1947 See: SMG, 1007. P. Groen, ‘Debriefing Warrant Officer Oosterveen, personnel Warrant Officer (added to S1), Camp Pleso 230795, 9-10am’. No typed report has been preserved of the debriefing of Lieutenant Koster, but draft notes made by one of the debriefers were preserved. The same applies to the debriefings of Captain Voerman and the Warrant Officer Knapen.

1948 SMG, 1007. P. Groen, ‘Debriefing Sgt. Maj. of Cavalry 1 B. Rave, member Sie 5 and security officer. Camp Pleso 220795, 9-9.30pm’.

1949 SMG, 1007. P. Groen, ‘Debriefing Warrant Officer Oosterveen, personnel Warrant Officer (added to S1), Camp Pleso 230795, 9-10am’.

1950 Interview J.H.A. Rutten, 01/12/99.

1951 SMG, 1007. Chr. Klep, ‘Report debriefing Major Franken, 22 July 1995, Camp Pleso’.

1952 SMG, 1007. P. Groen, ‘Meeting between Warrant Officer Oosterveen and Lt. Rutten with respect to war crimes questionnaire. Camp Pleso 230795, 1-1.30pm’.

1953 Interview J.H.A. Rutten, 01/12/99.

1954 SMG, 1007. P. Groen, ‘Meeting between Warrant Officer Oosterveen and Lt. Rutten with respect to war crimes questionnaire. Camp Pleso 230795, 1-1.30pm’; P. Groen, ‘Debriefing Sgt. Maj. of Cavalry 1 B. Rave, member Sie 5 and security officer. Camp Pleso 220795, 9-9.30pm’.

that on this occasion Couzy also asked him more about his roll of film.1955 Rave had informed Couzy about this.1956

A number of other witnesses were also called because they had been mentioned in earlier interviews. In this context, later in the afternoon, Bastiaans also talked to the Warrant Officers Voet and Elbers. They had gone in the 4-tonner to Srebrenica on 14 July to look for stragglers on the instructions of the commander of the Dressing Station, Captain Hoogwaarden. Although they said that due to the tension and their position in the back of the truck they had not been able to observe everything well, they had certainly seen two corpses. One 'had clearly been shot through the head' and the other had a gunshot wound as well.1957

Rutten was not the only one to report on his own initiative. The medical orderly Dekker, who afterwards also told the UN about the Bosnian-Serb mistreatment of the convoy of wounded, reported following a call for witnesses of war crimes to come forward..1958 It is not clear whether an explicit appeal was actually made and by whom, or whether this refers to the appeal at the end of the UN debriefing forms to contact a designated person if one had anything special to report.

Finally, the screening of the UN forms provided Bastiaans with a few names. The most important of these was Private Groenewegen, who remarkably enough had not been mentioned by any of the interviewed staff officers, but whose name and the fact that he had witnessed an execution was indeed mentioned in the UN debriefing form filled out by Lieutenant Schotman.1959 Couzy had already referred to this in the *Nova* broadcast on Saturday evening, albeit in a non-committal manner. The debriefers also filtered the name of Sergeant Van der Vliet out of the forms. He recounted that he had seen two probable executions. However, he had not dared to watch too obviously for fear of the VRS and he had not seen the corpses.1960

Colonel Lemmen and the Military History Section investigator Groen listened to these five testimonies at a rapid tempo between 12am and 1.30pm. Couzy, who was now very busy with other matters, was kept abreast of the findings up to the last moment.1961

31. Couzy and testimonies of war crimes

While General Bastiaans and his debriefers had concentrated strongly on the operational aspects of the debriefing and only shifted their attention to reports of human rights violations at a later stage, everything indicates that this latter theme had become one of Couzy's main preoccupations in Zagreb. Insofar as can be established (his presence was not specially mentioned in the reports) he attended most of the debriefings of those who presented the most important testimonies concerning war crimes.

There is however a problem in establishing what Couzy actually heard. It cannot be definitively said whether the reports are a faithful representation of what was discussed. The Military History Section minutes-keepers never authorized their reports afterwards, and although one gains the impression that they did their work conscientiously, some reports give rise to questions. In a number of cases the debriefed persons later declared, on other occasions, that they had spoken in greater detail about certain observations that gave them the feeling something was wrong. Some of these observations are however missing from the Zagreb reports.

1955 Interview J.H.A Rutten, 01/12/99.

1956 Interview B. Rave, 13/12/00.

1957 SMG, 1007. Chr. Klep, 'Report debriefing Warrant Officer Voets and Warrant Officer Elbers, 23/07/95, Camp Pleso'.

1958 In view of the later controversy regarding this aspect, it is worth mentioning that Dekker also already made reference to the existence of a list with the names of wounded. SMG, 1007. P. Groen, 'Debriefing Medical Orderly Dekker, B-cie, 230795, time ca 12am'.

1959 NIOD, Coll. Hicks. 'Debriefing form Schotman'. Schotman was not interviewed by Bastiaans and his staff.

1960 SMG, 1007. P. Groen, 'Debriefing Sgt. Van der Vliet, Staff Supply Company, with regard to war crimes questionnaire. Camp Pleso 230795, 12.30am-1pm'.

1961 Interview G. Bastiaans, 20/11/00.

It is striking, for instance, that the report of the interview with Lieutenant L. Van Duijn makes not mention whatsoever of his discovery of the passports and the remark by a VRS soldier that the owners would no longer be needing them.¹⁹⁶² Van Duijn's statement about this and the major significance he says he attached to it was only given close attention after the American journalist David Rohde gave it an important place in his book *Endgame* published in 1997.¹⁹⁶³ During his debriefing in Assen the lieutenant had already stated that the entire surroundings of the White House was strewn with passports and photographs and also mentioned the remark by the VRS soldier. In the debriefing report, however, this is just one observation in a series and there is no indication that this was assigned special significance. Van Duijn apparently also did not state at the debriefing, as he did later however, that due to the importance of this he had also reported it to someone at 'Battalion Ops' (he knew for certain that it was not Karremans or Franken).¹⁹⁶⁴ He did however say in the interview that 'it was impossible that the Serbs could have done things among the refugees that would not have been noticed. This would have been observed, because the slightest indications would have led to panic breaking out among the Muslims'.¹⁹⁶⁵

In Zagreb too, according to the interview report in question, Van Duijn had devoted attention to the separation of men and women. He declared here 'emphatically' that neither he nor a number of other Dutchbat soldiers had actively cooperated in this. He did however relate that in a number of cases where families – in fact mothers and children – threatened to become separated from each other when boarding buses and trucks he had ensured that the families remained together. He also remarked that during the evacuation he had seen nothing irregular. The only comment he added to this was the discovery of a number of corpses by his colleague Koster. He also made general mention of 'shocking scenes'.¹⁹⁶⁶

The impression created by all this is that Van Duijn did not mention the passports in Zagreb, although he afterwards declared that this was in fact the case.¹⁹⁶⁷ In the UN debriefing form filled out by Van Duijn, however, there is once again no reference to the incident of the passports. The space devoted to unusual circumstances of importance remained empty.¹⁹⁶⁸ Van Duijn later declared: 'I did complete that form. I believe that I wrote that I hadn't seen anything specific, apart from the transport of the Muslims and the separation of the men. Something like that. But it wasn't a good idea to do it like that. The last thing that people wanted to do then was to fill out a form. That simply wasn't the right approach.'¹⁹⁶⁹ There are further indications that the completion of the forms was not always taken seriously because the Dutchbat soldiers had simply 'had enough'. However one may try to explain things away, the result was that certain matters failed to be indicated. In the case of Van Duijn one may doubt the importance that he himself attached to his observations. It can only be speculated how this information would have been dealt with and to what extent this would have influenced the picture of the events.

A more or less comparable problem occurred in Zagreb regarding the statement by Sergeant Mulder, the commander of OP-Mike. In contrast to most of the other interviews, it was Couzy who dominated the conversation this time because he quickly became very interested in what Mulder had to report. This was particularly the case for what he related about the fighting among ABiH soldiers that took place near OP-Mike. It was the first time that Couzy heard about this (Caris and Erkelens were to

1962 SMG, 1007. M. Elands, 'Debriefing Dutchbat 3 – Saturday 22/07/95. Interview IV: Lt. Van Duyn (PC C-cie, section Blocking Force)'.
 1963 Rohde, *Endgame*. pp. 276-278.

1964 MvD, DAB. L.F.F. Casteleijn to minister, D96/349, 'statement Lieutenant Van Duijn', 12/07/96; appendix by O. van der Wind. 'Notes on interview with Lt. Van Duijn in Rijswijk on 12 July 1996'.

1965 Debriefing L.C. van Duijn, 13/09/95.

1966 SMG, 1007. M. Elands, 'Debriefing Dutchbat 3 – Saturday 22/07/95. Interview IV: Lt. Van Duijn (PC C-cie, section Blocking Force)'.
 1967 Interview L.C. van Duijn, 02/07/99.

1968 NIOD, Coll. Hicks. 'Debriefing form L. van Duijn'.

1969 Interview L.C. van Duijn, 02/07/99.

mention a similar incident in their debriefing interview). It fascinated him so much, in fact, that he gave little attention to the rest of Mulder's account.¹⁹⁷⁰

As with Van Duijn, it is difficult to reconstruct precisely what Mulder reported because the report does not correspond to the memories of those involved. It is thus almost impossible to establish whether the minutes-keeper failed to include some of what was said at the time, or whether those involved later projected things onto the event. Some details occurring in later statements are recognizable in earlier versions, but significantly vaguer. Mulder, for instance, described the conflict between the two ABiH groups: one from the village of Jaglici where OP-M was located and one from elsewhere. The probable cause of the strife was whether Mulder's YPR should be seized or not. 'A short firefight broke out, which was won by the Jaglici group', noted Klep and Lagaune, the two minutes-keepers.¹⁹⁷¹ Mulder later stated that the local commander, 'Captain Enwir', with whom he had established a good relationship, had personally shot dead a soldier. This soldier had threatened the YPR with an anti-tank weapon when the Dutchbat soldiers wanted to move towards Potocari with the women and children. At least one day earlier the crew had observed a conflict that apparently was about whether the soldiers should leave the enclave or defend it. During this the soldiers had indeed fired on one another.¹⁹⁷²

Mulder also later stated that he had informed Couzy about the probable running-over of Displaced Persons between Jaglici and Potocari, later to become known as the 'OP-Mike incident'.¹⁹⁷³ The report from Zagreb mentioned only that the YPR 'was fired on again' when *en route*.¹⁹⁷⁴ Mulder had however, according to his own account, spoken to Couzy 'fairly briefly' about this.¹⁹⁷⁵ Couzy stated later that Mulder had indeed told him about the possible running-over, but that he had subsequently forgotten about it until Mulder approached him in 1998 because the matter still haunted him.¹⁹⁷⁶

According to the report of the Zagreb interview, Mulder had also witnessed the start of the separation of men and women in Potocari on 12 July. He had reported this to Captain Melchers, who took the information to Karremans, 'who started to curse and said that was going to Mladic to protest'. At that time, however, the convoy was already starting to move off. The following day, when Mulder was once again detailed as a convoy escort, he saw how a bus with 40 to 50 men left the convoy and drove off in a different direction. Mulder, who was following the rest of the convoy, was then stopped on the road and 'stripped'. He and his co-driver had to surrender their weapons and flak jackets. Then, he recounted, he and his colleague were forced to ride on a Dutch YPR manned by VRS soldiers, on a 'vehicle patrol against Muslims'.¹⁹⁷⁷ The aim of the VRS was doubtless to increase the impression of a Dutch vehicle, with the hope of luring Bosnian Muslims into the open. This was a breach of the laws of war, but Couzy made no mention of it during his press conference the following day.

Mulder briefly mentioned that he and a number of other Dutchbat soldiers had been forced to spend the night at a 'checkpoint', where things were very 'unsettled'. They only returned to Potocari the following day. On the way they saw a football field at Nova Kasaba that was full of prisoners, all with

1970 Interview H.A. Couzy, 04/10/01.

1971 SMG, 1007. Klep/Lagaune, 'Report debriefing Sgt.1 Mulder, 22/07/95, Camp Pleso'.

1972 Interview M. Mulder, 06/10/98.

1973 Interview M. Mulder, 06/10/98.

1974 SMG, 1007. Klep/Lagaune, 'Report debriefing Sgt.1 Mulder, 22/07/95, Camp Pleso'.

1975 Official report, KMAR-Sebrateam. P. 506/C01B/1998, Official report of the 3rd interview with defendant M.A. Mulder, 18 November 1998, p. 6.

1976 Interview H.A. Couzy, 04/10/01. One of Mulder's former colleagues, Dave Vaasen, stated to the Sebra team of the KMAR in 1998 that he had already heard from Mulder in Zagreb that he [Mulder] had told Couzy about the running-over. See: Official report, KMAR-Sebrateam. P. 506/C6D/1998, Official report of the 3rd interview with witness D.J. Vaasen, 17/11/98, p. 6.

1977 This incident too only was disclosed only later in the media. As early as the summer of 1995, staff of the Yugoslavia Tribunal gave extensive attention to the misuse of the UN vehicles during their interview with Dutchbat soldiers. Reference in: debriefing statement T.P. Lutke, 08/09/95.

their hands behind their heads. Later they saw ‘a number of dead ABiH soldiers (...) but they all looked like war casualties. I didn’t see any torturing or executions’.¹⁹⁷⁸

In later statements, however, Mulder indicated that he had made a much fuller report. He recounted that he, together with the other Dutchbat soldiers who included Lieutenant Egbers, had spent the night in a school in Nova Kasaba. With some regularity prisoners of war were taken to a small house in the vicinity. A ‘pear-shaped soldier’, with broad hips, narrow shoulders and a drooping moustache, came out of the school and went into the house. After an average of 15 minutes a shot was heard, after which the soldier and his colleagues left the house alone and returned to the school. Mulder said that this went on all through the night. From time to time ‘a sort of Black Maria’ drove up and parked with its rear side against the door, and then drove off again shortly afterwards. Mulder supposed that the corpses were removed in this manner.¹⁹⁷⁹

Bastiaans later declared emphatically that he had not heard this story.¹⁹⁸⁰ This raises the question as to whether Mulder possibly also spoke to Couzy. The Army Commander certainly recognized the story and he believed that he had indeed heard it in Zagreb, although he no longer knew from whom.¹⁹⁸¹ Mulder was however the only one to tell the story in this form, so that it seems clear that he was the source.

The available debriefing statements made in Assen by Mulder’s colleagues in Nova Kasaba seem to deviate from the interpretation given by Mulder, so that it is difficult to find confirmation for his story. His colleague, Sergeant Lutke, mentioned only one incident in which four prisoners of war were led into the house with their hands behind their heads, after which four shots were heard: ‘Everyone believed that the four Muslims had been executed’. Lutke mentioned however that a few Dutchbat soldiers had asked the VRS about the situation and were then granted permission to take a look inside the house. They found 30 captives in a room measuring three by three metres.¹⁹⁸² A number of them had swollen faces and this seemed to indicate that they had been mistreated.¹⁹⁸³ Lieutenant Egbers, who went to take a look a little later, saw a wounded man and someone with a black eye. Otherwise he not see any evidence of mistreatment.¹⁹⁸⁴

The problem already earlier encountered by Couzy, namely that there were major differences in perception between people who seemingly should have shared the same experiences, presented itself with another incident. According to Mulder he had related during his briefing in Zagreb that on 13 July, when returning from Nova Kasaba to Potocari, he had seen hundreds of corpses on the slopes around his old OP-Mike.¹⁹⁸⁵ This story is in line with what Theo Lutke also reported in Assen: he estimated the number of dead at no less than 500.¹⁹⁸⁶ Others however declared at that time, to Mulder’s surprise, that they had not seen anything.¹⁹⁸⁷

It is remarkable that all this information is missing from the report of the interview conducted with Mulder in Pleso. Since Couzy himself stated that he was familiar with these stories, in more or less detail, then it seems probable that they were indeed reported to him (even though one cannot rule out that both Couzy’s and Mulder’s memories are incorrect on this point). It can no longer be established whether this took place outside the actual debriefing, even though it certainly seems possible: the

1978 SMG, 1007. Klep/Lagaune, ‘Report debriefing Sgt.1 Mulder, 22/07/95, Camp Pleso’.

1979 Interview M. Mulder, 06/10/98. Shortly after the interview with the NIOD, Mulder repeated this story to the KMAR, the Sebra team of which was questioning him as part of the investigation into the OP-Mike incident. In fact he does not appear to have mentioned this on his return to Potocari. See: SMG/Debrief. Report Sgt. Mulder to S3, 15/07/95.

1980 Interview G. Bastiaans, 20/11/00.

1981 Interview H.A. Couzy, 04/10/01.

1982 Debriefing statement T.P. Lutke, 08/09/95.

1983 Debriefing statement M.R. Blom, 13/09/95.

1984 Debriefing statement V.E. Egbers, 02/09/95; interview V.E. Egbers, 02/09/99.

1985 Interview M. Mulder, 06/10/98.

1986 Debriefing statement T.P. Lutke, 08/09/95.

1987 Interview M. Mulder, 06/10/98.

interview with Mulder was the last one before the break.¹⁹⁸⁸ It cannot be ruled out that the conversation was continued informally during the break.

It is clear in any case that during his stay in Pleso the Army Commander showed particular interest in unusual circumstances and events. Various non-Dutchbat personnel who were at Pleso were asked by Couzy if they had heard anything that could be important. Major Solkesz of the Logistics Battalion, who as convoy commander was still in the area and thus debriefed again, remembered how on Sunday morning, in the vicinity of the Holland House, Couzy talked to about 15 people in a short time, 'no longer than five minutes', 'about that specific theme'.¹⁹⁸⁹ He too was approached by Couzy when he sat down with a cup of coffee on the terrace of the Holland House at the start of the afternoon. The Army Commander asked him about his experiences 'and whether I had seen or heard anything strange'. But just as the convoy commander had started to answer the questions, one of the information officers interrupted the conversation to discuss a number of problems with the press conference. Then Couzy's Warrant Officer appeared to lead him off because the aircraft with the dignitaries had landed.¹⁹⁹⁰

In the midst of all this activity Couzy also maintained contact with the psychologist Venhovens, who led the substantial team of psychologists, social workers and spiritual counsellors who had been specially flown in. They mixed informally with the Dutchbat soldiers and attempted to open conversations.¹⁹⁹¹ In general this proved not to be easy. The information officer Paul Hartman, who maintained contact with this team, recalled that the mood among the soldiers seemed so calm that some team members wondered why they had been sent to Zagreb at all.¹⁹⁹²

Couzy's main information was thus gained from the debriefing interviews. To the surprise of the Military History Section specialists Groen and Klep, who were present at a number of Couzy's interviews, the Army Commander gave a minimalistic interpretation to these observations. For the military historians it was already clear that what had been reported was just the tip of the iceberg.¹⁹⁹³ On the Sunday afternoon of the press conference, rumours were already doing the rounds of Camp Pleso about men who had reportedly been killed in the football stadium of Nova Kasaba.¹⁹⁹⁴ They found Couzy's attitude even more incomprehensible because he had previously given them the impression of high motivation in the search for possible war crimes. In the breaks between the debriefing interviews, for instance, he had asked their opinion about the reports of nine corpses and the possible bloodbath in the football stadium.¹⁹⁹⁵

Apparently the Army Commander, who the evening before had given a public preview of his conclusions in the *Nova* broadcast, was not inclined to deviate from this. On Saturday evening, before leaving for the studio in Zagreb for the live *Nova* interview, he was approached by Captain E. (Ebel) Dijkman, the social worker of the battalion. Dijkman recounted: 'I sat with Couzy in Zagreb on Saturday evening and asked him: "How can you say that? No genocide? We suspect that hundreds and maybe thousands have been killed." But he insisted: "We're going to stick to the facts." I also told him that shooting was going on every day after the population had been transported away, that the air was red from the fires and that we knew that something was happening there.'¹⁹⁹⁶ The following morning the Warrant Officer Dijkema, who had recorded the deportation on video, went to Couzy to ask him

¹⁹⁸⁸ In the recollection of Mulder, he talked to his debriefers for three to four hours. The size of the report, however, corresponds more to the one and a half hours envisaged in the schedule, from 6pm to 7.30pm, when dinner was due to start. Following this, Franken was due to be interviewed at 8pm. It is unclear whether Mulder's interview really lasted so long, or whether this was a false recollection, or whether the interview was unofficially extended.

¹⁹⁸⁹ Interview A. Solkesz, 15/11/00.

¹⁹⁹⁰ Solkesz, *Hier Romeo!*, p. 189

¹⁹⁹¹ Interview P.M.P. Venhovens, 17/11/00.

¹⁹⁹² Interview W.P.P. Hartman, 08/10/00.

¹⁹⁹³ Interview M. Elands, 15/02/99.

¹⁹⁹⁴ Interview P. Groen, 17/02/99.

¹⁹⁹⁵ Interview P. Groen, 17/02/99.

¹⁹⁹⁶ Interview E. Dijkman, 13/12/00.

how he had felt the previous evening when Dutchbat soldiers carried him on their shoulders. According to Dijkema, Couzy had answered: 'Listen, Warrant Officer, this afternoon there'll be journalists who think that you people saw everything and who'll want to hear everything from you, but you people didn't see anything, because nothing happened'.¹⁹⁹⁷

Couzy had to withdraw this remark to some extent as more became known in the course of the day about the Dutchbat soldiers' reports of (possible) executions. But apart from this the Army Commander did indeed take a reserved attitude to what he heard. Following Mulder's story about the possible executions in Nova Kasaba, Couzy remarked: 'I intentionally didn't make use of a lot of stories. This of course was a story that was totally unsuited for use. It was his feeling that this was the situation. But it wasn't a fact. I only cited confirmed facts or when four people told the same story. Then I assume that this is really how it was, and not just a story.'¹⁹⁹⁸

Couzy was also not impressed by the references made by Dijkman and others to the sound of shots and the suspicion of executions: 'I did hear stories that they had heard shooting in the vicinity. And some of them said it was an indication of executions. Or alternatively, that these were executions. So I responded to that with: "Heard shooting? I'm not going to draw any conclusions from that." Of course, it all needs to be investigated very closely. But I made a conscious choice. I didn't want to appear at the press conference with this sort of information, with this type of unconfirmed stories. I decided to leave them out.'¹⁹⁹⁹

The consequence of this was that some of the Dutchbat soldiers to whom Couzy had talked were, they claimed later, disappointed with the press conference. Sergeant Mulder stated that he had been unhappy with Couzy's performance on the afternoon of 23 July: 'In retrospect the interview with General Couzy was pointless for me, because on Sunday, after the interview with me, General Couzy declared that no genocide had taken place, while I had strong indications of this'.²⁰⁰⁰ Lieutenant Rutten also stated in an interview conducted at the Ministry of Defence in 1997, with the Head of Information Van den Heuvel and the Commander in Chief of the Royal Netherlands Army Schouten, that he did not understand why, at the press conference, Couzy 'did not make any mention of what he had reported earlier that day about the actions of the Serbs towards the Bosnian population'.²⁰⁰¹

32. Couzy at the press conference

During his press conference Couzy stuck strongly to the line he had decided on. According to him it was about the question 'what has really been observed with regard to war crimes?'. According to Couzy 'considerable attention had been given to this subject' during the debriefing. He also stressed that he possessed 'precisely the facts that have been revealed to date'. To this he added: 'And we think that that is just about all there is'. He then reported that it had been observed that men had been beaten and kicked in a bus, but that this stopped 'when BSA [VRS] soldiers realized that we could see it'. Couzy also mentioned the observation of an execution by Groenewegen (without mentioning his name) and the discovery of nine corpses who had been shot in the back; he added that photographs had been taken of these. As it was unclear whether this concerned the same incident or different events, he said he expected that after the photographs had been developed 'we'll have clear evidence for this'.

¹⁹⁹⁷ Interview W. Dijkema, 21/09/98.

¹⁹⁹⁸ Interview H.A. Couzy, 04/10/01.

¹⁹⁹⁹ Interview H.A. Couzy, 04/10/01.

²⁰⁰⁰ Official report, KMAR-Sebrateam. P. 506/C01B/1998, Official report of the 3rd interview with defendant M.A. Mulder, 18 November 1998, p. 6.

²⁰⁰¹ DAB. H. van den Heuvel, Report Strictly Confidential, 06/07/97. Regarding a conversation by Director of Information H. van den Heuvel and the Commander in Chief of the Royal Netherlands Army Lieutenant General M. Schouten with Lieutenant Rutten, following his decision to break his silence. He did this in response to the book by David Rohde, which he said did not give a correct account of his actions.

Couzy then drew the conclusion that ‘generally speaking the transport of the evacuees took place in a proper manner’. He said that no rapes had been observed in and around the compound, which had been constantly monitored by Dutch soldiers. ‘No such practices were established’ during the transport to Kladanj either. Finally he mentioned fighting between ‘groups of Muslims’ prompted by the issue of whether they should flee the enclave and head for Tuzla or should stay put.²⁰⁰²

Set against the findings of the UN debriefing and the stories that Couzy himself confirmed hearing, the claim of comprehensiveness is particularly striking. Although Hicks and Mazowiecki did not rule out the possibility of more executions, on the basis of reasoned suspicions expressed by a number of Dutchbat soldiers, Couzy refused to take this approach. His remarks about how of the transports were conducted also seem strange when compared to the UN findings about the fate of the convoy of wounded. Mistreatment and selection of wounded by the VRS, and the removal of nurses which prompted the suspicion of rape, were not consistent with the ‘proper manner’ in which, according to Couzy, the operation had ‘generally speaking’ been conducted. It is hard to understand that the UN, despite all the problems with Dutch cooperation, managed to reveal and report on these events while Couzy apparently did not, although the information was at his disposal.

With the benefit of hindsight it can also be established that many of the matters that were later to cause such controversy, such as the issue of the running-over, the statement by Franken about the ‘proper’ transport and the lists of names, had in essence already been reported in Zagreb.²⁰⁰³ It is hard to say how far the potential (political) sensitivity of all this should and could have been recognized. After all, the growing realization that mass murder or even genocide had probably been committed strongly influenced the political import of the affair. And this was precisely a conclusion which Couzy approached with the greatest caution.

Many of the questions that were put to Couzy during the press conference concerned his refusal to use the term genocide. He remained highly cautious in his statements, and emphasized that his remarks concerned only what the Dutch soldiers had seen in the enclave. In response to a question as to whether he thus did not rule out ‘that genocide has indeed taken place, but that the Dutch didn’t see it’, he answered: ‘That is correct’.²⁰⁰⁴ Moreover, in an interview after the press conference, with Harmen Roeland of NOS, Couzy admitted, following some probing questions, that he did not rule out genocide, ‘but then outside the enclave’.²⁰⁰⁵

In the NOS news of that evening, the newsreader Gerard Arninkhof thus concluded that things were ‘not as bad as feared’. Atrocities had indeed taken place, but no ‘genocide’, and in any case ‘not on the scale that was earlier assumed’.²⁰⁰⁶ In its news programme, RTL 4 put a much stronger emphasis on the question as to whether genocide had been committed or not. The editorial team came to a more cautious conclusion than NOS. RTL’s tone was much more in line with the spirit of the commentary that Prime Minister Kok, with good political instinct, had made on camera that afternoon. His words formed a counterweight to the sometimes fierce denials by the Dutchbat soldiers and the more tactical statements of Couzy. According to Kok, the fact that nothing had been seen did not mean that nothing had happened. Probably ‘many improper things had taken place’, and much of this out of sight of the Dutchbat soldiers.²⁰⁰⁷

2002 NIOD, Coll. Kreemers. ‘Excerpts from the press conference in Zagreb, 23/07/95 (complete text of the introduction by Lieutenant General H.B. Couzy)’, also in: *Diary of Voorhoeve*, pp. 139-140.

2003 According to the then Major Bourgondiën of G2, he received a copy of the ‘list 239’ from Franken. He was convinced that he also informed the debriefers of this, although he no longer knew to whom he had passed the list. He also faxed the list to The Hague – since the quality was poor he even did this several times at the request of The Hague. Interview C.A.T.M. Bourgondiën, 26/04/00. Both Bastiaans and Lemmen denied in interviews that they had received the list.

2004 SMG 1007/13. ‘Questions to lGen. Couzy and lCol. Karremans’ [verbatim transcript].

2005 Tape NOS broadcast 23/07/95.

2006 NOS, 8pm News, 23/07/95.

2007 Premier Kok in Brandpunt, 23/07/95.

This latter remark was in line with what Couzy had said, but his nuances of meaning quickly disappeared in the general impression that was created. His nuances were not heard. The picture was clear: Couzy denied that genocide had taken place.

33. The multiple meanings of genocide

The impression that arose about Couzy and the genocide issue was to a great extent determined by the disparities, stressed by the media, between on the one side Minister Pronk – and to a lesser extent Minister Voorhoeve – and on the other side General Couzy. The inability of Couzy to clarify his position was due not only to his own awkward communication or the selective reception by the media. A major part of the problem was contained in the term genocide. The legal meaning of the term was based on a number of international treaties, which determined that if genocide were to be legally established then intervention was *a duty*.

The burden that thus came to be placed on the use of the term became visible in all its political sensitivity right at the start of the conflict in the former Yugoslavia – and was in fact also to be revealed during the mass murders in Rwanda in 1994. The application of the term genocide to the conflict implied armed intervention. This was however not the wish of the majority of the Western world, and in particular of the United States. ‘Genocide’ thus became a contaminated term that subsequently, as the dreaded ‘G-word’, haunted the offices of the State Department and the foreign ministries in western Europe. In the eyes of critics, the term ‘ethnic cleansing’ came to function as a non-binding euphemism for horrors which apparently only external force could put an end to.²⁰⁰⁸

Besides the political connotations, the legal connotations were heavy too. The seriousness of the charge and the strength of the punishments, as well as the fact that furnishing proof was sometimes difficult, necessitated great caution. Seen from this latter angle, at least, Couzy’s refusal to use the term could be defended. Moreover, he was not alone in taking this position. The Human Rights Rapporteur T. Mazowiecki, who on 26 April resigned in protest against the failure of the West to protect Srebrenica, did not wish to apply the term genocide despite his shocking report on Srebrenica:

‘I’ve already written in my second report that the ethnic cleansing is not a ‘side effect’ of that war, but contrary, its objective. It seems to me that it is necessary to emphasize that once again. However, I’ve never used in my reports the term ‘genocide’, regardless of warring faction being reported. I think that such qualification has to be confirmed by the Tribunal, given its reputation and expertise (...) I didn’t use that term because I noticed its frequent and indiscriminate usage by all factions when accusing the other side. Misuse of words can strengthen hatred and that is why I hesitated to use final qualifications. I left it to the Hague Tribunal. ‘2009

Couzy did not, admittedly, formulate his arguments for not wishing to use the term genocide as explicitly as did Mazowiecki, but his caution seems attributable to the same motive. However, this can easily be used to present Couzy’s attitude in a more favourable light. The responsibility borne by Mazowiecki was of course different to that of Couzy.

Although the Army Commander played no role in the UN hierarchy and the command held by the UN had not yet formally been returned to the Netherlands, Couzy adopted a major responsibility in taking on the reception of Dutchbat. He thus, in a certain sense, became jointly responsible for the reports by Dutchbat concerning large-scale violations of human rights. In concrete terms this applied, for instance, to the nature of the cooperation lent to Mazowiecki’s staff who tried to interview

²⁰⁰⁸ Interview Prof. Diane F. Orentlicher, Director War Crimes Research Office, 06/07/00.

²⁰⁰⁹ Branko Madunic and Zeljko Zutelja, ‘Tadeusz Mazowiecki’, *Globus*, (1995)250(22 September 1995); published in translation on Bosnet/BosNews, ‘Mazowiecki: ‘Unprotecting the protected...’, 17/11/95.

Dutchbat personnel at Pleso. The responsibility for passing on all relevant information was even greater because it was not inconceivable, in the event of a worst-case scenario, that events could still be influenced militarily or politically. After all, waiting for legally watertight evidence of genocide is diametrically at odds with the obligation to prevent genocide.²⁰¹⁰ In this light one can question the minimalistic and reserved way that Couzy dealt with the indications of possible large-scale violations of human rights. Without committing himself to the term genocide, he could have more clearly indicated the possible, far-reaching implications of the overall picture that was available to him at that moment.

Minister Pronk applied the opposite reasoning. From the information at his disposal, which did not include any observations by Dutchbat soldiers, he quickly drew the most far-reaching conclusion. One can ask whether this step was justified, for instance when comparing this position to the caution shown by Mazowiecki.

The answer to this question has several aspects. The use of the term genocide by Pronk (and in a certain sense by Voorhoeve too) was based much more on the rhetorical meaning that the term has acquired in public and political debate. This underlines the lack of clarity regarding the use of the term. In the words of the sociologist Alex Alvarez: ‘Widely applied in a variety of contexts with a tremendous range of definitional criteria, the notion genocide is marked by conceptual confusion, often compounded by its rhetorical use on the part of those seeking to inflame and stigmatize social and political discourse.’²⁰¹¹

Pronk too, when appealing to public opinion, did not consider the legal connotations of the term genocide: ‘Right then I didn’t think about that. What was important was that massive slaughter was involved’. He had come to the conclusion on the basis of the limited information that he had compiled in a short period. ‘It was the sum of things, an analysis, in which everything pointed in that direction. You must be prepared to induce. It fitted like a hand in a glove. You heard all these things, and then a conclusion was possible.’²⁰¹²

His point of departure for reaching this conclusion was a conviction, based on years of personal experience and his interpretation of the nature of the events since the start of the war in Bosnia, that placed isolated observations in a context in which they immediately gained significance for him. This was, however, a historically and politically based point of departure that could not automatically be seen as universally valid. Criticism of Pronk’s use of terminology and his timing would be much more justified if based on this aspect.

This problem also applied to a crucial element of Pronk’s conviction: the predictability of mass murder following the fall of Srebrenica. He was not alone in arguing like this. An analysis of relevant statements by various parties clearly shows diametrically opposed views. Moreover, these contradictory positions are independent of political and other considerations which can often hinder the making of such predictions. Besides this, the opposing views do not run along predictable political lines.

Chuck Sudetic, journalist and author of the moving family chronicle *Blood and vengeance*, expressed the opinion that ‘anyone who knows page one about Bosnia knew what would happen’.²⁰¹³ José Maria Mendiluce, in 1993 the UNHCR officer responsible for Srebrenica, declared in the same vein following the events in 1995: ‘Those who did not predict the mass murders which were about to begin in Srebrenica share the responsibility for this genocide’.²⁰¹⁴ Mendiluce’s assumption of the predictability of the events was not, however, widely shared even in the organization of which he himself was a member. The events in Srebrenica taking place at that moment were interpreted differently within UNCHR as well. In July 1995 Mendiluce’s successor Karen Koning-Abuzayd

2010 Interview Diane F. Orentlicher, Director War Crimes Research Office, 06/07/00.

2011 Alex Alvarez, *Governments, citizens and genocide. A comparative and interdisciplinary approach* (Bloomington and Indianapolis, 2001) p. 33.

2012 Interview J. Pronk, 03/04/00.

2013 Chuck Sudetic, *Blood and vengeance*, p. xxxv.

2014 Cited by Florence Hartmann, ‘Chronologie d’ une négligence criminelle’, in: M.A. Allain et al., ‘*Léx-Yugoslavie and Europe: de la faillite des démocraties au processus de paix*’, (Paris, Montréal, 1997) pp. 113-121.

received concerned telephone calls from staff who were responsible for the safety of UNCHR personnel. They reported that they were afraid of ‘massacres’. But she heard from UNCHR staff in Tuzla that in their initial responses to the separation of men and women they had used restrained language ‘because we gave Mladic the benefit of the doubt’. It was only when she spoke to survivors of the journey, considerably later, that she came to the realization that ‘you can’t be impartial towards evil’.²⁰¹⁵

Some of those directly involved in Srebrenica also feared what was about to happen. Daniel O’Brien, doctor of *Médecins Sans Frontières*, wanted to be removed from the enclave because he did not wish to become a witness of a mass murder. ‘He doesn’t want to go through any kind of massacre of the population’, reported his colleague. He also feared for his own life and that of Christina Schmitz, because they were possibly the only two witnesses.²⁰¹⁶ It can be imagined that O’Brien’s panic was prompted by the fear expressed by the local personnel and especially by the Bosnian doctors. Schmitz noted in her logbook: ‘They are afraid that the situation in Vukovar will be repeated, where the Serbs forced their way into the hospital and killed everyone.’²⁰¹⁷

The ‘Vukovar’ comparison occurs again in relation to Srebrenica. As early as 1993, when the situation around Srebrenica deteriorated dramatically, Minister Pronk declared that he was afraid that the Serb attackers would kill the Muslim population ‘in masses’. ‘I’ll have based that on the history that started with Vukovar’, was how he later explained this statement.²⁰¹⁸ This is certainly possible: the journalist Chuck Sudetic remarked that as early as 1993 the threatened fall of the enclave awoke fears of ‘a second Vukovar’.²⁰¹⁹ Pronk was not the only one here. Around the same time the Serbian President Milosevic predicted to the negotiator Owen that a Bosnian-Serb conquest of Srebrenica would lead to a bloodbath.²⁰²⁰

The *Médecins Sans Frontières* representative Eric Dachy also cited Vukovar (where he himself had been) as the guiding framework for predicting the events after the fall of Srebrenica.²⁰²¹ In contrast, Eric Stover, currently Director of the Human Rights Center in Berkeley and at the time closely involved in the forensic investigation in Vukovar in his capacity as Executive Director of Physicians for Human Rights, was reluctant to assign a predictive status to Vukovar. For him, just as for Pronk in fact, the report of the presence of Arkan Tigers was seen as an indication of serious human rights violations.²⁰²²

There were others too who did not automatically assume the worst. UNPROFOR commander Smith in Sarajevo, who during the London Conference on 20 July prompted Voorhoeve’s firm statements about genocide, told the NIOD that he had not been so concerned about reports of the separation of men and women. The ABiH did precisely the same thing when they had conquered large villages. At that time he still had no idea about the mass murder.²⁰²³

The same equivocalness could be heard from those involved in the region itself, for instance with the opinion that the scale of the murders could not be predicted and was thus totally unexpected. Mehmed Suljkanovic, the signals officer of the Second Corps in Tuzla, also stated that no one expected the murders. The same went for the journalists Sefko Hodzic and Isnam Taljic, who were closely

2015 Interview Karen Koning Abuzayd, at the time UNHCR Regional Representative Bosnia-Herzegovina, 11/07/00.

2016 MSF Brussel. Christina [Schmitz] to Stephan [Oberreit], UTC Time 95-07-11 06:51:46.

2017 MSF Brussel. Logbook Christina Schmitz, notes for 11 July 1995. See also: *Extraits du journal de bord tenu par Christina Schmitz*, <http://www.paris.msf.org/Srebrenica>.

2018 Interview J. Pronk, 03/04/00.

2019 Chuck Sudetic, *Blood and vengeance*, p. 204.

2020 Interview Lord Owen, 27/06/01.

2021 Interview Eric Dachy, MSF, 17/12/97.

2022 Interview Eric Stover, Director Human Rights Center, University of California, 12/11/99. Stover wrote the text of the book that was prepared in collaboration with the photographer Gilles Peress: *The Graves. Srebrenica and Vukovar* (Zürich, Berlin, New York 1998).

2023 Interview R. Smith, 12/01/00.

involved in Srebrenica and who, in fact, differed in their opinions as to how far the enclave population realized the fate that awaited them.²⁰²⁴

It seems that some of these people too had more optimistic expectations then afterwards turned out to be justified. Hatidza Hren, who worked for the International Red Cross in the enclave until the fall and later became the spokeswoman for the Women of Srebrenica, declared that at the time she had expected that ten percent of the men would be killed, 'but not eighty percent!'.²⁰²⁵

The most harrowing example of the uncertainty about what the Bosnian Serbs planned is the discussion at the execution site, shortly before the Serbs opened fire, between the survivor Mevludin Oric and his nephew Haris Hasanovic. Oric believed the Bosnian Serbs who told him following his capture that he would be exchanged as a prisoner of war. 'They held hands. "They're going to kill us," Haris said. Mevludin replied: "No, they wouldn't do that" Then the Serbs opened fire, and Haris fell on top of his cousin.'²⁰²⁶

It is also notable that the Bosnian government, which on the one hand created a considerable commotion about large-scale murders, still believed for a while that it could negotiate on an exchange of prisoners of war. Many of those involved simply could not believe that a mass murder with thousands of victims could actually take place. The same applied to many journalists, some of whom would later realize the scale of the murders during further investigations. Elizabeth Neuffer, at the time head of the Europe office of *The Boston Globe*, stated that around 23 July 'we had no indications that anything serious had happened'. The Bosnian government 'was crying wolf, but that was standard'. The accounts of the women were recorded, but: 'We were not alarmed. We thought they were taken as POWs. The real story was the collapse of the safe-area policy'.²⁰²⁷ And Emma Daly, who was the Balkans correspondent for *The Independent* from February 1994 onwards, later wrote in a self-critical review: 'After the fall of Srebrenica (...) sensible reporters dismissed survivor's testimony as exaggerated – we simply could not believe in state-sanctioned murder on such a scale, so close to home. But a few months later we walked across the killing grounds they had described in such detail, dislodging bones and strips of the pink cloth used to blindfold the victims.'²⁰²⁸

It was only in retrospect that many of those involved realized the significance of their observations. In his testimony in the Krstic trial, the Dutchbat soldier Stoelinga, one of the 55 ex-hostages, said with regard to his observations of piles of clothes and a vehicle full of corpses: 'At that time I didn't see the connection. But in retrospect I believe that the corpses on the truck were the people who were forced to remove their clothes.'²⁰²⁹

The newspaper that reported on this in 2000 headlined the article with 'Captive Dutchbat soldiers saw signs of genocide'. The use of the term once more demonstrates how, with the passage of time, uncertainty has been transformed into something self-evident. This has been at the expense of the realization that this certainty was far from present in July 1995 – and even for a while after. The morally inspired accusation that this insight was not widely shared has served more to confuse than to clarify the discussion of what happened. As a result, the discussion of how responsibility takes shape during situations of great uncertainty and heavy political implications has never been conducted.

Looking back at Couzy's actions, this is the essential problem. It was defensible that the Army Commander refused to use the term genocide. Couzy did more, however: he linked his refusal to talk about genocide with a public presentation that strongly gave the impression that things were really not that bad. At the very least, however, he had grounds for taking a non-committal attitude.

2024 Interviews Mehmed Suljkanovic, 18/05/99; Sefko Hodzic, 24/05/99; Isnam Taljic, 18/05/99.

2025 Interview Hatidza Hren, 18/06/98.

2026 Interview Mevludin Oric in: Rod Nordland and Stacy Sullivan, 'Death of a village', *Newsweek*, April 15, 1996.

2027 Interview Elizabeth Neuffer, 15/07/00.

2028 Emma Daly, 'Reporting from the Front Line', in: Stephen Glover (ed.), *The Penguin Book of Journalism. Secrets of the press* (London 1999) p. 280. Also see the chapter: 'The disclosure of the executions and mass graves'.

2029 'Gevangen Dutchbatters zagen sporen genocide' (Captive Dutchbat soldiers saw signs of genocide), *Trouw*, 07/04/00.

According to Diane Orenlichter there is a difference between the duty to prevent genocide and waiting for watertight proof.²⁰³⁰ Due to the uncertain but potentially great risks that occur in situations of possible genocide, in combination with the pressure of time, Paul Williams thus advocated application of the 'precautionary principle', to some extent analogous to the possibility of major environmental disasters in the long term: the principle of 'better safe than sorry'.²⁰³¹ Peggy Hicks, who was directly involved in the investigation of the events in Srebrenica and who wrote the internal UNPROFOR report, was of the opinion that even without the mass executions the picture was already serious enough. She agreed that the greatest care should be taken in reporting. A close distinction should be made between different types of information: what was certain, what was speculative, and what required further investigation.²⁰³²

This approach differs strongly from the categorical statements made by Couzy in Zagreb. One can ask why he did not choose such an approach. Unfamiliarity with humanitarian reporting certainly played a role. At that time military personnel, and not only the Dutch, were generally at a loss with this subject. It was one of the aspects of peacekeeping for which soldiers were hardly prepared: acting more as a policeman than a soldier.

This is not however sufficient to explain Couzy's actions. Everything points to the fact that besides his justifiable hesitation and caution, another motive also played a role. If he had left open the possibility that the events differed fundamentally from the account given during his press conference, he would thus also have called into question the performance of Dutchbat. Couzy found himself in a dilemma in which the image of Dutchbat and of the Royal Netherlands Army ultimately carried more weight than the unpredictable effect of a statement betraying uncertainty about the true nature of the events taking place after the fall of Srebrenica. The responsibility that he shouldered at this time is not diminished by the knowledge, gained later, that the mass murder had for the most part been completed by 23 July, and indeed even by 17 July.

2030 Interview Diane F. Orentlicher, 06/07/00.

2031 Interview Paul R. Williams, 06/07/00.

2032 Interview Peggy Hicks, 10/07/00.

Chapter 6

'Circus Pleso'

1. Introduction

The press conference held by Couzy in Zagreb on 23 July became, in the eyes of the media, the issue that 'probably haunts him the most' and which even earned him the nickname of 'General Dud' (the Dutch *blindganger* also plays on the word 'blind')²⁰³³ However, it was not long before the fallout reached much further than the Commander in Chief of the Royal Netherlands Army alone. The alleged 'denial of genocide' was one of the first in a series of controversies that would turn 'srebrenica' into the dreaded 's-word' within the Ministry of Defence.

The effect of Couzy's statement might never have been so great had it not been uttered in the wider context of failures and errors later associated with the Zagreb press conference. As one of the later analyses in the media put it 'In Zagreb the stage was set for a controversy that would fester for years'²⁰³⁴ The most striking image of this controversy, together with that of Karremans drinking a toast with Mladic, was the so-called 'party' on 22 July. During the barbecue on that Saturday evening, a member of Dutchbat filmed the footage of dancing and drinking Dutchbat troops, which was later widely broadcast and became synonymous with the Dutch soldiers' alleged indifference to the fate of the displaced population of Srebrenica. Those images, however, did not enter the public eye until months later. On Sunday, 23 July images were broadcast of the military band that had provided the entertainment the previous evening, but that footage only showed the musicians playing background music at Holland House. These images too generated a few disapproving remarks, but nothing more than that.

The controversial press conference given by Dutchbat Commander Karremans, which took place in the slipstream of Couzy's equally dubious audience with the press, was initially the main determinant of public opinion. In this regard it was especially telling to note how ministers within the government meeting shortly after Zagreb spoke of 'the damage done to the Netherlands' reputation by ill-considered statements by the military', referring to Karremans and Couzy.²⁰³⁵ Since so much went amiss on that Sunday afternoon in Zagreb, there is ample reason to stop and consider the circumstances that led up to this publicity disaster. The overture, in the form of Couzy's and Karremans' unfortunate confrontations with the media on 21 and 22 July, has already been examined in the previous chapter, but it is still necessary to return to the beginning of that week and the preparations for the press conference on 23 July.

2. The run-up

Press interest after the fall of Srebrenica was enormous. Requests for interviews with Karremans, preferably exclusive interviews, poured into the Directorate of General Information at the Ministry of Defence. Even shortly after the fall, some journalists succeeded in calling the Dutchbat commander in Potocari. The telephone numbers there, '00-871130224 and 00-38541180011 ext 5161', were 'widely known', according to Deputy Director of General Information Bert Kreemers.²⁰³⁶ As early as 14 July, during a meeting with Voorhoeve, Van den Breemen, Couzy and Army Press Officer Paul Hartman to discuss the return of the battalion, he pointed out the huge media interest and the need for a press conference.

²⁰³³ K. Colijn and P. Rusman, 'De dertien affaires Couzy' ('Couzy's thirteen controversies'), *Vrij Nederland*, 06/07/96.

²⁰³⁴ C. van der Laan, 'schaamrood' ('Red with shame'), *Trouw*, 02/09/00.

²⁰³⁵ Voorhoeve's diary, p. 146.

²⁰³⁶ E-mail H.P.M. Kreemers to P. Koedijk (NIOD), 06/01/02.

There was hardly any discussion about what form this should take, Hartman later recalled:

‘It all seemed pretty straightforward, since it was a conflict involving the Royal Netherlands Army. We hold a press conference with the Commander in Chief of the Royal Netherlands Army, the battalion commander and the Head of the Army Press Office [Hartman himself]. With that it was settled. There was no further discussion on the matter. There was no one who asked: ‘Is that the right way to do it? Shouldn’t we do it differently? Shouldn’t that be the Chief of Defence Staff? Should that be the Deputy Director of the Press Office?’ Or taking a step further: ‘shouldn’t that be Janvier?’ These issues were never discussed. They simply never came up.’²⁰³⁷

According to Couzy it was ‘a press conference for the military. That was the agreement’.²⁰³⁸

One of the elements of uncertainty still present in this connection was the position of the UN, which was still in command of the Dutch peacekeepers.²⁰³⁹ It is likely that the issue of UN jurisdiction was on the agenda which Army Press Officer Major Maarten Beneker had in mind when he travelled to Zagreb on Sunday, 16 July with Couzy to welcome back the first returning members of Dutchbat.²⁰⁴⁰ Beneker stayed behind after Couzy departed for the Netherlands with the first members of Dutchbat to prepare for the reception of the rest of the battalion as quartermaster.

On Monday or Tuesday, Beneker spoke with the responsible press officer from UNPROFOR. He hoped to reach agreement with him regarding the press conference to be organized on Dutchbat’s return. During the conversation he heard that Akashi had been ‘very annoyed’ because he or one of his representatives had not been invited to the press conference given by Couzy on Sunday, 16 July. The UN press officer took the blame for this because, given the fact that these were UN troops, he should have arranged this. Beneker pointed out that this was all the more reason to make sound agreements regarding the return of the rest of the battalion. He asked if there was a preference for a press conference in Pleso or in the press room at headquarters. The advantage of the latter was that then the press could be kept outside Camp Pleso and that all the facilities were already present. If the press conference was to take place at Pleso, then it might be held in the small cinema belonging to the French UN troops, but in that case support from the UN would be required. Beneker asked the press officer to put the matter to Akashi as soon as possible.²⁰⁴¹

On Wednesday, 18 July another meeting took place. Beneker was told, as he said ‘To my utter amazement’ that ‘It’s alright with Mr Akashi. It’s your show’. With Akashi’s irritation about 16 July at the back of his mind, Beneker once again made the point that the return of the battalion was after all a UN matter. The reply he was given was that it really was entirely up to him how he handled matters at Pleso. The UN would take care of the necessary facilities, including a platoon of Finnish UN troops to cordon off the camp: ‘You make all the arrangements’. When Beneker asked whether Akashi or his spokesman wished to be present at the press conference, the answer was short and clear: no. Upon leaving the meeting Beneker was overtaken by an uneasy feeling: ‘I thought: this doesn’t make sense. There is so much at stake with regard to the battalion but they’re leaving it all up to us. First Akashi is annoyed about an unimportant press conference, and when the battalion arrives he doesn’t want anything to do with it’.²⁰⁴²

Later, once the fiasco had taken place, the question of why the UN, in the person of Akashi or Janvier, did not play a prominent role in the publicity cropped up again and again. Beneker said he felt

²⁰³⁷ Interview W.P.P. Hartman, 08/10/99.

²⁰³⁸ Interview H.A. Couzy, 14/09/98.

²⁰³⁹ E-mail H.P.M. Kreemers to P. Koedijk (NIOD), 06/01/02.

²⁰⁴⁰ Beneker could not remember whether he had acted on instructions from The Hague. Interview M. Beneker, 04/12/01.

²⁰⁴¹ Interview M. Beneker, 04/12/01.

²⁰⁴² Interview M. Beneker, 04/12/01.

at the time that they wanted to distance themselves. It is not clear whether Akashi's decision to make it 'your show' was motivated by a suspicion of trouble ahead. When Beneker spoke with Akashi's press officer for a second time on 18 July, he was told that the UN diplomat had received a concerned message from Annan regarding 'widespread and consistent [information]' about possibly serious abuses following the fall of Srebrenica. Akashi then received, as has already been described, the order to debrief the Dutch troops shortly after their release. That happened with reference to the mounting unrest over the fact that it was impossible to confirm the reports or deny them with any authority, even though in many cases they concerned incidents 'of which UNPROFOR in Potocari could not have been unaware'.²⁰⁴³ It may therefore have been the case that this persuaded the diplomat Akashi to proceed with caution; in the end he limited his role to a visit to Pleso on Sunday, 23 July, during which he met with Prime Minister Kok, Prince Willem-Alexander, Minister Voorhoeve and Lieutenant General Couzy.²⁰⁴⁴ Akashi held fast to the position that neither he nor his spokesman wished to take an active part in the press conference.

Whether his unease was justified or not, Beneker decided to play it safe and immediately called Kreemers in The Hague. As Beneker remembers it, in spite of the reservations he expressed, he was ordered to go ahead with the preparations for the arrival of his superior, Hartman, and a group of journalists.²⁰⁴⁵ At that moment, negotiations with the NOS (Dutch Broadcasting Association) were already under way regarding a live broadcast from Pleso. Commitments forced the Press Office into a corner, restricting the room for manoeuvre still further. This also had an effect on the response to the first signals that problems may have been looming with regard to Karremans.

On 18 July, Minister Voorhoeve also wrote a 'strictly confidential' memo to Kreemers, in which he urged a cautious approach to allowing interviews with Karremans. The Minister appeared to have been informed of the criticism 'by his junior commanders regarding the way matters were actually handled during the crisis; he appears to have been less solid than we thought'.²⁰⁴⁶ Voorhoeve was warned by Junior Minister J.C. Gmelich Meijling. Since personnel was part of his portfolio, Meijling went to Zagreb together with his spokesman Veen to greet the members of Dutchbat after their release. On that occasion he had heard of the criticism of Karremans (and Franken) via Couzy. Because Voorhoeve at that moment was still considering whether the battalion, in the person of Karremans, had deserved a medal, Meijling decided to warn him.²⁰⁴⁷ Voorhoeve understood this message and therefore proposed that they 'wait and see' and not make any commitments at that stage regarding interviews to be given by Karremans.²⁰⁴⁸

Both Kreemers and Hartman later stated that at an early stage they expressed their scepticism about the euphoria that initially surrounded the approaching return of Dutchbat. Kreemers said that as early as 15 July he had predicted to the Army's Deputy Chief of Operations, Commodore Hilderink, and his colleague Veen in the Dutch Crisis Management Centre, that it would not be long before the first critical stories and dissenting reports appeared.²⁰⁴⁹ However, for a long time he saw no reason for apprehension about Karremans' performance because the Chief of Defence Staff Van den Breemen and Deputy Commander Van Baal indicated on 11 July that Karremans had done an outstanding job in

²⁰⁴³ Secretary-General, *A Srebrenica report*, par. 390.

²⁰⁴⁴ See: ICFY Genève, 139, crypto fax in 46. Akashi to Annan, Z-1251, 25/07/95, 'My meetings with the crown prince of the Netherlands, the Dutch prime minister, defence minister and chief of army staff. In a separate meeting with Akashi, Couzy informed him of the provisional results of the debriefing, which were in a similar vein to his later statement during the press conference.

²⁰⁴⁵ Interview M. Beneker, 04/12/01. Kreemers had no memory of this incident, nor did he find any reference to it in his notes. E-mail H.P.M. Kreemers to P. Koedijk (NIOD), 10/01/02.

²⁰⁴⁶ NIOD, Coll. Kreemers. Memorandum from J.J.C. Voorhoeve to DV attn. H.P.M. Kreemers, 18/07/95.

²⁰⁴⁷ Telephone interview J.C. Gmelich Meijling, 04/12/01; telephone interview J. Veen, 16/01/02; Voorhoeve's diary, pp. 125, 137.

²⁰⁴⁸ NIOD, Coll. Kreemers. Memorandum from J.J.C. Voorhoeve to DV attn. H.P.M. Kreemers, 18/07/95.

²⁰⁴⁹ E-mail H.P.M. Kreemers to P. Koedijk (NIOD), 06/01/02 (2).

carrying out his duties.²⁰⁵⁰ Hartman, who had a better idea of who he was dealing with, claims to have expressed to Kreemers during a meeting, probably shortly before his departure for Zagreb, the uneasy feeling that the combination of Karremans and the media would not be a happy one: 'I don't know what will go wrong and I don't know when, but believe me, something will go wrong when Karremans meets the press'.²⁰⁵¹

All things considered, on 18 July there were enough reasons for consultation between Voorhoeve and Kreemers regarding the strategy that should be followed. This resulted in the decision that the press conference upon the return of Dutchbat should go ahead nonetheless. The text of the statement that Karremans was to give would be sent to Kreemers in advance. Kreemers in his turn would keep the Minister informed. Meanwhile, follow-up interviews were to be discouraged as much as possible.²⁰⁵² As has already been stated, Riepen, the press officer present in Tuzla, compiled a list of questions the next day, which he faxed to Karremans. This list was to serve as part of the basis for preparing the press conference. No arrangements were made with regard to Couzy, although Voorhoeve in his memo of 18 July also described press contact with Couzy as 'asking for trouble'.²⁰⁵³ It would seem that the already strained relationships were not to be tested further.

On the morning of 20 July the negotiations with the NOS were completed and it was announced that Couzy and Karremans would give a press conference on Sunday. Oddly enough, the press had the impression that Minister Voorhoeve would also be present at the press conference, although as it turned out that was not to be taken for granted.²⁰⁵⁴ The final details were to be taken care of by the army press officers. The Director of General Information, Van den Heuvel, was on holiday and Kreemers' time was largely taken up with the London conference from 19 to 21 July. At that time, Voorhoeve was still afraid that Dutchbat could still be abducted in order to deter air strikes. The Minister decided to travel to London with Kreemers to discuss this matter with the United States Defence Secretary Perry and his fellow American, Shalikashvili.²⁰⁵⁵

3. Doubts about a press conference

That the preparation of Karremans had been lacking, became clear to Kreemers in London, when he was confronted with the positive statements about Mladic that the commander made at the border near Santici. He immediately called Couzy in Zagreb to inform him of the news.²⁰⁵⁶ That same morning, after the arrival of the battalion, press officer Beneker warned Commander Karremans of the massive interest from the press. The press officer had been unable to prevent Karremans from speaking to a couple of journalists who waited for the convoy at the gates of Pleso. The commander had 'curtly' said that he had not seen any atrocities himself but that his men had seen a number of incidents. He did not want to go into any detail until the press conference on Sunday.²⁰⁵⁷ Amid the bustle of the arrival and realizing the busy programme ahead, he could only sigh to Beneker: 'I'll just have to take it as all as it comes'.²⁰⁵⁸ Karremans had already let it be known in a telephone conversation with Brantz, while press

²⁰⁵⁰ E-mail H.P.M. Kreemers to P. Koedijk (NIOD), 06/01/02 (1).

²⁰⁵¹ NIOD, Coll. Beneker. W.P.P. Hartman, 'Memorandum for the Head of the Press Office. Subject: press conference Zagreb', 15/08/95 Kreemers was not aware of this memorandum. See: e-mail H.P.M. Kreemers to P Koedijk (NIOD), 06/01/02 (2).

²⁰⁵² E-mail H.P.M. Kreemers to P. Koedijk (NIOD), 06/01/02 (1).

²⁰⁵³ NIOD, Coll. Kreemers. Memo J.J.C. Voorhoeve to DV attn. Mr Kreemers, 18/07/95.

²⁰⁵⁴ See: 'Nederlandse blauwhelmen mogen weg uit Potocari' (Dutch UN troops allowed to leave Potocari), *ANP report*, 20/07/95.

²⁰⁵⁵ E-mail H.P.M. Kreemers to P. Koedijk (NIOD), 23/01/02.

²⁰⁵⁶ K. Colijn and P. Rusman, 'De dertien affaires Couzy', *Vrij Nederland*, 06/07/96.

²⁰⁵⁷ Van Gils, 'Meer dan honderd keer "Welkom terug"' ('More than 100 times "Welcome back"'), *ANP bericht*, 22/07/95, 11:10 CET.

²⁰⁵⁸ NIOD, Coll. Beneker. W.P.P. Hartman, 'Memorandum for the Head of the Press Office. Subject: press conference Zagreb', 15/08/95.

officer Riepen was present, that under no circumstances did he want ‘men in high places’ to be present; the situation was already bad enough and the battalion wanted nothing more than to be left in peace.²⁰⁵⁹ Despite these signals, the Commander was forced to go along with the ‘peace offering’ to the press, in the form of the improvised press conference at the gate of Camp Pleso in the evening, at which Karremans once again made ambivalent statements, this time regarding the military salute to Mladic at their farewell on the River Drina.

By this time, Couzy had or began to have his first doubts about Karremans’ appearance at the main press conference the following afternoon, because he had the impression that the battalion commander was ‘in a bad way’.²⁰⁶⁰ Couzy says he also expressed this opinion to Kreemers by telephone, but Kreemers categorically denies ever receiving such a call from Couzy.²⁰⁶¹ Before his departure on 20 July the Commander had promised both Kreemers and Commodore Hilderink that they would receive the statements for the press conference on time.²⁰⁶² But instead of receiving Karremans’ answers to Riepen’s list of questions, at around seven in the evening Kreemers received a telephone call from Hartman that bode no good.

Hartman and his colleagues were under a great deal of pressure. The programme for both days was being changed continuously. Beneker and Riepen initially had to cope with it all on their own and the demands on them were particularly heavy. In the words of Riepen:

‘We tried to organize it together. Something as simple as a hall or a sound system. Security, surveillance, transport from the Netherlands. What really bothered us was that the programme kept changing all the time. First hardly anyone was coming. Then only the Parliamentary Standing Committee on Defence were coming. Then Prime Minister Kok decided it merited his presence. In the end even Prince Willem-Alexander showed up. It just got bigger and bigger. Every time the whole plan had to be adapted. We barely had time to think about the content.’²⁰⁶³

Even the arrival of Hartman did little to ease the strain. ‘It felt like you’d been ordered to go and stand in the polder in a Force 9 gale and hold back the tide’, Hartman later said. Accordingly he was unable to remember the exact content of his telephone conversation with Kreemers.²⁰⁶⁴

According to the notes Kreemers took during the telephone conversation, Hartman painted a picture of the disastrous course of Saturday’s events, culminating in the ‘press conference at the gate’. Although Couzy’s statements about genocide were also problematic because of the threat of a difference of opinion with the minister, the conversation mainly focused on damage-control with regard to Karremans’ statements. Sunday’s press conference seemed to offer an opportunity for just such an operation. Hartman agreed to ‘put a spin’ on the words of praise about Mladic in his introduction. Kreemers suggested he include the sentence ‘Mladic is a scoundrel’: ‘Paul Hartman laughed out loud and said “Bert, I’ll do my best but I don’t know if I can get away with that. We have a very different view about what happened over there to most of Dutchbat.”’²⁰⁶⁵

Hartman was referring to the negative feelings many members of Dutchbat appeared to have towards the ABiH soldiers. He was able to observe this for himself in some members of the battalion, but he also heard it from outsiders. Shortly before calling Kreemers, the army press officer was present

²⁰⁵⁹ Interview J. Riepen, 03/10/99.

²⁰⁶⁰ K. Colijn and P. Rusman, ‘De dertien affaires Couzy’, *Vrij Nederland*, 06/07/96.

²⁰⁶¹ E-mail H.P.M. Kreemers to P. Koedijk (NIOD), 06/01/02.

²⁰⁶² Interviews H.P.M. Kreemers, 16/04/99; C.G.J. Hilderink, 11/08/00.

²⁰⁶³ Interview J.H. Riepen, 03/10/99.

²⁰⁶⁴ Interview W.P.P. Hartman, 08/10/99.

²⁰⁶⁵ H.P.M. Kreemers, ‘*Achterkant van de maan*’, pp. 95-96. Hartman could not remember this conversation but agreed it was possible. Interview with W.P.P. Hartman, 08/10/99.

at the barbecue party organized for Dutchbat by Contingent Commander Verschraegen. Hartman sat in a group with six or seven aid workers, one of whom, Major R. de Wolf, he knew from a course they had taken together. From them he heard that many members of Dutchbat had strong negative feelings towards the local population, and were also positively disposed towards the VRS. Hartman: 'From what they said, I understood this reaction to be unusually strong. A name for this strange impression also occurred to me at that moment: the idea that people who are held captive do not turn against their captors but end up mixing with them: the Stockholm Syndrome.'²⁰⁶⁶ The Stockholm Syndrome is the common name for the phenomenon of hostages identifying with their captors, which takes its name from a study carried out into a hostage drama at a bank in Stockholm.²⁰⁶⁷

On his way to the studio in Zagreb, Hartman discussed his findings with Couzy. However, the Commander dismissed the notion of a syndrome. 'When we were in the car, stinking terribly due to a combination of beer and vomit, driving from that party to a studio in Zagreb to make an appearance on Nova [Dutch current affairs television programme], he didn't believe it at all. He thought it wasn't true; it was nonsense. After all, Dutchbat's predecessors had been through more or less the same experience. No, where he was concerned that Stockholm Syndrome was just some worthless idea dreamt up by a bunch of psychologists.'²⁰⁶⁸ Nonetheless, Couzy too was shocked by the attitude that many members of Dutchbat had towards the local population. Already the 55 former hostages showed clear understanding for the Bosnian Serbs who had held them captive. After his conversation with a number of Dutchbat members on 16 July, Couzy noted: 'They spoke negatively of the Muslim fighters and positively about the VRS'.²⁰⁶⁹ At that point, psychologist Venhovens had already used the term 'stockholm Syndrome' when talking to the press.²⁰⁷⁰ This defence mechanism of identification with the aggressor, as Venhovens described it, was he said 'mainly apparent in relation to the attitudes towards the Muslim fighters'.²⁰⁷¹

Although Couzy had therefore received some warning, he was shocked by the situation he encountered one week later in the rest of the battalion: 'Their psychological situation was much worse than I had expected and much worse than that of the individuals who had been prisoners of war. You could still see death in the eyes of many of them. They were very negative about the Muslims. That shocked me just as much'.²⁰⁷² Couzy decided to broach the subject himself to prepare the politicians and the media for what they would hear from Dutchbat themselves. 'On its arrival, the battalion was so very negative about the Muslims and so very positive about the Bosnian Serbs, it shocked me to the core. And yet they had done such a good job and they deserved to be reunited with the home front where the opinions were so very different. Bridging that gap was almost impossible. All I could do was stand in the middle. To reduce the psychological gulf by half'.²⁰⁷³ To the media the next day, Couzy spoke of 'the euphoric belief that they [the Bosnian Serbs] are the good guys. That feeling runs from the top to the bottom'.²⁰⁷⁴

This combined with Karremans' positive remarks about Mladic made Couzy begin to dread the moment when the members of Dutchbat would be confronted with the press. 'Long after midnight', after Couzy and Hartman had returned from the television studio in Zagreb from where the

²⁰⁶⁶ Interview W.P.P. Hartman, 08/10/99.

²⁰⁶⁷ The hostages in the Stockholm siege ultimately resisted release, later refused to testify against their captors and also collected money for their defence.

²⁰⁶⁸ Interview W.P.P. Hartman, 08/10/99.

²⁰⁶⁹ SMG/Debrief. 'Notes BLS. Strictly private', [July 1995]. Especially: 'Group session with team OP-S on 16 July 1995, time 14.30-16.00'.

²⁰⁷⁰ H. Moleman, 'VN'ers moeten zeggen hoe het voelde en rook' ('UN troops have to say how it felt and how it smelled'), *De Volkskrant*, 18/07/95.

²⁰⁷¹ P.M.P. Venhovens, 'Report of sending 1 (NL) VN Infbat (Dutchbat Griffin)' (01/08/95) p. 14.

²⁰⁷² Interview H.A. Couzy, 04/10/01.

²⁰⁷³ K. Colijn and P. Rusman, 'De dertien affaires Couzy', *Vrij Nederland*, 06/07/95.

²⁰⁷⁴ W. op den Brouw and H. Meijer, 'sympathie voor Serviërs bij Nederlandse militairen' ('sympathy for Serbs among Dutch troops'), *NRC Handelsblad*, 24/07/95.

Commander had spoken to Nova, they once again discussed the next day's press conference.²⁰⁷⁵ It was then that Couzy came up with a drastic proposal:

'I thought: oh lord, that man has to attend the press conference tomorrow. That's going to be a disaster. I didn't think Karremans was in any state to carry it off well. It was then that I asked Hartman if they could keep Karremans away from the press conference and let me do it myself. Hartman replied: "I strongly advise you not to do that, because it will create the image that he's being kept quiet. Couzy's there on his own because Karremans clearly has something to hide. It'll make the press suspicious and that's the worst thing you could possibly do." I took his advice on the matter, though of course I've lived to regret it.'²⁰⁷⁶

Hartman stuck to the original plan because he felt he had no room for manoeuvre:

'Couzy and I discussed whether it was responsible to put Karremans at the mercy of the press in a state of such extreme fatigue. I had sixty journalists on my back at the time and it was driving me crazy. The first thing I thought was: what kind of terrible trouble is this going to create for us? There's no way I can persuade the world to accept this. The man's been home for 36 hours. The whole world thinks he's been sleeping it all off. And then, with the camera crew from the NOS [Dutch Broadcasting Association] on its way for a live broadcast in a national programme, you'd have to say: 'sorry boys, the show's been cancelled'. So I had the conviction that that just wasn't acceptable. That was a kind of '51 per cent' conviction. The other 49 per cent was saying: 'What in God's name are we doing here? This is probably going to go wrong.'²⁰⁷⁷

Couzy made a decision he was later to regret: the press conference would go ahead, with Karremans. In the allocation of roles the Dutchbat commander would be strictly limited to telling 'the facts as they occurred from the first threat to the observation posts until the supervision of the refugees'. Couzy took responsibility for addressing questions on the subject of 'torture/murder', basing his answers on the results of the debriefings by Bastiaans and his team.²⁰⁷⁸

4. 'No good guys, no bad guys'

Given the serious doubts about Karremans' performance, the preparations for the press conference became even more important. But in that respect too, everything went wrong. Hartman had only met Karremans briefly on Saturday, at 4.30 p.m., shortly before the impromptu press conference at the gate. Both before then and afterwards, the Dutchbat commander was unavailable to the Head of the Army Press Office, Hartman. Karremans later told him that after the tiring journey and the arrival in Zagreb, he went to bed shortly before 11 a.m., without being able to get to sleep straight away.²⁰⁷⁹ At three in the afternoon he had an appointment and at four o'clock there was the roll call that preceded the start of the debriefing. After the press conference at the gate Karremans had a meeting with Janvier. He then went to the barbecue party along with his men. While Hartman went to the studio in Zagreb

²⁰⁷⁵ NIOD, Coll. Kreemers. W.P.P. Hartman, 'Memorandum on press-related aspects return Dutchbat 3', 26/07/95.

²⁰⁷⁶ Interview H.A. Couzy, 14/09/98.

²⁰⁷⁷ Interview W.P.P. Hartman, 08/10/99.

²⁰⁷⁸ NIOD, Coll. Kreemers. W.P.P. Hartman, 'Memorandum on press-related aspects return Dutchbat 3', 26/07/95.

²⁰⁷⁹ NIOD, Coll. Beneker. W.P.P. Hartman, 'Memorandum for the Head of the Press Office. Subject: press conference Zagreb', 15/08/95. Later, in his book, Karremans said he went to bed at 10 o'clock. See: Karremans, *Srebrenica who cares?*, p. 242.

with Couzy, Karremans was being debriefed by Bastiaans. The Dutchbat commander left the debriefing well after midnight.

During the brief time they had together, Hartman arranged to meet Karremans at 8.30 the next morning at Holland House to look at the statement for the press conference and to prepare answers to possible questions. That would also be the opportunity to go through the list of questions drawn up by army press officer Riepen. In theory this would have given them enough time, were it not for the fact that again everything went wrong. That morning it was chaos, and in the words of Hartman a ‘time disaster’ occurred:

‘Keys were missing, people were impossible to track down, after promising to return immediately everyone got side-tracked by someone else, no one could be reached by phone, there was a computer in booth A, but the printer was hundreds of metres away...’.

Karremans was not on time for the appointment because he unexpectedly had to attend to other important business. The Dutchbat commander did not reappear until 10.15 a.m., when Beneker ran into him by chance and coaxed him to come with him to see Hartman.²⁰⁸⁰ However, Karremans had to leave again at 11.30 for meetings with Verschraegen and Lemmen about the ceremony for the next day and he also had to see representatives from the UN, Civil Affairs and UNCHR, for the UN debriefing on human rights violations.²⁰⁸¹

During their conversation, Hartman got the impression that Karremans was drained.²⁰⁸² Instead of the ‘collegial conversation’ Karremans had been expecting, his Dutch debriefing with Bastiaans the previous evening had been a ‘cross-examination’, in which he felt he had been treated like a ‘villain’. He had been shown no understanding at all for the position he had been in. After the conversation he stood out in the street, feeling very alone. His anger at the way he had been treated meant he was at first unable to get to sleep.²⁰⁸³ The effects were noticeable the next morning.

The time available ‘was just enough to go through his account of the last weeks of Srebrenica’.²⁰⁸⁴ Karremans’ notebooks formed the basis for this process.²⁰⁸⁵ ‘In plain language’ Hartman tried to write a chronological report of events in Srebrenica between 6 and 20 July. It proved to be no easy task: ‘I understood then, while we were talking, that it would be good if we could get that finished, but that it would be impossible to put together a preparatory text for this man, who was being required to do all kinds of things, who had to be everywhere at once and who was still utterly exhausted’.²⁰⁸⁶

These circumstances meant that there was no time to deal with Riepen’s list of questions, which was to have served as the guideline for preparing the press conference. Hartman:

‘I haven’t the faintest idea whether he even had a look at it. It’s a fact that we never discussed it. And then you walk into that carnival, that circus, that Jeroen Bosch painting that came to life there in Pleso, where we were dealing with a Karremans who was so tired. So very tired. I really had the feeling that he was only a millimetre away from the end of his tether. It just wasn’t possible to really talk with him.’²⁰⁸⁷

²⁰⁸⁰ Interview M. Beneker, 04/12/01.

²⁰⁸¹ NIOD, Coll. Beneker. W.P.P. Hartman, ‘Memorandum for the Head of the Press Office. Subject: press conference Zagreb’, 15/08/95.

²⁰⁸² Interview W.P.P. Hartman, 08/10/99.

²⁰⁸³ Karremans, *Srebrenica who cares?*, pp. 242-243.

²⁰⁸⁴ Appendix to letter H.P.M. Kreemers to Minister, V95014995, ‘Press conference in Zagreb, 23 July 1995’, 02/08/95.

²⁰⁸⁵ Karremans, *Srebrenica who cares?*, p. 245.

²⁰⁸⁶ Interview W.P.P. Hartman, 08/10/99.

²⁰⁸⁷ Interview W.P.P. Hartman, 08/10/99.

There was one point the army press officer did make an attempt to get through to Karremans. Hartman foresaw that Karremans' previous statements about Mladic and the generally prevalent negative attitude towards the Muslim men constituted a great risk. In order to accommodate that feeling without alienating the Dutchbat troops too much, Hartman deliberately added 'the equalizing "no good guys, no bad guys" comparison' to Karremans' text, 'in an attempt to prevent a situation in which esteem for the VRS would set the tone'.²⁰⁸⁸

Hartman also suggested to Karremans a remark specifically intended to neutralize the previous statements about Mladic: 'About Mladic: tactically he is very clever. A strategist but no gentleman (a play on words in Dutch: *veldbeer* is the word for 'strategist' and *beer* is the word for 'gentleman'). There are no gentlemen in this war'.²⁰⁸⁹

After Karremans' departure, Hartman went to work on the texts. Meanwhile Beneker ran into the battalion commander by chance while the latter was in conversation with debriefer Lemmen. At that moment Karremans was apparently discussing Hartman's suggestion about Mladic. When Beneker heard this, he advised Karremans not to use the 'no good guys, no bad guys' remark, since in many people's eyes there were 'bad guys', in the shape of the Bosnian Serbs. Beneker felt that people would not understand such a comment. As Beneker remembers it, Lemmen agreed with him. Karremans continued to emphasize that he only wanted to evaluate Mladic in a military capacity, but Beneker pointed out to him that he would soon be speaking on behalf of the Netherlands and that he therefore had to view the matter differently. Beneker also says he expressed his doubts to Hartman. However, there was no time to look at the rest of the text as well: the plane bringing Prime Minister Kok and Prince Willem-Alexander and the plane carrying Minister Voorhoeve and the Dutch press had already arrived and this took up all their attention.²⁰⁹⁰

Karremans later said of the situation:

'When you're having all kinds of conversations with dignitaries and you have a spare half hour, you can't just walk up to Hartman and say: 'Okay, where were we? Let's take it from there.' It just doesn't work that way. On the basis of some notes I gave a general account of what happened. Then the Minister of Defence wanted to see me, then Prince Willem-Alexander, and so on and so forth. Not to mention a number of important debriefings. I don't think you can put the blame for that on Hartman personally. Half an hour before the final press conference I had to go and have a proper look at what had been set down on paper and make a coherent story out of it. Then I got myself a cola and went off to the chaplain's room and sat and made changes to the text. There were things in it that weren't correct.'²⁰⁹¹

Hartman, who was there: 'We made a few changes to the text together in pencil. Nothing essential. Removed a number here and there, that sort of thing. That was it! Then he had to go, just like Couzy had to go.'²⁰⁹² Hartman:

'Then it was clear as day that this wasn't going to work, because all hell had broken loose. Music was blaring. All the logistical problems meant there was no office available. Then all anyone was concerned about was Kok and the Prince. We're happy the boys made it out of there. No one knew anymore who had to

²⁰⁸⁸ NIOD, Coll. Kreemers. W.P.P. Hartman, 'Memorandum on press-related aspects return Dutchbat 3', 26/07/95.

²⁰⁸⁹ NIOD, Coll. Kreemers. 'Karremans' introduction to press conference 23 July at Camp Pleso'. Appendix to letter H.P.M. Kreemers to Minister, V95014995, 'Press conference in Zagreb, 23 July 1995', 02/08/95.

²⁰⁹⁰ Interview M. Beneker, 04/12/01.

²⁰⁹¹ Interview Th. Karremans, 15/12/98.

²⁰⁹² Interview W.P.P. Hartman, 08/10/99.

think of what for the press conference. I didn't have the manpower to say:
 "Okay boys, time for a quick about turn"²⁰⁹³.

There was no time for further discussion, nor to exchange ideas about the English translation of the text for the international press conference which was to follow the Dutch one. Karremans, however, expressed the opinion that this wasn't too much of a problem given his experience abroad with international military staffs.²⁰⁹⁴

The enormous time pressure meant that something else went by the board. While waiting for Karremans, Hartman had already started work on a statement to be given by Couzy that afternoon, but which met with resistance from Couzy. Hartman:

'It most definitely wasn't his style. He had something else entirely in mind. He said: "You know what? You haven't found a way to straighten this out either. There's no way you could. You concentrate on Karremans. Leave this to me." He wrote his story by hand on small sheets of paper. Which he read out word for word. He left and said: "The minister will be here soon, with Kok and the Crown Prince. So from now on, I'm not around." He closed the door. Another handful of sand'.²⁰⁹⁵

Together with a Minister Voorhoeve and an aeroplane full of press, Deputy Director of General Information Kreemers made a delayed arrival in Zagreb. For reasons of protocol, the plane had to wait until Prime Minister Kok and Prince Willem-Alexander had landed.²⁰⁹⁶

It was quarter to three and, in the words of Hartman, Holland House had been transformed into a 'festive whirlwind of a royal visit, elated members of the military and authorities hidden behind a barrage of microphones and cameras'.²⁰⁹⁷ Kreemers too was struck by the chaos at Pleso, which he later compared to the finishing line of a stage of the Tour de France.

While Voorhoeve went to see Janvier first, Kreemers immediately went in search of Hartman amid all the bustle. He found him at Holland House. The news that the Head of the Army Press Office had only been able to work on Karremans' statement, was just about the first thing he heard from the troubled press officer. Hartman handed him a copy of Karremans' introduction. When asked he confirmed that Couzy also had a copy in his case, along with the text he had written for himself. 'I couldn't very well do two things at once', said Hartman.²⁰⁹⁸ They had a look at Karremans' text together. Kreemers thought the separate addition about Mladic was very flimsy, but he didn't press the issue. He was most concerned about the concluding passage: 'We have learnt that you can't divide the parties in Bosnia into "good guys" and "bad guys"'. Kreemers wanted to have that passage removed, but according to him he met with objections from Hartman: 'Bert, that is written in stone in the minds of around three hundred men here. You'll never be able to take it out'.²⁰⁹⁹

There would still be another opportunity to set matters straight, or so it seemed. From London, where Voorhoeve was attending the conference on Bosnia on 21 July, it was arranged with Couzy's Warrant Officer that there would be an opportunity for consultation between the Minister, Couzy,

²⁰⁹³ Interview W.P.P. Hartman, 08/10/99.

²⁰⁹⁴ NIOD, Coll. Kreemers. W.P.P. Hartman, 'Memorandum on press-related aspects return Dutchbat 3', 26/07/95; interview with W.P.P. Hartman, 08/10/99.

²⁰⁹⁵ Interview W.P.P. Hartman, 08/10/99.

²⁰⁹⁶ K. Schaepman and M. van Weezel, 'Pia Dijkstra had het al gezegd. Politici hebben spijt van "Zagreb"' ('Newsreader Pia Dijkstra said it already. The politicians regret "Zagreb"'), *Vrij Nederland*, 16/09/95.

²⁰⁹⁷ NIOD, Coll. Kreemers. W.P.P. Hartman, 'Memorandum on press-related aspects return Dutchbat 3', 26/07/95; interview with W.P.P. Hartman, 08/10/99.

²⁰⁹⁸ Kreemers, '*Aan de achterkant van de maan*', p. 97.

²⁰⁹⁹ Kreemers, '*Aan de achterkant van de maan*', pp. 97-98.

Karremans, Kreemers and Hartman in Zagreb.²¹⁰⁰ In the programme drawn up by Voorhoeve's Warrant Officer, Major of the Marines R. Zuur, on 21 July, a 'Conversation with Lt Col. Karremans in the presence of Lt Gen. H. Couzy' was planned for half past three.²¹⁰¹ Army Press Officer Hartman later called this an 'outstanding initiative that could have prevented a great deal of trouble'. There was one problem, however: Hartman was not informed of it.²¹⁰²

When Kreemers was exchanging his last words with Hartman, Minister Voorhoeve arrived at Holland House. Kreemers gave Voorhoeve a copy of Karremans' text. He explained that the text was largely factual.²¹⁰³ Voorhoeve also heard from Kreemers that Karremans 'would retract his unacceptable statements about Mladic'. This doesn't really fit in with the criticism Kreemers said he expressed regarding Hartman's 'flimsy' suggestion to Karremans. It was not possible to ascertain whose memory had failed him on this point. While Kreemers went in search of the Dutchbat commander with a view to the consultation that had been arranged, Voorhoeve was taken aside by Couzy who had been looking for him for some time. The Commander wanted to settle with Voorhoeve the issue of the 'no genocide' statements. Reassured by Kreemers' words, the minister pocketed the copy of Karremans' statement he had just received from Kreemers 'in good faith'. The discussion with Couzy and the four or five interviews with television and radio that followed immediately afterwards, led to the situation that Voorhoeve first heard Karremans' statement from the man himself during the press conference.²¹⁰⁴

Before that time, Kreemers together with Major Zuur had tried in vain to get hold of Karremans for the planned consultation. Even in a physical sense, this proved to be a problem, since the danger of mines meant that some parts of the camp were out of bounds. Kreemers and Zuur had to make enormous detours in order to get from one small group of soldiers to another. Eventually Kreemers succeeded in reaching Karremans. Kreemers:

I introduced myself and asked him to come along for the meeting with the Minister and the Commander. He was unaware of the appointment and said he had something else to take care of first. He turned round to face a very tall Dutchbat NCO, spoke briefly to him and then turned around again. At that moment Prime Minister Kok and the Crown Prince came walking up to him. "What are you going to do now?" asked Major Zuur. "Rutger, what am I supposed to do, place him under arrest? This is a lost cause. Come on, we'd better be getting back", I said.²¹⁰⁵

Shortly before four, Karremans was finally able to get away. Hartman was already in the film hall to attend to the final preparations. He hadn't received any response to Karremans' text from anyone. Hartman had asked Karremans via Beneker to come and see him in advance, so that they could go through the details one more time. However, Karremans said he did not have the time and wanted to

²¹⁰⁰ Report of conversation with H.P.M. Kreemers, 24 August 1998. In: Van Kemenade, *Omtrent Srebrenica*. Part 2, Appendix 4, Conversation reports and supplementary notes.

²¹⁰¹ NIOD, Coll. Kreemers. [R. Zuur], 'Welcoming Dutchbat 3 in Zagreb on 23 and 24 July 1995', 21/07/95. Appendix to: H.P.M. Kreemers to Minister, V95014995, 'Press conference in Zagreb, 23 July 1995', 02/08/95.

²¹⁰² Hartman only became aware of this when he read a draft memorandum from Kreemers dated 3 August about the problems on 23 July surrounding the press conference. On 15 August he discovered that the meeting was also mentioned in the programme of Colonel Verschraegen, the Contingent Commander. See: NIOD, Coll. Beneker. W.P.P. Hartman, 'Memorandum for Head of the Press Office. Subject: press conference Zagreb', 15/08/95.

²¹⁰³ H.P.M. Kreemers, *Aan de achterkant van de maan*, pp. 97-98.

²¹⁰⁴ Memorandum Minister to Head of Press Office, no. 31/95, 'Press conference Zagreb', 17/08/95. Included in: Voorhoeve's diary, p. 138.

²¹⁰⁵ Kreemers, *Aan de achterkant van de maan*, p. 98.

prepare his English statement.²¹⁰⁶ Beneker was able to arrange a quiet corner for him where he could work uninterrupted for a while.²¹⁰⁷

When Kreemers returned empty handed to Holland House, the conversation between Voorhoeve and Couzy was over. In his interview with the NIOD Couzy claimed that nothing of note was discussed between himself and Voorhoeve; in contrast with the memories of Voorhoeve and Kreemers.²¹⁰⁸ The Minister had accepted the line that the Commander wanted to take about the 'no genocide' issue: that line was that as far as the observations of Dutchbat were concerned, there was no reason to apply that term. Later, when his comments came to be used against him, Couzy declared in interviews that no one in Zagreb had told him 'that that wasn't such a tactful thing to say'.²¹⁰⁹

However, the people who spoke with Couzy had to rely on what he told them about the findings of the debriefing. He only mentioned two or possibly three executions.²¹¹⁰ Couzy also said nothing of his reservations about Karremans.²¹¹¹ For lack of further information, Voorhoeve had no choice but to rely on the Commander. In addition to this, he must have been aware of the tensions that existed between himself and Couzy, and this was not the time to start a conflict.

There was also another reason to question the validity of Couzy's general accusation that no one had warned him about the effect his statement might have. Not everyone who was qualified to do so had been aware of what he was planning to say. Back in the Netherlands, in the studio in Bussum, Commodore Hilderink sat waiting for the start of the live link broadcast between Zagreb and Bussum with mounting vexation. The commodore was the programme's studio guest, together with Sergeant S. Pattiwael van Westerlo, who had returned to the Netherlands earlier, but he was feeling very ill at ease:

I had one major concern and that was that [Couzy's] statement - the famous statement - wouldn't reach me or that I wouldn't know anything else about the programme. From the very beginning I was busy trying to get hold of that statement, together with Bert Kreemers. The day before Couzy left we made an agreement that he would call me. It was difficult for me to call him since I never knew who might be there with him. He was to tell me what was going to be said and what the further course of events would be. If he was unable to reach me, he would inform Bert instead. I know from Bert that he didn't call him either. I know for a fact that he never called me. Before I left home I made one last attempt to call him. I also know for certain that the people there gave him the message that I needed to speak with him and that I reminded him of his promises and what we had agreed. I heard nothing more from him. Nothing at all! Accordingly I was squirming in my seat at the television studio since I didn't have the faintest idea what was going to be said in those statements. When I went into the studio I gave my Warrant Officer Fokkema my mobile phone. "You never know!", I thought. Fokkema could always give me a sign or a nod once I was in there. I wasn't at all at ease. I was downright pissed off about it. In fact this was one example of the unpleasant situations that continually arose in our working relationship. It was anything but smooth.²¹¹²

²¹⁰⁶ NIOD, Coll. Beneker. W.P.P. Hartman, 'Memorandum for the Head of the Press Office. Subject: press conference Zagreb', 15/08/95.

²¹⁰⁷ Interview M. Beneker, 04/12/01.

²¹⁰⁸ Interview H.A. Couzy, 14/09/98.

²¹⁰⁹ K. Colijn and P. Rusman, 'De dertien affaires Couzy', *Vrij Nederland*, 06/07/96.

²¹¹⁰ Kreemers spoke in his memoirs of 'one, possibly two executions, that was all according to the Commander'. This does not tally with Couzy's lengthier statement during the press conference. Kreemers, '*Aan de achterkant van de maan*', p. 98.

²¹¹¹ E-mail H.P.M. Kreemers to P. Koedijk (NIOD), 06/01/02.

²¹¹² Interview with C.G.J. Hilderink, 11/08/00.

Hilderink was referring to the flaws in the cooperation between the Army and the Defence Crisis Management Centre). At a certain point, Hilderink did speak with Kreemers, who decided to take the call intended for the Commander because ‘Couzy had too much on his mind to have a phone conversation’. Kreemers said that he had just heard from Couzy that there had been executions in Potocari. This shock was all the more powerful for the realization that this information was already almost ten days old. Hilderink, too, who went on to report it, was ‘utterly amazed’ that he had not been informed of this.²¹¹³ The previous chapter has already made mention of the problem inherent in this version of the facts because Hilderink was of the opinion that he had been given some of this information.²¹¹⁴

5. The press conferences

After his conversation with Couzy, Voorhoeve left Holland House to go and speak with a number of TV journalists. At ten to five, five minutes before the start of the press conference, the Minister took a seat at the rear of the hall, where Karremans had already started his account. Only Couzy and Hartman were sitting with him at the table. The Commander later stated that he ‘hadn’t seen properly’ the copy of Karremans’ text he had been given by Hartman but that he didn’t think the comment about ‘no good guys, no bad guys’ was ‘all that far off the mark’.²¹¹⁵ The Dutchbat commander gave a point-by-point summary of the main events, sticking by and large to the prepared text, adding the odd comment here and there.²¹¹⁶

Karremans made it clear that it would have been impossible to mount a proper defence of the enclave. Mladic had ‘very cleverly manoeuvred’ Dutchbat ‘out [of the enclave] with a ‘Pacman’-like approach in an ‘outstandingly executed military operation’. He also described the failure of Close Air Support, with an accusatory undertone directed at the UN which could only have been picked up by those in the know. The written text was clearer on that point: there Karremans made it explicitly clear that the excuse of ‘low-lying mist’ had no basis in fact. He also contradicted the claim that the condition of ‘a real attack’ on the UN or the city had not been met: ‘the first soldiers of the Serb infantry were walking into the outlying districts of the city from 7 a.m.’. Karremans did not include this in his spoken address. A noteworthy statement was that he himself ‘had not asked for air strikes directly’ but that ‘air strikes’ were a ‘conclusion’ that his superiors should have taken on the basis of the outline he had given of the situation. (Chapter 7 of Part III contains an in-depth examination of Karremans’ other statements regarding Close Air Support.) Later, Karremans was unable to explain why he decided to use this particular phraseology to express his view of the air support issue, a statement which did not attract attention at the time.²¹¹⁷ Another noteworthy aspect is that this remark is very much in line with his defensive statements in the face of Mladic’s tirade about air strikes.

Karremans also stated that he had ‘emphatically’ chosen to cooperate with ‘the departure of the refugees’ and had demanded of Mladic the ‘supervision’ over the transportation of the refugees and the wounded. This prevented a situation in which ‘all kinds of terrible things could have taken place on the doorstep of the compound’. Karremans did say that men between the ages of seventeen and sixty ‘were taken aside’ and that this was done ‘out of sight of the battalion’. This was in direct contradiction to what a number of Dutchbat soldiers had said during their operational debriefing. The statement not only highlighted what Karremans was and was not told in Potocari, but also that during the debriefing no extra attention had been focused on these contradictions. It underlined yet again how poor the

²¹¹³ Kreemers, ‘*Aan de achterkant van de maan*’, pp. 98-99.

²¹¹⁴ Interview C.G.J. Hilderink, 11/08/00.

²¹¹⁵ K. Colijn and P. Rusman, ‘De dertien affaires Couzy’, *Vrij Nederland*, 06/07/96.

²¹¹⁶ NIOD, Coll. Kreemers. ‘Karremans’ introduction press conference 23 July at Camp Pleso’. Appendix to: H.P.M. Kreemers to Minister, V95014995, ‘Press conference in Zagreb, 23 July 1995’, 02/08/95; SMG 1007/13, ‘statement by Lt Col T. Karremans, press conference Camp Pleso (Zagreb) 23 July 1995’.

²¹¹⁷ Interview Th. Karremans, 15/12/98.

coordination regarding the factual content of the press conference was. A meeting with Bastiaans, Couzy, Karremans and Hartman to discuss the results of the debriefing was not considered. In any case, lack of time would have made it impossible.

To his statement about the fate of the population, Karremans added by way of reassurance: 'but take it from me that the number of able-bodied men among those twenty-five thousand refugees was not even five per cent. Most of the refugees were women, children and elderly'.

The Commander of Dutchbat III made another comment, the meaning of which, namely the position he had taken in his negotiations with Mladic, would only become apparent later. In answer to a question about those discussions, Karremans answered that the first meeting was 'not very pleasant'. For the second meeting he had taken a representative of the refugees along with him, Nesib Mandzic. Karremans spoke of how he had presented his wishes to Mladic, 'in particular with regard to the wounded': 'and after that he let him [Mandzic] take over the negotiations'.

Although the director of *Médecins sans Frontières* De Milliano had already voiced reservations about the supervision of the convoy, based on what he had heard from the refugees and from the people in his organization in the enclave, it only became clear to Voorhoeve and Kreemers during the press conference for the first time that Dutchbat was not capable of supervising each individual bus properly.²¹¹⁸ During the press conference, Karremans did not use the explicit statement from his written text that 'one man per bus or truck' was impossible. He did speak of how he had lost fourteen Mercedes in one-and-a-half days and was forced to place the last remaining vehicles at various points along the route in order to check what was happening with the convoy to some degree at least. These details which were entirely new to Voorhoeve and Kreemers illustrated without their knowing it how important information had been left hanging in mid-air or had not been appreciated at its full value. On 13 July, Karremans had reported via Brantz that he had been forced to adapt the supervision procedure: 'There won't be one Dutchman per bus, but one per convoy'.²¹¹⁹ In addition to this, Chief of Defence Staff Van den Breemen had a telephone conversation that same day with the Bosnian foreign minister Sacirbey, in which the latter expressed his concern 'at the fact that the convoys are travelling without an escort'.²¹²⁰

After the presentations by Karremans and Couzy, various journalists asked questions on the issue of the convoy supervision. The lack of coordination between both speakers led to a situation in which Couzy could declare that 'the transportation of the evacuees took place in a proper manner' and that 'no incidents of that sort' were observed, by which he was referring to rapes.²¹²¹ At the same time, Karremans' words led to the conclusion that nothing could be maintained with any certainty because the supervision had left so much to be desired. One insistent journalist exposed this contradiction clearly. He asked about the length of the route ('around fifty kilometres'), and then about the number of observation posts ('four or five') and concluded: 'so that means every ten kilometres (...) and in the space in between, anything could happen?' Karremans: 'Yes'. 'Do you have any indications that anything happened?' 'No, we don't.' 'But you couldn't see for yourself?' 'No, I couldn't'.²¹²²

Another question put to Karremans was put by one of the two reporters from Dutch commercial broadcasting company RTL who were present, Jaap van Deurzen and Nico Steenbergen.²¹²³ One of them wanted to know from Karremans how many civilian casualties he

²¹¹⁸ K. Bagijn, 'Dutchbat Maandag naar huis' ('Dutchbat head home on Monday'), *Algemeen Dagblad*, 21/07/95. The criticism that Voorhoeve could have found this out the previous week from the press coverage given to the findings of *Artsen Zonder Grenzen* was also expressed in the media. See the editorial 'Bescherming' ('Protection'), in: *Brabants Dagblad*, 26/07/95.

²¹¹⁹ SMG, 1004. Message dtg 131439 from Col Brantz (through DCBC). In: 'various sources to sitcen_A BLS', 13/07/95, 20:27.

²¹²⁰ DAB.'Report by CDS in consultation with Sacirbey 131745 B JUL 95'.

²¹²¹ NIOD, Coll. Kreemers. 'Excerpts from the press conference in Zagreb, 23 July 1995. (Complete text of the introduction by Lieutenant-General H.A. Couzy)'. Also in Voorhoeve's diary, pp. 139-140.

²¹²² SMG 1007/13. 'Questions to Lt Gen Couzy and Lt Col Karremans' [literal transcript].

²¹²³ During the preparations for the press conference no one thought to arrange a microphone in the hall. Nor were the questions repeated by Hartman. Those who watched the NOS live broadcast were therefore unable or largely unable to hear

thought there had been. The battalion commander could not give an answer to this question and also said he was unable to give a general estimate. Van Deurzen then asked whether he had the impression ‘that it was more than one thousand’. Karremans answered: ‘Including the Muslim fighters, then yes, definitely’. When he was later asked what the basis for this answer had been, Karremans was unable to answer because he could not remember.²¹²⁴ We are only able to assume that he may have been referring to the statements made by Mulder, who had seen hundreds of dead bodies at OP Mike. Of the media present, only the *NRC Handelsblad* newspaper picked up on this statement, but no one pursued the matter further.²¹²⁵

Another topic that was brought up by the journalists several times, concerned Dutchbat’s view of the parties in the conflict. Karremans had included in his text a remark about the feelings of the battalion towards the local people: ‘Our people noticed that the refugees, the Muslim population, paid little heed to the old people lying by the side of the road’. This statement expressed a widespread irritation over the fact that Dutchbat had done all it could to bring the refugees safely to Potocari, while in particular the young men were only interested in saving their own skin.²¹²⁶ However, this statement was entirely overshadowed by Karremans’ closing remark, about the ‘good guys’ and the ‘bad guys’, supplied by Hartman.

When Voorhoeve later described Karremans’ text as ‘adequate’, he made an exception for this closing remark. He also regretted the fact that Karremans had not mentioned the points aimed at clarifying his position on Mladic, which had been part of his written text, in the actual speech.²¹²⁷ The result of this was that his positive remarks about Mladic were then brought up by the journalists. In his answer Karremans stumbled over the sentence that Hartman had prepared for him. Instead of saying that Mladic was ‘a strategist but no gentleman’ (*‘een veldheer, maar geen heer’*), Karremans said he was ‘not a good strategist by any means’ (*‘geenszins een goed veldheer’*) while at the same time speaking of a ‘very correct’ operation in the military sense. In the face of subsequent critical questions about Mladic, Karremans defended himself by saying that ‘in the environment we have been in, different opinions about the conflict between both parties are held than in other parts of the world’. There then came a follow-up question asking whether he regarded all the parties as equally guilty and therefore thought that Mladic could not be labelled a war criminal. Karremans answered this question affirmatively.

While answering the questions, Karremans introduced another topic, which would eventually do him just as much harm or even more harm as the ‘no good guys, no bad guys’ statement itself. The opening question dealt with the issue of whether he felt he had been given an impossible assignment by the UN, having to protect such a large area with only a handful of men. In addition to his affirmative answer, Karremans went on to say that as a result of Dutchbat’s inability to exercise proper supervision, ‘Muslim fighters’ regularly left the enclave ‘to do one thing or another’. The next morning they then returned ‘behind the shield of the UN, behind the shield of the battalion’. In answer to the following question about ‘good guys’ and ‘bad guys’, Karremans answered that you needed to consult the history books to form a proper understanding of the situation. He pointed out that in attacks by ABiH troops, over two years before, ‘we know that in the area surrounding the Srebrenica enclave alone, 192 villages were razed to the ground and all the inhabitants killed. That’s what I mean when I say “no good guys, no bad guys”. As far as I’m concerned, they’re all the same’.

many of the questions posed. It was also more or less impossible to identify who had asked a particular question. The transcript made later was therefore not clear on all points. In such cases, re-examining the recording of the live broadcast did provide the necessary information.

²¹²⁴ Interview Th. Karremans, 17/12/98.

²¹²⁵ W. op den Brouw and H. Meijer, ‘Karremans: ten minste duizend doden’ (‘Karremans: at least one thousand dead’), *NRC Handelsblad*, 24/07/95.

²¹²⁶ This subject frequently came up in many debriefing statements and also in conversations with members of Dutchbat.

²¹²⁷ Memorandum from Minister to Head of Press Office, no. 31/95, ‘Press conference Zagreb’, 17/08/95. Included in Voorhoeve’s diary, p. 138.

Gerrit Valk, Member of Parliament for the Dutch Labour Party PvdA, was part of the parliamentary delegation that travelled with Voorhoeve to Zagreb. He was present at the press conference with his colleagues. ‘We were definitely surprised by the phrase “no good guys, no bad guys”’, said Valk. ‘When I heard his comment that there had been large scale attacks from Srebrenica on the surrounding region, on villages, on farms, on houses where Serbs lived, I thought: that is Serbian propaganda! [Karremans] must have read it in pamphlets. Only later did the picture properly emerge of the violence committed in the region on a fairly large scale by Muslim fighters, some of it from Srebrenica.’ In connection with this last point, Valk referred to the book *Het zwartste scenario* (‘The blackest scenario’) by the journalists Frank Westerman and Bart Rijs, published in 1997. This volume contained the first extended account of the bloody previous history of the Safe Area.²¹²⁸

There had indeed been attacks on Serb villages and settlements in 1992 and 1993, led by Naser Oric, in which many people died. However, the figure of 192 mentioned by Karremans was on the high side. Since his source is unclear, it is not possible to work out what he meant by the term ‘villages’. The pattern of settlements in the area around Srebrenica was characterized by a large number of small settlements, often consisting of only a few houses but which did have their own names. The most reliable estimates indicate that in 18 months of attacks, around thirty Serb villages and seventy of these settlements had fallen victim to Oric’s troops. These attacks are dealt with extensively in the Appendix of this report, *History, Memory and Politics in Eastern Bosnia*.

Akashi, too, later declared in a conversation with the Dutch Permanent Representative to the UN in New York, Biegman, that in his opinion the Bosnian Muslims used the Safe Areas as ‘a place to recuperate and as a command centre for armed operations (...) The assessment must be balanced’, according to an account of Akashi’s words given by Biegman, who did not agree about ‘the scale of the provocations by the Muslims’.²¹²⁹

Although Karremans’ statements did therefore have a basis in truth, they left a great deal to be desired from a political point of view in the context in which he used them. After all, the attacks from that period were primarily foraging raids for food. The soldiers were spurred on by the *torbari* (‘bag people’), a horde of refugees consisting of thousands of men and women, young and old, who came in after the first wave of attackers to fill their empty pockets and bags with plundered food. It is interesting to note that once food drops began, this put an end to the military power that the *torbari*, in all their uncontrollability, signified for Oric.²¹³⁰

Even after the establishment of the Safe Area, expeditions took place, but Dutchbat only had a suspicion of this. News of the so-called attack on Visjica (see Part III, Chapter 5), which Karadzic and Mladic used as the pretext for their attack on Srebrenica, only reached Dutchbat through the media. However, various members of Dutchbat, including chaplain A. Engberts, did experience instances of ABiH soldiers boasting of their expeditions outside the enclave. After the fall, Engberts stated that he had seen that Srebrenica was used as a base for attacks on the Serbs.²¹³¹

At that moment, Karremans’ statement about the 192 villages did not provoke a response among the Dutch journalists, let alone a question as to its veracity. When Hartman rounded off the first part of the press conference, he therefore felt reasonably satisfied:

‘When we stood up, Bert Kreemers came up to me from the back of the hall and gave me a firm handshake. “Well done, lad!” We were satisfied: here we were able to round things off neatly. Nice work! That was the Dutch press

²¹²⁸ Interview G. Valk, 15/10/99. Other MPs as well reported afterwards that they felt ‘very uneasy’ (Hoekema) while listening to the press conference. See: Kees Schaeppman and Max van Weezel, ‘Pia Dijkstra had het al gezegd’, *Vrij Nederland*, 16/09/95.

²¹²⁹ DCBC, 1975. Coded telegram PR UN New York to Foreign Minister, Biegman 382, 01/06/96.

²¹³⁰ For a description of the role of the *torbari* see especially: Sudetic, *Blood and vengeance*, pp. 157-161, 163-164.

²¹³¹ G. Geerds, “‘Gebed geeft God ruimte”. Legerpredikant Engberts terug uit Zagreb’ (“Prayer gives God room”. Army chaplain Engberts back from Zagreb), *Nederlands Dagblad*, 29/07/95.

conference. There wasn't a single journalist who came up to us afterwards and said: "What are you up to? That man's saying all kinds of strange things!"²¹³²

This was not entirely accurate. Maarten Beneker had been sitting in the hall among the journalists, including Hans Moleman of Dutch daily *De Volkskrant*: "When Karremans made his comment about "no good guys, no bad guys", I saw him shoot me a strange glance and then look round to see if anyone else reacted. But there was nothing".²¹³³

Beneker himself did have the immediate impression that there was a problem. In the footage immediately after the press conference it is clear to see how he brings his hands up to his head in an expression of doubt.²¹³⁴ While most of the Dutch journalists left the hall, one or two remained seated, including Moleman. He told Beneker that he just wanted to see how the international press would respond. The press officer then went up to Karremans to entreat him not to use that phrase in front of the foreign media, among whom the Serbian and Croatian press would be represented.²¹³⁵

Voorhoeve also felt uneasy after the statements made by Karremans and Couzy and decided to sit at the table himself during the international press conference: "At that point I said: sorry, now I'm going to sit at the table myself, so that it doesn't happen again".²¹³⁶ This did not go at all smoothly. First of all Couzy was of the opinion that Voorhoeve had acted "in contradiction to all previous agreements" by attending the first press conference. Now, as Couzy put it "to my amazement", the minister was even going so far as to sit at the table. This led to irritated reactions back and forth. Couzy openly wondered if he should really be at the table at all, but Voorhoeve told him: "You have to be at that table. All you have to do is sit there".²¹³⁷

As Voorhoeve remembers it, initially the press conference proceeded without too many problems, and "at a given moment I took over from Karremans".²¹³⁸ The minister did his best to introduce nuances into the statements by Couzy and Karremans that Dutchbat had found no indications of genocide. Although Couzy in the second instance had also added the qualification that this said nothing about what might have taken place out of sight of the Dutch military, Voorhoeve put greater emphasis on the element of uncertainty. Couzy declared afterwards: "All those rumours of massacres come from the refugees themselves".²¹³⁹ Voorhoeve, however, offered a far more cautious response to a question on the discrepancy between the accounts given by the refugees and those of the members of Dutchbat: "If only two-thirds of the refugee accounts are true, this adds up to horrible events. What we know is that several thousand men and boys are missing".²¹⁴⁰

However, the minister was not the person the press had primarily come to see. Attention was focused on Karremans and the phrase "no good guys, no bad guys" turned out to have a far more powerful effect on the international journalists than it had on their Dutch counterparts. As Hartman remembers it, it was a French journalist who first raised the issue: "He asked a question to which Karremans answered: "Yes, but those Muslims also committed murders. They are after the enclave." It was then that my muscles began to tense, because this was something I'd never heard of."²¹⁴¹ As in the Dutch press conference Karremans then referred to the story of the 192 Serb villages massacred by Bosnian Muslims. But unlike the Dutch journalists, the foreign media did not let the matter drop.

²¹³² Interview W.P.P. Hartman, 08/10/99. Kreemers declared that he could not imagine having had any reason to extend his congratulations. E-mail H.P.M. Kreemers to P. Koedijk (NIOD), 23/01/02.

²¹³³ Interview M. Beneker, 04/12/01.

²¹³⁴ NIOD, Coll. Videotapes. NOS live broadcast, press conference Pleso, 23/07/95.

²¹³⁵ Interview M. Beneker, 04/12/01.

²¹³⁶ Interview J.J.C. Voorhoeve, 14/07/97.

²¹³⁷ K. Colijn and P. Rusman, 'De dertien affaires Couzy', *Vrij Nederland*, 06/07/96.

²¹³⁸ Interview J.J.C. Voorhoeve, 14/07/97.

²¹³⁹ J. Oosthoek, "We deden wat we konden" ("We did what we could"), *Defensiekrant*, no. 29, 27/07/95.

²¹⁴⁰ A. Cowell, 'Peacekeepers in fallen enclave confirm some atrocities but say they saw no rapes', *New York Times*, 24/07/95.

²¹⁴¹ Interview W.P.P. Hartman, 08/10/99.

Another journalist asked Karremans where he got this information from. Hans Moleman noted down his answer: 'From pamphlets. From newspapers. I heard it directly from the parties involved. From the Serbs, yes.' The journalist from *De Volkskrant* registered 'amazement' among his fellow reporters.²¹⁴² Voorhoeve tried to salvage what he could: 'I then said as a commentary: "There may be no good guys, there were many bad guys"'.²¹⁴³ The Bosnian Serbs were principally the bad guys, said the Minister. They had 'committed the most outrages in the war in the former Yugoslavia'.²¹⁴⁴

Since Karremans disappeared immediately after the press conference, the press then concentrated on Voorhoeve. They put it to him that Karremans' story of the over two hundred massacred villages was 'standard war propaganda' and that there was no proof of it. All the minister could do was concur and once again emphasize that the Bosnian Serbs were primarily 'the bad guys'.²¹⁴⁵ In this connection he pointed out that the Red Cross had still not been given permission to allow their observers to see the men who had been transported away after Srebrenica fell. Voorhoeve referred to information noted down by journalist Robert Block of *The Independent*: 'There is testimony from a Serbian couple who last week near the enclave saw sixteen hundred men killed in a school playground. But that story is unconfirmed. We don't have a clear picture. Nor do I know if we'll ever be able to uncover the truth.'²¹⁴⁶

6. The tide turns in the media

Despite some uneasy moments for Voorhoeve both during and after the press conference, the general impression at that moment was that it had all gone reasonably well. Hartman later analysed:

'The strange thing is that in principle things went wrong in the second half of the press conference, the international part. But no one really seemed to realize it at the time. I didn't speak to anyone there who said: 'What a disaster!' Quite the contrary. Apart from the fact that there wasn't much I could do with the story of the Muslims who went out plundering, we didn't really have any reason to assume that anything would go wrong.'²¹⁴⁷

Kreemers mainly remembered the praise that Voorhoeve received and the 'euphoric mood' of the MPs who had travelled out with him. The Minister and the MPs later dined together at a meal organized for them by the Bosnian diplomat Sacirbey in a restaurant in the hills above Zagreb. Before the dinner he was 'cautiously critical' about Dutchbat in a conversation with a journalist:

'The problem is too complex to say that the lives of a few hundred Dutchmen were more important than those of between five and ten thousand Bosnian refugees, but those people are gone. (...) I don't want to call it bitterness, but I cannot hide the fact that we are of course disappointed. We have lost thousands

²¹⁴² H. Moleman, 'Weet Karremans wel wat hij zegt, vraagt de internationale pers zich af' ('Does Karremans know what he's saying, the international press wonders'), *De Volkskrant*, 24/07/95.

²¹⁴³ Interview J.J.C. Voorhoeve, 14/07/97.

²¹⁴⁴ Interview H.P.M. Kreemers, 24/08/98. H. Moleman, 'Weet Karremans wel wat hij zegt, vraagt de internationale pers zich af', *De Volkskrant*, 24/07/95. On various occasions Voorhoeve would refer to a published CIA report that put the blame for the vast majority of human rights violations on the Bosnian Serbs.

²¹⁴⁵ Idem.

²¹⁴⁶ H. Moleman, 'Couzy verwijt NAVO falen bij luchtsteun' ('Couzy blames NATO for failure of air support', *De Volkskrant*, 24/07/95.

²¹⁴⁷ Interview W.P.P. Hartman, 08/10/99.

of people. That is something that cannot simply be dismissed. Among friends this is something one should be able to talk about.’²¹⁴⁸

However, Sacirbey did not utter a word about Srebrenica during the meal. All his attention was focused on the fighting in Bihac, about which he was called away to the telephone several times. At the end of the evening, after addressing a word of thanks to their host, Voorhoeve asked if the MPs felt the need for a discussion on the fall of Srebrenica or the return of Dutchbat. Kreemers, who was also present that evening, later paraphrased their answer as follows: ‘Oh no, Joris, everything went well. We’ll talk about it after the summer recess’.²¹⁴⁹

The initial reactions in the media were also mainly positive. This was not only true of the news bulletins and current affairs programmes that were broadcast on 23 July, but also for the morning newspapers on Monday, 24 July. There was one exception to this rule. *De Volkskrant* journalist Hans Moleman had grown more suspicious as a result of the reactions by the foreign press. Once the press conference had finished, he spoke to Beneker, who remembered how the journalist expressed his scepticism about the statements made by Couzy and especially Karremans. Beneker made another attempt to disabuse him of the notion that there was ‘a story’ in there somewhere: ‘I told him that the truth lay in Zagreb at the UN and not with Karremans’. On Monday morning, the press officer saw that Moleman had decided to publish after all.²¹⁵⁰

In addition to a more general account of the press conference, Moleman wrote a separate unattributed piece, about the reactions of the foreign media, which appeared under the heading ‘The international press wonders if Karremans knows what he’s saying’. ‘No good guys, no bad guys’, ‘no genocide’ and the ‘war propaganda’ about the 192 massacred villages were all featured, along with Voorhoeve’s attempts to keep matters under control. Although the piece was factual in nature, the real tone was set in the editorial commentary that appeared under the title ‘False reassurance’.²¹⁵¹ The commentator expressed understanding for the ‘series of contradictory feelings’ that the members of Dutchbat fell prey to after their arrival in Zagreb. With the exception of soldier Raviv van Renssen, all the members of Dutchbat returned from Srebrenica unharmed. It was therefore understandable that joy should be the overriding feeling. That there were also other feelings present was ‘psychologically logical’:

‘shock at the way in which they could be pushed aside by General Mladic’s superior numbers in the field. Sympathy, sadness and anger at the treatment of the civilians of Srebrenica whose care had been entrusted to them. Gratitude at the fact that in the end not a hair on their own heads was harmed. And above all, of course, a deep feeling of powerlessness.’

Against this background, the commentator opined, the press conference by Couzy and Karremans ‘was slightly less bizarre than its literal appearance’. However, that did not take away from the fact ‘that the press conference should never have taken place in this form’. An understandable ‘hostage syndrome’ was quite a different matter from political statement. The paper called ‘Karremans pretension of being able to make a political judgement’, backed by Couzy ‘therefore painful and misplaced’. An even more forbidding conclusion followed: ‘Karremans has made himself a laughing stock by complimenting Mladic as an “accomplished strategist”. His refusal to make a distinction between “good guys” and

²¹⁴⁸ F. van Vliet, ‘Voorzichtige kritiek Sacirbey op Dutchbat’ (‘sacirbey cautiously critical of Dutchbat’), *De Telegraaf*, 24/07/95. One week later Sacirbey was full of praise for Dutchbat in a Dutch radio news bulletin (Avro). ‘sacirbey prijst Dutchbat’ (‘sacirbey praises Dutchbat’), *Algemeen Dagblad*, 31/07/95.

²¹⁴⁹ Kreemers, *Achterkant van de maan*, p. 102. The MPs who travelled with the Minister were Benk Korthals (VVD), Jaap de Hoop Scheffer (CDA), Jan Hoekema (D66), Gerrit Valk (PvdA) and Oedrayraj Singh Varma (Groen Links). A number of them were also present at the first press conference.

²¹⁵⁰ Interview M. Beneker, 04/12/01.

²¹⁵¹ ‘Valse geruststelling’ (‘False reassurance’), *De Volkskrant*, 24/07/95.

“bad guys” unfortunately only goes to prove that under great psychological pressure, the ability to make clear distinctions vanishes’.

The editorial writer summoned up the image of the deportation and the separation of the women from the men, ‘a few of whom were even executed before the very eyes of the UN troops’. He saw Minister Voorhoeve’s comment about the credibility of the troubling testimonies of the refugees as ‘justified’. Dutchbat could not be blamed for failing to prevent war crimes. ‘However it is indefensible that the leader of Dutchbat and the head of the Royal Netherlands Army sought to create the impression that it probably wasn’t so bad after all. False reassurances are the last thing that we and the people of Bosnia need right now’, the editorial concluded.

With hindsight, the articles in *De Volkskrant* and in the evening newspaper *NRC Handelsblad*²¹⁵² were seen by the press officers involved as the turning point in the media’s attitude towards Dutchbat and the Ministry of Defence. Hartman observed that outside these two newspapers none of the other media ‘caught on’: ‘*NOS-journaal*, *RTL-Nieuws* [TV news bulletins], *Algemeen Dagblad*, *Trouw*, *De Telegraaf* [daily newspapers] made no mention of the contentious statements until Tuesday, 25 July.’²¹⁵³ According to Kreemers, Moleman put ‘his finger ruthlessly on the sensitive points of the press conference’.²¹⁵⁴ In Hartman’s recollection:

‘Of course, the *Volkskrant* report got you thinking: there’s another way of looking at this. The first impression was: it’s all been kept really neat and tidy. We had a good broadcast. It all ended up quite reasonably, in spite of that slippery, sickeningly hectic situation all around us. So perhaps it really did go well. The *Volkskrant* article then gave that first sense that there might be more to come. Then all hell broke loose, because the minister and Couzy started to say things against Karremans.’²¹⁵⁵

On the Monday after the press conference both Voorhoeve and Couzy began to distance themselves from Karremans, although not to the same extent. Upon his return to the airbase Soesterberg that day, the Minister told the press that he had not been aware of the lack of supervision by Dutchbat over the transportation of the refugees. Journalists noted that Couzy said that he did know, although it was not clear what he based this knowledge on.²¹⁵⁶

At Soesterberg, the Commander distanced himself from Karremans’s statement about the massacred Serb villages, which he called ‘unwise’: ‘You have to treat those stories about villages burnt to the ground with caution. I certainly wouldn’t confirm them. Dutchbat never observed that the Muslims did anything like that. It would therefore have been wiser not to present that so forcefully’.²¹⁵⁷ He was also not entirely happy with Karremans’ compliments about Mladic: ‘As a professional I too say that Mladic did his work skilfully, but I would never call someone like that a colleague’.

However, Couzy defended the statement that in Bosnia there were ‘no good guys, no bad guys’: ‘Both sides are equally guilty. In this war the norms and values are different than those in western European countries. Suspects aren’t taken to court, they’re shot on sight. It is highly likely that mistakes

²¹⁵² Ward op den Brouw and Harry Meijer, ‘Karremans: tenminste duizend doden’ (‘Karremans: at least one thousand dead’) and ‘serviërs zijn nu voor Dutchbatters de “good guys”’ (‘serbs are now the ‘good guys’ for Dutchbat’), *NRC Handelsblad*, 24/07/95. The day’s main editorial, ‘Ervaringen’ (‘Experiences’), was more understanding towards Karremans than the editorial in *De Volkskrant*.

²¹⁵³ NIOD, Coll. Kreemers. H.P.M. Kreemers to Minister, V95014995, ‘Press conference in Zagreb, 23 July 1995’, 02/08/95.

²¹⁵⁴ Kreemers, ‘*Achterkant van de maan*’, p. 103.

²¹⁵⁵ Interview W.P.P. Hartman, 08/10/99.

²¹⁵⁶ ‘Voorhoeve werd slecht ingelicht’ (‘Voorhoeve was not well informed’), *Trouw*, 25/05/95.

²¹⁵⁷ ‘Minister distancieert zich van overste’ (‘Minister distances himself from lieutenant colonel’), *De Volkskrant*, 25/07/95.

in faces and names get made along the way. But that's a very normal thing there, here such a deed constitutes a war crime. But all the parties do it'.²¹⁵⁸

Without referring to a specific statement by Karremans, that evening Minister Voorhoeve distanced himself even more emphatically from the Dutchbat commander. He did so in the Nova current affairs programme, which was devoted entirely to the press conferences given by Couzy and Karremans. Coverage was also given to the statements made earlier that day by Mazowiecki, the UN Special Rapporteur on Human Rights. On his visit to Tuzla he said that the Bosnian Serbs were guilty of 'flagrant violations of human rights "on a large scale'. After footage of Mazowiecki's press conference it was then the turn of Voorhoeve in the studio. He said that he did not agree with 'the comments of commander Karremans regarding the political aspects' 'because the actions of the Bosnian Serbs have for three years followed a pattern of uprooting, abusing and murdering large numbers of people'. Voorhoeve also wondered out loud how the commander had arrived at such statements. The Minister expressed the belief that as a result of his time in the enclave, Karremans had experienced the world differently 'than those who look at the overall pattern of the war in the former Yugoslavia'.²¹⁵⁹ That same evening, the first politicians, Hoekema (D66) and De Hoop Scheffer (CDA), both of whom were present in Zagreb, responded to Voorhoeve's statements by also distancing themselves from Karremans.²¹⁶⁰ They also criticized the 'mistaken direction' of the press conference in Zagreb by allowing Karremans to speak on his own about his experiences in Srebrenica. The politicians were of the opinion that Couzy and Voorhoeve should have prevented the Dutchbat commander from making his appreciative remarks about Mladic.²¹⁶¹

From that moment the 'Karremans issue' was born. The fact that Voorhoeve and Couzy openly distanced themselves from the Dutchbat commander led immediately to criticism from the Netherlands Officers' Association. Chairman N. Stuiver observed that Karremans' opinion 'did not fit in with the version adhered to by the politicians, who accuse the Serbs of genocide'.²¹⁶² The public discussion about Karremans' performance then went into overdrive. Couzy later stated that he was amazed at how quickly the climate changed: 'When I saw how the positive perception transformed into the current negative perception within only a few days, I had absolutely no idea what negative forces were at work. I just couldn't understand it at all'.²¹⁶³

Much had to do with the role of the media. The press's initially docile attitude turned around into a kind of shame at the relative lack of criticism with which they had followed developments in Srebrenica in the preceding weeks.²¹⁶⁴ Voorhoeve in particular had garnered a great deal of praise as 'the right man in the right place', with reference to the way he conducted himself in 'the bunker', among other things.²¹⁶⁵ But Karremans too had received good publicity as 'a man who was one with his troops' and who remained 'clear-headed and calm' in the midst of all the chaos.²¹⁶⁶

²¹⁵⁸ 'Generaal Couzy neemt afstand van uitspraken overste Karremans' ('General Couzy distances himself from Karremans' statements'), *ANP bericht* 196, 24/07/96 20.36.

²¹⁵⁹ NPS/VARA, NOVA, N. 3, 24/07/95, 10.34 p.m.

²¹⁶⁰ NOS, *Met het oog op morgen*, R. 1, 24/07/95, 11.07 p.m.

²¹⁶¹ 'steun officieren voor Karremans' ('Officers support Karremans'), *De Telegraaf*, 25/07/95.

²¹⁶² Idem.

²¹⁶³ 'Couzy: kritiek op Dutchbat niet terecht' ('Couzy: criticism of Dutchbat unjustified'), *ANP bericht*, 27/12/95. Couzy made this statement in the December issue of the Army publication *Flex*.

²¹⁶⁴ A more extensive account of this about turn is given in J. Wieten's appendix.

²¹⁶⁵ J. Hoedeman and E. Nysingh, 'Voorhoeve bewijst zich als de juiste man op de juiste plaats' ('Voorhoeve proves himself to be the right man in the right place'), *De Volkskrant*, 13/07/95. Other examples: Remco de Jong, 'Minister in bange dagen' ('Minister in troubled times'), *Het Parool*, 15/07/95; Wilco Dekker, 'Joris Voorhoeve, onbesproken crisismanager in bange dagen' ('Joris Voorhoeve, irreproachable crisis manager in troubled times'), *GPD Pers*, 15/07/95. The negative consequences of this image building were later blamed on the Defence Ministry. See: R.C.R. Siekmann, "'Bunker-beeld" Voorhoeve blunder Defensie' ('Voorhoeve's "bunker-image" a Defence blunder'), *Utrechts Nieuwsblad*, 05/09/95.

²¹⁶⁶ 'Karremans is een echte troepenman' ('Karremans is one with his troops'), *Algemeen Dagblad*, 13/07/95; 'Nuchter en kalm' ('Clear-headed and calm'), *NRC Handelsblad*, 13/07/95.

Although the media also reported stories told by the first refugees in Tuzla, the dominant image was that the battalion had done what it could under difficult circumstances. Many of the apparent contradictions in the newspaper reporting and the apparent lack of will with regard to resolving them, could be traced back to failings in coordination between the various editors and the correspondents in the field.²¹⁶⁷ It is telling that what was essentially a storm within Dutch political circles should lead to the first cracks in the picture that everything had gone reasonably well. This storm was the controversial use of the term ‘genocide’ by then Overseas Aid Minister, Jan Pronk. Only after and above all thanks to ‘Zagreb’ did these cracks open up to become deep fissures.

The open discrepancies exhibited between the viewpoints held by Couzy and Voorhoeve served as an important first step in this process. But above all it was the phrase ‘no good guys, no bad guys’ which served as the springboard for all kinds of speculations, some of them extremely critical, regarding the origins and the justification for this statement. Karremans himself became subject to fierce criticism. His conduct attracted even more interest as a result of a report that appeared in *De Volkskrant* on Wednesday, 26 July. It was probably not by chance that it was now *Volkskrant* journalist Jan Hoedeman, who made waves, a mere ten days after co-authoring a laudatory portrait of Voorhoeve. His report was also typical of another phenomenon in times of looming crisis. In the centre of power in The Hague, the ranks were gradually being broken, now it began to be apparent that the question as to who was responsible would not be long in coming. In the initial stages of that game, Hoedeman was able to obtain the message sent to the Defence Crisis Management Centre (DCBC) by Colonel Brantz on 12 July. In this message he described the outcome of a conversation between Karremans and Mladic in which an ‘arrangement’ was made for the transportation of the local population in ‘batches’.²¹⁶⁸ It also stated that the men would be subject to a ‘debrief’ by the VRS. In the words of *De Volkskrant* that became a ‘deal’ between Karremans and Mladic.²¹⁶⁹

In the days that followed, the discussion about the this alleged ‘deal’ dominated the media. A goaded Voorhoeve felt that he had been forced onto the defensive. He said he was becoming ‘vexed’ ‘by all kinds of false accusations that are now being circulated, giving rise to a game of hunt the scapegoat’.²¹⁷⁰ On Thursday, 27 July he sent a letter to Parliament with an account of the fall of Srebrenica, in which he also denied that Karremans had signed a statement given him by Mladic. Voorhoeve cut short his holiday that same day in order to give further explanation in a special press conference. In it he made some attempts to amend the impression that he had abandoned all support for Karremans. The Minister stated that the Government had ‘unanimously’ refused to divide the refugees into categories: ‘We gave our instructions, but Commander Karremans had the measures imposed upon him’. He also stated that the Dutchbat commander had protested against the ‘debrief’. He rejected any suggestion that Karremans was an indirect accomplice in the executions of Muslim men. What is more, Voorhoeve said, the vast majority of the twelve hundred men debriefed by the VRS were released afterwards.²¹⁷¹

The very next day Voorhoeve discovered that his information was out of date regarding one point at least. A statement had in fact been signed, not by Karremans but by Franken. Both Franken and Rave had reported this in Zagreb and had stated that the document concerned the procedure for

²¹⁶⁷ This emerged from various interviews with Dutch journalists, for example with Othon Zimmerman (*AD*) and Theo Klein (*De Volkskrant*). Interviews O. Zimmerman, 28/04/00; Theo Klein, 19/10/00.

²¹⁶⁸ Two days later the Ministry of Defence issued a statement that Brantz was not the author of the report in question. It was a report by a civil servant based on a telephone call with Brantz. See: ‘Term “regeling” met Mladic niet afkomstig van Brantz’ (‘Term “deal” with Mladic not used by Brantz’), *De Volkskrant*, 29/07/95.

²¹⁶⁹ J. Hoedeman, ‘Inzet blauwhelmen verdeelde ministers ernstig’ (‘Role of Dutch UN troops caused split between ministers’), *De Volkskrant*, 26/07/95. In this article, Hoedeman reported an alleged ‘sharp difference of opinion’ between Minister Pronk on the one hand and Prime Minister Kok and Minister Voorhoeve on the other about the risks that Dutchbat should take to protect the local population.

²¹⁷⁰ NPS, *Nieuws op 1*, Radio 1, 27/07/95, 5.07 p.m.

²¹⁷¹ Idem.

the deportation.²¹⁷² The debriefers paid no further attention to the report. As will be described in greater detail in the next chapter, civil servants discovered the statement on 27 July, too late to have any influence on the press conference. Lieutenant General M. Schouten, the Deputy Chief of Defence Staff, and the Director of General Policy Matters, J.H.M. de Winter, informed the Minister of the facts the next day.²¹⁷³

Parliament was unaware of that fact at the time. Politicians responded positively to the letter and the statements made by Minister Voorhoeve on 27 July. For example Gerrit Valk, Member of Parliament for the PvdA showed understanding for the ‘exasperated’ impression that Voorhoeve had given: ‘Karremans’ words of admiration for Mladic were downright unfortunate. But the reports of the ‘deal’ turned the judgement about Karremans all of a sudden into vilification, despite the fact that they did good work’.²¹⁷⁴ However, there turned out to be no way of stopping that process of vilification. At the end of the first week after ‘Zagreb’ *De Volkskrant* observed in an editorial that: ‘Dutchbat (...) has finally been dismantled. (...) We simply had to give up those men and boys’.²¹⁷⁵ The reputation of Karremans was also already damaged at this point, especially since Voorhoeve and Couzy had distanced themselves from him: ‘in a mere matter of hours Karremans was transformed from “hero of Srebrenica” into a psychiatric patient’, wrote Willem Wansink in Dutch current affairs weekly *Elsevier*.²¹⁷⁶ Others were of the opinion that he made a convenient scapegoat.²¹⁷⁷

7. ‘No good guys, no bad guys’ revisited

One of the most lasting legacies of ‘Zagreb’ was the phrase thought up by Hartman ‘no good guys, no bad guys’. For this reason it is worth taking a more detailed look at the background of the phrase itself but also at the considerable effect it had on the public perception of Karremans and Dutchbat III. The shock about the anti-Muslim feelings that the members of Dutchbat seemed to have also formed part of this judgement. The powerful reactions to this in the media and in political circles require at least as much attention as the controversial statements themselves. These condemnations say a great deal about the way in which the conflict in the former Yugoslavia was and to a certain extent still is regarded in the Netherlands. It also invites the question of whether it was the cold hard truth that caused the pain or if it was the poor timing of the comment that gave rise to all the criticism.

As early as 28 July, when these kinds of questions began to circulate and in particular when the criticism of the ‘disconcerting lack of orchestration’²¹⁷⁸ grew, the Minister launched an internal investigation into what went wrong in Zagreb. The result was presented in a letter which he sent to Parliament at the end of August. The Minister put the blame for ‘the press conference not proceeding as it should have done on the hectic situation and inadequate infrastructure in Camp Pleso and the overfull schedule of the battalion commander’.²¹⁷⁹ However, the letter did not address the nature and the origins of the controversial opinions themselves. Internally Voorhoeve had already given indications as to his personal ideas on this subject. In a memorandum on 17 August he stated the impression that the mistake was not that of the Directorate of General Information ‘but concerned the

²¹⁷² SMG, 1007. P. Groen, ‘Debriefing of Sergeant Major 1 B. Rave, member sie 5 and security officer. Camp Pleso 220795, 9-9.30 p.m.’; Chr. Klep, ‘Debriefing report Major Franken, 22/07/95, Camp Pleso’.

²¹⁷³ DS, S95/061/3199. J.H.M. de Winter to Minister, D95/400, “Statement” 17 July, 08/08/95.

²¹⁷⁴ ‘Voorhoeve krijgt steun van Kamer’ (‘Voorhoeve wins parliamentary support’), *Het Parool*, 28/07/95.

²¹⁷⁵ ‘Een struikelende terugtocht’ (‘A stumbling return’), *De Volkskrant*, 28/07/95.

²¹⁷⁶ W. Wansink, ‘Een oorverdovende stilte in Den Haag’ (‘A deafening silence in The Hague’), *Elsevier*, 29/07/95.

²¹⁷⁷ Gen. Maj. B.d. J. Schaberg, ‘Karremans verstoorde het gekoesterde beeld’ (‘Karremans upset the cherished account’), *Het Parool*, 31/07/95; L. Wecke, ‘Karremans bood zich aan als zondebok’ (‘Karremans offered himself as scapegoat’), *Trouw*, 26/07/95; A. Munninghoff, ‘Gekakel over Karremans is bijzonder kleinburgerlijk’ (‘Fuss about Karremans is petty in the extreme’), *Haagsche Courant*, 27/07/95.

²¹⁷⁸ *Idem*.

²¹⁷⁹ ‘Alleen de minister kende tekst Karremans niet’ (‘Only the minister did not know Karremans’ text’), *De Volkskrant*, 29/08/95.

views held by Karremans and the more generally observed critical attitude of a number of army servicemen with regard to the Bosnian Muslims'.²¹⁸⁰ In relation to that last point, the minister referred to a large number of examples of Royal Netherlands Army officers who had expressed such opinions in a UN capacity:

I often noticed in conversation with Dutch troops who had served in Bosnia - I remember having such a conversation with General Brinkman - said, in some ways to my surprise: 'the Muslims continually provoke the Serbs in all kinds of different places. Then the Serbs hit back and the international press creates an image of the monstrous Serbs and the poor Muslims.' 'They exploit that,' Brinkman told me.²¹⁸¹

Although the press speculated briefly about the extent to which the term 'stockholm Syndrome' might apply to the statements of Karremans and his soldiers, the focus soon shifted in the direction of other causes. The psychological explanation seemed to be insufficient. The media referred to Dutch examples which seemed to show that Karremans was not alone in his views. M. van den Heuvel of the Clingendael Institute (the Netherlands Institute of International Relations) stated in *De Volkskrant* that a year earlier it already seemed as if 'the attitude "no good guys, no bad guys" was the official line of the Royal Netherlands Army' and that the use of that phrase therefore '[had] nothing to do with the isolated world in which commander Karremans had lived for six months'.²¹⁸²

In a similar vein *NRC Handelsblad* recalled how General Bastiaans in 1994 shortly after the Gorazde Crisis expressed his anger about the Muslim troops there in an interview with the newspaper. The general spoke of how the Muslims provoked an 'overreaction' from Mladic and how subsequently with the help of 'a wonderful propaganda campaign' they had managed to persuade NATO to carry out air strikes. Bastiaans was reprimanded for his comments. The same thing happened to Colonel De Jonge in May 1995, who again in the *NRC*, had complained that the Serbs could get away with 'almost nothing' while the Muslims could get away with 'a great deal' without bringing the anger of world opinion down upon them. As De Jonge saw it, the world had 'always been a bit anti-Serb'. As a result of these statements he was banned from speaking in public for a time.²¹⁸³

Part of the criticism was laid at the door of the training given to the Dutch soldiers sent on peacekeeping missions, which took place at the Centre for Peacekeeping Operations (*Centrum voor Vredesoperaties*, CVV) in Ossendrecht. There one of the main things that the future UN soldiers were drilled in was that they should remain impartial. The question of who was right and who was wrong was deliberately avoided. A journalist from the *NRC* newspaper who spent a day at the CVV following all the commotion about the 'no good guys, no bad guys' remark quoted one trainer as saying: 'The finer points only cause confusion'.²¹⁸⁴ Euro MP Arie Oostlander, who had championed the Bosnian cause from the very beginning, declared not long afterwards that the CVV's 'indoctrination course' made the UNPROFOR troops 'less suitable' to provide 'real support for the Bosnians'. Accordingly he called for 'a major clean-up' at the training centre.²¹⁸⁵

²¹⁸⁰ Memorandum Mindef to DV, no. 31/95, 'Press conference Zagreb', 17/07/95. Included in: Voorhoeve's diary, p. 137.

²¹⁸¹ Interview J.J.C. Voorhoeve, 14/07/97.

²¹⁸² M. van den Heuvel, 'Mening Karremans wordt door vele militairen gedeeld' ('Karremans' opinion shared by many soldiers'), *De Volkskrant*, 29/07/95.

²¹⁸³ 'Dutchbat kon niet toezien op wegvoeren van vluchtelingen' ('Dutchbat unable to monitor deportation of refugees'), *NRC Handelsblad*, 28/07/95. The ban came from the Dutch Defence Ministry, not from the UN.

²¹⁸⁴ F. Westerman, 'Zwarte humor houdt Dutchbat op de been' ('Black humour keeps Dutchbat going'), *NRC Handelsblad*, 08/08/95.

²¹⁸⁵ A.M. Oostlander, 'Nederlandse blauwhelm kan door indoctrinatie Bosnië niet echt steunen' ('Indoctrination of Dutch UN soldiers means they can't really support Bosnia'), *Trouw*, 29/08/95.

8. UNPROFOR, Dutchbat and the warring factions

The attention paid by politicians and the media to the psyche of the members of Dutchbat or the alleged shortcomings of their training in the Netherlands, largely obscured the fact that this was a much more widespread and not exclusively Dutch phenomenon. The media gave hardly any coverage to this.²¹⁸⁶

UN ambassador Biegman, who showed great personal concern about the events in Srebrenica, claimed that in international circles it had been known for two years that Dutch officers got along better with the Serbs than with the Muslims. ‘In any case they [the Serbs] could salute better’, said Biegman.²¹⁸⁷ This comment, however, only reflected part of the actual situation. What was already clear to some at the time has only been reinforced in the years after Srebrenica in studies and memoirs. The so-called ‘no good guys, no bad guys’ mentality was characteristic of UNPROFOR and went to the very heart of the ‘feud’ between the Western media and the peacekeepers, which existed since 1993.²¹⁸⁸ Without seeking to disregard the variations within this tendency, this attitude had a number of general characteristics. From the side of the UN, there was a powerful distrust of the strong links between the foreign press and the Bosnian government, ‘treating foreign journalists almost as if they were a military asset’.²¹⁸⁹ Many UN soldiers held the belief that the media had no idea about the true nature of the war in Bosnia, in which the Bosnian government exploited and even encouraged suffering in order to win sympathy.²¹⁹⁰ One illustration of this was the - in this instance probably justified - conviction of many UN officials that the Bosnian authorities unnecessarily extended the accommodation of Srebrenica refugees at Tuzla Air Base.²¹⁹¹

But the statement by Karremans/Hartman about the warring factions also came from this same background. Lieutenant Colonel A. de Ruiter indicated the general UN scepticism once again in a memorandum written with a view to answering questions from Parliament. According to him it was based on the fact that ‘the UN troops on the ground’, unlike the politicians and the media, were confronted with ‘the actual behaviour of the two sides’. The ‘no good guys, no bad guys’ statement could be traced back to these experiences:

‘It has been widely confirmed that [A]BiH troops deliberately take shots at the UN, use the UN as a shield from behind which they can fire on the VRS (it is not uncommon for the BiH to pin the blame on the de VRS for a deed which they themselves committed or provoked), hijack vehicles, steal UN equipment, make personal threats and intimidate people. That is to say nothing of the way they treat their own people. All in all such conduct does not differ much from that of the party that is seen as the aggressor.’²¹⁹²

Commentaries supplied by non-military sources also pointed out that the problem did not lie with Dutchbat or their supposed Stockholm Syndrome, but with the politicians and the media who were unable to cope with an unpleasant reality. For example Professor W. A. Wagenaar of Leiden University

²¹⁸⁶ An example in which this did apply is an interview with retired Major General Van Vuren in *De Volkskrant*, who pointed out that in his time all of the officers in the then UN headquarters in Kiseljak ended up with an anti-Muslim attitude after a while. The article also pointed out that the Swedish Ministry of Defence had launched an investigation after it turned out that their UN soldiers had begun to hate the people they were supposed to protect. E. Nysingh, “‘Niet alleen Nederlanders anti-Moslim’” (“‘Not only the Dutch were anti-Muslim’”), *De Volkskrant*, 02/09/95.

²¹⁸⁷ E. Nysingh, “‘Niet alleen Nederlanders anti-Moslim’”, *De Volkskrant*, 02/09/95.

²¹⁸⁸ Burg & Shoup, *The War in Bosnia-Herzegovina*, p. 160.

²¹⁸⁹ David Rieff, *Slaughterhouse. Bosnia and the failure of the West* (London 1995), p. 218.

²¹⁹⁰ Burg & Shoup, *The War in Bosnia-Herzegovina*, p. 161.

²¹⁹¹ Interview C.L. Brantz, 11/06/99; M. Wijsbroek, 10/12/97.

²¹⁹² NIOD. Coll. De Ruiter. A. de Ruiter to DCBC and Royal Netherlands Army Crisis Staff/SCO, ‘Answers to questions from the parliamentary debate’, 14/08/95.

(professor of Experimental Psychology, specialising in memory), pointed out that the Dutch soldiers were not only exposed to one-sided propaganda from a single party: ‘They didn’t only experience the Serbs up close, but the Muslims as well. And they too turned out to have a political opinion and also wanted access to their weapons: in short they were less defenceless victims than we would like to convince ourselves’. As he saw it, in this war the side with the best PR had the best chance of winning: ‘The press has become a pawn in the chess game of war’.²¹⁹³

The question marks that the UN officials placed against a number of incidents which they suspected had occurred with the purpose of putting the VRS in a bad light, gave journalists the impression that these officials ‘so wanted to believe in Bosnian as well as Serb guilt that they could not let go of the idea that there were no heroes but only villains in the conflict’.²¹⁹⁴ EU peace negotiator David Owen wrote in his memoirs for example that ‘the prevailing view of the UN military commanders ... was that UNPROFOR’s worst problems were with the Muslims’.²¹⁹⁵ Following on from this was the comment heard from many members of Dutchbat that the VRS, who more closely approximated the status and outward behaviour of a regular army, were easier to deal with. The ABiH in contrast was a ‘motley crew’. Many elements of this view were also true, according to Clingendael staff member Van den Heuvel: ‘The first Bosnian “self-defence units” came from the most dubious (criminal) sections of society. (...) This criminal Muslim army was also responsible for a number of human rights violations. The fact that the Serbs were the aggressors does not of course excuse such actions’.²¹⁹⁶

Sociological explanations and nuances of this kind, for so far as the average UN soldier was aware of them, hardly played any practical role at all after a couple of months of actual experience in Bosnia. An outsider who thought he knew better could not count on a sympathetic ear from the UN troops, as Dutchbat sergeant W. Reussing (who also reported the hitting and kicking of refugees) made clear in an article he submitted to *De Volkskrant*. ‘No one knows the facts, so everyone just speculates. And above all they pay no attention to what Dutchbat observed in the enclave. Because the conduct of the Serbs is not representative for their behaviour in recent years. The Muslims always had the best propaganda.’ Reussing wondered how a ‘media consumer’ could pretend to be in a position to judge ‘a situation, about which he couldn’t possibly have the faintest notion’:

‘Of course it is terrible that Muslim families are being torn apart. But if the father flees into the mountains because he murdered people as a fighter, then he knows he can expect to become a prisoner of war. Thus he has to fight his way to Tuzla so that he can see his family again. In that case he is not a refugee but a combatant’.²¹⁹⁷

In his piece Reussing presented the practical side of what constitutes impartiality, as opposed to just the theory. An analysis written by American journalist Tom Gjelten describes the fractious relationship between the media and UNPROFOR, pointing out that the concept of impartiality meant different things to each of them. For the media the concept was more abstract, based on facts and principles but also based on the conviction that the Bosnian Serbs had committed the largest share of the war crimes

²¹⁹³ M. Schöttelndreher, ‘Niet de beste wapens tellen in Bosnië, maar de beste PR’ (“It’s not the best weapons that count in Bosnia but the best PR”), *De Volkskrant*, 25/07/95.

²¹⁹⁴ Rieff, *Slaughterhouse*, pp. 218-219.

²¹⁹⁵ Referred to in: T. Gjelten, *Professionalism in war reporting: a correspondent’s view* (Hamline University, 1999).

<http://www.hamline.edu/world/backissues/gjelten>

²¹⁹⁶ M. van den Heuvel. ‘Mening Karremans wordt door vele militairen gedeeld’, *De Volkskrant*, 29/07/95.

²¹⁹⁷ W. Reussing, ‘Wij VN’ers zitten niet om uw kritiek verlegen’ (‘We, the UN troops, do not need your criticism’), *De Volkskrant*, 04/08/95.

and human rights violations.²¹⁹⁸ In the eyes of many UN officials, however, this media attitude led to a situation in which they came to harbour grave doubts about the image that journalists were creating of the war. In the words of De Ruiter, who made a comparison with Western politicians: ‘The media themselves choose the same position [of the Bosnian Serbs as aggressors] without paying heed to the complexities’.²¹⁹⁹ In an internal UNPROFOR review of the mission it was even argued that ‘the international media played a significant role in exerting pressure for UNPROFOR to be manoeuvred into tasks beyond its capability and mandate’.²²⁰⁰

While impartiality in the media therefore led to a more anti-Serb position, the reverse was true for the UN. There impartiality very often meant a more favourable view of the Bosnian Serbs. Since the UN operation had the primary aim of safeguarding the provision of humanitarian aid, they were heavily dependent on the strongest party in the conflict, the Bosnian Serbs. In negotiations on convoys and roadblocks, they were the main partner in discussions and so maintaining good relations with them was in the direct interest of carrying out the mandate. According to Gjelten, that aim became ‘an overriding mission interest’.²²⁰¹ An additional factor was that some UN troops, who like Dutchbat were partly sealed off, were forced into a situation in which good relations became important in order to defend other interests. In one of the many items that were published in the first week after Dutchbat’s return, radio correspondent Harald Doornbos revealed that for months Dutchbat had obtained large supplies of tinned goods and beer via ‘Jovo’. The Bosnian Serbs put an end to this in mid-April.²²⁰²

An interesting point in the light of Couzy’s hesitancy to use the word ‘genocide’ is the link that there seems to be between avoiding the ‘G-word’ and the phrase ‘no good guys, no bad guys’. The accusation of genocide, as opposed to that of war crimes, ‘fixes guilt on one party, and by implication, absolves the other (the victim).’ As a rule, such accusations are accompanied by the demand that the alleged culprits be punished, not only for the deeds directly associated with genocide, but also for everything else that happens round about it: ‘The charge of genocide thus becomes a vehicle for negating and denying all other issues surrounding the conflict’. Precisely because of that potential for political abuse, the charge called for ‘precise charges and precise evidence’.²²⁰³

Couzy declared both in Zagreb and the Netherlands that on the one hand he could sympathize with the ‘no good guys, no bad guys’ idea, but that he had also been very shocked by Dutchbat’s anti-Muslim attitude, even though he felt it was understandable. Not only did that opinion tie in with the attitude described above which was exhibited by UNPROFOR as a whole, but also within the Royal Netherlands Army it was long known that the previous Dutchbats and other units returned from Bosnia with mixed feelings towards the local population.²²⁰⁴

In the spring of 1995, the Ministry of Defence was startled by reports of incidents in which Dutch soldiers (not from Dutchbat III but during the time of Dutchbat II, see Chapter 9 of Part II) had harassed members of the local population. At the time the Lessons Learned Section immediately launched an interim investigation and analysed the probable causes. Apart from looking at the ‘manifestly anti-Serbian’ picture that was sketched by the media and the complexities subsequently

²¹⁹⁸ Gjelten, ‘*Professionalism in war reporting*’, par. ‘*Whose truth to tell?*’ Burg and Shoup note that caution should be advised in comparing scope and method of such practices since the war crimes committed by the Serbs are better documented than those committed against them. Burg and Shoup, *War in Bosnia Herzegovina*, p. 173.

²¹⁹⁹ NIOD. Coll. De Ruiter. A. de Ruiter to DCBC and Royal Netherlands Army Crisis Staff/SCO, ‘Answers to questions on parliamentary debate’, 14/08/95.

²²⁰⁰ Col N. Innell, Maj J. Oosterwijck Veldhuisen, SAC (W) N. MacIntosh (ed), *Force Commander’s End of Mission Report* (31 January 1996) par 58c, pp. 33-34.

²²⁰¹ Gjelten, ‘*Professionalism in war reporting*’, par. ‘*Bosnia: rival interests, competing agendas?*’.

²²⁰² H. Doornbos, ‘Dutchbat kocht bier en frisdrank bij Serbs’ (‘Dutchbat bought beer and soft drinks from the Serbs’), *Haagsche Courant*, 29/07/95.

²²⁰³ Burg & Shoup, *The War in Bosnia Herzegovina*, p. 184.

²²⁰⁴ For a more extensive analysis, see Part 2, Chapter XX, Section 4, ‘*Problems regarding the conduct of Dutchbat soldiers?*’.

discovered by the troops in practice, the investigators sought the causes in taking stress out on 'outsiders' and the ethical dilemmas which arose from impartiality.²²⁰⁵

Earlier in February 1995, the commander of Dutchbat II, Lieutenant Colonel P. Everts, gave a frank and open-hearted speech to the Royal Netherlands Society for Military Art and Science (*Koninklijke Vereniging ter Beoefening van de Krijgswetenschap*, KVBK). Not only did he present a picture of the negative effects that the withholding of convoys had on operations and morale but also of the relations between the locals and the mixed feelings that they had inspired in him. For example he found it difficult to have dealings with a Bosnian leadership that he suspected was keeping a large part of the population in the enclave against their will. Everts also 'had the very strong impression', something that he had also noticed in other missions abroad, 'that everyone in the battalion ended up feeling a strong antipathy towards the people we were there to help: the Muslims in the enclave'. He recognized the phenomenon from Lebanon, although there the balance was 'more unusual' (the troops, who formed a buffer between Israel and Lebanon, returned with strongly anti-Israeli feelings and more selectively anti-Muslim sentiments). The commander of Dutchbat II stated honestly that he had been most perturbed by the phenomenon, 'but unfortunately I wasn't able to change it. The mechanism was beyond my power'.²²⁰⁶

Given this previous history Couzy can only have been surprised in Zagreb by the extent and the intensity of the emotions vented by the members of Dutchbat. His public statements on the subject therefore seem to have been intended to channel the possible publicity on the matter before it began. The irony was that at the same time his approach attracted the media's attention. As early as 23 July the Dutch ANP news agency published its first story about the anti-Muslim feelings within Dutchbat, under the headline 'Muslims have exhausted Dutchbat's sympathies'. The article itself was more balanced than the headline suggests. The news agency's journalists spoke with a many members of Dutchbat, who 'to a man' felt that they had done their very best to help the displaced people of the enclave to find a decent refuge. They described how they were accused by some of them of cowardice and complicity. Among the members of Dutchbat there was 'to put it mildly' very little appreciation for the lack of courage and willingness to help fight in defence of the enclave among the Muslim soldiers: 'Conversations with the servicemen involved reveal that these feelings are running high among the people of Dutchbat. And those feelings run right throughout the ranks.' First lieutenant Egbers told how he 'got really pissed off' when he noticed that the Muslim fighters 'wanted to pressure the Dutch soldiers to attack the Serbs so that they themselves could escape'. According to Egbers a number of his colleagues even had to be 'given Valium to keep them going' because of the stress caused by the prospect of being caught between the devil and the deep blue sea. But the ANP also reported that Egbers 'didn't have a good word to say' about the 'propaganda tricks and banditry' of the Serbs: 'They handed out four cans of drinks to the people and then took a photo of it. Our weapons and vehicles, helmets and bulletproof vests were stolen'.²²⁰⁷

Just how complicated these feelings and mood swings were, emerges from the fact that, at the end of June, Karremans had already warned that, as a result of pressure from the Bosnian Serbs 'my battalion is not longer willing, able and in the position to consider itself as being impartial due to the imputing policy of the Bosnian-Serb government and the VRS'.²²⁰⁸

²²⁰⁵ Sie LL, nos. 00327/00368. Internal memorandum HSLI [Head of Lessons Learned Section], Maj. Stumpers to SCO, no. LL/333, 'Vermeende onpartijdigheid' ('supposed impartiality'), 28/08/95.

²²⁰⁶ DS, S95/061/3440. 'Lkol Everts: ervaringen in "de grootste openluchtgevangenis van Europa"' ('Lt Col Everts: experiences in "Europe's biggest open-air prison"'). Appendix to: Memo H.P.M. Kreemers to Minister, V95016778, 'statements by Lieutenant Colonel Everts', 01/09/95. The speech was published in the autumn issue of *Mars in Cathedra*.

²²⁰⁷ Van Gils & Van Meteren 'Moslims hebben het verbruid bij het Dutchbat' ('Muslims have exhausted Dutchbat's sympathies'), *ANP bericht*, 23/07/95, 23:24 CET.

²²⁰⁸ SMG, 1004. Letter TK95105, Th.J.P. Karremans to Commander BHC HQ UNPROFOR, 'subject: Continual hostage of 1 (NL) UN Infbn in Srebrenica', 29/06/95.

The ANP report also referred to the role that the death of Raviv van Renssen had played in the feelings towards the Muslim soldiers. It was also one of the main themes remarked on by the psychologists and press officers in Zagreb.²²⁰⁹ For many Dutchbat soldiers, the death of Van Renssen was a turning point; apart from the loss of a popular comrade there was also the confusion that was generated by the fact that this event was outside the frame of the soldiers' expectations and assumptions about their own position and that of the other parties involved. In the words of one of the soldiers, De Vries: 'At that moment all you feel towards the Muslims is hatred. You want revenge and you think: what the hell am I doing here? We're here to protect you, remember? You do your best to help them and this is the thanks you get'.²²¹⁰ His colleague Den Hertog, who had given emergency medical aid to Van Renssen, told British newspaper *The Independent*: 'After Raviv was killed, we asked ourselves: why are we here? Who are the good guys and who are the bad guys?'.²²¹¹ These feelings of hatred grew as time passed. As part of Minister Voorhoeve's preparations for the Consultation with Parliament on 31 August 1995, the civil servants of the Directorate of General Policy Matters presented an analysis of the background to the 'no good guys, no bad guys' statement. Here too they pointed out the significance of Van Renssen's death. In the strictest confidence, out of consideration for the family, the civil servants reported that the Dutchbat soldiers had seen Muslims making 'denigrating gestures' when the body of Van Rensen was taken away.

Other journalists also noted down stories as told by the members of Dutchbat. These contained more issues which were incorporated into the view of Dutchbat as 'anti-Muslim'. In contrast to the Serbs, 'who at least kept to their agreements', the Muslims 'were absolutely not to be trusted'. One of the soldiers, Mulder, expressed sentiments which would come up again and again in debriefings and interviews and to which Couzy and Karremans would also allude: the shock that many of the servicemen experienced at the way the local population treated each other. 'Those Muslims had no consideration for each other. They trampled each other underfoot to get into the buses and they left those who fell lying there.'²²¹²

In the same vein as the remark that Karremans had made on this subject during the press conference, other soldiers later described how, during the return from Srebrenica to Potocari, when the Dutchbat soldiers did all they could to get the people away in safety, the egoism of the young men in particular was evident. Franken experienced this at first hand:

'Two young men came along pushing a wheelbarrow. In the wheelbarrow there was an old man whose leg had been bandaged up but the blood was still pouring out of it. At the side of the road there was a rucksack. It was half open and it seemed to contain some kind of hi-fi equipment. The two young guys took a look at each other, threw grandpa out of the wheelbarrow, grabbed the rucksack and tossed it into the wheelbarrow. But not for long. Literally at gunpoint I forced them to put the old man back in the wheelbarrow and I walked with them to the camp.'²²¹³

Another of the Dutch soldiers, Honig, also described his irritation that while he and his comrades were doing all they could to get the exhausted refugees back on their feet and to help them make it to Potocari, 'healthy young men from Srebrenica sat around doing nothing, watching the parade'.²²¹⁴

²²⁰⁹ Interview W.P.P. Hartman, 08/10/99.

²²¹⁰ Quotes from his diary, published in: "Er liggen lijken op de weg, maar de bus rijdt gewoon door" ("There are bodies lying on the road, but the bus just drives on"), *Panorama*, 21-29/09/95.

²²¹¹ R. Block, "They were led away and they were killed", *The Independent*, 21/09/95.

²²¹² W. op den Brouw and H. Meijer, 'sympathie voor Serviërs bij Nederlandse militairen' ('sympathy for Serbs among Dutch soldiers'), *NRC Handelsblad*, 24/07/95.

²²¹³ Interview R. Franken, 04/05/01.

²²¹⁴ W. Kieskamp, "We konden niet al die vluchtelingen op onze rug nemen" ("We couldn't carry all those refugees on our backs"), *Trouw*, 29/07/95.

Honig belonged to B Company, which had the most problems with the local population and with the young Muslims in particular. He described the Muslim army as ‘an undisciplined crew’: ‘That mortar that caused so many deaths was a Serbian response to an incredibly stupid attack by a Muslim fighter. I saw with my own eyes how someone among the crowd, just outside our fence, fired off a small mortar in the direction of the Bosnian Serb positions. I saw the smoke from the shot. That Muslim soldier hid behind the women and children. What a disgrace for a soldier. That kind of incident didn’t do much to increase our respect for the Muslim army’.²²¹⁵

Some members of B Company were later linked to a small number of extreme right-wing incidents, including what became known as the ‘T-shirt incident’.²²¹⁶ For the media this was reason enough to search for an even stronger link between an anti-Muslim attitude and shortcomings in the help given to the local population. Shortly after Dutchbat’s return, this soon set the tone of the discussion on that subject. ‘Did that attitude affect Dutchbat’s performance?’, was one of the questions that was asked as a result of this discussion.²²¹⁷ Voorhoeve, however, soon observed for himself on the basis of conversations with Dutchbat soldiers that this attitude varied considerably and also varied in relation to various groups within the population.

The experience of Lieutenant Rutten also gives a good indication of the complexity of these feelings. Shortly after the fall he assisted in transporting and treating an injured woman who had a shell splinter in her leg. Her appearance was noticeable because of the pink tracksuit bottoms she was wearing. When she was leaving on the bus she expressed a great deal of gratitude for all the help she was given. Later, when things had become less hectic, Rutten was in the bar at Potocari when he saw a report on the arrival of the refugees in Tuzla on satellite television. A large group of women were voicing fierce criticism of Dutchbat, accusing them of not lifting a finger to help the refugees. One of them was the woman who had had the splinter removed from her leg. Rutten recognized her by her pink tracksuit bottoms: ‘I was speechless’.²²¹⁸

9. The ‘party’

The issue of how festive Dutchbat’s return should be quickly became a source of conflict between Minister Voorhoeve and Commander Couzy. It is difficult to reconstruct the events since the chronology is difficult to determine on some points. Voorhoeve had originally envisaged a ‘heroes’ welcome’, as he had suggested to the parents of the Dutchbat soldiers at the Home Front Day at airbase Soesterberg on 15 July. That idea was soon abandoned when Voorhoeve realized that there were some unexpected problems connected with the battalion’s return.²²¹⁹

Junior Minister Gmelich Meijling said he warned Voorhoeve from Zagreb not to organize a heroes’ welcome.²²²⁰ This representation is not entirely in line with the rest of the events as outlined later by Voorhoeve. Shortly after the fall Voorhoeve spoke with Couzy about how the returning Dutchbat soldiers should be welcomed. On that occasion, the Commander let it be known that he wanted to take a military band to Zagreb. Voorhoeve objected to that, because he was worried that ‘very serious things’ might have occurred after the fall of Srebrenica. According to the Minister, Couzy promised that the music would be limited to ‘sober music’ at a ceremonial gathering before boarding the plane back to the Netherlands.²²²¹

²²¹⁵ Idem.

²²¹⁶ On this subject see: Part 2, Chapter 9.

²²¹⁷ H. van den Berg and F. Westerman, ‘Het demasqué van Dutchbat’ (The unmasking of Dutchbat), *NRC Handelsblad*, 26/08/95.

²²¹⁸ Telephone interview R. Rutten, 04/01/02.

²²¹⁹ Voorhoeve’s diary, pp. 135-136.

²²²⁰ Telephone interview J.C. Gmelich Meijling, 04/12/01.

²²²¹ Voorhoeve’s diary, pp. 135-136.

When the 55 soldiers who had been held hostage arrived back in Eindhoven on 17 July, Voorhoeve saw to his surprise the military band playing cheerful music. The Minister immediately asked Couzy and the conductor to stop. Both men protested, given the joyful mood of the occasion. In view of the presence of the media, Voorhoeve decided to avoid making a scene in public. He reports that the next day Couzy came to see him at the Ministry to tell him ‘that I shouldn’t interfere with “operational matters”’. A second conversation took place in private to sort the matter out. Since a joyful welcome for Dutchbat in Zagreb could create ‘entirely the wrong impression’ internationally, Voorhoeve asked that the band be ordered to keep the music ‘muted and sober’.²²²²

Even at the planning stage, the arrival of Dutchbat in Zagreb included a ‘party’ to be organized on Saturday evening, 22 July. Contingent Commander Colonel W. Verschraegen proposed the idea of holding a barbecue for the homecoming servicemen. Despite Voorhoeve’s insistence that there should be no alcohol at the party, Couzy felt that he couldn’t deny his men the enjoyment of a beer or two, after all they had been through:

‘I felt that those people deserved a warm welcome. That’s why I decided myself - I remember it very clearly - that the military band should be there in Zagreb. Not to make anyone into a hero, but just to express our relief after all that they’d been through: welcome back and I’m happy you made it back unharmed. I can remember that Voorhoeve said - I had discussed it with him beforehand on that Saturday evening - that no alcohol should be served. I replied that that would be unacceptable. How can you deny people who have spent six and a half months there and who have been through all of this, a beer on a Saturday evening once they have been released? No one would understand that. Of course it was important that things shouldn’t get out of hand. But to deny them a beer, that just wasn’t on. And that’s how things went that Saturday evening. It was a subdued party with the band supplying background music. Hamburgers were served and the men enjoyed a beer.’²²²³

The video footage taken by the battalion press officer W. Dijkema, showed that the members of Dutchbat each spent the evening in their own way. Some were engaged in what looked like serious conversation. As press officer Beneker recalls, most of the men were downcast, an impression shared by visitors to the camp the next day.²²²⁴ However, others, whether under the influence of alcohol or not, ‘were out to have a good time’. The latter were mainly the members of B Company, who had had the most to cope with in Srebrenica. Dijkema saw among them one young man who can also be seen in footage shot at Potocari helping to load a convoy of the injured:

‘The last of the wounded and a woman refugee gave him a pat on the shoulder out of gratitude. That was the lad who probably started off the conga line at the party. When you know the background, you look at those scenes through different eyes.’²²²⁵

Initially music was played on the hi-fi while the band played quiet music a short distance away. Convoy Commander Solkesz was also present: ‘It started off as an enjoyable meal, a good bite to eat. At some point the band began to play and everyone had a beer. Then you see the atmosphere change in a situation like that. It changed due to the beer and the music into a release of pent-up emotions that

²²²² Voorhoeve’s diary, pp. 135-136.

²²²³ Interview H.A. Couzy, 14/09/98.

²²²⁴ Interview M. Beneker, 04/12/01; W. Kok,

²²²⁵ Interview W. Dijkema, 21/09/98.

really couldn't be called a 'party'.²²²⁶ The *NOS-Journaal* news bulletin the next day referred to 'a party for comrades together and with a great deal of emotion'.²²²⁷ Hartman later wrote of 'a high-spirited but at the same time moving battalion party'.²²²⁸ Solkesz: 'People's deepest feelings at that moment and the thing that was uppermost in everybody's mind concerned the senseless death of Raviv van Renssen. That was something the boys just couldn't understand.'²²²⁹

During his leave, Van Renssen had held a party with his colleagues in Zagreb. The night before he died he talked for two hours on his handheld receiver with Corporal De Vries, one of his friends: 'He said: "Just another couple of weeks to go and then we'll be back home again. But first we'll make sure we have another party in Zagreb!"'²²³⁰ That was the mood in which a spontaneous commemoration of Van Renssen occurred.²²³¹ Couzy:

'I was there for a good part of the evening and I found it very moving. At one point the death of Raviv van Renssen was commemorated. In the hectic days before that was something that part of the battalion hadn't really been confronted with. Now they were all together and their attention was called to it and they were silent. I have never seen so many young soldiers cry as there, and quite a few people were led away, overcome with emotion. It was also a release: we're out of there, we survived. It had nothing to do with heroics. Just the relief that they had all survived, with one exception. That was the atmosphere at that party. They even sang the Dutch national anthem at one point. It was their own idea. They went up to the conductor and asked him to play the national anthem.'²²³²

Dijkema, who had started filming from that moment, remembered that the band leader said he would only agree if the mood was serious.²²³³ Couzy: 'I have never stood with so many tears in my eyes for the national anthem. Then they were all quiet. My goodness! That was quite an experience!'²²³⁴

After that moving moment there came the release, as often happens after a funeral, though not everyone took part. Solkesz saw a good friend of Van Renssen's crying in the corridor.²²³⁵ For others it was time to let their inhibitions go. The soldiers lifted both Captain Groen, who had got them through the ordeal, and Couzy onto their shoulders. The soldiers expressed their thanks to the Commander in the form of a chant ('Thank you Couzy! Thank you Couzy!'), and showered him in beer. After that the soldiers formed a conga line, with beer in their hands. These were the images that were later broadcast throughout the world. They became the symbol of Dutchbat's alleged indifference.

As already mentioned in the introduction to this chapter, the so-called 'party' did not come to play a part in the public perception of events in Zagreb until a much later stage. Ironically there had been very early warnings about the unintended negative effect that images of celebrating soldiers would have on public opinion. On 17 July C.C.J. Veldkamp, secretary at the Warsaw Embassy, sent a fax to Defence Spokesman Veen. He asked for guidelines for dealing with the press and attached the front page of the Polish newspaper *Zyche Warszawy* bearing the photograph of celebrating Dutch soldiers

²²²⁶ Interview A. Solkesz, 15/10/00.

²²²⁷ *NOS-journaal* news bulletin, N.1, 23/07/95.

²²²⁸ NIOD, Coll. Kreemers. W.P.P. Hartman, 'Memorandum on press-related aspects return Dutchbat 3', 26/07/95.

²²²⁹ Interview A. Solkesz, 15/11/00.

²²³⁰ Quote from the diary of Eddy de Vries, published in: "'The road was strewn with corpses, but the bus drove on'", *Panorama*, 21-29/09/95.

²²³¹ According to *RTL-Nieuws* news bulletin on 23 July the troops also commemorated the death of soldier Jeffrey Broere from A Company, who died in Simin Han.

²²³² Interview H.A. Couzy, 14/09/98.

²²³³ Telephone interview W. Dijkema, 24/01/02.

²²³⁴ Interview H.A. Couzy, 04/10/01.

²²³⁵ Interview A. Solkesz, 15/11/00.

drinking beer. The caption read, ‘after their release by the Serbs and the deportation from Srebrenica of the Muslims, whom the Dutch UN troops *were supposed to defend*’.²²³⁶ The soldiers in question were the 55 hostages released on 15 July. The men spent their first evening out of captivity in Hotel Koliba on the Danube, in the vicinity of Novi Sad. Their drinks were paid by the Serbian government, who had even employed the services of ‘a Balkan music ensemble’ for the occasion. Charles Sanders, journalist with *De Telegraaf* and his photographer, the only Dutch journalists on the scene, had been invited by the soldiers: ‘There was a great deal of song and laughter’.²²³⁷

One day later, those same soldiers were filmed by Twan Huys’s cameraman in an equally elated mood in Holland House at Pleso (see Chapter 5).²²³⁸ Dutch current affairs programme *Nova* broadcast the pictures on Monday evening, 17 July, without prompting much reaction. Only the *Haagsche Courant* newspaper wrote in an editorial:

‘The bitterness that many Muslims demonstrate towards the UN is completely understandable. The celebrations by the Dutch UN troops in Bosnia and Croatia are equally understandable but it would be better if the uprooted Muslim population never gets to see those pictures’.²²³⁹

However, events were to take a different turn. The video of the dancing and beer-drinking Dutchbat soldiers was filmed by Dijkema on the evening of 22 July. In essence they were privately owned images of a private gathering. On 10 August Deputy Secretary-General Hulshof appeared on the *NOS-Journaal* news bulletin and made an urgent request to the Dutchbat soldiers to submit all of the visual material in their possession to the Ministry of Defence.²²⁴⁰ Dijkema, one of the main suppliers of this material, was approached by Hartman personally with this request.

As Dijkema remembers it the Army Press Officer emphasized the importance of complete openness. By that time Srebrenica had already become a full-blown political controversy and the Ministry of Defence was doing everything in its power to avoid every suggestion of concealment. Dijkema says he warned Hartman to be careful with certain footage. He was told that the videos would be deposited centrally at the NOS, who would then be able to make them available to whoever wanted to use them.

In Dijkema’s recollection, the ball started rolling when the German television channel ZDF ordered material from the NOS in the late autumn of 1995 and began to ask questions. The Dutchbat Press Officer, who was on field exercises at the time, was hastily recalled to The Hague, but to no avail. Before long the images had made it onto Dutch television as well.²²⁴¹ They prompted widespread disgust, even more so in light of the information about the scale of the Srebrenica tragedy which had been emerging in the months since the fall. That was accompanied by a growing tendency towards anachronism in the media’s approach to the subject, giving rise to the suggestion that the troops at the party were fully aware of the mass murders that had taken place. This was just as fallacious as the incorrect assumption that the party had taken place before the eyes of the assembled media. In that sense the controversy surrounding Dutchbat’s welcome-home party is more of a fascinating case study about the power of the selective image to create its own reality, than it is a reflection of what actually happened on that warm summer evening in Zagreb.

²²³⁶ NIOD, Coll. DEF Knipselkrant. Fax Caspar Veldkamp, HMA Warsaw, to Joop Veen, press relations, Ministry of Defence, ‘Kritiek op Dutchbat’ (‘Criticism of Dutchbat’), 17/07/95.

²²³⁷ Ch. Sanders, ‘‘Ik moest rennen voor mijn leven’’ (‘‘I had to run for my life’’), *De Telegraaf*, 17/07/95.

²²³⁸ Interview Twan Huys, 07/07 and 08/07/00.

²²³⁹ ‘Verbitting’ (‘Bitterness’), *Haagsche Courant*, 18/07/95.

²²⁴⁰ DS, S95/061/3511. Memorandum J.H.M. de Winter to Minister, D95/440, ‘Parliamentary Consultation on 31 August 1995’. Appendix draft compilation, ‘Other photo or film material from the enclave’.

²²⁴¹ Telephone interview W. Dijkema, 24/01/02.

Chapter 7

The big debriefing in Assen, 4 September 1995–4 October 1995

1. Introduction

The big debriefing held in Assen in September 1995 after Dutchbat III returned was unique in many respects. The Netherlands had never seen anything of the kind in terms of magnitude, aims and political repercussions. In the normal course of events all that is required once a mission has been completed is an operational debriefing plus a psychological component to identify and deal with personal suffering, from which lessons are learned for future peacekeeping missions. The military then returns to a state of calm.

A different fate befell the third Dutch UNPROFOR battalion in Bosnia and Hercegovina. Instead of completing their peacekeeping mission normally and successfully the Dutchbat forces left the enclave of Srebrenica on 21 July after it was overrun rather suddenly. They had failed to do the job they had come to do, and it soon became clear that terrible things had happened in and around Srebrenica. It seemed that thousands of men had been massacred and Dutchbat had certainly not performed flawlessly. Before this realization dawned, however, during the period around the fall of the enclave Dutchbat was spoken of almost unanimously in positive terms. The general impression was typified in Prime Minister Kok's observation on 14 July 1995 after the meeting of the Ministerial Council, 'The blue helmets performed their duties superbly'.²²⁴² By way of illustration he referred to the fact that Dutchbat had not wanted to leave the enclave until arrangements had been made to look after the men who had been separated from the other refugees and until the wounded had been taken away. The national dailies and weeklies searched desperately for a way forward for Srebrenica, but above all they were loyal to 'our boys'. There was a good deal of appreciation for Dutchbat. The press had not yet begun to discuss Dutch Government policy, on the other hand, although it had started considering the fate of Displaced Persons.²²⁴³ Parliament also kept up its end: in the emergency debate on 12 July with the Foreign Affairs and Defence Parliamentary Standing Committees MPs fully supported Minister Joris Voorhoeve and the Government, and there was only praise for Dutchbat.

This situation did not last long. As the media produced more evidence for what had happened the question of the role the Dutch blue helmets had played during the fall of the enclave and what they had seen became more and more pressing. Parliament kept asking the Defence Minister for clarification, and each time he had to turn to the military establishment for answers. It was not always easy to obtain accurate information from the Army in time, and this process was not without its problems. The Army's immediate attempts to provide some clarity about what had happened were based on interviews with a small number of Dutchbat personnel in Zagreb on 22 and 23 July. Dutchbat III had left Srebrenica on 21 July and arrived in Zagreb in the early morning of 22 July. This short, limited debriefing, however, yielded little concrete or useful information. The demand for information only increased when reports appeared, nota bene from Dutchbat personnel, of serious events which they had witnessed.²²⁴⁴ Thus there was a growing need for an overview of precisely what had happened and what the Dutch personnel had experienced and seen. On or around 24 July 1995 Defence Minister Voorhoeve had already decided off his own bat to organize a full debriefing in which all the Dutchbat personnel who had been in the enclave would be interviewed at length and in depth. The Commander in Chief of the Royal Netherlands Army in Zagreb, Lieutenant General Couzy, had also come to the

²²⁴² Prime Minister Kok at the press conference on 14/07/95.

²²⁴³ NRC *Handelsblad*, *Trouw*, *De Volkskrant*, *De Telegraaf*, 12-13/07/95.

²²⁴⁴ 'Verschrikkingen van gezichten af te lezen'; *De Telegraaf* 18/07/95, *De Volkskrant* 18, 19 and 20/07/95.

conclusion that a debriefing of all Dutchbat personnel was needed.²²⁴⁵ Only a small number of officers and NCOs had been debriefed in Zagreb. Voorhoeve and Couzy found this unsatisfactory and both of them considered that too many questions remained unanswered.

The full debriefing was indeed held. On their return Dutchbat III were granted special leave followed immediately by annual leave. The major inquiry in Assen began after this, on 4 September. There were a good few questions about and criticisms of the objectives, methods, responsibilities and results of the inquiry right from the start. At the end of August the newspapers reported that some politicians and a large number of military personnel were critical about holding a debriefing. Some politicians pointed out even then that the debriefing, by virtue of its internal nature – being carried out by the Royal Netherlands Army – would seem too much like a cover-up and that it was far too late. In the media Dutchbat personnel expressed confusion about the objectives.²²⁴⁶ Even after Parliament had debated and approved the debriefing on 19 December 1995, matters relating to Srebrenica kept emerging into the public arena.

First a comment on the organization of this chapter. The main objective of the big debriefing in 1995 was to reconstruct what had happened in and around Srebrenica in the period around the fall of the enclave. This period is examined in great detail in this report. It is emphatically not the aim of this chapter to compare facts and results in the report of the debriefing and this report, which would only result in unnecessary repetition. What we are concerned with here is the significance of the debriefing in the context of the aftermath of Srebrenica in Dutch society and politics. The focus is on describing the forces and processes that influenced the holding of the big debriefing. It goes without saying that in the process we shall consider the deficiencies of, and problems with, the debriefing and discuss a few examples of where it fell short.

This chapter first takes a close look at the main actors, the process leading up to the debriefing, what happened at the actual debriefing and how the final report came about. This includes looking at the set up, objectives and planning aspects. In this context we consider the contributions made by the Government and various military bodies and commanders, the relationship between the Netherlands Army and the Central Organization, how certain important information was handled, how the final plan of the debriefing was arrived at and whether influence was exerted by any of the parties involved.

We then consider the debriefing itself and the final report. Among other things we examine whether it was conducted with care, whether it fulfilled its objectives and whether the most important facts that came to light were actually reported, this latter based mainly on the reactions of third parties. Readers with a special interest in a particular episode during the period from 6 to 21 July 1995 will find their needs met in the earlier chapters of this report. The media in particular played an increasingly important role in shaping Dutch opinion on Srebrenica and its consequences since the fall of the enclave. MPs were often guided by media reports when putting questions to the Defence Minister and other members of the Government.²²⁴⁷ The role of the media in the changing image of Srebrenica in the Netherlands since the fall of the enclave is discussed in Part IV, Chapters 6 and 8.

Describing the various facets of the inquiry was a complex business. The whole period following the return of Dutchbat III to the Netherlands when the debriefing had to be organized was characterized by the failure of the Ministry of Defence and the Army to keep written records of policy decisions and agreements. It was only in the case of the detailed information from Minister Voorhoeve to Parliament and the Defence and Foreign Affairs Standing Committees, and the interaction between Parliament and the Minister and the Government, that most of this was recorded in writing. This chapter necessarily makes use of interviews and indirect sources such as the press and media to quite a large extent. For the purpose of carrying out its remit the NIOD was also permitted to see the available documentation and given an opportunity to speak to all those involved in the debriefing.

²²⁴⁵ Interviews H. Couzy, 04/10/01 and A.P.P.M. van Baal, 01/11/01.

²²⁴⁶ Report *'srebrenica in de Nederlandse Media'*, ASCOR, UvA, July 2001.

²²⁴⁷ For a detailed study see the appendix to this report *'srebrenica and Journalism'*, *J. Wieten*, July 2001.

The first major investigation – by the Ministry of Defence in 1995, into whether there had been obstacles placed in the way of establishing the truth – was carried out by Jos van Kemenade in August and September 1998 for the Defence Minister, Frank de Grave. This is discussed in the next chapter. The statements by the people Van Kemenade and his team interviewed are important for three reasons. Firstly, because they were subject to the precondition that they would be made public: in this way the information would be as reliable as if they had been heard under oath.²²⁴⁸ Secondly because most people at policy-making level who had anything to do with the debriefing were interviewed, and thirdly because these interviews took place relatively soon after the events (three years), so many people's memories of the 1995 events were still reasonably fresh.

2. The run-up

Among the many dignitaries who set off for Zagreb on the weekend of 22-23 July 1995 to welcome Dutchbat III was, of course, the Defence Minister, Joris Voorhoeve. His presence there, as Supreme Commander of the Dutch forces, was intended first and foremost to show his pleasure at and interest in the safe return of Dutchbat III. He was also very concerned about the fate of the Srebrenica population, the men in particular, having heard for the first time on 12 July about the separation of men and women in the enclave. The report that the able-bodied men had left on foot en masse, for a destination unknown to Dutchbat, on the night of 11-12 July, the day of the fall of Srebrenica, had only increased his concern.²²⁴⁹ It was clear that in Zagreb he would try, among other things, to obtain concrete information by talking to those directly involved. With this aim in mind he had given instructions a few days after the fall of the enclave to 'investigate thoroughly what could be reported among the returnees and thus to establish what had taken place, as we in The Hague realized that we knew only a small part of the reality'.²²⁵⁰

At the same time the Commander in Chief of the Royal Netherlands Army had a growing need for information. On 19 July the Commander of the 11th Airmobile Brigade, General Bastiaans, was ordered by the Army Commander to hold a debriefing in Zagreb.²²⁵¹ Couzy had already been in Zagreb on 16 July to speak to the hostages who had been released and the Army Hospital Organization unit, as he had received strong signals there about what had happened in Srebrenica and how Dutchbat had behaved.²²⁵² The need for a debriefing had been discussed by the Minister and the Army Commander even before the 19th.²²⁵³ Meanwhile more and more reports began appearing in the international and Dutch press during the days after the enclave had fallen suggesting that terrible things had happened. These related both to the large group of Displaced Persons who had set off towards Tuzla on foot on 11 July and those who had been deported in buses from Potocari to Kladanj a few days later. There were soon reports from Tuzla from various military and political sources that among the thousands of women, children and elderly people arriving there and being received were few if any men of fighting age. The Dutch Colonel Brantz, UNPROFOR second-in-command in the North-East Sector of Tuzla, for instance, told an NRC reporter on 17 July that 20,000 people were still missing, adding ominously that if the Serbs intended to achieve their military objectives 'ethics' did not come into it.²²⁵⁴ At that stage the information still came mainly from the women refugees deported from the enclave, who gave the alarm almost immediately after arriving in Tuzla. Development Cooperation Minister Jan Pronk,

²²⁴⁸ Interview J.A. van Kemenade, 09/07/01.

²²⁴⁹ Voorhoeve Diary, 28/10/97.

²²⁵⁰ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 4. Report of the first conversation with J.J.C. Voorhoeve, 17/08/98.

²²⁵¹ DJZ (Directorate of Legal Affairs). Letter, KAB/10.540, 25/08/95; Interview G. Bastiaans, 26/10/00.

²²⁵² Part IV, Chapter 5.

²²⁵³ Voorhoeve Diary, 28/10/97, p. 136; Interview H. Couzy, 04/10/01.

²²⁵⁴ NRC *Handelsblad*, 17/07/95.

who had been in Tuzla on 15 and 16 July to coordinate Dutch aid to the Displaced Persons, also heard the stories and soon afterwards said it was possible that the Bosnian Serbs were guilty of genocide.²²⁵⁵

The main aim of the visit to Zagreb by Voorhoeve and the Commander in Chief of the Royal Netherlands Army, then, was to fill the information gap by talking to the Dutchbat personnel who had just arrived. As an initial attempt to bridge the gap a debriefing was organized by the Commander of the 11th Airmobile Brigade, General Bastiaans, from 22 to 23 September at Camp Pleso near Zagreb. Couzy's focus was narrower than the Minister's and concerned more with the organization itself, in particular how the battalion command had performed.²²⁵⁶ He wanted to know what had gone wrong with Dutchbat. The aim of this debriefing was an operational one, and a small number – just over 25 – of officers and NCOs of Dutchbat III were interviewed. Only to a very limited extent did this operational objective take account of the growing desire of the Defence Minister and the Government in The Hague to clarify the fate of the large numbers of missing persons and to establish what had happened to Dutchbat and the population during the period following the fall of the enclave.

Simultaneously with the Dutch debriefing the officers and NCOs of Dutchbat III had been issued a form by UNPF headquarters on 22 July. This was for a UN debriefing, as Dutchbat III had served under UN command in Srebrenica. After studying these forms it was decided to interview a number of persons additionally as part of the debriefing organized by Bastiaans. UNHCR had also held a debriefing of a number of Dutchbat personnel with the knowledge of the Dutch military authorities. The UNPF and UNHCR debriefings have been discussed in Part IV. With these two additional sources those in Zagreb should already have had reasonably clear indications of what had happened. Also, outside these official frameworks a large number of other formal and informal talks took place with recently returned Dutchbat personnel. As a result of the various debriefings and the informal talks a good deal of information from Dutchbat personnel had reached not only Ministry of Defence staff but also family members and representatives of the press.

However, given the narrow remit, the lack of time and the limited number of servicemen interviewed, the debriefing in Zagreb did not produce the desired results. Nor did it answer the question of what the men and women of Dutchbat III had seen or heard regarding violations of human rights in and around the enclave. The Airmobile Brigade was a new tactical concept for the Army and a lot of time and money had been spent on training and weaponry. The Brigade had been put to the test for the first time in Srebrenica and it was very important for Bastiaans to suppress the growing criticism of this showpiece. Very few people were satisfied with the results of his debriefing and the impression was that he had tried to sweep some things under the carpet.²²⁵⁷ The Minister, in fact, did not receive the definitive report of this debriefing until 28 July, after having to ask for it himself. The intention of the Commander in Chief of the Royal Netherlands Army had been for it to go no further than his desk.²²⁵⁸

As we have said, the Minister and the Army Commander flew back to the Netherlands after the welcoming ceremony in Zagreb on 24 July. In the course of their meetings they had discussed the need to debrief all the Dutchbat personnel who had been in the enclave. This decision was more or less definitive for both of them. At the same time there were other people in the Army planning a debriefing as a matter of normal routine following the return of a unit. The head of the Army's Intelligence and Security Section and the Deputy Commander of the 11th Airmobile Brigade had reported to the Military History on 22 July that there would be a debriefing in September in the Netherlands, when Dutchbat personnel returned from disembarkation leave.²²⁵⁹ Any plans to hold it more or less immediately on the return of the unit to the Netherlands could not be put into practice as

²²⁵⁵ 'Pronk: Serviërs plegen genocide in Srebrenica', *De Volkskrant*, 19/07/95.

²²⁵⁶ Part IV, Chapter 5.

²²⁵⁷ Interview R.F.J.H. de Ruyter, 31/05/01.

²²⁵⁸ SMG (Military History Section), 1004. Reports of Srebrenica Project Group, 27/07/95 and 02/08/95; Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 4. Report of the conversation with E.E. Warlicht, 20/08/98.

²²⁵⁹ SMG (Military History Section), 1004. Reports of Srebrenica Project Group, 25/07/95.

it had been decided to give them ten days' disembarkation leave followed immediately by annual leave as part of the scheduled relief of the battalion.²²⁶⁰ The Commander in Chief of the Royal Netherlands Army and others had pointed out that Dutchbat personnel had been through a good deal and many of them had holidays already planned. Furthermore, ran the argument, it would be very difficult to keep the families at home waiting for their loved ones any longer.

Meanwhile it had become clear that hundreds if not thousands of men had disappeared, and the information began to point incontrovertibly towards a massacre. The stories told by Dutchbat personnel and from other sources built up, and as early as 31 July the Minister summoned the Army Commander, Major General Warlicht, to discuss how to put an end to all the uncoordinated statements.²²⁶¹ In a letter to Parliament on 3 August the minister reported on the debriefing organized by Bastiaans in Zagreb and announced a debriefing at which all Dutchbat personnel who had been in the enclave would be interviewed.²²⁶² This was to begin as soon as everyone was back from leave on 4 September. In other words there was only just over four weeks to organize it, so speed was of the essence.

The minister's desire to hold a detailed debriefing had meanwhile been translated into an order to the Army to organize one. In the absence of the Commander in Chief of the Royal Netherlands Army and his deputy, General Van Baal, this task was initially entrusted to the Army Commander, General Warlicht, who in turn suggested General Van der Wind, the Inspector of the Military Legal Corps, as head of the inquiry. Van der Wind received a definitive order from Deputy Commander in Chief of the Royal Netherlands Army Van Baal on 12 August.²²⁶³ At the instigation of the Army Commander, the Deputy Commander of the Royal Netherlands Marechaussee, General Roos, was appointed as his adviser, and Colonel Bokhoven, head of the Intelligence and Security Section, as deputy head of the inquiry. The minister also appointed two external advisers, Job de Ruiter, ex-Minister of Justice and Defence, and General Huyser (retired), ex-Chief of Defence Staff.

The minister's decision to hold the debriefing and to have it begin on 4 September came in a period when most of those involved had already gone on holiday, or had yet to do so. This undoubtedly influenced the preparations, as meetings took place at the various levels with constantly changing participants. Also, during this important, hectic and tense phase a number of developments had taken place which directly influenced the aims, organization and implementation of the debriefing operation. Below we look at these developments, discussing them in some detail where this is necessary for a clear understanding of how some information was dealt with and the impact this had on the debriefing.

3. The aims of the debriefing

It had been standard practice in the Royal Netherlands Army for many years to debrief servicemen following an operation. These debriefings related mainly to the operational aspects of the particular mission. With the reorientation of the Army towards new roles, starting in the early 1990s, debriefings became more structured. According to Major Buurman of the Army's Lessons Learned Section,²²⁶⁴ debriefings came to be seen as falling into three categories. In principle everyone who took part in an operation was debriefed in the field just before it ended. This was done by a military psychologist and someone from the Military Intelligence Service (Sectie Militaire Inlichtingdienst]. The purpose of these two debriefings was to see (a) whether military personnel had suffered any psychological damage and (b) whether there was any important intelligence information to be had. These were followed by a third,

²²⁶⁰ Interview H. Couzy, 04/10/01.

²²⁶¹ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 4. Report of the conversation with E.E. Warlicht, 20/08/98.

²²⁶² TK, 1994-95 Session, 22 181, No. 109, 03/08/95.

²²⁶³ Interview O. van der Wind, 19/06/01.

²²⁶⁴ Interview L.L.M. Buurman of the Lessons Learned Section (Army), 19/07/01.

operational, debriefing – either in the field or on return to the Netherlands –, which from the early 1990s was normally organized by the Lessons Learned Section.

In the case of Dutchbat III in Srebrenica a start had been made on the psychological debriefing of the personnel. No start was made on the other two aspects, given the circumstances there.²²⁶⁵ This is why officials such as the Army Commander, the Commander of the 11th Airmobile Brigade and Bokhoven, the head of the Dutch Military Intelligence Service, had immediately, in July 1995, contemplated a debriefing in the Netherlands. The Ministry of Defence was, of course, aware of the Army's debriefing activities and their purpose, but the Minister was faced with other problems that needed to be solved. On 31 July – pressurized by all sorts of revelations from Dutchbat personnel in the media – he had confided to Acting Army Commander Warlicht that a way had to be found of putting an end to the 'uncoordinated statements'.²²⁶⁶ Following the arrival of Dutchbat III in Zagreb and their return to the Netherlands on 24 July 1995 the tone in the national press and media became increasingly critical of the role Dutchbat had played in connection with the fall of the enclave. To begin with the media had had to start from a point where little was known about what had happened there: at that time they were able to focus almost entirely on the fortunes of 'our boys'. At the end of July, however, when it became clearer what had happened in the enclave, and the problems and scandals concerning the roll of film, Franken's statement and the various lists came to light, the media adopted a more critical standpoint.²²⁶⁷ The minister also had to adopt a defensive attitude, as a number of facts that were already known were presented by the media as fresh revelations.²²⁶⁸

MPs seized upon information in the press to press the minister for clarification again.²²⁶⁹ To put a check on this confusing flood of information, a detailed overview of what had actually happened was needed. At the end of August Voorhoeve wrote to Parliament regarding the purpose of the debriefing:

"To avoid confusion of this kind and obtain the fullest possible picture of the events it was decided at the end of July to hold a detailed "debriefing" of Dutchbat to supplement the preliminary "debriefing" in Zagreb. Parliament was informed of this on 3 August. Given the long period of time that the Dutch UN forces in Srebrenica had been working in difficult circumstances and the desire of their families to be reunited with them as soon as possible, it was decided at the end of July to give Dutchbat a few weeks' leave before any detailed "debriefing". Starting next Monday, 4 September, interviews are to be held with all Dutch UN military personnel who were in the Srebrenica enclave during the Bosnian Serb offensive, and these will go into any possible indications of war crimes and operational aspects. Personnel will also be given every opportunity to bring up matters not strictly covered by these two headings. The aim is to obtain a complete overview of the events, which can then be seen better in context."²²⁷⁰

The final report of the debriefing referred to the same aims as above, formulating more clearly the aspect of 'coming to terms with the impressions and experiences of the personnel involved'.²²⁷¹

As mentioned above, the proposed debriefing resulted in a debate in the newspapers. The general tenor of the articles was 'confusion and indignation among Dutchbat personnel', scepticism

²²⁶⁵ Part IV, Chapter 4.

²²⁶⁶ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 4. Report of the interview E.E. Warlicht, 20/08/98.

²²⁶⁷ E.g. in NOS, *NOVA*, 24/07/95; *NRC Handelsblad* 22, 23 and 24/07/95; *Elsevier*, 29/07/95.

²²⁶⁸ Minister Voorhoeve in *De Volkskrant*, 29/08/95.

²²⁶⁹ Directly traceable to reports in the media were e.g. the Letter from the minister of Defence to Parliament of 03/08/95 concerning accusations of misconduct and the written answers on 04/09/95 to questions in the Parliamentary Consultations of 31/08/95 on the developments surrounding the fall of Srebrenica.

²²⁷⁰ TK, 1994-95 Session, 22 181, No. 115, (28/08/95)

²²⁷¹ Report based on the Srebrenica Debriefing, Assen, 04/10/95, Sections 1.2 and 1.3.

among politicians and editors as to the timeliness of the debriefing and the likelihood of uncovering the facts regarding what had actually happened, and a call to examine the responsibility of the politicians as well.²²⁷²

The vast majority of those involved subsequently interviewed by the NIOD, Van Kemenade or others about the purpose of the debriefing, however, realized perfectly that Voorhoeve's main aim was to put an end to the uncontrolled flood of information which was constantly wrong-footing him. On 17 August, when the final plan was discussed and approved at the Ministry, it formalized the ideas on a debriefing which a number of the top-ranking military and the minister had in point of fact been considering since Zagreb. The green light had been given for what was to be an Army operation supervised by two independent advisers. The fact that the Army was to organize it meant that it would be done in the way they knew best. Right from the start it was planned to incorporate elements of the three standard types of Army debriefing: operational, psychological and intelligence. In a Priorities Memorandum to the minister, Deputy Secretary-General Hulshof formulated the real purpose of the debriefing as follows: 'The object is to collect all the information at the disposal of Dutchbat personnel and classify it and process it in a report, with the aim of bridging any information gap at the Ministry of Defence and giving Dutchbat personnel an opportunity to report what they saw or experienced. On the basis of the information steps can be taken in relation to operational aspects, any war crimes that emerge can be reported to the tribunal and the need for aftercare can be determined.'²²⁷³

As a result of the confusing reports on the aims of the debriefing, and differing expectations as to what it was supposed to achieve, it continued to be viewed in different ways in Ministry of Defence circles and elsewhere. Nor was everyone at the Ministry of Defence singing from the same song sheet. It had already become evident in Zagreb on 22-23 July that the information requirements of Couzy and Bastiaans – the Army Commander and Commander of the Airmobile Brigade – were narrower than those of the minister.

4. The relationship between the Central Organization and the Army

There were a number of discrepancies between the needs of the Central Organization and the Army. There were also fairly fundamental differences of opinion on how to respond to current issues in the media and politics. To some extent this was due to the awkward personal relationship between Minister Voorhoeve and General Couzy. The Army also had a mentality of 'We can fight our own battles'. Lastly, the structured consultations between the Minister of Defence and his commanding officers, the Defence Council, had been abolished by Ter Beek in 1991. As Voorhoeve did not reconvene the Defence Council there was no forum for communicating with his commanding officers regularly and directly.²²⁷⁴

These differences affected the relationship between the Central Organization and the Army and had a substantial influence on how the role of Dutchbat in the enclave and subsequent problems were dealt with within the Ministry of Defence apparatus following the fall of Srebrenica. Nor did the debriefing avoid the consequences of the diverging needs and opinions. This section looks at the relationship between the Central Organization and the Army based on a number of 'incidents'.

A typical example of a difference of opinion between the Central Organization and the Army was the way plans were made for the arrival of the main Dutchbat force in Zagreb on 21 July. A few days after the fall of Srebrenica Voorhoeve and Couzy had a meeting at the Ministry at which *inter alia* the arrangements for receiving Dutchbat personnel on their return from the enclave were discussed. Couzy wanted to take a military band to Zagreb, but Voorhoeve objected. Couzy, however, got his way, but promised only to play subdued music when the aircraft took off for the Netherlands. The fact that

²²⁷² For example VARA, *bet Terras*, 26/08/95; NRC *Handelsblad*, 29/08/95 and 01/09/95; *Trouw*, 30/08/95.

²²⁷³ DS. Memorandum, No. 15815/95, PSG H. Hulshof to the minister of Defence, 16/08/95.

²²⁷⁴ Interview H. Hulshof, 06/12/01.

this had to be discussed at all was the result of the minister's experience earlier that week. Voorhoeve had gone to Soesterberg air base on 17 July to welcome the returning group of hostages and the medical personnel. The military band was there but played cheerful music, contrary to what had been agreed. The minister tackled Couzy about this, but because of the presence of the press and happy relatives he did not intervene at the time. A few days later Couzy told the minister not to meddle in operational matters; he apparently turned a deaf ear to the minister's argument that events of this kind could have political implications.²²⁷⁵ Thus the welcoming of Dutchbat III in Zagreb on 22-23 July 1995 gave rise to another clash between Voorhoeve and Couzy. The stood by his own ideas about the arrangements for receiving Dutchbat personnel, which were not in line with those of Voorhoeve.²²⁷⁶ Deputy Director of Information Services Bert Kreemers, talking about the differing ideas of the minister and the Army Commander, said: 'This was discussed in the bunker. Couzy was the one who wanted a party with a brass band and the whole works. The Government and Couzy saw the nature of the return in totally different terms. The Government didn't want a party, they wanted a formal ceremony, an opportunity to say their piece, transfer command and then go home.'²²⁷⁷ Even Lieutenant Colonel Karremans, the Commander of Dutchbat III, could not prevent the event taking on a festive nature.²²⁷⁸

After this, problems ensued in rapid succession. There were differences of opinion with the Army and problems with the information provided by the latter following the speeches by Couzy and Karremans on 23 July in Zagreb. Here too Voorhoeve and the Commander in Chief of the Royal Netherlands Army had been in touch before the event.²²⁷⁹ Then there was a difference of opinion about the timing of the debriefing (upon return from Zagreb or after returning from leave), and not long afterwards about the Smith-Mladic treaty, Franken's statement and the two lists of names of wounded and men in and around the compound on 12 July. The press made much of these points and contributed substantially to an unfavourable impression of the Ministry of Defence.²²⁸⁰

Another typical incident related to the report of Bastiaans' Zagreb debriefing of 22-23 September, as mentioned above, which Voorhoeve did not receive until after 28 July. He needed it for his letter to Parliament of 3 August. Warlicht, who was Acting Army Commander at that time and received the request, sent it immediately. As it turned out, however, it was not General Couzy's intention to let the minister have a copy; the fact that General Warlicht had sent one caused some panic in Army circles. Also, it contained at least two passages which the Army top brass did not want to get out, one about Colonel Dr Schouten 'leaving alone' the last group of wounded, the other about the statement signed by Franken supposedly indicating that he had agreed to this.²²⁸¹

The problems between the minister and the Army were not only fought out in the corridors and the media. The Military History Section had received a confidential order from the Army Commander on 13 July to investigate the flow of information between the Army Crisis Staff and the Ministry surrounding the fall of Srebrenica.²²⁸² One of the things that annoyed General Couzy was the fact that he was told on 10 July that the Serb attack was only directed at the southern part of the enclave, but the enclave fell the next day. He considered that the Defence Crisis Management Centre had kept information from him. The Military History Section investigators realized that a battle was taking place between the Army Crisis Staff and the Defence Crisis Management Centre as to who was, or ought to be, in charge of crisis control operations. This had made Military History Section a pawn in a conflict which was ultimately between Army Commander Couzy and Minister Voorhoeve. Almost at the same

²²⁷⁵ Voorhoeve's journal, 28/10/97, pp. 135-136.

²²⁷⁶ Part IV, Chapter 5.

²²⁷⁷ Interview B. Kreemers, 18/03/99.

²²⁷⁸ Interview T. Karremans, 25/06/98.

²²⁷⁹ Interview J.J.C. Voorhoeve, 01/10/01.

²²⁸⁰ *Srebrenica, het publicitaire beeld*, 1992-1995, RVD/IV 10/11/99, Chapter 3, Negatieve beeldvorming.

²²⁸¹ SMG, 1004. Report of conversation with Col. Smeets, 02/08/95.

²²⁸² Part IV, Chapter V.

time Commodore Hilderink, who worked at the Ministry, at the Defence Crisis Management Control Centre, had received an order from the Central Organization to investigate the lines of communication between the Army and the Ministry. His investigation arose from the feeling of the minister and his immediate staff that the information flow to the top was not what it should be. These investigations were typical of the relationship that then existed between the minister and the ‘operating company’ (the Royal Netherlands Army).²²⁸³

The Minister of Defence and the top Ministry of Defence civil servants were sharply critical in 1995 and subsequently of the relationship between the Central Organization and the Army. Much of this criticism was not expressed until later, during the various investigations, but that there was something wrong with the relationship was clear. Among other things Voorhoeve said that the information on Srebrenica from the Army to the Ministry only emerged in fits and starts and that the Commander was very keen to hold a standard debriefing (i.e. an operational one) with limited objectives. The Minister also considered that there was a pattern of the Army top brass wanting to draw a line under the atrocious events as soon as possible for the sake of ‘calm in the army’. This, according to him, was why the then army top brass were not immediately and wholeheartedly in agreement with his plans to hold a debriefing to investigate thoroughly what had happened.²²⁸⁴ This was confirmed on the part of the Army Crisis Staff by one of Couzy’s close associates: ‘Couzy actually objected somewhat to the form of the debriefing. He would have liked a debriefing with operational people who knew what’s what.’²²⁸⁵

The Director of Information Services at the Ministry of Defence, Van den Heuvel, and his deputy, Kreemers, often had to depend on information from the Army to respond properly to media reports and to implement the Minister’s public relations policy in a worthwhile manner. Van den Heuvel said of the Armed Forces that they did have a tendency not to communicate immediately about things that were not going well; they wanted to see whether the mistakes could be remedied first.²²⁸⁶ Kreemers characterized this less diplomatically: ‘The Army, and Couzy in particular, adopted a “fighting stance” towards the Central Organization. Their image had been destroyed as a result of Srebrenica and they started criticizing the minister, the junior minister and Kreemers. The Army was engaged in conscious manipulation of information. Sometimes we simply did not receive documents from the Army even when we expressly asked for them.’²²⁸⁷ There was indeed a culture in the Army that resulted in the Minister not being informed (or not in time) about the existence of some documents for example in the case of Bastiaans’ debriefing in Zagreb, but even in the Commander in Chief of the Royal Netherlands Army having no intention whatsoever of showing the report to the minister.

The feelings of distrust were mutual, however. This can best be illustrated by the management report of 5 October 1995 to the minister in which Fabius reported on the investigation that had been conducted as a result of the leaking to the media of information on the Smith-Mladic agreement of 19 July 1995.²²⁸⁸ In these newspaper articles an anonymous source accused the Defence Minister of having withheld information on the matter from Parliament.²²⁸⁹ During the investigation by the Royal Netherlands Marechaussee it emerged when hearing witnesses and suspects that the Army was very frustrated about the circumstances in which it had been shown in a bad light in the media on a number of occasions. It was this frustration that had resulted in the anonymous letter being sent to De

²²⁸³ Interview M.C.J. Felix, 06/04/00

²²⁸⁴ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 5. Second annotation for Dr J. van Kemenade by J.J.C. Voorhoeve, 21/08/98.

²²⁸⁵ Interview M.C.J. Felix, 06/04/00.

²²⁸⁶ Kemenade, *Omtrent Srebrenica*, Part 2 Appendix 4. Report of the conversation with H. van den Heuvel, 24/08/98.

²²⁸⁷ Interview B. Kreemers, 18/03/99.

²²⁸⁸ Documenten Rapport – Van Kemenade, Part 1. Memorandum intended for the minister of Defence, by D.G.J. Fabius, 05/10/95.

²²⁸⁹ This scandal became known as the case of the ‘Leaking Colonel’. For a detailed account see Part IV, Chapter 8.

Volkskrant. Fabius' conclusion did not mince words: 'In the course of the investigation it became clear that the understanding between the officials of the Central Organization at the Ministry of Defence and officials on the Staff of the Army Commander is far from ideal. There is a good deal of frustration, especially on the side of the Army Commander, about the 'balance of power', which has a deleterious effect on the way they work together.'

Given that the understanding between them was not ideal it came as no surprise that the Army Commander expressed his confidence in the suspect before the minister had even received the results of the investigation into the leak. This was yet another *fait accompli* that the minister was faced with. The Memorandum went on to mention some reasons for frustration which the army officers had put forward when questioned for the investigation: these related to the minister's political handling of the statement signed by Franken, the incorrect development of the roll of film and the loss of the list of 239 names.

There were also tensions at the debriefing in Assen. At that time Voorhoeve was under constant pressure and needed information urgently. The Director of the General Policy Affairs Directorate of the Ministry of Defence, De Winter, had gone to Assen on 29 September 1995 to try to prise material out of Van der Wind so as to enable questions in Parliament to be answered. The amount of cooperation was minimal. Van der Wind refused to allow access to a number of debriefing statements, citing confidentiality. Nor did the information that he promised would follow by fax arrive. De Winter subsequently placed this incident in the general context of the poor relationship with the Royal Netherlands Army.²²⁹⁰ According to him they were treated like a load of busybodies in Assen. Van der Wind mentioned this incident to Van Kemenade in 1998 in response to a question about possible attempts to exert external influence on the report. Van der Wind's deputy at the debriefing, Bokhoven, gave a different explanation for the incident. He suggested that it was an attempt by the Central Organization to obtain prior knowledge of the debriefing material,²²⁹¹ an opinion shared by Major De Ruyter of the Military Intelligence Service, who led a debriefing team in Assen.²²⁹²

With these examples in mind it is not surprising that the expectations of the minister and the Army Commander differed as to the intended outcome of the big debriefing. The debriefing envisaged by Couzy and the rest of the Army top brass was a detailed but in-house operation, intended to be a routine affair, working through the three objectives in the normal military way. The debriefing envisaged by the minister was a much broader one, the primary objective being not to examine the operational side but to get at all the information so as to avoid unpleasant surprises. In view of the distrust of the minister among the Army top brass, because of his openness about and handling of the series of incidents that had occurred hitherto, it was only natural that they did not want an inquiry that might produce even more damaging information. The type of debriefing the minister opted for – broad-based and involving external advisers – was regarded with deep suspicion in Army circles.

It is clear with hindsight that the minister's decision to allow the debriefing to go ahead as planned (i.e. with the Army playing a major role), despite the fact that he was aware of the Army's inward-looking, cautious culture, laid the foundation for many of the subsequent problems. The military were frustrated about various incidents, and this did not fail to affect the debriefing, resulting in fresh incidents in the flow of information. As far as the Army was concerned, the minister clearly failed to take sufficient public responsibility for everything that had happened, even where mistakes had been made by the Army. And most of the incidents that attracted attention did not involve mistakes at Central Organization level. Nevertheless minister who was being held to account and who felt himself placed in an embarrassing position. That the Army should account for its actions was only logical. All

²²⁹⁰ Interview J.H.M. de Winter, 20/07/00.

²²⁹¹ Interview H. Bokhoven, 16/05/01.

²²⁹² Interview R.F.J.H. de Ruyter, 31/05/01.

the problems, including those of obtaining information, were in fact reported in detail to Parliament by the minister.²²⁹³

5. The Management Report (MR)

The unsatisfactory relationship between the Central Organization and the Army, and the ensuing mutual distrust, was also to a large extent responsible for the way the Management Report was handled in August and September 1995. The MR was a by-product of the investigation into the roll of film. It was actually an internal Memorandum on two A4s from one of the Royal Netherlands Marechaussee investigators to his commanding officer containing some observations and comments. The criticisms it contained related mainly to the way the battalion command had performed and suggested that Dutchbat had played a far less heroic role than had been assumed. These were all matters that the Army found extremely unwelcome. Although some key officials and debriefing personnel in the Army were aware of the MR at an early stage, no-one brought it up at the debriefing.

In July 1997, as part of the preparatory work for talks between the Commander in Chief of the Royal Netherlands Army and Captain Ron Rutten, the owner of the notorious spoiled roll of film, a copy of the Memorandum of 4 August was found. The minister was informed immediately. In August 1998 the MR featured in the news and Van Kemenade dealt with it in some detail in his report 'On Srebrenica' of 28 September 1998. The MR appeared in the news even after the Van Kemenade report, and a detailed investigation followed. The large amount of interest in it was due mainly to two things. Firstly, this was yet another document that belonged on the long list of pieces of information not known, for whatever reason, to the Defence Minister. Secondly, and perhaps more importantly, this was highly sensitive information about possible criminal offences committed by Dutchbat personnel in Srebrenica and the possible failure of the Dutchbat command. The MR had not been brought up at the debriefing and had not resulted in criminal investigations. The question is whether this was deliberate.

On 4 August 1995 Voorhoeve received a telephone call from the Royal Netherlands Marechaussee Commander, General Fabius, who informed him of a number of things that were said to have taken place while Dutchbat III were stationed in the enclave.²²⁹⁴ These had been reported in two Marechaussee investigations, one into the spoiled roll of film and the other, following on from this, into war crimes committed by Serbs and observed by Royal Netherlands Army personnel in Srebrenica.²²⁹⁵ The MR was based mainly on the information from the second investigation. Fabius reported it to the minister on the basis of a so-called 'Management Report' on two sheets of A4 sent to him by the head of these investigations, Captain Rutten. Although the minister was not given details of all the points in this report, what he heard was enough to strengthen him in his opinion that a full debriefing was an absolute necessity. According to Voorhoeve, Fabius said, 'There is a lot of discontent among some officers and NCOs in the Dutchbat command about the way things went. A lot of discontent. Don't underestimate it! Karremans did not function.'²²⁹⁶ Fabius did not, however, report to the minister that he had this down on paper.²²⁹⁷

What was this all about? In the course of the investigations mentioned above the Marechaussee spoke to five Dutchbat personnel who gave them information on a large number of events related to Srebrenica. This concerned possible criminal offences committed by Dutchbat personnel and the possible failure of the battalion command, but it fell outside the remit of the two investigations and did not therefore belong in the statements taken there. This was all reported verbally to Besier at the Public

²²⁹³ TK, 1994-95 Session, 22 181, Nos. 112 (03/08/95), 115 (28/08/95), 120 (12/09/95), 121 (04/09/95), 122 (14/09/95) and 1995-96 Session, 22 181, No. 124 (04/10/95)

²²⁹⁴ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 4. Report of the conversation with D.G.J. Fabius, 18/08/98.

²²⁹⁵ PPD Arnhem. Report of the interrogation of P.H. Rutten by the National Police Internal Investigations Department, 25/08/98; see also Part IV, this chapter.

²²⁹⁶ Interview J.J.C. Voorhoeve, 01/10/01.

²²⁹⁷ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 4. Report of the conversation with D.G.J. Fabius, 18/08/98.

Prosecutions Department in Arnhem by the Royal Netherlands Marechaussee investigator on 2 August.²²⁹⁸ He told them that the Department saw no grounds for taking action, as the accusations were anonymous and not specific. In other words, a formal accusation by the witnesses would be needed before criminal investigations could be instituted. That this is the correct procedure was subsequently confirmed by a Marechaussee official. If investigator Rutten had wanted to do something with the information, the five anonymous witnesses would have had to report the matter officially.²²⁹⁹ This did not happen, and Rutten spoke to Fabius the next day and reported the facts that had emerged from the investigations to him. The Marechaussee Commander asked him to write them down and send them to him, which he did almost immediately in the form of the Management Report which landed on the Chief Constable's desk on 4 August. This contained the following information:

There were said to be no plans, or insufficiently prepared plans, to act in the event of a Serb attack on the enclave.

When leaving the town of Srebrenica for Potocari vehicles even ran over people or dead bodies.

During this action command was exercised not by the battalion commander but by his deputy.

There was frustration particularly at the fact that no (non-violent) resistance had been offered; personnel were even ordered to lay down their weapons.

The Bosnian personnel in the compound at Potocari were not given any protection; they too were deported.

Serbs were permitted to check whether there were any Muslims still hiding in the Dutch compound.

The air observers responsible for watching the air strikes were so upset that they were unable to carry out their duties.

Serbs who had free access to the compound were observed taking photographs there of Displaced Persons inside the fence.

Large sums of money – especially German marks – were seen being offered to Dutch military personnel to be banked in the Netherlands.

It was frustrating that the Dutchbat command took no action whatsoever when they knew that all the deported men's personal effects had been taken away and thrown in a heap at a nearby house in full view of the Dutch compound.

There was a lot of criticism of a Dutch Major, a United Nations Military Observer, who sought safe shelter as soon as the shooting started and took no further active part.

²²⁹⁸ PPD Arnhem. Report of the interrogation of P.H. Rutten by the National Police Internal Investigations Department, 25/08/98.

²²⁹⁹ Interview C.P.C. Kuijs, 20/06/01.

Nor was permission given, when the ‘Displaced Persons’ were deported, to patrol the enclave to see whether there were any wounded or dead.²³⁰⁰

These matters were of such importance that they could have been expected to guide the questioning at the big debriefing, especially as they were known at an early stage and there was more than enough opportunity, in the period of over four weeks between the writing of the MR and the start of the debriefing, to investigate the accusations. The ‘discontent’ that emanated from this, as reported verbally by Fabius on 4 August, was another strong motive for Voorhoeve to clarify matters by means of a large-scale general debriefing. In this sense the MR played a part in the urgent consultations held in the ensuing days on the form the Srebrenica debriefing should take.²³⁰¹ As regards subsequent developments it is important in any event to note that the minister did not ask the Marechausee Commander to send him the MR and the latter did not consider it necessary to send him a copy.²³⁰² A copy was sent on 7 August, however, to General Warlicht, who was Acting Army Commander at the time. Fabius had telephoned Warlicht about the MR – also on the 7th – and they had discussed what Warlicht could do about it. The latter subsequently stated to Van Kemenade that he had stored the facts it contained in the back of his mind and had not passed it on to the Army Commander. He also stated that the MR had not been brought up by him or by Fabius at the initial meetings at the Ministry on 8 and 9 August at which the form the proposed debriefing should take was discussed. It did, however, play a role in the back of his mind at those meetings when he urged that the inquiry be as wide-ranging as possible.

Roos, the Deputy Marechausee Commander of the Marechausee, whom Couzy had appointed as an adviser to the inquiry team, was aware of the MR. He stated that he had seen it soon after his return from holiday on 8 August. Roos, who attended a number of policy meetings at the Ministry during the planning phase and was present in person on several occasions at the debriefing in Assen, also stated that he had not reported the document to those in charge of the debriefing.²³⁰³

At the same time the head of the debriefing, General Van der Wind, and his deputy, Colonel Bokhoven, also had opportunities to take note of it. In October 1998 Van der Wind reported to Minister De Grave that one of his close associates had informed him that two copies of the Management Report had been found in the archives of the Srebrenica debriefing. He emphasized that what he had told Van Kemenade shortly before then in the context of his investigation, that he had not seen the MR during the debriefing operation, was absolutely true. He admitted that he could have taken note of it. According to Van der Wind, Colonel Bokhoven, the deputy head of the debriefing team, was also not aware of the Report.²³⁰⁴ Defence Minister De Grave notified Van Kemenade of this personally by letter on 9 November 1998. De Grave saw this development as grounds for instituting a thorough investigation into how the MR had been handled at the time. The Director of the Defence Archives Recording and Information (DARIC) was entrusted with the investigation, which lasted from 15 October 1998 to 4 November 1998. The DARIC team began by visiting various records offices to see whether they had copies of the MR. They did indeed find the two copies mentioned above in the Srebrenica archives of the debriefing operation, one filed on 6 August 1995 and the other on 4 September 1995. Another two copies were found, one in the personal files of Fabius’ Head of the Personal Office, Marechausee Lieutenant Colonel Leupe, filed on 4 August 1995, and one in the records of the Military History Section, filed on 13 February 1998. No other copies were found. Further investigations and interviews followed in order to trace what had happened to the MR, beginning with the person who had written it.

²³⁰⁰ SMG, 1004. Report of Kodak team, drawn up in Venlo by the team leader of the Kodak team, P.H. Rutten, 04/08/95.

²³⁰¹ DAB (General Policy Affairs Directorate). Memorandum from DAB to the minister of Defence, 12/08/98.

²³⁰² Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 4. Report of conversation with D.G.J. Fabius, 18/08/98.

²³⁰³ Interview K.C. Roos, 13/07/00.

²³⁰⁴ BSG, box 19. DARIC Report, Report of investigation into documents relating to Srebrenica, 04/11/98.

Captain Rutten faxed the MR to the Marechaussee Commander, Fabius, on 4 August 1995 through the offices of Lieutenant De Ridder, who received the fax and immediately handed it to Leupe. The latter, after making a photocopy for his personal files, handed it over to General Fabius, who then immediately telephoned the minister. On arrival at the Royal Netherlands Marechaussee Staff it was treated as an internal document that did not need to be recorded and filed. Fabius told DARIC that he regarded it merely as a note of a conversation enabling him to inform the Minister of Defence. The 4 September 1995 copy in the Srebrenica archives of the debriefing operation had been annotated by Acting Army Commander Warlicht. The procedure instituted as part of the debriefing operation for recording and dealing with incoming mail and other documents was a strict one, designed to ensure that nothing would be lost. The process was in line with Royal Netherlands Marechaussee procedures. In Assen Royal Netherlands Marechaussee Sergeant Stagge was responsible for this, and he was a key team member of the Activity Centre (AC) during the investigation. Documents were handled in line with the manual used on the training courses for investigators in Apeldoorn. This procedure ruled out the possibility of documents being lost and ensured that all documents were seen and dealt with.²³⁰⁵ It is remarkable that the two copies of the MR also escaped the notice of all the other people in Assen. It should be noted, by the way, that General Fabius did not send it to the Public Prosecutions Department either.²³⁰⁶ He considered that the matter had been properly reported to Besier on 2 August by those who had carried out the investigation into the missing roll of film. He knew that Besier had not seen grounds in their verbal communications to institute criminal investigations. Royal Netherlands Marechaussee Captain Rutten himself, on the other hand, following his conversation with Besier on 2 August, said that he had expected the latter, having heard what could be highly incriminating information, to institute one or more follow-up investigations.²³⁰⁷

It may be concluded, then, that Rutten, the author of the Management Report, properly reported the allegations to the competent authorities in his case. At the same time he ought to have taken steps to persuade his informants to report the crimes. The fact that the witnesses wished to remain anonymous for fear of possible repercussions from Muslim refugees in the Netherlands and for fear of harming their careers in the services made this more difficult, of course.²³⁰⁸ Responsibility for passing on the written account of these highly sensitive and in some cases incriminating allegations clearly rested in the first instance with the Royal Netherlands Marechaussee Commander, General Fabius. The minister ought to have been sent a copy immediately, once the MR lay in black and white on General Fabius' desk on 4 August and the latter had had the opportunity to review the matter and realize its significance. According to A.J.M. Heerts, President of the Marechaussee Association, later on at a reception Fabius let slip that he had not dared to send the document to the Ministry as the place was as leaky as a sieve.²³⁰⁹ The Public Prosecutions Department too ought to have been sent a copy by Fabius. Rutten had personally informed Besier on 2 August and had been told that the latter saw no grounds to institute an investigation. One would have expected Fabius, who knew this, to send the Management Report to the PPD immediately with the aim of having one or more investigations instituted. Also difficult to understand, looking back, is Fabius' decision to regard the Report as an international document or 'non-paper' that did not therefore need to be recorded and filed.

It has to be said here that a clear responsibility was borne by Roos, who was aware of the content at an early stage. Given his position as Head of Operations at the Marechaussee and his remit

²³⁰⁵ BSG, box 19. DARIC Report, Report of investigation into documents relating to Srebrenica, 04/11/98, Appendix I, Report of the conversation held with RNIMilCon Sergeant J.H.A. Stagge.

²³⁰⁶ Interview D.G.J. Fabius, 19/10/01.

²³⁰⁷ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 4. Report of the conversation with P.H. Rutten and K. van Dijk, 19/08/98.

²³⁰⁸ PPD Arnhem. Report of the interrogation of P.H. Rutten by the National Police Internal Investigations Department, 25/08/98.

²³⁰⁹ Interview A.J.M. Heerts, 25/04/99.

in organizing the debriefing, one would expect him to have had an extremely serious appreciation of what was in the MR. He ought to have ensured that it was produced as a document in Assen.

The Deputy Army Commander, Warlicht, was already familiar with the MR on 7 August, and it was he who proposed that Van der Wind head the investigation. From the end of July Warlicht, as Deputy Army Commander, was in regular functional contact with Van der Wind and it was no coincidence that the latter was chosen for the debriefing. Van der Wind was tipped off by Warlicht as early as 8 August that the operation was imminent.²³¹⁰ That would have been an ideal opportunity to pass on essential information at an early stage to the person who had just been appointed to head the inquiry. Independently of this both the head of the debriefing, Van der Wind, and his deputy, Colonel Bokhoven, ought to have taken note of the Management Report individually. The procedures for handling incoming mail ruled out the possibility of documents vanishing into the files unseen.

It is unlikely, furthermore, that the MR was seen by J. de Ruiter or General G. Huyser (retired), the external advisers and quality controllers brought in by the Ministry of Defence. Huyser said in 1998 that he regretted that he and De Ruiter had not known about it. If they had, he said, the questions asked would have been more specific.²³¹¹ Given the number of generals with key functions who knew of the MR but did not consider it necessary to produce it at the debriefing, it is only to be expected that they too had no desire to involve the two external advisers. No doubt Van der Wind's later characterization of it as a 'piece of nonsense' was typical of how other military men thought of it.²³¹² The lack of political sensitivity shown in assessing this information was evidently substantial among all of them. On the one hand it indicates a high degree of deafness – or indifference – in the Army to what was going on in the community at the time. The media had seized upon Dutchbat's role in the enclave. Ministry of Defence 'blunders' such as Franken's statement, the incidents surrounding the press conference in Zagreb and the list of wounded Muslim males were made much of in the media. Voorhoeve was attacked from all sides by the press and politicians.²³¹³ The Management Report was yet another in the series of misjudgements by the Army.

The above account shows, furthermore, how unlikely it is that a lot more people did not know of its existence. Most of them probably judged it – with a complete lack of political sensitivity – in the same way as General Van der Wind, as a piece of nonsense. The fact that it contained allegations which were unwelcome to the Army will not have encouraged them to deal with it. Either they relied on Besier of the PPD, who saw no grounds for action, or they maintained, like Fabius, Van der Wind and Roos, that the facts would come out anyway at the debriefing.²³¹⁴ That might well have been the case with some matters. But the information would have been very useful when drawing up the questionnaires for the debriefing. It would have been better if Van der Wind and/or Bokhoven had been given it so that they could decide what to do with it. As far as can be ascertained, then, almost the only role the MR played in the debriefing operation in Assen was that telephone communication of part of it was an added incentive to the Minister to obtain proper clarification of a number of important matters quickly.

6. The implementation of the remit

The foregoing describes the political and media pressure on the Defence Minister after the fall of Srebrenica. That Voorhoeve needed to take action to put an end to the uncontrolled flood of reports from Dutchbat III is also very understandable. The cooperation shown by the Army was often unwilling and usually not adequate or timely. The relationship between the Central Organization and the Army was characterized by mutual distrust. And yet the Minister decided to follow existing

²³¹⁰ Interview O. van der Wind, 19/07/01.

²³¹¹ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 4. Report of the conversation with G. Huyser, 28/08/98.

²³¹² Interview O. van der Wind, 19/07/01; cf. interview D.G.J. Fabius, 19/10/01.

²³¹³ ASCOR Report, *'srebrenica in het nieuws in de tweede helft van 1995'*, July 2001.

²³¹⁴ Interview K.C. Roos, 13/07/00; Interview O. van der Wind, 19/07/01; interview D.G.J. Fabius, 19/10/01.

debriefing practice and give the job to the Army. It is also clear that the two sides had differing expectations.

In the absence of the Commander in Chief of the Royal Netherlands Army, General Couzy, and the Deputy Army Commander, General Van Baal, General Warlicht – Army Head of Personnel – as Deputy Army Commander was given a verbal order by the Central Organization to organize the debriefing. He was also present initially at the coordinating meetings. Deputy Secretary-General Hulshof and Deputy Chief of Defence Staff Schouten gave Warlicht no choice when he hesitated because he thought the job was too difficult. The Army had to hold the debriefing, and if Warlicht did not want to do it he would have to bring Couzy back from holiday. This did not happen, presumably because Warlicht realized that Couzy would not have been able to refuse to carry out the order to the Army either.²³¹⁵ At one of the coordinating meetings at the Ministry General Van der Wind was soon chosen as actual head of the debriefing. Warlicht and Van der Wind knew each other, and moreover General Van der Wind, as Inspector of the Military Legal Corps, had recently made recommendations on the tracing of two rolls of films, among other things.²³¹⁶ Warlicht – and later Van der Wind – asked the Ministry on a number of occasions for written instructions for the debriefing. The reason for this request was that the Army (specifically the Commander in Chief of the Royal Netherlands Army) had been made responsible for the operation by the minister, but Warlicht considered that the Army should be able to interpret the job as it saw fit.²³¹⁷ It was also customary in military culture for an onerous and important order to a high-ranking Commander to be given in writing. Another factor was that this was an unusual assignment and the Army had never done anything like it before.²³¹⁸ Van der Wind was initially very uncertain as to the precise scope of the remit. The only indications were verbal communications from various officials at the Ministry and in the Army. There was nothing in writing.²³¹⁹ Before he finally took the initiative and formulated the remit, he confided his uncertainty to the Military History Section Srebrenica Project Group, in the presence of General Roos, at a meeting on 16 August.²³²⁰

Over a week after the letter from Voorhoeve to Parliament announcing the big debriefing, on 11 August, the day before he went on holiday, Warlicht sent a letter to the Army Commander – who was himself still on holiday – setting out the developments regarding the planned debriefing. This letter gives an excellent impression of how the Central Organization and the Army thought about the responsibilities and shows that the Army well knew what the minister's ultimate aim was. It also makes clear that – although the order was imperative – there was a vacuum as regards organization and content which could be filled in by the Army having due regard to the four parameters laid down.

‘.....His immediate motivation was to prevent uncoordinated publications in the press.

It was clear (at least to me) that the inquiry was so broad-based and subject to so many conditions that it must be a Ministerial matter, or at least a Central Organization matter. At a later stage an attempt was made to make the Commander in Chief of the Royal Netherlands Army fully responsible for the debriefing.²³²¹ I opposed this because in my view the numerous conditions and limited degree of freedom stood in the way of genuine responsibility. After

²³¹⁵ Interview H. Hulshof, 06/12/01.

²³¹⁶ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 4. Report of the conversation with E.E. Warlicht, 20/08/98.

²³¹⁷ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 4. Report of the conversation with E.E. Warlicht, 20/08/98.

²³¹⁸ Interview H. Hulshof, 06/12/01.

²³¹⁹ Interview O. van der Wind, 19/07/01.

²³²⁰ SMG, 1004. Report of briefing of O. van der Wind and K.C. Roos, 16/08/95.

²³²¹ Warlicht maintained to Van Kemenade that he had heard from the CO that if he were to refuse the job, the Commander or Deputy Commander, or possibly both of them, could hand in their uniforms. DSG H. Hulshof confirmed on 06/12/01 to the NIOD that he had indeed used powerful language at the time.

some heated discussions – I will spare you the details –, the following was decided:

There was to be a overall coordinator for quality control.

It had to be carried out among all Dutchbat III personnel.

The Royal Netherlands Marechaussee had to be involved.

It had to be finished by the end of September, and so on.

The Army cannot refuse an order of this kind in my view, so I accepted it. And as it is an order I have not consulted you about it.

As the (your) Principal Private Secretary told me your opinions on the matter last night, I decided I should tell you about it now. I understand that I have acted in line with your views.

As regards progress, this will require a good deal of work, but it will be OK. I have asked Brigadier General Van der Wind to draw up a plan of action with Royal Netherlands Marechaussee General Roos. I have also informed Ruurd. I reminded the DSG about the official instructions. He will organize that (also in consultation with Van der Wind and Roos).

As I do not want to hand over the matter to Ad van Baal only in writing, since there are some sensitive issues that are better explained verbally, I shall leave tomorrow, a day later than Fransje had planned.²³²²

It is interesting in this connection that the Army Commander had been telephoned at least once during the previous week by his Principal Private Secretary, Colonel Bosch, who says he talked to Army Commander in general terms about the planned debriefing.²³²³ So Warlicht knew about the contact between Bosch and the Army Commander, and the letter clearly indicated that the Army Commander had in any event made his ideas known to Warlicht through Bosch. This brings Couzy's role as a behind-the-scenes coordinator somewhat more clearly into focus. As there are no official reports of the coordination meetings at the Ministry, this letter is one of the few pieces of written evidence of what went on there.

In the meantime still no written instructions had arrived from the Central Organization. At an interview with the NIOD, Deputy Secretary-General Hulshof later stated that the Army had been ordered to organize a detailed debriefing of Dutchbat personnel long before 3 August. According to him this was also clear from the minister's letter to Parliament of 3 August.²³²⁴ Speaking to Van Kemenade in 1998, Hulshof could not remember whether Couzy (read Warlicht) had asked him for written instructions, but he considered it unlikely, as he went on holiday when Couzy had not yet returned from holiday. Hulshof adamantly rejected any responsibility for issuing instructions. He said that as head of the inquiry Van der Wind received his orders from the Army Commander, not from him or the minister. He stated that Van der Wind had not submitted a draft order to him and that if he had done so he would have referred him to his commanding officer. But Van der Wind had submitted a draft plan of action to him.²³²⁵ At the NIOD interview in 2001, Hulshof said that the answer that

²³²² SMG, 1004. Letter from Deputy CLS E.E. Warlicht to CLS H. Couzy, 11/08/95.

²³²³ Interview J.M.J. Bosch, 10/05/99.

²³²⁴ Interview H.H. Hulshof, 06/12/01.

²³²⁵ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 5. Answer from H.H. Hulshof, 08/09/98.

Warlicht just had to get instructions from the Commander in Chief of the Royal Netherlands Army was feeble. He commented: ‘Looking back I think it was simply a mistake. I have no explanation for it either. But I can say that to the best of my knowledge there was – how should I put it? – no malice behind it. With hindsight, of course, I very much regret it, as I think it shows exceptional carelessness, as well as giving rise to all sorts of speculations as to the shrewdness shown here, not putting anything in writing so that... Keeping all your options open? Yes, I understand that perfectly.’²³²⁶

Warlicht and Van der Wind did not know at the time that it was so simple, and they had reason to doubt the Central Organization’s intentions. Strictly speaking it is true that Van der Wind did not receive the order from the Minister or the Deputy of Secretary General; he received it from Deputy Army Commander Van Baal on 12 August.²³²⁷ For a long time both Warlicht and Van der Wind assumed that there would be written instructions from the Ministry. During that period Van der Wind was in fairly frequent contact with SG Barth and DSG Hulshof and it seems unlikely that the order was not discussed.²³²⁸ In the letter quoted earlier Hulshof also noted that the instructions to the Army Commander were initially general. At five meetings at the Ministry, from 7 to 17 August, the conditions and the practicalities were developed little by little, always in consultation with Warlicht, Van der Wind and Roos. In his journal he noted records of meetings at the Ministry on 7 August chaired by the minister, on 8 August chaired by the minister, on 9 August chaired by himself, on 14 August chaired by himself, and on 17 August chaired by the minister.

Nor were the instructions to Warlicht as general as all that. The decision list of the meeting on 7 August was later dug up for the Minister by the Head of the General Policy Affairs Directorate, De Winter. It is clear from this that a number of fairly precise requirements had been laid down for the Army to meet. Requirements which were not noted, or not with the same precision, by Warlicht on the 11th in his letter to the Army Commander:

‘.... Conclusions

1. The inquiry must be finished by the end of September.
2. A letter is to be sent shortly to all military personnel about the inquiry. It will ask them to get in touch before 4 September for the purpose of attending interviews. The Director of Information is to draw up the letter in consultation with the Deputy Commander in Chief of the Royal Netherlands Army. The aim is to start holding interviews before 4 September if possible.
3. Investigation teams are to be set up comprising Army officers (with regard to the operational input by the battalion), the Royal Netherlands Marechaussee (with regard to gathering evidence of war crimes) and the Military History Section (with regard to recording history). The teams will have shorthand typists assigned to them to reduce the workload on the Royal Netherlands Marechaussee (drawing up official reports).
4. The inquiry is to be conducted under the supervision of outsiders. The following were mentioned at the meeting: J. de Ruiten, Dr W.F. van Eekelen, Prof. P.H. Kooijmans and Prof. F. Kalshoven. After the Minister left the following were added: A. Kosto and C.P. van Dijk.

²³²⁶ Interview H.H. Hulshof, 06/12/01.

²³²⁷ Interview O. van der Wind, 19/07/01.

²³²⁸ Interview O. van der Wind, 19/07/01.

5. A letter is to be sent to Parliament shortly on the remit of the inquiry. Around 15 August a letter on the situation in the former Yugoslavia and around 24 August a letter in preparation for the Parliamentary Consultations on 31 August.’ [Parliamentary Consultations: regular meetings between parliamentary committees and ministers and state secretaries on government policy]²³²⁹

The same decision list stated that the minister, who had to leave during the meeting, would be informed the next day by the DSG about the agreed remit of the inquiry. The DSG would also approach De Ruiter as the proposed supervisor of the inquiry at the request of Voorhoeve. At the last coordination meeting at the Ministry on 17 August – chaired by the minister, incidentally – the green light was given for the draft plan submitted by Van der Wind the day before. Three of the four conditions Warlicht mentioned in his letter were a reality which the Army was able to live with. The fourth condition, an external overall coordinator, they simply had to accept. That Royal Netherlands Marechaussee personnel would be involved was in itself not unreasonable and the Commander of the Royal Netherlands Army had already ensured that the Royal Netherlands Marechaussee input would be structured by appointing Roos as adviser to those in charge of the debriefing. Otherwise the Army was free to choose the personnel to carry out the debriefing.

No instructions arrived from the Central Organization concerning the procedures to be used in the debriefing. The Army objective of keeping it limited could therefore be achieved. What this meant in practice Van der Wind and Roos stressed to the Military History Section Srebrenica Project Group for a second time on 16 August, when they said that they would adopt a narrow approach to the inquiry, an approach that meant it would be restricted to the battalion itself: ‘the investigation team will record the stories of the Dutchbat personnel. Complicating factors such as command and decision-making at the UN or in The Hague should preferably (particularly given the limited time available) be ignored entirely or as far as possible.’²³³⁰ As regards confining the debriefing to the battalion itself, this aim was not entirely achieved. Dutch military personnel who had served in Zagreb, Sarajevo and Tuzla during the fall of the enclave were ultimately also asked – at the urging of Parliament – to go to Assen for the debriefing. The interest in these four officers actually related only to the UN command insofar as it concerned the use of air power. The Close Air Support was the subject of a parliamentary hearing behind closed doors in December 1995.

It was at that time that the two external advisers were appointed to act as a guarantee of the independence of the inquiry. A total of seven names were put forward for these posts, and the choice fell upon Job de Ruiter, ex-Minister of Justice, and General Huyser (retired), former Chief of Defence Staff. De Ruiter was approached by the Deputy Secretary-General on behalf of the minister on 10 August. His participation was settled following a telephone conversation between Voorhoeve and De Ruiter on 12 August.²³³¹ General Huyser (retired) was recommended by De Ruiter, who knew him from the time when he himself was Defence Minister.

The final status of De Ruiter and Huyser in the inquiry was still under discussion. On 16 August Hulshof sent a Memorandum to the minister, with a copy to the Chief of Defence Staff, in which he stated that the first conversation with De Ruiter and Huyser on the purpose, scope and conditions of, and (in broad terms) procedures for, the debriefing would take place the next day, 17 August, at the Ministry.²³³² In the Memorandum the Deputy Secretary-General again formally drew the minister’s attention to the possible role of the two external advisers: option A, as external advisers, or option B, to head the inquiry. Hulshof advised the minister, ‘especially in view of the limited time available for the

²³²⁹ DCBC, 1115. Note from J.H.M. de Winter to the minister of Defence, ‘Overleg met de Tweede Kamer op 31/08/95’, 30/08/95.

²³³⁰ SMG, 1004. Report of briefing of O. Van der Wind and K. Roos, 16/08/95.

²³³¹ DCBC, 1115. Note from J.H.M. Winter to the minister of Defence, ‘Overleg met de Tweede Kamer op 31/08/95’, 30/08/95, Appendix, ‘De uitgebreide debriefing, belangrijkste data’.

²³³² DS. Memorandum, No. 15815, from DSG H. Hulshof to the minister of Defence, 16/08/95.

inquiry and Messrs De Ruiter and Huyzer's busy schedules, to go for option A', and this is what the minister finally decided. Various arguments played a role here. Firstly, the minister thought it was a good idea to have some eyes and ears that could follow the entire debriefing without taking direct responsibility for it. Secondly, being in charge of the inquiry would have placed them in a completely different position, and Voorhoeve was uncertain whether they would have accepted this.

The relationship between the Army and the Central Organization played a major role in minister's decision. On this subject Voorhoeve said: '...that simply taking the debriefing out of the formal structure of the Ministry of Defence organization would have been a very serious matter in the relationship between the Ministry and the Minister and the Army. At that time I also had a face-to-face talk with Couzy, who considered it a very serious matter that I had appointed two external advisers.'²³³³

Once appointed, De Ruiter and Huyzer began to get stuck in. To obtain a good idea of the events in Srebrenica they talked to Karremans, Franken, a Dutchbat doctor, the UNPROFOR Chief of Staff, General Nicolai and the Deputy Commander of the Northeast Sector, Colonel Brantz.²³³⁴ At the end of August there followed a detailed briefing for the two gentlemen by the Army's Military History Section. They also had access to all the documents collected by the debriefing team.

It was decided on 7 August that all Dutchbat personnel would be sent a letter from the Army Commander about the inquiry asking them to get in touch before 4 September – the date when all Dutchbat personnel were due to report to their units after their holidays – with a view to attending interviews. The minister was under increasing pressure, he was in a hurry and he wanted to make rapid progress.²³³⁵ From his point of view there was no time to lose. On 25 August, soon after the Commander returned from holiday, a letter signed by the Commander finally went out ordering all military personnel who had served with Dutchbat III to appear in Assen for the debriefing.²³³⁶ It was not evident from this letter that the minister had entrusted the inquiry to the Army. Couzy presented it as a logical follow-up to the debriefing he had ordered Commander 11-Lumblbrig, General Bastiaans, to carry out in Zagreb on 22-23 July – his inquiry, in other words. The Army Commander did state, however, that the final report of the debriefing would be presented to the minister. The main purpose, the letter said, was to draw lessons for the Army.

Voorhoeve subsequently complained that it had taken so long for the letter to be sent out.²³³⁷ At one point the Director of Information Services checked with Deputy Army Commander Van Baal whether the letter was on its way, but this did not result in any earlier response.²³³⁸ DSG Hulshof also contacted the Army to speed things up: 'They simply didn't want to'.²³³⁹ Objectively speaking, from the 17th – once the Ministry had given the green light for the operation – there was no reason not to start interviewing. There was someone in charge of the debriefing. Kuijs' final plan of attack was ready to be put into action on 16 August and Roos, moreover, could easily release Royal Netherlands Marechaussee personnel. The Military History Section was also participating fully and a wealth of background information had already been collected. On top of this, three members of the Military History Section had taken part in the debriefing in Zagreb from 21 to 23 July and were still full of the impressions they had gained there. Army Intelligence too had been preparing for a debriefing of Dutchbat III since July and knew at an early stage that they would be involved in Assen. In other words, there was someone in charge, a plan, background information and personnel – everything that was needed. Even the two external advisers had been appointed and briefed on the 17th.

²³³³ Interview J.J.C. Voorhoeve, 01/10/01.

²³³⁴ Chief of Defence Staff's Diary,

²³³⁵ DCBC, 1115. Note from J.H.M. Winter, 'Overleg met de Tweede Kamer op 31/08/95', Appendix, '*De uitgebreide Debriefing, belangrijkste data*'.

²³³⁶ DJZ. Letter No. KAB/10.540, from the CLS to all Dutchbat servicemen, 25/08/95.

²³³⁷ Voorhoeve's journal, 28/10/97.

²³³⁸ Interview J.J.C. Voorhoeve, 01/10/01.

²³³⁹ Interview H.H. Hulshof, 06/12/01.

Voorhoeve subsequently said that he had urged that the inquiry be started earlier. When he asked within the organization about this he was told that those involved were still on holiday and that the families would not understand if Dutchbat personnel were suddenly recalled from their holidays.²³⁴⁰

The Army Commander had reiterated clearly on 15 July, at a family day in Soesterberg, how much leave the returnees were to be given. The minister, who was also present, had not said anything. But shortly before the start of the debriefing on 4 September the Chief of Defence Staff had been asked to find out how it came about that Dutchbat had so much leave. The Army Crisis Staff answered by letter on 29 August.²³⁴¹ There was an arrangement dating back to 1992, formalized by Ter Beek in 1993 as the 'ten-day rule', which entailed military personnel being given ten days' disembarkation leave on return from a mission. Immediately following this they could take annual leave. In the case of Dutchbat III the Army itself had decided that the leave would last over four weeks. The Commander's reasons for granting a long period of leave were obvious: the men and women of Dutchbat had experienced horrific things in and around Srebrenica; a large number of Dutchbat personnel had bivouacked in the enclave for months without any leave; the families and loved ones were waiting anxiously for them, and postponing their reunions would have resulted in unpleasant situations, plus the fact that many of them had already booked holidays or made other plans.

The urgent need to debrief Dutchbat as soon as possible and collect information did not arise until the end of July. Deputy Commander Van Baal was the only person who had planned to hold an operational debriefing of Dutchbat III in the field.²³⁴² In this context it may be useful to note that countries such as Canada, Britain, Israel and the United States, which also have a tradition of debriefing, usually organize debriefings soon after leaving the area in question. The request to the Chief of Defence Staff to find out what the situation was regarding leave arrangements suggested that the Central Organization was not aware of the ten-day rule. Voorhoeve had been told what the plans were on 15 July, however. DSG Hulshof knew about the arrangements. According to him the matter had been discussed at the Ministry on several occasions and the minister ought to have known what arrangements had been made.²³⁴³ The earlier mentioned investigation by the Chief of Defence Staff therefore has to be seen in the context of an attempt to legitimize the delay. Voorhoeve subsequently maintained that he was not aware of the arrangements and could not understand why this had been decided.²³⁴⁴

Voorhoeve's problems, however, did not arise solely from his own organization. Dutchbat was still one of the main topics of conversation in Holland, and the search for news continued. The last week of August and the first week of September saw a high point in the reports in the press, which came up with 'fresh revelations' of what Dutchbat personnel had seen in the way of war crimes. As a result the pressure on Voorhoeve from Parliament increased. On 28 August the four national dailies were unanimous in their criticism, with headlines that did not mince words: 'Parliament threatens Dutchbat inquiry' (De Volkskrant), 'Parliament threatens Bosnia inquiry' (NRC Handelsblad), 'Inquiry into role of Dutchbat' (Trouw) and 'Voorhoeve in tight spot following blunders' (De Telegraaf).

Voorhoeve wrote a detailed letter to Parliament, again on 28 August, in which he tried to assess the events in Srebrenica and the role of Dutchbat. The press and the politicians were very critical of the letter because of the many questions it left unanswered. In addition to publishing fresh revelations of what Dutchbat personnel had seen, the press seized the opportunity to re-examine the Ministry of Defence blunders and scandals. Voorhoeve's standard defence at that time was that these were known facts; to avoid confusion and gain the fullest possible picture he had ordered a debriefing of all Dutchbat personnel who had been in the enclave when it fell.

²³⁴⁰ Interview J.J.C. Voorhoeve, 01/10/01.

²³⁴¹ CRST. Letter No. 2868 from Lieutenant Colonel W. Patist of the Army Crisis Staff to the Chief of Defence Staff, 29/08/95.

²³⁴² Interview A.P.P.M. van Baal, 12/12/01.

²³⁴³ Interview H.H. Hulshof, 06/12/01.

²³⁴⁴ Interview J.J.C. Voorhoeve, 01/10/01.

Meanwhile Voorhoeve had to answer to Parliament. In the Parliamentary Consultations on 31 August his letter of 28 August was discussed in the light of the revelations in the press and media. This was followed on 5 September by a plenary debate in Parliament lasting eight hours. The critical attitude of MPs towards Voorhoeve in the press, however, was in sharp contrast to the good will they showed him during the debate and their willingness to admit their own faults.²³⁴⁵ The call for an ‘independent inquiry’ from GroenLinks and the CDA was rejected by the coalition parties; Parliament decided to re-examine the matter later, once the report of the debriefing was published in October. The inquiry in Assen could go ahead and the Minister of Defence could breathe again.

7. The Master Plan

To clarify the role of the main actors involved in the debriefing operation in Assen and to provide a context for that role we first outline the plan of action adopted there.²³⁴⁶ This is followed, after a description of the actors, by a more detailed description of the plan and how the operation actually went.

Dutchbat III, on return from their disembarkation leave and holidays on 4 September 1995, were to go back to work at the barracks in Assen. Not in the same strength they had had in the field, of course, as Dutchbat in Bosnia had been a composite unit comprising personnel from all the services and from different units and disciplines. The decision to hold the debriefing in Assen thus made a lot of sense. Before Van der Wind actually took up his post as head of the inquiry on 12 August the Army had done lots of hard work in preparation. The information was sent through Warlicht and – from 12 August – Van Baal, who was then back from holiday. The Army Crisis Staff in particular worked on the implementation during this phase. According to Van der Wind the logistics were not really complicated: with a building and a few computers the show was nearly on the road. The head of the inquiry had little if any control over personnel after taking up his post, however.²³⁴⁷ This aspect will be examined in more detail in the next section. The plan of action was also at an advanced stage when Van der Wind took up his post.

While it is true that General Roos had been appointed as an adviser, his job was mainly to set up the inquiry – in accordance with Royal Netherlands Marechaussee rules for major inquiries – and assemble a team of Royal Netherlands Marechaussee personnel to take part. Once the preparatory work had been done his job would be finished.²³⁴⁸ Major VC.P.C. Kuijs of the Royal Netherlands Marechaussee had been approached to write the plan of action on 8 August. The first plan he submitted the next day was based on having the inquiry carried out entirely by the Royal Netherlands Marechaussee. One or two days later he was ordered to write a modified plan. It was decided at a meeting at the Ministry that the Army would take charge of the inquiry and the Royal Netherlands Marechaussee would play a supporting role. The practical input into the plan from the Army side was offered by Major De Ruyter, Intelligence and Security Section, and Major Stumpers, Lessons Learned Section.²³⁴⁹ Van der Wind did in fact have an opportunity to have some input to the plan of action, although he was not subsequently able to say what that had been.²³⁵⁰ On 17 August the draft plan was approved by the Ministry of Defence at a meeting chaired by Voorhoeve, with the Secretary-General, the Deputy Chief of Defence Staff, the Deputy Army Commander, the Director of Information Services and the Deputy Director of the General Policy Affairs Directorate present.²³⁵¹ The draft plan was developed into a master plan with all the characteristics of a plan for a military operation. Creating

²³⁴⁵ ASCOR, ‘De Debriefing in het nieuws, juli 2001’, Study commissioned by the NIOD.

²³⁴⁶ Srebrenica Debriefing Master Plan, 31/08/95

²³⁴⁷ Interview O. van der Wind, 19/07/01.

²³⁴⁸ Interview H. Bokhoven, 15/05/01.

²³⁴⁹ Interview C.P.C. Kuijs, 20/06/01.

²³⁵⁰ Interview O. van der Wind, 19/07/01.

²³⁵¹ Van Kemenade Report, Answer from H.H. Hulshof, 08/09/98.

this master plan was nothing out of the ordinary for Major Kuijs of the Marechaussee and his colleagues: the Royal Netherlands Marechaussee was accustomed to using tools of this kind for major investigations. And yet it was clear that planning and implementing such a major inquiry in such a short time was a considerable achievement. To give some idea of the complexity and scale of the plan we briefly describe the duties, responsibilities and organization envisaged for Assen below.²³⁵² Some familiarity with the *modus operandi* in Assen will also be needed when we subsequently consider staffing, implementation and problems.

Van der Wind was the head of the inquiry, but he shared responsibility for the coordination and daily management of the debriefing activities with his deputy, Colonel Bokhoven, Head of the Army's Intelligence and Security Section. According to the master plan Bokhoven was also Head of Inquiry Coordination and Head of the Editorial Team in Assen. As such he was responsible for actually coordinating the debriefing activities, giving daily briefings to the members of the inquiry team, drawing up the duty rosters, supervising the reading and analysis teams, supervising the debriefing teams, supervising the Administrative Centre and management and progress monitoring. Van der Wind was – and remained – the person with ultimate responsibility, of course. In addition the Inquiry Coordination Office, along with the head of the inquiry, was responsible for distributing and dealing with incoming and outgoing mail and messages. In effect nothing could happen in Assen without the Office knowing about it.²³⁵³ An Information Post was also provided: this concerned itself mainly with reception and portage activities and a small internal section responsible for coordinating services to the inquiry team and the military personnel being debriefed and for the general security of the debriefing operation. Twenty debriefing teams were planned for the Assen operation, each consisting of two Royal Netherlands Marechaussee military personnel and an Army serviceman from the Intelligence and Security Section. At a later stage another five debriefing teams were formed, with more varied memberships. These were responsible mainly for holding debriefing interviews at other locations, mainly for personnel who were unable to be in Assen for some reason: some, for example, were still – or back – in Bosnia.

For the debriefing proper, predrafted questionnaires containing basic questions were used. The written documentation of the interviews was done in a such a way as to enable them to be processed by the reading and analysis (RA) teams. For this purpose a fixed format was used, with a fixed sequence to make processing easier and more efficient. There were three RA teams, each of which dealt with a separate set of topics, viz.: general aspects, operational aspects and the humanitarian law of war. They scanned the debriefing reports supplied to them for material that corresponded to their remit. The remit was laid down for each team and reflected in the basic questions, which could be added to or modified in consultation with the Inquiry Coordination Office. Each RA team had four members. The teams' work involved analysing debriefing reports in accordance with Appendix C (Instructions to reading and analysis teams),²³⁵⁴ in particular monitoring them for aspects relevant to the team, looking out for and marking special observations not covered by the remit of another RA team; coordination and progress monitoring of the compilation of the report of the facts; in particular monitoring the reports for aspects relevant to the team and initiating a second interview if necessary. The three separate teams scanned the reports for: chronology and consistency, operational aspects and aspects of the humanitarian law of war respectively.

8. Manning

Personnel were of course needed to carry out the debriefing as set out in the master plan. Planning began early in August, although it was not until about 10 August that it finally became clear that this

²³⁵² SMG/Debrief. Srebrenica Debriefing Master Plan, 31/08/95.

²³⁵³ DARIC. DARIC Report, Report of investigation into documents relating to Srebrenica, 04/11/98.

²³⁵⁴ SMG/Debrief. Srebrenica Debriefing Master Plan, 31/08/95.

would be an Army-led operation, not an Royal Netherlands Marechaussee operation. Around that time Kuijs was asked to rewrite his initial – Royal Netherlands Marechaussee-based – draft plan to make the operation Army-based.²³⁵⁵ The Army had to look for expertise within its organization. Van der Wind was the Inspector of the Military Legal Corps. He himself considered that holding this post influenced his appointment. A scrupulous, particular style of reporting was expected of him. According to him the manning was almost complete when he took up his post. Van Baal told him on 15 August that Bokhoven would be his deputy. The Army Crisis Staff had set about selecting the remaining personnel. Van der Wind only took on Major Derks from the Military Legal Corps. A real legal expert, thought Van der Wind.²³⁵⁶ For logical reasons personnel were selected from the Marechaussee, the Intelligence and Security Section and, as regards the preparatory phase, the Military History Section. The Royal Netherlands Marechaussee, in view of its policing function within the Armed Forces, had most experience of large-scale inquiries involving interviewing. It had also constantly had personnel in Bosnia. Lastly, the presence of the Royal Netherlands Marechaussee in an inquiry of this nature would be a guarantee of objectivity.

The Intelligence and Security Section had specialist knowledge of the political and military situation in Bosnia, for one thing because there had always been one of its officials stationed with the units in the former Yugoslavia. Through this official and from other sources it had access to analyses, reports and photographic material from the region. It had also gained debriefing experience with earlier Dutch units that had served in Bosnia. For the purpose of recording military history the Military History Section – like the Intelligence and Security Section – collected as many documents and other information as possible and thus had an overview of the events in Srebrenica. The Military History Section had also probed the Srebrenica issue when some of its staff took part in Bastiaans' debriefing in Zagreb.²³⁵⁷

The Intelligence and Security Section and the Military History Section were part of the Royal Netherlands Army; the Royal Netherlands Marechaussee operated independently. The contributions made by each of these parties were far from neutral; with all three of them complications, their own interests and their own agendas played a part to some extent.

The Royal Netherlands Marechaussee

The Royal Netherlands Marechaussee involvement in Bosnia in general and Srebrenica in particular dated back to the start of Dutch participation in UNPROFOR. To start with the Royal Netherlands Marechaussee supplied personnel to UNCivPol. There was also an Royal Netherlands Marechaussee detachment in Bosnia responsible for normal military policing, and a number of – often large-scale – investigations had been held in various units, such as those into money being smuggled into and out of the enclave and the case of the solid fuel tablets.²³⁵⁸ Investigations of this kind were the Royal Netherlands Marechaussee's daily work and the Royal Netherlands Marechaussee was and is identified by the vast majority of regular servicemen as a policeman, the detective force within the services. As a result of these missions the Royal Netherlands Marechaussee had also gained considerable knowledge and experience of the situation in which the Dutch servicemen found themselves.

This may be one of the reasons why, following the return of Dutchbat III, the Ministry of Defence considered having the big debriefing carried out entirely by the Marechaussee.²³⁵⁹ There were a number of problems with this from the point of view of the Royal Netherlands Marechaussee top brass, however. The biggest problem was fear of how those in the services would regard the Royal Netherlands Marechaussee's role and status. In other words, it was considered that an inquiry of this

²³⁵⁵ Interview C.P.C. Kuijs, 20/06/01.

²³⁵⁶ Interview O. van der Wind, 19/07/01.

²³⁵⁷ Part IV, Chapter 5.

²³⁵⁸ Part VII, Chapter 9.

²³⁵⁹ Interview K.C. Roos, 13/07/00.

kind carried out by investigating officers would seem too much like a criminal investigation, which would not be fair on Dutchbat III in view of the extremely difficult conditions in which they had found themselves for many months.²³⁶⁰ The relationship between the Royal Netherlands Marechaussee and the other services, often a tense one, would suffer even more as a result.²³⁶¹ For them to act as investigating officers with full powers in the debriefing in Assen was therefore seen as problematic. A solution was found to this problem, however. It was agreed that an Royal Netherlands Marechaussee debriefer hearing any talk of possible criminal offences in an interview would advise the interviewee to report them to Royal Netherlands Marechaussee personnel elsewhere.²³⁶² This system became known as ‘criminal-law separation’. As an additional safeguard that nothing – including criminal offences – could get out through Royal Netherlands Marechaussee debriefers, the interviews were guaranteed to be completely confidential. As it had been decided that the debriefing was not to be a criminal investigation, unlike in normal Royal Netherlands Marechaussee proceedings there would be no ‘hearing of both sides’. The Royal Netherlands Marechaussee Deputy Commander, Roos, had argued against the use of investigatory powers for another reason: he was afraid that some Royal Netherlands Marechaussee officers would face a moral dilemma if they were not allowed to take action when hearing of a criminal offence. It was his warning that led to the system of criminal-law separation being devised. Roos was appointed as adviser to the debriefing operation on the recommendation of Army Commander Couzy. In effect, then, Roos was responsible for the planning stage, setting up the operation, for which he in turn recruited Royal Netherlands Marechaussee Major Kuijs, who did the actual planning of the entire operation.

The draft plan was drawn up in accordance with Royal Netherlands Marechaussee procedures. For Royal Netherlands Marechaussee personnel the deployment and modus operandi of the debriefing teams were a reflection of their daily routine. The plan was based on agreements at the highest level and was approved by the Army Commander at an early stage, before it was sent to the Ministry as a final draft on the 16th.²³⁶³ Since 7 August the Marechaussee had attended all the preparatory meetings at the Ministry of Defence and in that sense it was closely involved in the whole operation. Notwithstanding the fact that it was a hectic period, the Minister’s wishes had to be put into practice. The following passage from a NIOD interview with Roos in 2000 is a good description of the atmosphere in the early planning stage of the debriefing:

‘In preparation for the big debriefing in Assen that resulted in a number of meetings at the Ministry chaired by the Deputy SG, Herman Hulshof. It was not so easy. The holiday period had just started. Either someone was substituting for the chief or someone had just got back. Still, we had a number of sessions then. The Minister was in a hurry too – it was not the case that we could say, we’re going to take our time, a few months. No, it all had to be done very quickly. Finally someone said, “OK, so how should it be organized?” Well, the Army came up with a plan, with just two or three people. So I said, “That seems to me like a tough job if you’ve so little time and so little manpower”. That was clear.

Finally someone said, “Can’t the Royal Netherlands Marechaussee be involved?” I thought it would be a bit difficult for us, since we’re saddled with our reputation as investigators. That was a problem. On top of that I wondered whether it was a good idea anyway, as any soldier who sees an Royal

²³⁶⁰ Interview C.P.C. Kuijs, 20/06/01.

²³⁶¹ Interview K.C. Roos, 13/07/00.

²³⁶² Interview O. van der Wind, 19/07/01. Also discussed later in the context of the criminal-law separation agreement between Van der Wind and Roos with Besier of the Public Prosecutions Department.

²³⁶³ Interview K.C. Roos, 13/07/00.

Netherlands Marechaussee officer..... Well, the solution that was finally adopted was for General Van der Wind, who was responsible for heading the inquiry, would have De Ruiter and General Huyser, Chief of Defence Staff, as additional advisers. And I was made available as an adviser at the request of General Couzy by General Fabius.²³⁶⁴

The reluctance to take part was clear. It was also clear that the Royal Netherlands Marechaussee nevertheless took an active part in the discussions on the big debriefing from an early stage. In view of the fact that the Royal Netherlands Marechaussee had practical criticisms of the Army's original plans – for one thing the idea of having the entire debriefing done by a small group of people – it is very likely that Roos placed himself in the spotlight. In view of the nature and size of the whole operation it was perfectly understandable that the Army should call upon the Marechaussee, who were considered to have good interviewing and reporting techniques.

‘There were logical reasons for this too, as the Army had no experience of interviewing people – in an operation of this kind, a major inquiry, interviewing such large numbers of people, a debriefing. So they ended up approaching the Marechaussee. A lot of people have experience of interviewing large numbers of people systematically.’²³⁶⁵

This shows just how the Royal Netherlands Marechaussee regarded its job in the debriefing. But experience of large-scale operations and good interviewing and reporting techniques were not the only reasons for involving the Royal Netherlands Marechaussee. Voorhoeve stated on 4 September 1995 that various steps had been taken to ensure the objectivity of the inquiry. The debriefing teams would include officers from the Royal Netherlands Marechaussee, and the Royal Netherlands Marechaussee Deputy Chief Constable would assist the head of the inquiry.²³⁶⁶ Evidently the Minister was aware of the special role of the Royal Netherlands Marechaussee within the Armed Forces and valued their presence in the inquiry. For the Minister the image of the Royal Netherlands Marechaussee among servicemen as an internal police force would no doubt have been a guarantee that the debriefing would be carried out in accordance with the rules and that objectivity would not be compromised during the Army operation.

The initial fear that Royal Netherlands Marechaussee officers, as competent investigating officers on duty, would come into conflict with their proper duties and their consciences if a criminal offence was mentioned, did not in fact play any significant part, either when they were appointed or during the debriefing. Roos, and above all Kuijs and Stagge, who were present in Assen during the entire period, never heard of any complaints, either at the start or during the debriefing. Nor can Van der Wind and others remember any problems of this kind. The Royal Netherlands Marechaussee officers had been told before the debriefing started that if they had any complaints or problems at any time they should report them and they could return to their normal posts without consequences. No-one from the Royal Netherlands Marechaussee ‘walked out’ during the debriefing.²³⁶⁷ Two years after the debriefing, however, a few Royal Netherlands Marechaussee officers came forward with problems through internal channels. They reported retrospectively that they had faced a moral dilemma during the debriefing. Heerts of the Royal Netherlands Marechaussee Association sought publicity in August

²³⁶⁴ Interview K.C. Roos, 13/07/00.

²³⁶⁵ Interview J.H.A. Stagge, 29/06/99.

²³⁶⁶ TK, 1994-95 Session, 22 181, No. 121 (04/09/95), in answer to questions posed at the Parliamentary Consultations (*Algemeen Overleg*), 31/08/95.

²³⁶⁷ Interview J.H.A. Stagge, 29/06/99.

1998 to complain about this.²³⁶⁸ Given the fact that all the Royal Netherlands Marechaussee officers displayed complete commitment to the debriefing at the time, Heerts' criticism is somewhat difficult to understand after the event.

The Central Organization's initial aim of having the inquiry carried out entirely by the Royal Netherlands Marechaussee faced the Royal Netherlands Marechaussee with the problems pointed out by Roos. Even when it was decided that the Army should run the inquiry there were still dark clouds over the horizon. Royal Netherlands Marechaussee officers with investigatory powers taking part in the debriefing would undoubtedly have caused problems if criminal offences had been reported. That they were was suggested by the reports in the press and the Management Report. In the back of people's minds, of course, was anxiety concerning the already tense relationship between the Royal Netherlands Marechaussee and the other services and in general the debate about the role of the Royal Netherlands Marechaussee as an independent police force and its position in the Armed Forces. What Fabius and Roos had achieved was that the Royal Netherlands Marechaussee did not have to act as a police force in Assen. Neither of them brought up the Management Report in the debriefing organization and both of them accepted vague verbal agreements with the Public Prosecutions Department on how to act in the event of criminal offences being reported. They also understood the need for the debriefing interviews to be kept completely confidential. So when their investigatory powers had been 'neutralized' the Royal Netherlands Marechaussee were faced with a win-win situation. For Voorhoeve they ensured objectivity; for the Army top brass they were good colleagues making their investigation and reporting expertise available. The fact of the Royal Netherlands Marechaussee taking part in an inquiry of this kind also suggested a degree of legitimacy and objectivity to the outside world. Royal Netherlands Marechaussee personnel made a major contribution to the smooth running of the operation in Assen. They played a crucial role in both organization and reporting. They did not eventually play their proper policing role in Assen.

The Army's Intelligence and Security Section

Every time a serviceman returned to the Netherlands after completing a foreign mission a debriefing took place for the military command. The aim was mainly to collect information on current missions and for other missions about to set off for the area in question. If an operation or campaign was still in progress the military command could use this information to adjust its tactics. In any event the information from the debriefing should be recorded and disseminated so that it could play a part in planning future missions/operations, even if only in terms of lessons learned. After a mission there was an examination of whether the aim of the mission had been achieved, in other words whether the job had been done.²³⁶⁹ Often the operational side contained, directly or indirectly, a component of intelligence from the region where the servicemen had carried out their mission. Secondly there was a psychological debriefing for the serviceman to get things off his chest by talking about unpleasant experiences he had been through while doing his job. If there were substantial psychological complaints or problems the serviceman would be referred on to a specialist.

Since the early nineties, with the advent of the Army's Lessons Learned Section, debriefings have become more structured.²³⁷⁰ In the Army, debriefings for Army Staff were generally held by both personnel from the particular unit and personnel from Military Security or Intelligence and Security. Returned servicemen were given a 'route card', a list of officials and offices they had to visit. In addition to such things as handing in personal items of equipment and firearms they had to visit the doctor and the Department of Individual Aid. From 1994 the list included a Military Security official. Based on interviews with the security officer of a unit, and perhaps information from the information

²³⁶⁸ 'Ministerie verdoezelde wangedrag', *Het Parool*, 11/08/95; 'Militairen: Defensie raakt in diskrediet', *NRC Handelsblad*, 11/08/98; Nova, 10/08/95.

²³⁶⁹ Interview R.F.J.H. de Ruyter, 31/05/01.

²³⁷⁰ Interview L.L.M. Buurman, 07/07/01.

officer and operations officer, a list of key personnel and others who would have something to report was drawn up. The other criterion used to decide who was eligible for an Intelligence and Security Section debriefing was the checklist each serviceman had to fill in on return. This is a form containing a number of specific questions on the post, loss or theft of weapons and other equipment, e.g. personal equipment, contact with the combatants, incidents etc.²³⁷¹ In Bosnia Intelligence and Security Section had a security officer attached to each battalion in the field, whose job was to pass on information to Intelligence and Security in the Netherlands. Under the Head of Intelligence and Security, Colonel Bokhoven, most relevant information from debriefings went straight to the Army Commander through his Principal Private Secretary, Bosch, Bokhoven's predecessor in the post of Head of Intelligence and Security.²³⁷² With Bosch as Principal Private Secretary it became customary for the Army Commander to receive an A4 of the most important information on his desk the day after a debriefing. The aim of this was to avoid the Army getting into difficulties if information emerged that could have harmful effects. Other matters that fell outside operational and tactical objectives were noted and passed on to the responsible commanding officer, who could order an investigation if sensitive matters were involved. Although the Intelligence and Security Section as a rule prepared for the debriefing of military personnel returning from missions, things did not always go according to plan. According to Major De Ruyter of Intelligence and Security the 11th battalion was not debriefed in 1994 because the Commander of the Airmobile Brigade, Bastiaans, did not wish it. The Brigade preferred to wash its dirty linen in private. In the 12th battalion the Intelligence and Security section was only able to carry out its debriefing once the Commander of the Crisis Staff had given the green light.²³⁷³

Thus it was already Bokhoven's intention around 20 July 1995 to debrief Dutchbat III personnel on return. He wanted to contact the Commander of the 11th Airmobile Brigade, General Bastiaans, about this urgently. He told the Military History Section Srebrenica Project Group that he, like them, considered Bastiaans' debriefing in Zagreb to be inadequate.²³⁷⁴

In fact there were various factors that meant that a classic debriefing of Dutchbat III could not take place as such. On 16 July Couzy arrived in Zagreb with a team from the Sector of Individual Aid and the Social Defence Service, Staff. Their aim was to debrief the hostages who had been released from Serbia on 15 July and the Army Hospital Organization unit 5 personnel who had been relieved in Srebrenica. The emphasis was strongly on psychological aspects, although General Couzy had his own agenda for a fact-finding mission.²³⁷⁵ A second debriefing in Zagreb – of the main force – took place from 21 to 23 July under General Bastiaans of the 11th Airmobile Brigade. As mentioned above, this debriefing was concerned far more with operational matters and restricted to a select group of officers and NCOs.

In both cases there was no question of any substantial input from the Army's Intelligence and Security Section. Neither Couzy nor Bastiaans made use of the Section that had most understanding and experience of debriefing. Meanwhile Intelligence and Security had been making preparations with a view to the return of Dutchbat III. It was Bokhoven's intention to subject key personnel, and other personnel eligible for special reasons, to a classic debriefing as soon as possible. The Army Commander will undoubtedly have had this procedure in mind when he discussed the need for a full debriefing on the flight from Zagreb on 24 July 1995. But Voorhoeve's agenda cut right across this routine, as he was in favour of having all Dutchbat personnel who had been in the enclave debriefed. Describing and analysing the operational aspects of how Dutchbat had performed was not paramount here. It would also be necessary to examine what Dutchbat personnel had seen and heard of violations of the law of war and humanitarian law, and there would have to be a reconstruction of the events in Srebrenica – not only for use by the Army.

²³⁷¹ Interview R.F.J.H. de Ruyter, 31/05/01.

²³⁷² Interview H. Steinhart, 19/06/01.

²³⁷³ SMG, 1004. Report of conversation with R.F.J.H. de Ruyter, 01/08/95.

²³⁷⁴ SMG, 1004. Report of conversation with H. Bokhoven, 25/07/95. Interview H. Bokhoven, 16/05/01.

²³⁷⁵ Part IV, Chapter 5.

Intelligence and Security was brought into the preparations for the big debriefing in Assen by the Commander in Chief of the Royal Netherlands Army/Deputy Commander in Chief of the Royal Netherlands Army at the beginning of August. Bokhoven, who was on holiday, received a telephone call from his deputy, Colonel Bleumink, on 15 August asking him to contact General Van der Wind. This was the same day that Van der Wind was told by Van Baal that Bokhoven would deputize for him. Van Baal was just back from leave and had been back on the job since the morning of 12 August, when his substitute Warlicht had gone on holiday.²³⁷⁶ On the 21st Bokhoven reported to Van der Wind in The Hague for an initial briefing. The plan of action was already definitive, as it had been given the green light on the 17th.

The plan that had been adopted called for a lot of experienced debriefers, people who were able to conduct a targeted interview without losing sight of the objectives. Intelligence and Security had such experience not only in general terms – by virtue of their function of drawing up reports regularly and following events –, they had also organized the debriefing of Dutchbat II, as a result of which they were reasonably well-informed about the situation in Srebrenica in particular. Also, Intelligence and Security had in its possession the reports of its personnel in the field since the beginning of 1994. As a result, and as a number of them had gained actual field experience in the former Yugoslavia, they could have started at short notice without much preparation. Soon after his first visit to Van der Wind, Bokhoven was to take some of his close associates with him to play a part in Assen, in particular Colonel Steinhart, Major De Ruyter, Major Schellekens, and Captain Triep and F. Pennin, who were both very familiar with the Bosnia material and skilled writers.²³⁷⁷ Questions that would normally figure in an Intelligence and Security debriefing were included in the questionnaire so that the Intelligence people would also be satisfied.²³⁷⁸ Central Organization Intelligence, which also had relevant knowledge and experience as regards the main objective – to collect information and describe the events surrounding the fall of the Srebrenica enclave – was not asked to participate. The fact that the Central Organization's Intelligence, in spite of the order it had been given to integrate the various intelligence services, did not object to this shows that it too realized that this was a job for the Army and it should not interfere.²³⁷⁹

From the end of July 1995 there was anyway considerable confusion about the role of the 'Intelligence Services' in the Srebrenica question, owing to the potential role the Intelligence and Security Section might have played in the spoiled roll of film. Subsequently more stories about alleged activities of the 'intelligence service' appeared. It was said to have played a special role in the debriefing in Assen and to have been involved in the loss of material from the Srebrenica archives and subsequently in keeping back information from investigations into right-wing extremism.²³⁸⁰ But what was meant by the 'intelligence service' was in fact almost always the Intelligence and Security Section/Army Intelligence, which operated independently. This distinction between Army Intelligence and Central Organization Intelligence is important in that the two organizations were controlled from different levels. There had been talk since 1994 of the three intelligence services of the Armed Forces being merged into a single unit under the umbrella of the Defence Intelligence Agency. Officially the merger did not take place until July 1996, and until then these services operated almost entirely independently. According to the ex-Head of Intelligence, Vandeweyer, the Army's Intelligence and Security Section in 1995 was accountable to the Army Commander in the first instance. Its main function vis-à-vis the Army was to guarantee security, and vis-à-vis the Army Commander to draw attention to anything that could harm the Army's image:

²³⁷⁶ Interview O. van der Wind, 19/07/01.

²³⁷⁷ Interview H. Bokhoven, 06/05/01.

²³⁷⁸ Interview H. Bleumink, 19/03/01.

²³⁷⁹ Interview H. Knapp, 21/03/01.

²³⁸⁰ Srebrenica in pers, ASCOR, Otto Scholten et al.

‘... in the case of Srebrenica, where those people also took part in the debriefing, the statements that were taken there, everyone refers to Intelligence – Bokhoven also called himself an Intelligence official, and he is often called Head of Intelligence – but they were all Army officials. They were people acting on the instructions of, and purely under the responsibility of, the Army. Of Couzy. The order to his head of department, Bokhoven, was: “You have to organize it”, and he did.’²³⁸¹

It is clear in any event that the Army had no desire whatsoever for Central Organization Intelligence to participate.²³⁸² The latter had other – wider – interests and would never be able to show sufficient understanding of the Army’s problems. It would only seize the opportunity to put through the integration.²³⁸³

The Head of Intelligence and Security was wearing two hats at the time. With a view to the forthcoming integration he was one of the three deputy heads of the Defence Intelligence Agency. The other two deputies were supplied by the Air Force and the Navy. This sharing of deputies did not mean very much, however, as there was not so much going on at central level. The involvement of Central Organization Intelligence as such with the debriefing in Assen was minimal, ultimately involving loaning or seconding three people, two of whom were officials who had gained experience of the region through their work. Like Bokhoven they were not even pure Intelligence officials, they were essentially Army persons. The fourth person, Sergeant Major Verhoef, was a member of the team of female debriefers in Assen: she was a real Central Organization Intelligence official.

The master plan laid down that each debriefing team would contain two Royal Netherlands Marechaussee personnel and one Army serviceman. The Army personnel were from its Military Security organization, they were Intelligence and Security officials. Aside from the normal exchange of information, such as reports from and about Bosnia, Intelligence played no substantive role in the debriefing.

More should be said, however, about the special position of Bokhoven and his section in the Army. On 20 July he was in any event aware of the special instructions the Army Commander had given the Military History Section on 13 July, to find out whether important information had been withheld from him owing to ‘miscommunication’ between the Army Crisis Staff and the Defence Crisis Management Centre. It was understood that, based on this order, the Military History Section would tie in with a future Intelligence and Security debriefing to which it would contribute its own questions and that Colonel Bokhoven would keep the ‘true role’ of the Military History Section to himself.²³⁸⁴ Bokhoven was in an ideal position to fulfil a key role for the Army Commander. As described in findings and recommendations based on the Van Kemenade report drawn up for the Head of Intelligence by Intelligence personnel:

‘The Military Security organization still existed in 1995. Herein lay the responsibility of commanding officers: the Army Commander demanded of his commanding officers that any errors be identified and dealt with at an early stage. It was also important to prevent escalation and (if at all possible) negative publicity. The Military Security organization was attached to the Commander in Chief of the Royal Netherlands Army and therefore played a role in the

²³⁸¹ Interview J. Vandeweyer, 20/01/00.

²³⁸² See also the Appendix to this report by C. Wiebes, ‘Intelligence and the war in Bosnia 1992-1995’.

²³⁸³ Interview H. Knapp, 21/03/01.

²³⁸⁴ SMG, 1004. Report of conversation with H. Bokhoven, 20/07/95; SMG, 1004. Report of conversation with H. Bleumink, 25/07/95.

fulfilment of this responsibility of commanding officers in debriefings of returnees.²³⁸⁵

In addition to the Military Security Section's normal function of putting forward and processing tactical information for the Staff, it thus had a special relationship with the Army Commander and high-level commanding officers. They could use it to identify and deal with any errors at an early stage. The influence exerted by the Army top brass was exemplified by the fact that no security debriefing of the 11th battalion took place – notwithstanding the need for feedback and information – because the Commander of the 11th Airmobile Brigade wanted it to wash its dirty linen in private. In view of the command situation, however, it can be assumed that any atrocities, criminal offences or other sensitive matters would be reported to the Army Commander first and not straight away to the competent investigating bodies.²³⁸⁶ Central Organization Intelligence was well aware of the risks this kind of internal reporting entailed. In the document cited above Central Organization Intelligence accordingly calls for:

‘a formally established policy setting out the procedure for feedback of such discoveries²³⁸⁷ – as took place then and still takes place now – since a procedure involving e.g. feedback merely to the commanding officer and not to the judicial authorities could unintentionally promote cover-up scandals.’

Besides supplying personnel, Intelligence and Security made a substantive contribution to the debriefing: it helped with the drafting of the questionnaires and held a tactical briefing – following an introduction by the Military History Section – for the external advisers and debriefers. The Intelligence and Security contribution to the questionnaires was coordinated with the Military History Section.²³⁸⁸ Intelligence people were disproportionately involved in the last phase of the inquiry, writing the final report: Bokhoven, Pennin and Triep were all on the editorial team, which also included the heads of the three RA teams, including Steinhart of the General RA team. As far as contra-intelligence was concerned, the contribution by Central Organization Intelligence was minimal, being confined to a number of specific questions about the situation in the field. The decision had anyway been taken in The Hague that it would be an Army operation – an in-house operation – and the Army Commander wanted as little interference as possible from outside. Central Organization Intelligence, which was trying to get a grip on the Intelligence and Security activities of the various Armed Forces at the time, was naturally unwelcome.

The Army's Military History Section

Another body that made a substantive contribution to the preparations for the debriefing in Assen was the Army's Military History Section. The Dutch participation in UNPROFOR included a limited role for the Military History Section in making preparations for the posting of Dutchbat I, involving compiling and presenting a short course on the UN, peacekeeping operations and the historical background to the conflict in Yugoslavia. As there were not enough personnel, in the case of Dutchbat II and III the course was not even given by the Military History Section but by an Army NCO. After that the Military History Section's involvement was confined to collecting documents etc. which were generally of value to military history.

When the Section was ordered, on 13 July 1995, to find out for the Army Commander what had gone wrong in the communication between the Army Staff and the Defence Staff and to make a

²³⁸⁵ NIOD, Coll. Pennin. Findings of Van Kemenade Reading Group, undated.

²³⁸⁶ Interview H. Bleumink, 19/03/01.

²³⁸⁷ By 'such discoveries' is meant criminal offences.

²³⁸⁸ SMG, 1004. Report of briefing of O. van der Wind and K.C. Roos, 16/08/95.

reconstruction of what had happened in Srebrenica, they immediately set about collecting material and holding interviews. It was also agreed that they would take part in the debriefing under General Bastiaans. The three-member Military History Section team arrived in Zagreb on 22 July and each member was assigned to one of the three debriefing teams. As the Military History Section did not know the precise date of the debriefing until two days in advance, the preparations were minimal. The Military History Section came armed with a questionnaire containing fairly traditional questions about the operational aspects of Dutchbat.

The team soon realized in the course of the debriefings, however, that heart-rending episodes had taken place in and around the enclave. Once the debriefings were complete, differences of opinion arose between the Military History Section team and the Army rapporteurs when writing the report. General Bastiaans tried to confine himself to a factual operational report and set to work energetically to finish it as soon as possible. For the military historians this objective was far too restricted and ignored the accumulating indications that atrocities had taken place. Finally the Military History Section group largely distanced itself from the report. It started to consider how it could obtain material in line with its remit from the Army Commander. The Military History Section soon realized that taking part in the big debriefing in Assen would be the ideal way of obtaining information.

A meeting had taken place on 8 August with Warlicht, Principal Private Secretary to the Army Commander, Bosch, Military History Section Section Head Kamphuis and Military History Section researcher Professor Groen. The next day Kamphuis sent Warlicht an internal Memorandum in which Kamphuis suggested a number of conditions for the debriefing. The debriefing should result in a reconstruction of the events in the period from 6 to 22 July relating to the fulfilment of the UN remit in both operational terms and humanitarian terms. Violations of the law of war and cases of excessive violence which Dutchbat personnel had observed should be recorded for the UN organizations responsible for investigating whether human rights had been respected in the former Yugoslavia. In support of this aim the instructions to the head of the debriefing, said Kamphuis, should stress that this was to be a reconstruction of the actual events; otherwise there was a serious danger that the personnel involved (or some of them) could regard these inquiry commissions as a Council of Blood [a reference to the bloodthirsty special court set up by the Spanish in the Netherlands in 1567 - Trans.]. Kamphuis also suggested that the interviews should be guaranteed to be confidential and made a number of proposals for the staffing of the inquiry commission.²³⁸⁹

Meanwhile Kamphuis and his colleagues had been working intensively on 'srebrenica' for a few weeks. A lot of material had been collected and many Army Staff officials interviewed. Kamphuis had managed to formalize the role of the Military History Section in the debriefing in his memo of 9 August. They had a talk on 16 August – the day before the draft plan was submitted to the Ministry – with Brigadier Generals Van der Wind and Roos, at which they discussed in detail how the work of the Military History Section should tie in with the Army debriefing, among other things. Van der Wind had just been appointed head of the debriefing and felt insecure in the absence of written instructions setting out the objectives precisely. Van der Wind and Roos were in favour of a 'narrow' approach – a concise representation of the facts concerned solely with the battalion –, although they thought that the minister would not be satisfied with this. Van der Wind also said that he feared for his position in the Armed Forces if the report was too critical. Both Generals were told by the Military History Section that they would not be provided with the Military History Section's debriefing reports from Zagreb or the Intelligence information held by the Section. The report of the meeting shows that Van der Wind and Roos showed 'understanding' of this point of view and did not insist.²³⁹⁰ The Generals thus passed over an important source of information that was vital in the run-up to the debriefing. For its secret assignment the Military History Section tried to interest the two Generals in requesting material from the Defence Crisis Management Centre. Their response was unenthusiastic, as they considered that the

²³⁸⁹ SMG, 1006. Internal Memorandum from head of Military History Section to Deputy CLS, 09/08/95.

²³⁹⁰ SMG, 1004. Report of conversation with O. van der Wind and K.C. Roos, 16/08/95.

inquiry needed to be kept as narrow as possible, and involving the would only make it broader. It is likely, therefore, that the DCMC material, like the Military History Section material, was not brought up during the preparations.

The Military History Section contacted the Intelligence and Security Section at an early stage, resulting in fairly intensive cooperation. Bokhoven was informed soon after the 14th of the secret mission the Military History Section had been given by the Army Commander.²³⁹¹ They agreed that the Military History Section could add their own questions to the debriefing that Intelligence and Security were planning. At that time it was still to be a standard debriefing. The Military History Section also received the material from Intelligence and Security that they needed to do the job for the Army Commander and to draw up the chronology and brief the inquiry team and the external advisers in Assen. The Military History Section and Intelligence and Security screened, corrected and annotated each other's work. They agreed on who would do what in an advance briefing.²³⁹²

As the course of events above shows, there were a number of special circumstances and limitations in the run-up to the big debriefing that could affect the quality of the final report. Firstly, Van der Wind feared for his position in the Armed Forces²³⁹³, given his concern about a critical report. Secondly, he restricted himself by saying, even before his inquiry had begun, that it would only record and compile, not interpret. Conclusions could only be drawn if all the limitations on the inquiry were stated in detail and all the stories could be verified. Given the limited time available this latter in particular seemed to him to be an impossible condition.²³⁹⁴ Thirdly, we see that the Military History Section – with the approval of the head of the debriefing and his Royal Netherlands Marechaussee adviser – kept back important information, such as their own reports from Zagreb and the Intelligence and Security material, with the result that it could not be used in the operation in Assen. Lastly, Van der Wind did nothing to obtain material from the Defence Crisis Management Centre.

Van der Wind was subsequently unable to remember precisely what had been discussed with the Military History Section in what context. To clarify matters he told the NIOD that he did not feel called upon to consider the UN decisions, the events in the Crisis Staff or the talks between the Army Commander and the Secretary-General. He is also supposed to have told the Military History Section that if this were to be demanded of him in such a short time he would indeed have to report that he was unable to do it. As to the material he voluntarily passed over, Van der Wind said that the story would come out anyway, as they were going to set about things thoroughly and interview everyone. As regards the possibility of doing analyses and drawing conclusions as part of his inquiry, Van der Wind said that he had never thought about it in those terms; what he envisaged was an Army debriefing: reporting and recording.²³⁹⁵

All this shows that the opportunities afforded by an inquiry of this kind were not properly considered in the initial stages. Not only Van der Wind but also those in the Army top brass and the Central Organization who gave him his orders knowingly set themselves a very limited target. At that time there was still scope for making the inquiry more substantive. It is also difficult to understand how, in a situation where the Ministry was constantly complaining about lack of information and the debriefing was intended to get to the bottom of things, the head of the inquiry allowed valuable background material to slip out from under his nose – material which, despite his claim to the contrary, would have allowed him to be properly informed at the start of the debriefing.

The Military History Section wanted nothing to do with this. They were looking for a way of ducking out of the 'secret' assignment from the Army Commander and wanted to move out of the limelight. Ultimately their role would be limited to making a substantial contribution to the organization of the inquiry. Kamphuis had helped to formulate the objectives and strongly urged that the debriefing

²³⁹¹ SMG, 1006/17. Report of conversation with P. Groen, 14/07/95.

²³⁹² SMG, Activities of Srebrenica Project Group, 20/07/95.

²³⁹³ Interview T. Huys, 07/07 and 08/07/00.

²³⁹⁴ SMG, 1004. Report of conversation with O. van der Wind and K.C. Roos, 16/08/95.

²³⁹⁵ Interview O. van der Wind, 19/07/01.

interviews be kept strictly confidential. Then, armed with the knowledge gained in Zagreb, the Military History Section helped to draw up questionnaires that went far more deeply into matters of a humanitarian and law-of-war nature than Bastiaans had in Zagreb. They also worked on compiling a chronology of the events in Srebrenica. They held a detailed briefing on 31 August for the members of the inquiry commission and the debriefers before the start of the debriefing. Lastly, on 6 September they held a briefing for the two external advisers De Ruiter and Huyser. Kamphuis' suggestion of appointing a member of the Military History Section staff as a military history consultant to the inquiry commission was not accepted.

9. Contacts with the Public Prosecutions Department

The handling of possible criminal offences committed by members of Dutchbat III in Bosnia merits a special place in the account of the big debriefing. There was a substantial likelihood when interviewing 460 people that criminal offences would be reported. In fact this need not have been a problem, as the Army had adequate procedures to deal with it. But the Royal Netherlands Marechaussee, the police force of the services, did not want to act in an investigatory capacity in Assen. Ultimately it transpired that they were not the only ones who were not keen on searching carefully for criminal offences.

As early as 1992 it was realized that there was a problem in the communication between the commanding officers and the Central Organization as regards the identification and reporting of criminal offences. On 27 January of that year the then Secretary-General of the Ministry of Defence, Patijn, laid down a procedure for passing on information concerning criminal offences to the Defence Minister. This was sent by letter to the Commanders of the three Armed Forces and the Royal Netherlands Marechaussee Chief Constable. It states:

‘If there are criminal offences of which the Commander has been informed, either in the course of investigation by the Royal Netherlands Marechaussee or the police, or in the course of prosecution by the Public Prosecutions Department, the Director of Legal Affairs should be notified by the Commander’s staff lawyers, if there are offences or circumstances which the Commanders consider the Minister should know about, including in any event such offences or circumstances as could have political or media consequences. In such cases the Director of Legal Affairs should be notified not only of the charge but also of the subsequent progress of the case.’²³⁹⁶

Based on the various reports of outrages and criminal offences committed by members of Dutchbat I, II and III which reached the press in 1994 and 1995 there should have been a constant stream of information going from the Army Commander to the minister. Certainly a number of cases were investigated.²³⁹⁷ Essentially the point is that it was left to the Commander’s discretion to decide whether or not to report something to the minister. The Commander’s opinion on and attitude to this largely determined whether the minister could be saved from media problems in time and with correct information. In the case of the Army, then, it depended on the Commander’s willingness to wash dirty linen in public. The relationship between the Army and the Central Organization, among other things, had a bearing on this. This chapter has already considered the contacts between various actors in the debriefing and the Public Prosecutions Department. Besier of the PPD in Arnhem was notified on 2 August of the facts in the Management Report by the person in charge of the investigation into the rolls of film. He did not see that conversation as grounds for ordering an investigation. On 18 August a formal meeting took place between (a) the head of the debriefing, Van der Wind, and his Royal Netherlands Marechaussee adviser, Roos, and (b) Besier from the PPD. The aim was to agree what

²³⁹⁶ DJZ. Letter from M. Patijn to the three commanders and the RNIMilCon Chief Constable, 27/01/92.

²³⁹⁷ Part II, Chapter 9

should be done if a criminal offence were to be reported in a debriefing interview in Assen. A particular point discussed was the role of Royal Netherlands Marechaussee officers who, as members of the debriefing teams, also had investigatory powers.²³⁹⁸

Both Besier and Roos had been informed of the matters in the MR, one verbally, the other in writing. Van der Wind, so he said, had not yet taken note of them. It is strange that he was not informed at the meeting on 18 August, the ideal opportunity for matters of this kind to be dealt with, despite the fact that potentially highly sensitive and possibly serious criminal offences were involved. It is also difficult to believe that there is no written report of this official meeting with the PPD. As a result it is also extremely difficult to establish precisely what was agreed: the three gentlemen's memories of what was discussed differ. Roos accused Besier of 'subsequently suffering a sudden memory loss with Van Kemenade, as he could not remember at all that we had been there and put the problem to him'.²³⁹⁹ Most probably it was agreed with Besier on 18 August 1995 that a debriefing interview would be halted if a possible criminal offence was involved and the person being debriefed would have his attention drawn to the importance of what he was saying and then advised to report it officially to the Royal Netherlands Marechaussee Brigade in Assen. According to Roos, Besier said, "Look, I'm a public prosecutor and we are going to solve this as follows." He came up with some kind of criminal-law separation. As soon as a soldier evidently incriminates himself by the story he is telling the Royal Netherlands Marechaussee officer in question must say, "Stop! Stop! This is not for me. I'm here for a completely different purpose. You need to take this story to my colleagues at the Royal Netherlands Marechaussee Brigade in Assen." That's how our position was decided. That's how it was explained to our people and that's how it was put into practice.²⁴⁰⁰

Roos and Van de Wind²⁴⁰¹ had identical memories of the conversation with Besier. Subsequent statements by personnel involved in the debriefing show that this procedure was discussed as such in Assen. The servicemen who were to be debriefed, however, were not told about it in advance.²⁴⁰² Only when the team saw or heard that a serviceman might incriminate himself – or someone else – was the interview to be halted. According to Roos this was done firstly to allow the person being debriefed to tell his story uninterrupted, and secondly because a serviceman could not always judge whether there was a criminal-law aspect to what he had to say. It is remarkable, though, that officially only one case of a possible criminal offence came out, viz. an incident in which dead bodies may have been run over. Van der Wind talked to Besier about this incident after consulting De Ruiter.

The Public Prosecutions Department had already started investigations in spring 1995 into possible criminal offences by Dutchbat personnel and was well aware of what was going on. Although he denies this, Van der Wind, as Inspector of the Military Legal Corps and adviser to the Army Commander, must have known about some of the cases under investigation, if only because it was his duty to advise the Commander where appropriate.²⁴⁰³ As far as can be established there was only one contact with the PPD during the debriefing about the possible running-over of Displaced Persons by Dutchbat personnel. If Patijn's instructions of January 1992 had been followed strictly the Ministry should also have been notified of the cases under investigation and the decision on criminal-law separation. DSG Hulshof wrote to the Minister on 16 August that there would be a system for dealing with criminal offences.²⁴⁰⁴ Once the draft plan had been approved on the 17th it was not until the 18th that the agreement between Van der Wind, Roos and Besier on possible criminal offences was reached. At this stage it was remarkable, especially in view of the minute scrutiny to which the press had subjected the conduct of Dutchbat III in the enclave, that a formula was adopted which did not foster

²³⁹⁸ PPD Arnhem. Interrogation of O. van der Wind, National Police Internal Investigations Department, 01/09/98.

²³⁹⁹ Interview K.C. Roos, 13/07/00.

²⁴⁰⁰ Interview K.C. Roos, 13/07/00.

²⁴⁰¹ Interview O. van der Wind, 19/07/0101.

²⁴⁰² Interview H. Bokhoven, 16/05/01.

²⁴⁰³ Interview O. van der Wind, 19/07/01.

²⁴⁰⁴ DS. Memorandum No. 15815/95 from the minister of Defence to DSG H. Hulshof, 16/08/95.

the uncovering of such offences. By discontinuing the interview when there was even a supposition that the person being debriefed might incriminate himself or someone else they were in effect guaranteeing that no-one would make use of this. The servicemen were also not told anything. It is evident that there was no attempt to seek out reports of atrocities and criminal offences. Unreported offences required no action, either from the Public Prosecutions Department or from the Royal Netherlands Marechaussee. The Royal Netherlands Marechaussee was faced with the tension mentioned above between its investigatory powers and its difficult relationship with the rest of the Armed Forces. For the Marechaussee criminal-law separation was a godsend, and a *sine qua non* for its participation in Assen. For the other main actors the arrangement was perhaps of lesser importance, but it fitted in perfectly with the idea that Dutchbat personnel had already suffered enough in Srebrenica itself and subsequently in the media.

10. The events in Assen²⁴⁰⁵

The plan of action approved on 17 August served as the basis for the master plan. Despite the exceptional and out-of-the-ordinary nature of the inquiry, the master plan was compiled entirely in accordance with military custom. The result looked like a master plan for a military operation. This time it did state that the Minister of Defence had instructed the Army Commander to organize the debriefing. It set out the planned details of personnel, organization, logistics and security as far as shielding the operation from the media and other interested parties was concerned.²⁴⁰⁶ Actual events proceeded more or less according to plan, but things did not turn out to be as easy as they looked on paper, of course. This section looks at the events based on the progress of the debriefing from the day the 13th Battalion reported in Assen. The emphasis is on identifying the problems that arose. The section ends by taking a critical look at the final report.

Turnout: who was interviewed?

There were problems, as was only to be expected, in merely contacting all the servicemen and bringing them together. Not everyone received the letter from the Army Commander sent out on 25 August. There were people who were travelling or on holiday, who had been discharged, who had moved or who were engaged in manoeuvres. The original number anticipated was higher than the 460 ultimately interviewed. Analysis showed that 24 had not been in the enclave after all and six were simply untraceable: most of them had gone abroad for a lengthy period without leaving an address. The organizers were busy trying to contact everyone until well into September. An opportunity was also provided for people to report in if for some reason they had not received a formal summons. The organization even contacted military personnel in Australia, New Zealand and Canada.

All the servicemen were required to undergo the normal procedure following a mission. A debriefing was a not-unfamiliar element in this procedure, especially for servicemen who had been on peacekeeping missions before. The routine included a visit to the Army Medical Corps and the Department of Individual Aid; to the quartermaster to hand in personal equipment and collect the personal equipment sent from Bosnia; and recording and handing in weapon accessories. Special activities during that period were the preparations and exercises for the ceremony on 14 September at which the Minister of Defence and the Army Commander were to present the UN commemorative medals, which were awarded to over 700 servicemen, of whom, as we have said, over two-thirds had been in the enclave during the fall of Srebrenica.

²⁴⁰⁵ There is very little written material with which to reconstruct what actually took place in Assen. Where there is specific information the source is indicated in a note. Otherwise this section is based on all the interviews held with people involved in any way in the debriefing. Use was also made of the 208 debriefing interviews at the NIOD's disposal.

²⁴⁰⁶ SMG/Debrief. Srebrenica Debriefing Master Plan, Assen, 31/08/95.

In the first week of the debriefing the main emphasis was on the operational deployment of Dutchbat, the air mobile element. This was simply because the 13th battalion was quartered at the Johan Willem Friso (JWF) barracks in Assen and summoned first. Support units such as medical personnel, engineers, commandos, logisticians and others had their turn starting on 11 September.²⁴⁰⁷

A small group of servicemen who were interviewed towards the end of the debriefing are examined more closely here. The original idea of those in charge of the debriefing was to interview only Dutchbat personnel who had been in the enclave during the fall of Srebrenica, but a number of people were nevertheless added in the third week. Van der Wind received the additional instructions from Secretary-General Barth and the Army Commander on 22 September.²⁴⁰⁸ These were officials who had served on the various UN staffs in Zagreb, Sarajevo and Tuzla during the fall of the enclave, viz. General Kolsteren, Colonel De Jonge, General Nicolai, Colonel De Ruiter and Colonel Brantz. Major De Haan had even been in the enclave when it fell, working as a UN Military Observer (UNMO). These officers had to be interviewed as well owing to pressure from Parliament because of the debate among politicians and in the media on the possibility that the Srebrenica enclave had been sacrificed by General Janvier, the UNPF Commander.²⁴⁰⁹ They were interviewed mainly about the issue of Close Air Support and the UN command.

The extension of the debriefing to include officers on the UN staffs was the only one. The military staffs in The Hague and the Ministry of Defence itself remained completely unscathed in Assen. The minister justified this in his letter presenting the report to Parliament as follows:

‘The staffs in The Hague were not involved in the debriefing as they were not part of the UN command line. I explained in my letter to Parliament of 28 August last (D101/95/16325) that the Ministry of Defence Crisis Management Centre and the Crisis Staff of the Royal Netherlands Army were responsible for following developments closely, not for operational command, which was in the hands of the UN Commanders. Communication between the Crisis Staff of the Royal Netherlands Army and the Ministry of Defence’s Crisis Management Centre turned out after the fall of Srebrenica to have been inadequate in a few cases. The resulting incidents have been discussed in detail in Parliament. The breakdown in communication led me to take steps in the area of management, supply of information and policy advice in the case of peacekeeping operations. These steps are set out in a separate letter to Parliament.’²⁴¹⁰

By taking these steps the minister showed himself to be responsive to MPs and gave the impression that the communication problems had been solved. The effect, nevertheless, was that the relationship between the Central Organization and the Army was kept out of the debriefing and an essential element in the reconstruction of the command and the flow of information was excluded a priori. Voorhoeve denied in 2001 that the steps he had taken were designed to keep the staffs in The Hague out of the debriefing: ‘At that time all eyes were fixed on the answer to the question of what Dutchbat personnel saw in and around Srebrenica. At that time the question was not how communication in The Hague itself had been – that later became a very pregnant question.’²⁴¹¹ If the communication in The Hague itself had been excellent, Voorhoeve’s measures would not have been necessary at that stage. By announcing measures early on, Voorhoeve made it easier to justify keeping events in The Hague out of the picture.

²⁴⁰⁷ Koreman, A.C., ‘*Mijn ervaringen met Dutchbat III en de val van Srebrenica*’, no date.

²⁴⁰⁸ Interview O. van der Wind, 19/07/01.

²⁴⁰⁹ For a detailed description of the problem see Part III, Chapter 6.

²⁴¹⁰ TK, 1995-96 Session, 22 181, No. 128, (30/10/95).

²⁴¹¹ Interview J.J.C. Voorhoeve, 01/10/01.

There were in many cases no quarters available at the barracks in Assen for non-air-mobile military personnel, so alternative accommodation had to be found in the town and the surrounding area. The solution was to billet them in private houses. Almost the entire debriefing team, over one hundred strong, directly involved in the debriefing were billeted in the Van der Valk hotel. This was not only practical, it also promoted homogeneity and team spirit. The location selected for the actual debriefing was an empty military building outside the barracks. For logistics the Johan Willem Friso barracks was used, so that the supply of tables, chairs, desks and office supplies, as well as tea, coffee etc., remained under Army control. Computers were leased from a private company and delivered completely 'clean'.

The start of the debriefing interviews

The debriefing did indeed start on 4 September. Returned servicemen had been ordered to report to the barracks that day before 1.00 pm. The turnout on the first day was in fact very poor, with only a few people putting in an appearance initially.²⁴¹² Not all the men and women had arrived at the barracks, and coordination between the Information Post and the barracks left something to be desired. The battalion included servicemen who wanted nothing to do with the debriefing. Some of them had to be literally plucked out, and although no-one refused, gentle persuasion sometimes had to be used to get people to attend an interview.²⁴¹³ Things did not really start moving reasonably well until the next morning.

The procedure was for the personnel to be debriefed to be announced at the morning parade and then transported by shuttle bus from the barracks to the debriefing building. The shuttle service subsequently ensured that people who had been interviewed were brought back and in the meantime it could be used for special trips. Having arrived at the building the servicemen reported to the Information Post, where their names were checked against a roll. The receptionist then handed them an information sheet and asked them to read it carefully while waiting to appear before the debriefing team. The information sheet explained the organization and purposes of the debriefing.²⁴¹⁴ It referred to the letter from the Army Commander of 25 August and called upon everyone to talk about their experiences, positive and negative, in confidentiality. A depersonalized report of all the statements would be compiled for the Minister of Defence. The reason for writing this report, said the information sheet, was that the minister had been criticized in the media for not being sufficiently aware of the facts. The experiences of the interviewees would bridge the gap. The information sheet also said that observations of possible violations of humanitarian law (of war) would be sent to the UN tribunal in The Hague, and that the teams consisted of professional interviewers from the Army and the Marechaussee. This was followed by a description of what was to happen to the report of each debriefing interview and – very important with a view to confidentiality – that the reports of the interviews would be classified as STATE SECRET CONFIDENTIAL. No-one among their fellow-servicemen or commanding officers would ever see them. At the end were some telephone numbers in case an interviewee wanted to get in touch after being debriefed.

When the time came a member of a debriefing team collected the serviceman from the waiting room and took him to a room, where it was explained to him in broad terms how the interview would proceed. Before starting the interview his personal particulars were taken down. The interview reports and talks with those involved indicate that the serviceman being debriefed was not told about the criminal-law separation procedure agreed with the Public Prosecutions Department. This was the agreement that a serviceman would be advised to make an official report to an Royal Netherlands Marechaussee unit outside the building if a possible criminal offence was involved. Under this

²⁴¹² Interview C. Kuijs, 20/06/01.

²⁴¹³ Interview C. Kuijs, 20/06/01.

²⁴¹⁴ SMG/Debrief. Srebrenica Debriefing Master Plan, Assen, 31/08/95. Appendix E, Information sheet for personnel being debriefed.

arrangement the Royal Netherlands Marechaussee officers on the debriefing teams did not have investigatory powers.

A debriefing team consisted of two Royal Netherlands Marechaussee servicemen and one from Army Intelligence. In general the Army Intelligence officials were more familiar with the material, as they had had something to do with Srebrenica through their work or had actually served in the region.²⁴¹⁵ A few of the Royal Netherlands Marechaussee officials had been posted, but they had clearly been brought in as rapport-writers. A total of 20 debriefing teams operated in Assen, two of them led by Major De Ruyter and Major Schellekens, both of Army Intelligence. These 'heavy' teams dealt with the special cases and the high-ranking battalion staff: Deputy Battalion Commander Franken, for example, who was asked *inter alia* about the list of 239 and the statement of 17 July signed by him. There was also a women-only team to interview female personnel. Later on another five ad hoc teams were formed to debrief servicemen who were still in Bosnia or in Seedorf.

The predetermined tactics of the debriefing teams was to kick off the interview with a few general introductory questions and then let the serviceman tell his own story. Van der Wind and Roos had stressed to the Royal Netherlands Marechaussee and Army Intelligence officers on the debriefing teams that the debriefing interviews should on no account take on the nature of an interrogation. They should try to create a relaxed, open-ended atmosphere so that the women and men of Dutchbat would feel at ease. The interviewers should intervene from time to time using predrafted questionnaires to ensure that all the topics had been dealt with.

During the planning of the debriefing the questions had been classified into three main categories that had to be dealt with in order to consider all the possible topics. The categories were: general, operational aspects and the humanitarian law of war. The debriefing teams in Assen had to observe this sequence in the interviews. The topics had been broken down on the questionnaires. The general topics were: evidence, contacts with the media, signed documents or agreements, possible criminal offences/misconduct²⁴¹⁶ and other matters. The operational topics were: location and organization, orders, experiences, reports, communication, assistance, command, logistics and other matters. The humanitarian law-of-war topics, lastly, were: identification, treatment of the sick and wounded, treatment of prisoners, treatment of civilians/Displaced Persons, how the interviewee had been treated as a hostage/prisoner, methods and means of waging war, and knowledge of the law of war.²⁴¹⁷

Most of the questions were indeed put in the agreed order. In practice this meant that matters of acute importance in saving the Minister from further scandals were checked first, as a reading of the debriefing reports which individual servicemen voluntarily placed at the NIOD's disposal confirmed.²⁴¹⁸ The first question was whether the interviewee still had evidence that could be of value to the inquiry. The subject was then always asked about any contacts with the media and whether he knew anything about possible signed documents or agreements. The idea was ultimately to work through the whole questionnaire in this way. This was not always entirely successful, however. This is difficult to glean from the interview reports available, as questions to which no answer was given were not consistently reported/recorded as such, so it is impossible to ascertain whether the questions were actually put. The questions had already been entered in the computer on a debriefing interview form. There were other factors too. The more people the interviewers had talked to the more knowledge they had and the more precise and appropriate the questions became. This was partly due to the fact that things had been organized in such a way that as far as possible each debriefing team saw servicemen who had been at the same location or done the same work.

²⁴¹⁵ Interview R.F.J.H. de Ruyter, 31/05/01.

²⁴¹⁶ Although criminal offences/misconduct were on the questionnaire, in view of the agreement between the PPD and those in charge of the debriefing, interviewees were not specifically asked about this insofar as possible criminal offences/misconduct by Dutchbat personnel were/was concerned.

²⁴¹⁷ SMG/Debrief. Srebrenica Debriefing Master Plan, Assen, 31/08/95.

²⁴¹⁸ The NIOD has had at its disposal 208 original interview reports provided voluntarily.

The drawback to this approach was that after a few interviews with the same content the debriefers became somewhat impatient and were not so keen to hear the same story yet again,²⁴¹⁹ so they did not press on with the questioning as hard as before. Then again it was possible for a serviceman to give no answer, or a wrong answer, to a question even though he knew the right answer. As a result of the decision not to listen to all sides it was virtually impossible to filter out this kind of thing.²⁴²⁰ Another reason why not all the questions were dealt with in the case of some interviewees was pressure of time. If a lot of time had been spent on a particular serviceman in order to get certain events or observations down on paper carefully this could be at the expense of the other questions, which were often rushed through or not even put. A small number of servicemen were interviewed by a debriefing team more than once to seek out information needed at that time to answer urgent questions.²⁴²¹

During an interview all the information was typed directly into a computer by a member of the debriefing team. It was normally possible shortly after the end of an interview to hand the interviewee a typed statement which he was required to sign. As far as can be ascertained this did indeed happen in all cases. Subsequently there was some confusion, as a number of servicemen thought that signing meant that they would automatically be sent a copy of the statement; this was only done, however, if the interviewee specifically asked for it. The confusion emerged afterwards when people concluded that as they had not been sent a copy they had not signed the statement.

A number of problems with the debriefing in fact became clear in the very first interview. The Military Security man who had served on Dutchbat III in Srebrenica as a seconded S5 was asked by his colleagues from Army Intelligence on a debriefing team to act as a guinea pig. The investigators realized almost immediately that Dutchbat personnel who had been in Srebrenica often had a confused notion of time. Often they were able to remember events but not when they had happened.²⁴²² Another problem that also became clear then, which a number of interviewees complained about afterwards, was the representation of the interview: looking back, they did not always find the information recognizable. There was also a feeling that the rapporteurs did not always have the knowledge or background to understand all the material.²⁴²³

The growing understanding the debriefing teams gained, resulting in the questions being revised, was also found at the next level. The completed reports of the interviews were copied and passed on, including all the personal particulars, to each of the three reading and analysis (RA) teams. Each of these had been assigned a particular topic to focus upon, viz.: general, operational aspects and the humanitarian law of war. This division was in line with that of the questionnaires used in the interviews. The RA teams' job was to mark those passages in all the texts that were of interest to their special subject. They encoded them using agreed codes all set out in the master plan and also noted in the margins certain relevant facets identified in the stories. From these the most important items were selected to be made known direct to Bokhoven, the actual coordinator of the day-to-day running of the inquiry, or Van der Wind.

The reading and analysis teams

The debriefing teams worked in a compartmentalized manner as a general rule, but the RA teams saw all the reports.²⁴²⁴ At this level each team had a complete overview of its equipment and was much better able to detect inconsistencies. Most of the changes to the questionnaires were based on observations by the RA teams. Only Van der Wind, Bokhoven and Kuijs at the Administrative Centre

²⁴¹⁹ Interview R.F.J.H. de Ruyter, 31/05/01.

²⁴²⁰ Interview K.C. Roos, 13/07/00.

²⁴²¹ Interview H.H. Hulshof, 06/12/01; Interview J.H.M. de Winter, 20/07/00; Interview O. van der Wind, 19/07/01.

²⁴²² Interview R.F.J.H. de Ruyter, 31/05/01; Interview B. Rave, 13 and 14/12/00.

²⁴²³ Interview G. Kreemer, 13/07/98.

²⁴²⁴ DAB. Report based on the Srebrenica Debriefing, Assen, 04/10/95.

– and later on the members of the editorial team – had the overall picture. They also saw the marked-up reports from the three separate RA teams. Coordination meetings took place every day. If there were similar reports of excesses, for instance, it was important to investigate them. Thus it could happen that not only was the questionnaire revised but also a serviceman was called back to explain things that were unclear or to check contradictory information. Most of those involved regarded the daily coordination meetings as very worthwhile. This was the only time in the day when the whole group met. The meetings went as follows: Van der Wind generally opened with announcements and comments, then Bokhoven took the floor and went into the most important matters and trends that had emerged so far in more detail. The aim was not only to inform but also to draw attention to certain points, with the deliberate intention of revising the questionnaire if necessary. According to Van der Wind the questionnaires were totally different at the end of the debriefing compared with at the beginning.²⁴²⁵ After Bokhoven someone from the RA teams usually took the floor and explained some issue or other or drew attention to a particular subject. The morning meeting was always closed by Kuijs with announcements of a domestic nature. A regular item was the running total of people interviewed so far. Finally there was an opportunity for the participants to ask questions.

Some comments should be made on the staffing of the three RA teams. It is noteworthy that the RA team responsible for analysing the Operational aspects had the highest-ranking personnel of the three teams, viz. four officers: a colonel, two lieutenant colonels and a major. This was followed by the General team, which had a lieutenant colonel, a major, a lieutenant and an warrant officer. The third RA team was the Humanitarian Law of War team, which had two majors, an warrant officer and a staff sergeant. Given the public and political interest at the time one would have expected the main emphasis to be on RA team 3, the Humanitarian Law of War team.

Although Major Wilbert Kroon, head of the Humanitarian Law of War team, was known to be a good academic lawyer, he was certainly no specialist in the subject matter, in spite of the focus by the politicians and the media on the humanitarian dimension of the drama in Srebrenica. This assignment of priorities in staffing the RA teams shows that the Army still regarded its original aim of holding an operational debriefing as the most important one. The allocation of staff to the Operational team was part of a broader phenomenon, however. When Van der Wind took up his post as head of the debriefing on 12 August the personnel for the inquiry had already been designated. In any case he had no say in the Royal Netherlands Marechaussee personnel, as that was Roos' job. The other Army personnel – including the Army Intelligence officials – had been appointed mainly through the offices of the Army Crisis Staff.²⁴²⁶ Ultimately Van der Wind only brought in a lawyer as a kind of right-hand man. There was quite simply no way for him to appoint people himself.²⁴²⁷

There were other differences between the Operational team and the other two besides in their staffing. The Operational team set itself aside during the entire debriefing. They went so far as to continue wearing military uniform against the strict orders of the head of the debriefing. This behaviour was not appreciated by most of their colleagues. But there were other problems too. About a week after the start of the debriefing it became clear that the son of the head of the Operational team had served with B Company in Srebrenica. This fact led to a certain amount of discussion when it became generally known. Some people suggested that it might result in a conflict of interests. Van der Wind discussed the situation with the colonel concerned but saw no grounds to remove him from his post.

It also emerged at the very beginning of the inquiry that a virus had got into the Administrative Centre database. The Operational reading and analysis team, again against the orders of the head of the inquiry, had used their own laptops and floppy disks,²⁴²⁸ and it is probably as a result of this that the virus had got into the database. Fortunately the damage was minimal. The virus was discovered almost immediately and dealt with by the system administrator. It did not affect the report of the facts,

²⁴²⁵ Interview O. van der Wind, 19/07/01.

²⁴²⁶ Interview O. van der Wind, 19/07/01.

²⁴²⁷ Interview O. van der Wind, 19/07/01.

²⁴²⁸ Interview C.P.C. Kuijs, 20/06/01.

according to one of the writers, although it did affect the documentation centre: the stack of interview reports from that day had to be redone.²⁴²⁹ Later on there was another ‘virus incident’ and the 1995 virus in Assen was re-examined. In May 1999 the press reported that statements in the Srebrenica archives at the Frederik barracks in The Hague had disappeared or been destroyed, supposedly as a result of a hard disk crash. Intelligence instituted an inquiry, which was completed on 3 June 1999. The Ministry of Defence was told that the investigators had found no evidence of this. The diskettes still contained 485 of the 487 statements and all of them had been printed. Two statements had never been saved to diskette because they had been faxed in from abroad.

The discrepancy between the 487 statements and the only 460 people interviewed, incidentally, is due to the fact that some servicemen were interviewed more than once. There was no hard disk and in any case there had never been any question of storing statements on a hard disk, according to the investigators. The same inquiry report informed Minister De Grave of the Assen virus. Here again the conclusion the investigators came to was that the damage had been detected in time and had thus remained limited.²⁴³⁰ An inquiry was also carried out by the Royal Netherlands Marechaussee during the same period, and this also indicated that no damage had been occasioned to the stored statements as had been suggested in the press.²⁴³¹

A subsequent incident involving the Operational team related to the creation of a dossier for the Lessons Learned (LL) Section of the Army. Major Stumpers sat on the team on behalf of LL and soon after the start of the debriefing began work on the dossier, alongside his work of coding the interview reports. For this purpose he used the full interview reports including all the personal particulars. In itself this should have come as no surprise, since he had notified those in charge of the inquiry of this work by letter on 18 August 1995.²⁴³² Especially since Deputy Army Commander Van Baal stated to the NIOD that he had been kept informed regarding the performance of the battalion and the battalion command by telephone by the head of the Operational RA team throughout the debriefing.²⁴³³ Van der Wind, however, was not taken with this and put an end to Stumpers’ activities in the second week of the inquiry. This tallied with the instructions to all concerned that absolutely no information should be allowed out of Assen. As it turned out later, those in charge of the debriefing were very strict when it came to requests for information from the Central Organization. Van der Wind represented the Stumpers file to the NIOD as a mere incident, the work of a young, enthusiastic officer.²⁴³⁴ Lastly, there was one more incident where Van der Wind had to intervene. The Operational RA team had pulled in Major Franken from the corridor after his debriefing interview to ask him some questions. Some of those involved had a strong impression that this happened on numerous occasions.²⁴³⁵ The strict compartmentalization of the various levels in Assen was against this and explains Van der Wind’s intervention. In view of the reports from the Operational RA team to Van Baal on the performance of the battalion and the battalion command, however, it is clear that they felt they were justified by instructions from the highest level.

The only official exception to the rule that absolutely no information on the debriefing was allowed out was the special relationship with the UN Yugoslavia Tribunal. The aim of finding out what Dutchbat personnel had seen of the war crimes committed by Bosnian Serbs was fleshed out in a special way in Assen. The red carpet was rolled out for the Yugoslavia Tribunal in The Hague. From the second week of the debriefing there were personnel from the Tribunal present on an on-going basis. Their office was in a hotel in Assen but they visited the debriefing frequently. Van der Wind set

²⁴²⁹ Interview de G. de Groot, 28/04/99.

²⁴³⁰ NIOD, Coll. Pennin, Report on Investigation, 03/06/99.

²⁴³¹ RNIMilCon. Memorandum from RNIMilCon Deputy Chief Constable G. Beelen to the minister of Defence, 24/06/99.

²⁴³² See LL. ‘Fall of Srebrenica’ investigation, letter from Head of Lessons Learned Section Major Stumpers to H-OB, SC-O and Colonel Bokhoven, 18/08/95.

²⁴³³ Interview A.P.P.M. van Baal, 01/11/01.

²⁴³⁴ Interview O. van der Wind, 19/07/01.

²⁴³⁵ Interview R.F.J.H. Ruyter, 31/05/01; Interview O. van der Wind, 19/07/01.

up a special information room on the law of war where the people from the Tribunal could see the latest information. There were also frequent contacts with the Humanitarian Law of War RA team. The Tribunal staff were given full access to any statements in which matters of interest to them had been found. This had various consequences. Firstly, they used the information to check what they already had themselves. This could result in the questions for the debriefing being revised. Secondly, the UN often called in Dutchbat personnel, based on the statements, to question them again. They eventually interviewed dozens of Dutchbat personnel.²⁴³⁶ Subsequently a number were selected from this large group of people to actually testify before the Tribunal in 1996. Although Voorhoeve had indicated in advance that the Tribunal would receive full cooperation, it is thanks to the understanding and organizational capacities of the head of the debriefing that things were so well organized.

The Administrative Centre and the report of the facts

The Administrative Centre, where Major Kuijs held sway, was the next phase after the interview reports had been processed by the RA teams. It was he who had written the plan of action for the debriefing and oversaw the rather complex procedure of data processing and the subsequent computerized compilation of the interview reports. Once the RA teams had finished checking them and marking them up, the reports were submitted to the Administrative Centre, where the writers of the report of the facts processed each coded report. They put the story in a word processor, singled out the relevant passages and grouped those containing similar data together. A list on paper of e.g. observations on the lines of 'I saw human remains at such and such a crossroads' was then produced. If a story of this kind occurred in the word processor text, say, five times, there was a series: a dead body was seen at such and such coordinates and this was confirmed four times. All the condensed stories were subsequently put together by the writers of the report of the facts. Their job was to depersonalize the stories and reduce them to 'bite-size chunks', which were then pasted one after another and grouped into the complex of facts on which the final report of the debriefing was compiled.²⁴³⁷ It was necessary to depersonalize data because of the confidentiality promised to the servicemen. Depersonalizing the reports of the battalion commander and his deputy in the final complex of facts was more difficult, of course, as they were at the head of the chain of command and it was fairly easy to trace things back to them.

The Administrative Centre did more with the statements, however. Apart from Kuijs it was manned only by other Royal Netherlands Marechaussee officials, who were accustomed to using a report of the facts in major Royal Netherlands Marechaussee investigations. What Kuijs and his men did was compile a complete report of the facts based on the statements as coded and supplied by the RA teams. The result was a very comprehensive report containing the primary reports of interviewees, often still including emotions and local colour. The report of the facts is the sum of all the relevant statements and thus contains a lot more information than the final report. The report of the facts was not primarily intended to serve as a basis for the report of the debriefing; that, after all, was what the statements marked-up by the reading and analysis teams were for. Kuijs wanted to be sure that the information was handled carefully and that nothing got lost. He regarded the report of the facts as an insurance policy for the future. He did not want Royal Netherlands Marechaussee personnel to be confronted afterwards with a discussion or facts that had been reported but not included. It was insurance that nothing would be swept under the carpet.²⁴³⁸ The report of the facts, then, was never intended to be published as a self-contained report. It was just standard practice in the Royal Netherlands Marechaussee to produce a report of the facts in major investigations. According to Van der Wind regular use was made of it to verify things while writing and editing the final report.²⁴³⁹ The

²⁴³⁶ Interview O. van der Wind, 19/07/01.

²⁴³⁷ Interview de G. de Groot, 28/04/99.

²⁴³⁸ Interview C.P.C. Kuijs, 20/06/01.

²⁴³⁹ Interview O. van der Wind, 19/07/01.

people in the Administrative Centre had their hands full drawing up the three reports and the report of the facts at the same time. When the operation began there were two report-writers. When things hotted up a third was added so that each one had his own chapter. In the last week three Royal Netherlands Marechaussee officials were added, making two per chapter. The additional staff at least meant that they could cope with the work; the drawback was that each individual writer had less of an overview. Kuijs had the full overview, as he edited the report of the facts: there were two copies of this, one kept by the Royal Netherlands Marechaussee in Utrecht and one deposited with Military Intelligence in The Hague.

The editorial team

After the report-writers had depersonalized the statements and turned them into factual complexes it was the turn of the editorial team. Van der Wind and Bokhoven were in charge; the other members were the heads of the reading and analysis teams, Colonel De Jong, Colonel Steinhardt and Major De Kroon, and two Army Intelligence officers, Pennin and Captain Triep, whom Bokhoven had brought in for the actual writing. The two external advisers, De Ruiter and Huyser, were also closely involved in the editing and saw the various versions so that they could comment on them. As the editing took place mainly late at night, De Ruiter and Huyser did not see the edited versions until the next morning. Only when the report was nearing completion was the input from the heads of the RA teams substantially reduced. Pennin and Triep ensconced themselves in the cellar of the building and hardly anyone went down there apart from Van der Wind and Bokhoven. Until then, however, editorial meetings were held regularly, with all the members of the editorial team present, to discuss the content. The report of the facts, which was completed on 22 September, was also consulted in the final phase if clarification of particular matters was needed.

The external advisers played a fairly active role, according to many of those involved. They were often present at the inquiry in Assen and had access to all the interview reports, most of which they did indeed read. They also took advantage of their right to attend some interviews as listeners. Their involvement in the inquiry in the initial stages, however, was primarily in the capacity of observers and readers. Only when the inquiry progressed and the editorial team started work in earnest did they come more to the fore. An example already mentioned is Van der Wind's request to De Ruiter for advice on what to do with reports of Dutchbat personnel possibly having run over Displaced Persons. It was then decided in consultation that Van der Wind should take this up with the Public Prosecutor in Arnhem, Besier.

The advisers also made recommendations regarding the final report itself, initially about the organization of the report. The original idea was to keep to the classification into the subjects used for the debriefing: General, Operational and Humanitarian Law of War. In view of the nature and quantity of observations and reports from Dutchbat personnel on Displaced Persons and wounded persons, however, the advisers urged that these topics be dealt with in a separate chapter. De Ruiter in particular acknowledged that the problem of Displaced Persons was a serious one. Then there was a discussion about reports of Dutchbat personnel allegedly helping Bosnian Serbs by training them to use Dutch equipment.²⁴⁴⁰ There were also discussions about the problems with the Army Hospital Organization units, but this was seen as an interpersonal problem, which, as such, fell beyond the purview of the report. According to one of the editors it had been known from the outset that matters relating to commanding officers and personal relationships would be kept out of the report.²⁴⁴¹

²⁴⁴⁰ Interview F. Pennin, 07/03/01.

²⁴⁴¹ Supplementary telephone discussion with F. Pennin, 25/06/01.

The final report: a critical view

The completion of the report brought to an end a hectic period that, including the preparatory work, had started at the beginning of August. Interviewing 460 servicemen in barely four weeks had been a gargantuan task, and the majority of the personnel involved in the debriefing in Assen had found it so. For a period of just a few weeks they had worked extremely hard, 18-hour working days being no exception. Thousands of pages of witness statements on a wide variety of matters were ultimately distilled into a report of just over one hundred pages. The time frame – the period from 6 to 21 July – was strictly applied in the report. The style was factual and impersonal. To provide readers with some background a chapter on ‘Background and Chronology’ was included. At the end of the report were eight Appendices to clarify matters further.

As indicated in the introduction to this chapter, this report deals with the topics in the report of the debriefing in detail. A topic-by-topic comparison with the report of the debriefing here would result in unnecessary repetition; nevertheless it is necessary to select a few examples to give an understanding of how things worked and to illustrate the kinds of shortcomings found. The three examples discussed below are described in detail in an Appendix to this report on the medical issues.²⁴⁴² This heading includes a number of cases where the performance of Dutchbat, the Army Hospital Organization units and the dressing station was demonstrably different from the way it was described in the report. A secondary reason for choosing these topics is the fact that the report of the debriefing generally gives very short shrift to medical matters, whereas there was a wealth of material in the interview reports, relating to the evacuation of the hospital in Srebrenica, internal squabbles among the medical staff and with the battalion command, and thirdly the problems regarding the ‘emergency supplies’.

The evacuation of the patients from the hospital to Potocari is the first topic on the list. The final report creates the impression that this was a Dutchbat operation and that MSF played at most an auxiliary role. The report of the debriefing says that Dutchbat managed to evacuate the hospital, albeit with a degree of improvisation.²⁴⁴³ The report of the debriefing goes on to say that MSF assisted with the transport, but once the stream of Displaced Persons got under way it was mainly Dutchbat that provided transport. A quote from an interview report was supposed to illustrate this: ‘As MSF personnel were in the shelter at the time it was decided to take the wounded in Dutchbat vehicles as far as possible.’²⁴⁴⁴ The reality was substantially different. Although there was some contradictory information on what actually happened, with hindsight it is clear that Dutchbat is given too much credit in the report of the debriefing. The evacuation from Srebrenica to Potocari took place in great haste and panic. No-one knew what was happening or where they were supposed to go: there was complete chaos. Captain Groen of B Company had understood that MSF wanted to evacuate and had given orders to make four-ton lorries ready to accede to a possible request for assistance from MSF.²⁴⁴⁵ The assembled Displaced Persons, however, thought that the lorries were there to take them north and climbed aboard. Each lorry had a load of a good hundred panic-stricken people, and the drivers had to pull people out of the cab in order to be able to drive. A few ambulant patients climbed on a Dutchbat lorry of Displaced Persons and set off for Potocari: it is not clear whether these were wounded from the hospital, as there were many wounded among the Displaced Persons and in the vicinity of the B Company compound. Just before the actual fall of Srebrenica, when the Bosnian Serb soldiers were already in the town, Lieutenant Egbers ordered his own men to set off for Potocari on foot to make room for twenty wounded supplied through MSF.²⁴⁴⁶ It is clear that there was absolute chaos in Srebrenica when the stream of Displaced Persons set off for Potocari.

²⁴⁴² See Appendix ‘*Dutchbat III en medische aangelegenheden*’.

²⁴⁴³ Report of the debriefing, 5.3, p. 55.

²⁴⁴⁴ Report of the debriefing, 5.10, p. 57.

²⁴⁴⁵ Debriefing report Y.M.C. Borst, 13/09/95.

²⁴⁴⁶ Interview V.B. Egbers, 02/09/99.

In all likelihood the reading and analysis teams in Assen mixed up the various locations where there were wounded. Dutchbat eventually transported 20 wounded, MSF 48. The result, though, was that in the report of the debriefing Dutchbat took the credit for an operation in which it had played a supporting role.

Another example was the poor relationship between the battalion staff of Dutchbat III and Army Hospital Organization units 5 and 6. A wealth of information on this subject emerged from the statements taken in Assen, not only from people who had served at the dressing station or in an Army Hospital Organization team but also from other Dutchbat III military personnel. The report of the debriefing gives reasons for the unsatisfactory relationships between the two Army Hospital Organization units and the battalion command which are in themselves relevant: the fact that unit 5 was relieved by unit 6 far too late, poor coordination between the battalion command and the Army Hospital Organization, the fact that Army Hospital Organization personnel had ridiculed a number of people in a satirical radio programme, the failure of the medical command to observe the normal rules, and a difference of opinion on whether to support MSF at the hospital in Srebrenica.²⁴⁴⁷ This list, however, in no way deals with the complaints and comments in the statements themselves and no connection is made with the resulting information on a failure of the battalion command. Far more serious is the fact that the report mentions that orders by the commanding officer of the dressing station were not carried out when the enclave fell.²⁴⁴⁸ The conclusion, that this was due to fear or cowardice and that refusing to obey an order is a serious offence in military terms, was not drawn. It is also remarkable that neither the minister nor the Army Commander instituted a criminal investigation after the report appeared.²⁴⁴⁹

For the third and last example from the report of the debriefing we now give a brief analysis of the problems regarding the 'emergency supplies'. The report says: 'It remains unclear whether applying the "for use only in emergency" rule resulted in the death of Displaced Persons in need of medical assistance.'²⁴⁵⁰ The debate that erupted following the Brandpunt current affairs programme on 26 November 1995 showed that there was a lot more involved, and the conclusion was that the discussion of this highly complex matter in the report of the debriefing was very incomplete. A member of the debriefing organization was not happy with the latter and claimed that the Operational reading and analysis team had omitted important facets and background information, inter alia on the question of the 'emergency supplies'.²⁴⁵¹ This sentence led Minister Voorhoeve to question whether this had resulted in the death of Displaced Persons, and he ordered an investigation.²⁴⁵²

The answers to these and other questions about the actions of the medical personnel could have found a place in the letter Voorhoeve wrote to accompany the presentation of the report of the debriefing to Parliament.²⁴⁵³ Ultimately Voorhoeve did not mention this issue in his letter.²⁴⁵⁴

These examples show on the one hand how chaotic the situation was in the enclave, and it is understandable that the debriefers and the RA teams initially had difficulty bringing a degree of order to

²⁴⁴⁷ Report of the debriefing, 6.4.

²⁴⁴⁸ Report of the debriefing, 6.4.

²⁴⁴⁹ The case was investigated in November and December 1995 by the Inspector of the Army Medical Corps. For a detailed account of this case see the Appendix '*Medische Kwesties*'.

²⁴⁵⁰ Report of the debriefing, 5.41.

²⁴⁵¹ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 7. Report of telephone conversations following the appeal by the minister of Defence, 17/08/98, p. 8, paragraph 6.

²⁴⁵² DCBC, 1214. Fax from Head of Operations Defence Staff to Brigadier General W. Vader, 18/10/95, No. OPNB/HE 1018.

²⁴⁵³ In anticipation of the final debate on 19/12/95 the minister did on 30/11/95 and 11/12/95 answer the 145-plus questions from MPs on the report of the debriefing. On the advice of the Inspector of Military Health Care, Air Commodore H.J.M. Groenhout, however, in the case of questions about medical intervention the minister referred to the investigation in progress led by Groenhout. Groenhout's 'highly confidential' report was ready on 15/12/95 but did not reach Parliament in time for the final debate.

²⁴⁵⁴ TK, Parliamentary Session 1995-96, 22 181, No. 128, (30/10/95).

the flood of information they were inundated with. We have seen earlier on in this chapter how the debriefing teams' understanding progressed, with the result that there was more and more context into which to fit particular pieces of information. There was also the possibility of editing the questions in the questionnaire if there was good reason to do so. According to Van der Wind the questionnaires were totally different at the end of the inquiry compared with at the beginning.

On the other hand these examples clearly show the discrepancy between the excessive amount of information in the statements and what actually ended up in the report. A definitive judgment of the report of the debriefing could only be given if all 487 interview reports could be examined without restriction. The report of the facts and the 208 statements placed at the NIOD's disposal do not permit this. A selection was in any event made from the vast quantity of material at three levels in Assen. The first selection took place during the debriefing interview: not everything the interviewee said was included in the report. Then one of the three RA teams made a further selection. The final selection was made by the members of the editorial team. Of the 460 servicemen only a few were interviewed more than once. It was rare for interviewees to be confronted with one another's statements.

The complaint made by some, that they did not recognize their stories in the report, was justified: the report falls short particularly when it comes to describing atmosphere and local colour. According to Van der Wind this was done deliberately so as to keep it as factual as possible.²⁴⁵⁵ Also, some interviewees did not feel that the debriefing was an open-ended conversation in which they had the opportunity to tell their stories at their leisure; others, however, found it open and pleasant. Here is a selection from the wide range of reactions to the report by those directly involved.

Dijkman was a chaplain and social worker with Dutchbat III. In the course of the debriefing he had tried to get things off his chest, but was disappointed. According to him the 'atmosphere of interrogation' provided little opportunity for him to talk about the emotional aspects of what he had been through.²⁴⁵⁶

As part of the investigation by Jos van Kemenade, Defence Minister De Grave in 1998 sent a letter to all Dutchbat personnel and other servicemen involved in the debriefing in which he asked anyone who had information that could be useful to Van Kemenade's investigation to come forward. There were 28 responses, mostly by telephone. Of 21 ex-Dutchbat personnel, just over half were critical of the debriefing: the interviews had felt too much like interrogations, they considered that the information they had reported was not included and the tone was too matter-of-fact. The other Dutchbat personnel's reactions to the debriefing were neutral or positive.

The remaining seven responses from servicemen who had played a role in the inquiry were reasonably positive. One had been a member of a reading and analysis team. He admitted that the teams' attitude was that Dutchbat ought not to be dragged through the mire any more. He also said that the report of the debriefing did not present an open, critical view of Dutchbat's actions, but that was not the remit. A more general problem, he said, was that the facts had been represented in a cold, factual manner; the report said nothing about the many moral and ethical dilemmas faced by Dutchbat personnel.²⁴⁵⁷

According to the then deputy of Colonel Ton Karremans in Srebrenica and Potocari, Major Rob Franken, the inquiry fulfilled its purpose, to look into disasters, to see if there was any 'shit'. He was also very critical of the fact that there had never been a proper operational debriefing of Dutchbat III.²⁴⁵⁸ Criticism was also voiced by Lieutenant Van Duijn. He found strange mistakes in the typed interview report handed to him to sign. Speaking of the debriefing team he concluded that 'the boys did their best but they were unable to gauge the situation'. Satisfaction was expressed by Warrant Officer Koreman, who had worked as head of the Ambulance Group in Srebrenica. He considered he had

²⁴⁵⁵ Interview O. van der Wind, 19/07/01.

²⁴⁵⁶ Interview E. Dijkman, 29/07/99.

²⁴⁵⁷ Kemenade, *Omtrent Srebrenica*, Part 2, Appendix 7, 28/09/98.

²⁴⁵⁸ Interview F. Franken, 14/09/98.

been questioned fully. The interviews were relaxed and open and he was well supplied with creature comforts.²⁴⁵⁹

Some fairly fundamental criticism of the debriefing was also voiced by the Army's Individual Health Care, which was in Assen in case a serviceman broke down during an interview. There was no question, however, of giving the interviews a psychological element, and the Department was astonished to hear through Van Kemenade in 1998 that the psychological aspects were among the objectives of the debriefing.²⁴⁶⁰

Criticisms of the final report also came from the broader circle of people involved, at the level of the Staff of the Army Commander and the Central Organization. Deputy Chief of Defence Staff Schouten, for instance, is said to have let slip soon after the publication of the report that it might have been better to debrief the servicemen in Assen in groups of four. The idea behind this was that being confronted with one another's stories would have made for greater transparency and precision.²⁴⁶¹ General Huyser, who acted as adviser to the debriefing, regretted that the inquiry had been limited in place and time to Srebrenica from the start of the attack to the deportations. The then Director of the General Policy Affairs Directorate, De Winter, took the view that matters had been omitted during the editing of the report. There was a lot more in the report of the facts than in the final report, and a report with that kind of atmosphere would have been better.²⁴⁶²

From the start of the debriefing to the presentation of the final report to Parliament on 30 October not much was written about the debriefing itself in the national dailies.²⁴⁶³ Following the debate in Parliament on 5 September the politicians too awaited the promised report, confining themselves to responding to matters raised in the press and the media. During this period reports about Srebrenica and the actions of Dutchbat kept emerging. On 11 September the scandal regarding the suppression of the Smith-Mladic agreement erupted with an article by Hans Moleman in *De Volkskrant*.²⁴⁶⁴ On 22 September Frank Westerman reported that Dutchbat had drawn up a list of the names of 59 wounded for the Serbs. Christian Democrat MP De Hoop Scheffer responded that he was not satisfied that the debriefing would get to the bottom of things: he urged again that there be an 'independent' inquiry. Liberal Party MP Blauw urged a broad-based inquiry, as it had emerged that the information about the list had come from a UN observer and an MSF nurse. There was clearly a fear that if the debriefing were to be confined solely to Dutchbat it would not give a complete picture of what had happened. It was no coincidence, therefore, that Voorhoeve decided around that time to have the Dutch members of the UN staffs and Dutch observers debriefed in Assen as well.

The rumblings continued in October. On the 19th the CDA announced in the *NRC Handelsblad* that it wanted hearings of the three Dutch UN officers who had served in Sarajevo, Tuzla and Zagreb: it wanted to clarify the UN's role as regards Close Air Support. Then it was the turn of Frank Westerman of the *NRC Handelsblad*, who wrote an article on the 21st alleging that Dutchbat officers had removed the father, mother and brother of UN interpreter Hasan Nuhanovic from the compound in Potocari on 13 July.²⁴⁶⁵

11. The report and the aftermath

The big debriefing was completed on 4 October 1995, exactly one month after it had started. General Van der Wind went to The Hague with two copies bearing that date and personally handed one to

²⁴⁵⁹ Koreman, A.C., *'Mijn ervaringen met Dutchbat III en de val van Srebrenica'*, no date.

²⁴⁶⁰ Interviews W.J. Martens, B.S. Schutte and J.P. Knoester, 05/11/98.

²⁴⁶¹ NIOD, Coll. De Ruiter. Letter from Lieutenant Colonel J.A.C. de Ruiter to the Chief of Defence Staff and the CLS following his conversation with Frank Westerman on 06/11/95, 21/11/95.

²⁴⁶² Interview J.H.M. de Winter, 20/07/00

²⁴⁶³ Rapport Debriefing, ASCOR, August 2001.

²⁴⁶⁴ 'Voorhoeve zweeg over akkoord met Mladic', *De Volkskrant*, 11/09/95.

²⁴⁶⁵ *NRC Handelsblad*, 21/10/95.

Couzy and the other to Secretary-General Barth. The two external advisers had each received a copy the day before and reported on their work – by letter – on 4 October 1995. Looking back at the objectives and methods of the inquiry De Ruiter and Huyser concluded that ‘The final representation can be labelled correct.’²⁴⁶⁶ The word ‘inquiry’ took on a relatively narrow meaning in their letter, however: ‘What we have supervised at your request and what is recorded in the accompanying report is not an inquiry in the normal sense of the word, it is an ordered representation based on the communicated experiences of those directly involved.’ Otherwise they did not express an opinion of the content.

The Chief of Defence Staff, Van den Breemen, subsequently described in his journal how the Central Organization had viewed De Ruiter and Huyser’s remit in the debriefing: ‘The advisers advised on the organization of the report and assessed drafts of the report, paying particular attention to current issues in politics and society. They also checked that the report gave a representative picture of what the Dutch UN servicemen stated at the detailed debriefing.’²⁴⁶⁷

The fact that all this had to take place in four weeks was due to the enormous pressure Voorhoeve placed on the investigators, reflecting the pressure he was under himself. Voorhoeve thus waited anxiously for the report, which came out two weeks later than planned, in the hope of being able to answer the questions that kept arising. But the report did not have the desired effect. The fact that debriefing so many people in such a short time was a difficult feat did not prevent sharp criticism being expressed. Voorhoeve had been able to parry most questions during that time by saying that the inquiry in progress would provide answers. This only raised expectations as to the results of the inquiry still further. So it was not surprising that many people who had waited in vain for explanations and answers from the minister fell upon the final report eagerly.

The minister was saved from one possible headache. A discussion took place on 2 October 1995 involving the minister, the SG, the Chief of Defence Staff and the Army Commander about what should be done with the Van der Wind report, at which the Army Commander offered not to present an appraisal with the report so as to avoid discussion of differences of opinion with the minister.²⁴⁶⁸

At the Ministry of Defence itself the final report gave rise to a considerable fuss. The presumption there had been that the debriefing would actually answer all the questions. The Director of Information Services, Van den Heuvel, wrote a Priorities Memorandum to the Minister on 21 September anticipating the approaching completion of the report in which he expressed his expectations: ‘The servicemen involved, after all, have been able to make their findings known in the personal interviews with the “debriefing teams”. The principle should be that the report states the essential points of these interviews properly and without beating about the bush.’²⁴⁶⁹ In the same Priorities Memorandum Van den Heuvel judged that ‘It is not necessary for some servicemen to repeat or elucidate things “in public”.’

Here Van den Heuvel touched upon the essence of the problem. On first reading, the report turned out to be less complete than had been expected. But after all his references to the inquiry Voorhoeve could not afford to criticize it. He had to cover up. Privately, however, he concluded after its presentation that various important matters were not included. A detailed accompanying letter was discussed early on with a view to presenting the report to Parliament. According to Voorhoeve this letter was concerned ‘...particularly to highlight the context, which was missing, and inconsistencies in the report and ambiguities in the Appendices, where people contradict one another.’²⁴⁷⁰ Lists of additional questions were sent to various departments of the Ministry of Defence under the auspices of the Director of the General Policy Affairs Directorate, De Winter. These questions were based on three

²⁴⁶⁶ DAB. Letter from G.L.J. Huyser and J. de Ruiter, External Advisers to the ‘srebrenica Debriefing’, to the minister of Defence, Wassenaar/Naarden, 04/10/95.

²⁴⁶⁷ DCBC, box 66. Chief of Defence Staff’s journal, p. 108.

²⁴⁶⁸ NIOD, Coll. Couzy. Handwritten notes, undated.

²⁴⁶⁹ Memorandum intended for the minister of Defence, drafted by H. van den Heuvel, 21/09/95.

²⁴⁷⁰ Interview J.J.C. Voorhoeve, 01/10/01.

typed A4s of comments on the report of the debriefing by the minister himself. The minister wondered, for instance, with reference to section 3.4.1 of the report, whether it was true that ten to fifteen thousand people had already assembled on 10 July and started to flee the enclave. This was important, he wrote, because it would prove to the critical world press that the Muslim fighters considered the enclave impossible to defend and had already given up before the Bosnian Serbs' final offensive on 11 July. The most striking point in the report, wrote the minister, was the discrepancy in the observations of four Dutchbat personnel described in section 4.28. He questioned how it could be that two servicemen had observed 500-700 dead bodies whereas two others in the same convoy from Nova Kasaba to Bratunac had only seen a few. Voorhoeve's next question about this section was about the number of servicemen who had observed 1,000 people squatting in the football stadium in Nova Kasaba. Answers needed to be found to questions of this kind, and Voorhoeve suggested doing this by going back to the debriefing statements themselves.

But in spite of its shortcomings, which resulted in additions and further internal questions, the report remained the basis of the minister's preparations for accounting to Parliament and defending Dutchbat. He drew an important, clear conclusion:

‘There is no data from the report that gives grounds for saying that Dutch service personnel did not do their jobs properly, with the exception of the two Forward Air Controllers, who were clearly unable to take the strain. Their duties were taken over by others. Nor does the report show that there was any misconduct on the part of Dutch servicemen. I think it would be useful to mention these two points in the accompanying letter. Nor does this report in any way show that Dutch servicemen suppressed information on war crimes committed by Serbs. It does, however, need to be examined how and to what extent the battalion reported to UNPROFOR and what information on war crimes they observed.’²⁴⁷¹

Once the minister had drawn this conclusion, responsibility for the tragedy in Srebrenica had to be borne by other people, but this was not without incident. The final report circulated round the Ministerial Council and various ministries in The Hague before being published. The Government needed an internal debate to discuss the content and reach a coordinated standpoint for the presentation to Parliament. The debate erupted well and truly with the Government meeting of 20 October, at which Ministers Van Mierlo, Pronk, Dijkstal and Borst and Prime Minister Kok criticized Voorhoeve.²⁴⁷² The immediate reason for this was the letter by Voorhoeve accompanying the report and intended for Parliament. The Ministers' criticism of Voorhoeve was that he did not take sufficient responsibility himself, he placed too much of the blame on the UN. Van Mierlo in particular was concerned about this latter point and concluded that ‘the relationship with the UN could come under pressure if Voorhoeve does not change his story’.²⁴⁷³ Kok moved the subject off the agenda and after the meeting had finished the ministers continued the discussion. Voorhoeve was ordered to bring the conclusions into line with the wishes of the members of the Ministerial Council. At the Government meeting of 27 October Voorhoeve's now edited letter to Parliament was approved, following a good deal of discussion. The emphasis on assigning blame had now shifted from the UN to the less tangible ‘international community’. The important point for the Defence Minister was that the Government backed his conclusion that Dutchbat could not be accused of failure to protect the Muslim population.²⁴⁷⁴

²⁴⁷¹ DAB. Appendix to memorandum from DAB to the minister of Defence, ‘Report of Srebrenica Debriefing’, 17/08/98.

²⁴⁷² There followed a reconstruction in the press of the Government meeting of 20/10/95; *De Volkskrant*, 20 and 25/10/95; *Algemeen Dagblad*, 26/10/95.

²⁴⁷³ ‘Van Mierlo hield rapport over Dutchbat tegen’, *De Volkskrant*, 25/10/95.

²⁴⁷⁴ *NOS Journaal*, Prime Minister Kok at the press conference following the Government meeting, 27/10/95.

That the report of the debriefing had its defects was self-evident, and criticism of it was not confined to the Ministry of Defence. Prior to the Ministerial Council Van Mierlo had received a paper drawn up by the Deputy Director-General for Political Affairs containing undiluted criticism of the report of the debriefing and its compilers. It said that the report was not transparent, veiled, clearly an in-house production, it left many questions unanswered and gave too much of an impression that the operation had been entirely a UN affair. The writer concluded by asking the question he saw as one of the essential points of the issue: 'was Srebrenica a UN tragedy where Dutchbat – and the Dutch Ministry of Defence – was the victim (as the Ministry of Defence would have us believe), or is it the case that the Ministry of Defence in The Hague should be imputed more direct involvement – and thus blame – (as will probably be concluded by international opinion)?'.²⁴⁷⁵ The Deputy Director-General for Political Affairs gave the following examples of tactical errors regarding Srebrenica: Karremans' press conference, the rolls of film, the dinner offered to Dutchbat on Serb territory by the Serb Government, the inadequate debriefing and the issue of the lists.

Finally Parliament was presented on 30 October with the report of the debriefing and a 29-page supplementary letter with five Appendices.²⁴⁷⁶ The letter read like a rundown of the shortcomings of the debriefing. Appendices 1 and 2 were the report of the debriefing and the letter from the two external advisers respectively. Appendix 3 contained 'additional information' on important matters that the minister and others at the Ministry of Defence had pointed out about which the report did not give sufficient information: the lists of names, the care and transport of the wounded, the strength of Bosnian Serb forces around the enclave, the telephone conversation between the Defence Minister and the Chief of Staff of UNPROFOR on 11 July, the Smith-Mladic agreement, various reports of dead bodies and Muslims who had been taken prisoner, the reports of war crimes, the collection of data and pictorial matter and the conduct of Dutchbat personnel in the enclave. Appendix 4 examined the fate of the missing persons from Srebrenica in detail. Appendix 5, lastly, was a chronological overview of the main events surrounding the fall of Srebrenica in the period from 6-23 July 1995. This was 'context' which was considered at the Ministry to be necessary to read the report of the debriefing properly – context which should not, however, detract from the definitive, canonical status of the report.

The next climax in the reporting on the debriefing occurred in the week of 28 October to 4 November, coinciding with the publication of the final report.²⁴⁷⁷ On Saturday 28 October Trouw, NRC Handelsblad and De Volkskrant all carried front-page reports of the press conference at which Kok presented the conclusions of the report: 'The aim of the report was to give a verdict on how Dutchbat did their work,' said Kok. Parliament debated the fall of Srebrenica and its aftermath for seventeen hours. 'We must be careful not to redo the report, otherwise there will be no end to it.'²⁴⁷⁸ These comments and the general criticism of the UN, however, could not prevent negative reactions. The report was incomplete and Voorhoeve had admitted as much. The editors of the national dailies were particularly negative about the report on 30 and 31 October. Frank Westerman in the NRC of 30 October, for instance, summed up the 'most sensitive aspects of the actions of Dutchbat' that had not been discussed in the report: Karremans' appeal to the Muslim fighters to leave the southern tip of the enclave in view of an announced NATO air strike (the Muslim army's accession to this appeal, said Westerman, left the enclave wide open to the Serb conquerors); the difficult relationship between Dutchbat and the Muslim population; and the list of 59 wounded which had fallen into the hands of the Bosnian Serbs. Westerman also criticized the fact that it took three months for the many observations of dead bodies by Dutchbat personnel to come out. Other comments from the newspapers at the time: De Volkskrant 'Why didn't they scream blue murder as soon as possible?'; NRC Handelsblad, 'Any justification there may have been for the soothing explanations given by

²⁴⁷⁵ ABZ, DEU/ARA/05279. Note from DAV (Directorate for Atlantic Cooperation and Security Affairs) to the minister of Foreign Affairs, October 1995.

²⁴⁷⁶ TK, Parliamentary Session 1995-96, 22 181, No. 128, (30/10/95).

²⁴⁷⁷ Rapport Debriefing, ASCOR, August 2001.

²⁴⁷⁸ 'Kok wil val Srebrenica niet geheel aan VN toeschrijven', *De Volkskrant*, 28/10/95.

servicemen on the spot just after the fall has now vanished'; Het Parool, 'This passivity or helplessness goes right to the heart of the Srebrenica trauma. (...) There is no escaping the impression that the actions of the Dutch regarding the refugees left a lot to be desired.'²⁴⁷⁹

Responsibility for the fall of the enclave, however, was placed not with Dutchbat but with the UN and the failure to carry out air strikes. Trouw on 30 October reported that no-one other than the Bosnian Serbs was to blame for the fall of the enclave, while pointing out that this was not to say that mistakes had not been made at other levels and calling upon the Royal Netherlands Army to acknowledge this and learn from it. Although politicians generally responded negatively to the report, they let Dutchbat off the hook. They were also very critical of the Minister.²⁴⁸⁰

As a result of constantly giving additional information and explanations rather than admitting that the report in places displayed substantial shortcomings and inaccuracies, Voorhoeve had no option but to treat it as the yardstick when new questions arose. The many letters providing information to Parliament – including those dating back to well before the final report – subsequently had to be seen in the light of the report. A very close associate of Voorhoeve, De Winter of the General Policy Affairs Directorate, commented: 'We were constantly faced with the problem that when fresh incidents arose a comparison was made with what was in the letters, which was often missing or one-sided or half untrue. We could not say "the report of the debriefing is wrong" as it had been entrusted to the Army and Voorhoeve had said that it was an excellent report. Also, he did not dare distance himself from Couzy, that was naturally out of the question. He could not disown Couzy. That would also have shed serious doubt on the credibility of the rest of the report and only increased the calls for an inquiry. So we had to keep saying "Yes, it's all true, but we have some additional information." We kept saying we had additional information. Over and over again. That was the problem. So in a way we became prisoners of the report.' De Winter was furthermore inclined to believe that the Army had deliberately glossed over or suppressed certain matters, e.g. Karremans' leadership, the medical issue and the separation of men and women.²⁴⁸¹

The confidential nature of the interview reports, however, made it very difficult to check how inadequate the final report of the debriefing was. This problem dissolved to a large extent in summer 1998 when the report of the facts was suddenly 'discovered' and became accessible. The 'discovery' took place on 12 August 1998, after the Royal Netherlands Marechaussee sent it to the Legal Affairs Directorate in support of input by them to a Memorandum to the minister.²⁴⁸² There had been no clear announcement of its existence in 1995; apart from a cryptic reference to it in the report of the debriefing, the outside world knew nothing of it. The report of the facts turned out to be a very comprehensive document, containing all sorts of details that were not in the report of the debriefing, or only in highly abbreviated form – in sharp contrast to the latter. The media and the politicians immediately asked why this information had been withheld.

The report of the facts was in itself not an exceptional document: if it had been appended to the report of the debriefing – as an integral part of the procedure in Assen – it would never have subsequently become an issue.²⁴⁸³ But comparison of the two reports made it painfully clear that a selection had been made from the available material for the report of the debriefing. Given the internal nature of the report of the facts as an auxiliary document, however, it is not surprising that it did not figure prominently in the final report. The Royal Netherlands Marechaussee procedure for major investigations required a report of the facts to be made, and Kuijs had personally ensured that this was carried out meticulously.

The result of the incomplete treatment, or even complete omission, of these matters was that the picture of Dutchbat's actions created by the report of the debriefing was too reassuring. The report

²⁴⁷⁹ RVD/IV, *Srebrenica, het publicitaire beeld, 1992-1995*, 10/11/99.

²⁴⁸⁰ Rapport Debriefing, ASCOR, August 2001.

²⁴⁸¹ Interview J.H.M. de Winter, 20/07/00.

²⁴⁸² DJZ, C95/277 98002299, Letter from the Legal Affairs Director, Dr S.B. Ybema, to J.A. van Kemenade, 02/09/98.

²⁴⁸³ Report based on the Srebrenica Debriefing, Assen, 4 October 1995.

of the facts contained more material than the report of the debriefing. The report of the facts had not served as a basis for the final report in 1995, rather it had been used as means of checking things. All the information in the report of the facts was in fact known, in the form of encrypted debriefing reports, to the RA teams and in principle to the editorial team as well. Moreover, the heads of the RA teams were members of the editorial team. It is important to note that the subjects mentioned above were generally touched upon in the report of the debriefing, but often in a veiled, abbreviated manner. Virtually all these matters had been raised in the media and by the politicians following Dutchbat's return to the Netherlands.

Parts III and IV of this report deal with most of the topics that merited much closer attention in the final report of the debriefing than they received, the most important being: the possibility that an Armoured Personnel Carrier had run over Displaced Persons; the story of Rizo Mustafic, the interpreter who disappeared; the treatment of local personnel; the evacuation from the hospital to Potocari; the problems concerning the Army Hospital Organization units and the 'emergency supplies'; problems in the battalion staff; the role of the UN staffs in Tuzla, Sarajevo and Zagreb; the confusion surrounding the provision of Close Air Support; and the relationships between the UN command and the national command.

After the publication of the report of the debriefing on 30 October 1995 there was a scandal that had unexpected consequences for the Minister. An article in the NRC Handelsblad of 11 November indicated that documents and word-for-word accounts of discussions at a secret meeting at the Ministry on 1 November had been leaked to the author of the article. The article claimed, firstly, that Dutch UN officers bore part of the blame for the fall of Srebrenica as a result of differences of opinion and misunderstandings between them. Secondly, it said that the UN had decided – probably as early as May 1995 – to allow the enclaves to fall: this was the reason for the absence of Close Air Support and the subsequent discomfiture of Dutchbat. The resulting scandal is described and analysed in the next chapter.²⁴⁸⁴

This case distracted attention from Dutchbat and the report of the debriefing with all its shortcomings. The role of Dutchbat and the battalion command was seen as being far more modest. It was partly as a result of this that the emphasis in reporting and political interest as regards responsibility for what had happened in Srebrenica shifted to the UN and the 'international community'. This suited Voorhoeve very well, of course. He had come to the conclusion that Dutchbat was not in any way to blame and he was happy with the approval he received. The parliamentary debate on the report of the debriefing also shifted accordingly: Parliament now directed its efforts at clarifying the role of the UN and the failure to attack, culminating in a hearing of the four Dutch UN officers behind closed doors. The conciliatory tone adopted towards Dutchbat and the minister in the final debate before Christmas was due largely to this.

12. The final debate

Before Parliament could concentrate all its attention on the final debate the discussion of the role of the UN had to be brought to a logical conclusion. On 30 November Voorhoeve had answered a list of over 145 questions on the report of the debriefing in Parliament, a large proportion of them relating particularly to the role of the UN and the Dutch UN officers. After this session Parliament decided to hear the four Dutch officers who had served with UNPROFOR itself. The immediate reason for this was the tenor of the Minister's answers to Parliament, that 'the United Nations from top to bottom left Dutchbat in the lurch at crucial moments'.²⁴⁸⁵ Parliament demanded greater transparency from the minister. On 11 December, the day of the closed hearing of the four UN officers, Parliament received written answers to its supplementary questions, again relating mainly to the role of the UN. The

²⁴⁸⁴ Part IV, Chapter 6.

²⁴⁸⁵ 'Nu VN-top nog over Dutchbat', *Trouw*, 01/12/95.

appearance of the four did not in fact create much of a stir, other than with De Hoop Scheffer of the CDA, who reported: 'We have gained an enormous quantity of additional information for the final debate on Srebrenica'.²⁴⁸⁶

The 'final debate' on the report of the Srebrenica debriefing took place on 19 December 1995.²⁴⁸⁷ This nomenclature is actually misleading, as the detailed parliamentary discussion of the report of the debriefing had already taken place on 30 November and 11 December. A major factor for the majority of MPs was the desire to close the book on Srebrenica; the report of the debriefing was merely one chapter of that thick tome. That there had to be a debate taking the report of the debriefing as its starting point there was no question. The minister's previous practice of constantly postponing answers to parliamentary questions and referring to the forthcoming report had created great expectations. After all its efforts to get at the truth it is remarkable that Parliament so readily accepted the reality of an imperfect report in the final debate.

The debate also needs to be seen against the background of the changed image of Dutchbat since July 1995 and the very extensive flow of information between the Defence Minister and the politicians since the fall of the enclave. Substantively Parliament had already dealt with all the points. Nor had Parliament escaped the dynamics of changing images. In the weekend of 21-23 July Dutchbat personnel had been welcomed to Zagreb as heroes. There was praise for everyone – including the Minister. From the end of July the picture began to change and attention focused on the fate of the men who had fled and the various scandals.²⁴⁸⁸ This phase continued until just before the publication of the report of the debriefing, when the attention shifted to the UN and the complex decision-making by the international community. It was the press that had played a major role in changing the picture, not Voorhoeve, who since the fall of the enclave had sent a constant flood of letters to Parliament, the Standing Committees on Defence and Foreign Affairs and the Ministerial Council. The Minister put an enormous amount of work into this: not only did he answer questions, he also kept putting forward information himself. And yet the information supplied on Srebrenica was not enough, mainly because the Government constantly felt it had to respond to fresh revelations and accusations of withholding information. The big debriefing, which was supposed to provide the answer to all outstanding questions, was inadequate.

Almost at the start of the debate De Hoop Scheffer stated that its aim had to be to close the Srebrenica tragedy politically – though he immediately added, 'Whether it will ever be completely closed is doubtful, in view of the many questions that still remain unanswered'.²⁴⁸⁹ With this observation De Hoop Scheffer expressed the feeling everyone had. Even after the 145-plus questions to the Minister and the recent hearing of the UN officers, many matters remained unclear. This clear conclusion on the report of the debriefing was as far as it went, however. The press, in any event, was not sure what to make of the debate.

The newspapers placed it in the context of the past six months and came to the same conclusions. There was the odd criticism, though. An article in *De Volkskrant* of 19 December looked ahead to the atmosphere in Parliament for the debate that evening: 'Parliament not holding a knife to Voorhoeve's throat'.²⁴⁹⁰ The next day *De Volkskrant* quoted Voorhoeve, who again declared, 'The UN failed, not Dutchbat'. The *NRC Handelsblad* shared that conclusion that Parliament had not wanted to hold a knife to Voorhoeve's throat: its headline said that Parliament wanted to stop looking for people to blame for Srebrenica: 'The blame for what went wrong rested with the Serb leaders. [...] The position of the responsible Ministers, Voorhoeve (Defence) and Van Mierlo (Foreign Affairs) was no longer

²⁴⁸⁶ 'Weinig Nieuws bij hoorzitting Srebrenica', *NRC Handelsblad*, 12/12/95.

²⁴⁸⁷ TK, Parliamentary Session 1995-96, Proceedings, 19/12/95, TK 40, pp. 3155-89.

²⁴⁸⁸ See also Part IV, Chapter V.

²⁴⁸⁹ TK, Parliamentary Session 1995-96, Proceedings, 19/12/95, TK 40, p. 3155.

²⁴⁹⁰ 'Kamer zet Voorhoeve mes niet op de keel', *De Volkskrant*, 19/12/95.

under discussion in the debate.’ The article went on to say that Voorhoeve took responsibility for the mistakes made after the fall of the enclave.²⁴⁹¹

Trouw concluded in an article on 20 December that Van Mierlo’s position had been discussed during the debate. The newspaper quoted the VVD Defence spokesman, Blauw, who, it said, had unexpectedly hotted up the debate: ‘If Van Mierlo (Foreign Affairs) had worked just as hard to get the United Nations moving as he did soon afterwards to help Lubbers to a high-ranking NATO post, Dutchbat would not have been so isolated when Bosnian Serbs attacked the enclave.’ The article was a vain attempt by Trouw to inject some tension into the debate: in fact there had been no real fireworks, as Blauw did not receive any support from the other parties for his attack on Van Mierlo.²⁴⁹² The final debate on the report of the debriefing ended in an anticlimax.

13. Conclusions

With hindsight it is fairly easy to see that the debriefing was doomed to failure right from the start, and it is also fairly easy to say why. This was not primarily because different – contradictory – objectives were set for it. Nor was it due to any mistakes that may have taken place in the implementation, nor even so much to errors of judgment when selecting information for the compilation of the final report. These were, of course, all reasons why the report was incomplete and turned out somewhat too favourable to the Army. The main reason was that Minister Voorhoeve was not able to get that bulwark the Royal Netherlands Army to do what was expected of it, to hold a broad-based inquiry that would get to the bottom of things. In other words, from the outset he came up against the inability and unwillingness of the Army top brass to go along with political objectives.

From the moment Dutchbat abandoned the enclave the Minister of Defence was constantly under fire owing to a long series of scandals and blunders which had for the most part been caused by the Army itself. Again and again ‘fresh’ facts emerged and again and again the Minister was at a loss for words, while the media and the politicians were constantly screaming for explanations. When he was under fire politically Voorhoeve thought he could rely on the Army for a correct political appraisal of the situation and unconditional support. But the Army had different priorities and not much political sensitivity, with the result that the Minister was generally not informed in time and/or properly of matters which the Army were well aware of; in some cases, indeed, he was not informed at all – in spite of instructions to the Commanders of the Armed Forces drawn up in January 1992 ordering them to report sensitive matters, and in spite of repeated attempts by the Central Organization to worm information out of the Army. The continuing series of scandals and blunders in which the Ministry of Defence was mixed up caused increasing damage to the image of both the Minister and the Army.

For Voorhoeve the primary aim of the debriefing was to put an end to the series of scandals and fresh revelations once and for all by interviewing all Dutchbat personnel who had been in the enclave when it fell and thus finally to be on top of the information rather than constantly running after it. But it was not up to Voorhoeve alone. A lot of the Army military considered that the Minister had left them out in the cold when dealing with the scandals. Couzy, moreover, had the idea that the Minister was interfering too much in matters that in his opinion were Army Commander business. Dutchbat in Srebrenica had been an Army affair and as such ought to be dealt with by the Army Commander, thought Couzy. Any debriefing ought to be an operational one carried out by the Army internally, without outside interference. Aside from the scandals in the political arena, the press and the media there were enough other differences of opinion between the Minister and the Army Commander to upset relations between them. To these was added, at the end of July 1995, the difference of opinion on the proposed debriefing. When the Minister and the Army Commander talked about a full debriefing after welcoming Dutchbat to Zagreb on 23 July 1995, each of them had something different

²⁴⁹¹ NRC *Handelsblad*, 20/12/95.

²⁴⁹² TK, Parliamentary Session 1995-96, Proceedings, 19/12/95, TK 40, pp. 3155-89.

in mind. The Minister's plan cut right across the limited operational debriefing, confined to the battalion, which Couzy and his associates envisaged.

In the preparatory phase of the inquiry the various actors manoeuvred frantically. The Military History Section had special instructions from Couzy to investigate whether information had been withheld from the Army Crisis Staff by the Central Organization's Crisis Management Centre. The Military History Section was initially involved in the debriefing as an extension of this. Their special remit was in effect an investigation directed against the Ministry of Defence. Having made a constructive contribution during the planning phase, the Military History Section withdrew before the debriefing began, for fear of being ground to a pulp. Army Intelligence, a body responsible *inter alia* for safeguarding the Army's image for the Commander by providing him with information of various kinds from their debriefings and other sources, played a prominent role in the debriefing. The Marechaussee, initially envisaged as bearing primary responsibility for the inquiry, did not want to miss playing a major role. On the one hand they enjoyed the Minister's confidence and had an aura of objectivity; on the other hand they were fearful of their position and image within the Army if their personnel were involved in the inquiry as investigating officers. They were accordingly relieved when their investigatory duties were 'neutralized' through an arrangement with the Public Prosecutions Department. Ultimately the Royal Netherlands Marechaussee military formed the backbone of the procedural element of the inquiry.

The meanwhile notorious Management Report had been known since 4 August 1995 to a large number of people directly involved in organizing the debriefing. Not one of them, evidently, saw any reason to discuss it or include it in the planning: this applied to the Royal Netherlands Marechaussee Commander, General Fabius, his second-in-command General Roos, who was also involved in the debriefing as an adviser, General Warlicht, and many other Royal Netherlands Marechaussee officers. In 1998 it was discovered that two copies of the Management Report had been in the Srebrenica archives at the time of the big debriefing. Van der Wind wrote to Minister De Grave that he had not seen them but ought really to have done so. As we saw earlier on in this chapter, the information in the Management Report comprised a series of accusations directed mainly at the performance of Dutchbat and the Dutchbat command. The commander, however, did not want to wash dirty linen in public. It is highly likely that it was read by far more of the military than can be proved. That they all failed to realize its importance and – in view of the forthcoming debriefing – did not talk about it is improbable. Evidently there was some kind of collective reflex that prevented them from reporting it as a basic document for the debriefing and bringing it up there.

Meanwhile there were indications from various other sources that Dutchbat personnel had done things that were unacceptable. And yet those in charge of the debriefing, in consultation with the PPD, opted for an approach that minimized the chances of anything of this kind being reported at the debriefing. Interviews with those concerned for the NIOD investigation revealed that there was no-one for whom this had any priority whatsoever.

The wisdom of entrusting the debriefing to the Army is highly dubious, especially in the light of the well-documented cases of unsatisfactory relationships and differences of opinion between the Army, in particular Couzy, and the Central Organization. But Voorhoeve considered that to have the inquiry conducted externally would have been to display distrust of the Army. On the other hand, of course, the Minister did have to ensure that the results of the inquiry were entirely above suspicion of being subjective. The idea that was contemplated for a while at the beginning, to have it conducted by the Marechaussee, was soon discarded because of the inevitable objection that it would seem too much like a criminal investigation. That the Royal Netherlands Marechaussee nonetheless took part, under Army supervision, was due to the fact that the Central Organization regarded them as a guarantee of the integrity and objectivity of the inquiry. The second guarantee was the appointment of the two external advisers.

As it was the Minister who had ordered the inquiry and appointed the two advisers, De Ruiter and Huyser, the Army felt in the first instance that they had been robbed of what they saw as their responsibility. When no written instructions with clear objectives and conditions arrived, however, the

Army were able to put their own stamp on the debriefing. According to De Ruiter and Huyser, Assen had been concerned mainly with current issues in the media and politics. Important questions on the actions of Dutchbat itself and the allocation of responsibilities were not dealt with in the final report, or only in a very incomplete manner.

But there was enough material on matters such as criminal offences, the performance of the battalion command, the problems with the Army Hospital Organization units and the sometimes negative attitude of Dutchbat personnel towards the Muslim population – as a reading of the debriefing reports showed, as well as the report of the facts that turned up in 1998. That the staffs in The Hague were not questioned weakened the evaluation still more. Dutch servicemen who had served under the UN were only questioned at the eleventh hour.

When the final report was complete, on 4 October 1995, Voorhoeve had no option but to laud it: not only had he held questioners off for weeks by pointing out that questions could only be answered once the report was complete, he also did not want now to disown the body that had carried it out, the Army. As a result of lauding the report and not acknowledging straight away that it had serious shortcomings the Minister was obliged to relate all the information on Srebrenica he had supplied and would supply in the future to the report. The Ministry of Defence became a prisoner of the report. The fact that it was deficient was clear to Voorhoeve and his civil servants immediately it was submitted, witness the long letter of 30 October 1995 full of additions and ‘context’ with which the Minister presented the final report to Parliament.

After Voorhoeve had answered questions on the final report in two marathon sessions on 30 November 1995 and 11 December 1995, Parliament was ready for the final debate on 19 December. This latter confrontation simply continued the series of debates since the fall of Srebrenica. The conclusion afterwards, if one could be drawn, was that Parliament did not want to hold a knife to the Minister’s throat. Voorhoeve persisted in his assertion that the UN had failed but took responsibility for the mistakes made after the fall. Parliament admitted that they too bore responsibility for the tragedy in Srebrenica. The picture most people were left with after the debate, however, was one of chaos, not only at the UN but also at the Ministry of Defence.

The Defence Minister concluded from the report of the debriefing that Dutchbat was not in any way to blame. The debate that had raged in the media around the time of the publication of the final report on the responsibility of the UN to provide Dutchbat with Close Air Support, and the theory that the UN had wilfully abandoned the Srebrenica enclave, had drawn attention away from the defects of the report and placed the role of Dutchbat in a different light.

The debriefing, then, did not fulfil the Minister’s urgent objective of putting an end to the flood of uncontrolled revelations by interviewing all those involved so that he would finally be on top of the information and not constantly running after it. Soon after the publication of the report ‘fresh’ facts came to light which it had omitted. Right from the start the Army had been able to put its own stamp on the organization of the debriefing. Wherever possible a ‘narrow’ approach had been adopted and unwelcome topics avoided or glossed over. If the Army had had any political sensitivity, Assen would not only have concentrated on issues that happened to be topical in politics and the media. The Srebrenica issue, after all, was not confined to lists of wounded and Displaced Persons, signed statements and pictorial matter that had been destroyed; there were matters closer to the hearts of Dutchbat personnel, matters that related to the essence of military operations: people being run over, the ‘emergency supplies’, the refusal to give aid to wounded people, the negative attitude towards Muslims, making timely and unambiguous reports of what was going on through the correct channels, helping to separate men and women, and the performance of the battalion command. These were the matters that the report had glossed over and subsequently, one by one, caused such a stir. This, unintentionally, laid the foundation for the lasting return of the topic of Srebrenica in the press and the media.

Chapter 8

The 'srebrenica affair' in the public domain

1. Introduction

The reporting on Srebrenica underwent a significant change from late July 1995. The press and media had already revised their initially positive attitude on account of certain incidents whose origins could be traced to Zagreb. But things did not stop there. After Dutchbat III had returned to the Netherlands on 24 July 1995, several other matters accelerated the change of heart in the media. These were the 'the statement of 17 July', the 'list of 239' refugees and the 'list of 59' wounded. Due to unskilful handling and errors of judgement within the Defence apparatus, the existence of these documents had not been reported to the Central Organization. Any references to the incidents were so minimal that Minister Voorhoeve was put in the awkward situation of always being one step behind events. This concerned matters that had still taken place in Potocari. Considering their significance, these should normally have been reported to Defence authorities without hesitation. Moreover, these three affairs also occurred before the major debriefing had started.

Sections 2 and 3 of this chapter deal at length with the 'statement of 17 July' and the 'list of 239'. The circumstances surrounding the signing of the statement and the drawing up of the list of 239 refugees have already been dealt with at length in Part III and Part IV. The scope of this chapter is therefore confined to a description of the (publicity) aftermath in the Netherlands. The problems surrounding the 'list of 59' wounded – including the aftermath in the Netherlands – are extensively discussed in the annexe to this report: '*Dutchbat III en de bevolking: medische aangelegenheden* (Dutchbat III and the population: medical issues). The present chapter devotes no attention to this matter.

The botched development of Lieutenant R. Rutten's roll of film in a Navy Laboratory on 26 July 1995 came at a very unfortunate time and formed the provisional culminating point in a series of incidents and blunders within the Defence apparatus. Particularly at a later stage, this 'roll of film' was to undermine the credibility of the Ministry of Defence. It had a negative impact on Dutch public opinion concerning Srebrenica and the military establishment. Section 4 contains a highly detailed reconstruction of this unfortunate affair. All the relevant people involved were heard and, moreover, all possible technical aspects of the roll of film, the development process and the camera were investigated.

During, but also after the debriefing, the spate of new revelations and further incidents continued. Any hope that the debriefing report would stem the flood proved in vain. Four issues that received a lot of attention in the press and media are looked at more closely in Sections 5, 6, 7 and 8. These are the 'smith-Mladic agreement', 'the bunker leak', the promotion of Lieutenant Colonel Karremans to the rank of Colonel in January 1996 and 'the OP-M incident', respectively.

Though the number of incidents started to diminish from 1996, Srebrenica continued to crop up as a news item. Failing new revelations, the annual celebration of the Fall of Srebrenica on 11 July could always be relied upon to trigger a search for 'new' perspectives. This literally and figuratively placed such a burden on the Ministry of Defence that other activities were neglected. The appointment of a new Minister of Defence in the summer of 1998 sparked a 'srebrenica offensive' in the media that unleashed yet another barrage of revelations. But it was also the ideal opportunity for the Minister to attempt to break with the past. An independent inquiry was perceived to be the road forward. J.A. van Kemenade was asked to examine whether Defence personnel had helped to obstruct the truth finding process. Section 9 of this chapter considers Van Kemenade's inquiry against the background of the circumstances prevailing at the time.

2. The statement of 17 July

The ball was set rolling when the newspaper *De Volkskrant* reported on 26 July 1995 that Dutchbat Commander Th. Karremans and the Commander of the military forces of the Bosnian Serbs, R. Mladic, had signed an agreement on 12 July 1995 about the evacuation of refugees from Potocari.²⁴⁹³ *De Volkskrant* went on to say that Karremans had conceded to Mladic's demand that the Bosnian Serbs would be permitted to subject men of able-bodied age to a 'debrief'. The current affairs programme *Nova* also featured this item that evening. The next day *De Volkskrant* presented a follow-up article containing a spectrum of opinion as to whether or not Karremans had been right to accept this agreement.²⁴⁹⁴ The controversy surrounding the agreement prompted Minister Voorhoeve on 27 July to write a letter to Parliament and also to hold a press conference. In the letter to Parliament and during the press conference Voorhoeve was adamant that the Dutchbat commander had not signed any document whatsoever. One day later, on 28 July, Voorhoeve was informed by Deputy Chief of the Defence Staff M. Schouten and Head of the Directorate General of Policy Matters J.H.M. de Winter that a statement that had already been signed on 17 July by Major R.A. Franken had come to light. The next day the newspaper *NRC Handelsblad* revealed the discovery in a critical article²⁴⁹⁵ and things snowballed from there. For over a week, it was the hot topic in the press.²⁴⁹⁶ The reporters almost instantly latched on to the fact that Voorhoeve had apparently been in the dark; the actual statement provoked much less controversy. On 4 August Voorhoeve called De Winter and instructed him to find out why the statement had been brought to his attention so late in the day. The inquiry was conducted in collaboration with the Defence Crisis Management Centre.²⁴⁹⁷ The following reconstruction is largely based on the results of the inquiry that De Winter and his staff started up on 4 August.

The statement of 17 July was a document that had been signed by representatives of the Muslim population and the Bosnian Serbs on the compound in Potocari. It was the written confirmation that the Bosnian Serbs wanted in order to prove that the evacuation of the refugees from Potocari as arranged in the so-called 'agreement of 12 July 1995' had been effected without any problems. The third signatory was the Deputy Battalion Commander of Dutchbat III, Franken, who, against the will of the Bosnians, had inserted a restriction. After the statement had been signed, it was put to one side for the time being.²⁴⁹⁸

Following a talk that Dutchbat Commander Karremans had on 18 July with Deputy Commander in Chief of the Royal Netherlands Army A.P.P.M. van Baal about the safety of the local personnel who were employed by Dutchbat and who were to travel with them to Zagreb, a letter was sent to Van Baal at 10:50am. This letter described the transfer of the local personnel and referred to the statement that was enclosed as an addendum. Van Baal sent the documents on to the head of the Legal Affairs Section, Colonel A.C. Zuidema, so that he could deal with them. In his absence the documents finally ended up on the desk of Lieutenant Colonel K.R. Lo Fo Wong, the Deputy Head of the Bureau of Constitutional, Public Administrative and International Law. He decided that the transfer of local personnel was a UN matter and that no action was necessary on the part of the Ministry of Defence or the Ministry of Foreign Affairs. Lo Fo Wong consulted with Lieutenant Colonel J.A.C. de Ruiter of the UNPROFOR headquarters in Sarajevo. They decided that De Ruiter would take the transfer of the

²⁴⁹³ 'Inzet blauwhelmen verdeelde ministers ernstig' ('Deployment of UN peacekeepers seriously divided ministers'), *De Volkskrant*, 26/07/95. The implications of this agreement are explained in Part IV, Chapter 4.

²⁴⁹⁴ 'Deal Karremans oogst kritiek én bijval' ('Karremans' deal reaps criticism and applause'), *De Volkskrant*, 27/07/95.

²⁴⁹⁵ 'Verwarring leidt tot pijnlijke fouten' ('Confusion leads to embarrassing errors'), *NRC Handelsblad* 29/07/95.

²⁴⁹⁶ 'Majoor tekende verklaring onder druk' ('Major signed statement under pressure'), *Trouw* 04/08/95; 'Dutchbat tekende verklaring vertrek' ('Dutchbat signed departure statement'), *NRC Handelsblad*, 04/08/95; 'Voorhoeve kwetsbaar door slechte informatie' ('Poor information makes Voorhoeve vulnerable'), *De Volkskrant*, 05/08/95; 'Communicatie rammelt' ('Disjointed communication'), *Trouw*, 09/08/95; 'Defensie miskende politiek gewicht van fax Dutchbat' ('Ministry of Defence underestimated political weight of Dutchbat fax'), *NRC Handelsblad*, 09/08/95.

²⁴⁹⁷ DCBC, 1004. D95/400, Memo of J.H.M. de Winter, 08/08/95.

²⁴⁹⁸ For a description of how the statement of 17 July was drawn up, see Part IV, Chapter 5.

personnel upon himself. Lo Fo Wong finalized the matter administratively by sending an internal memorandum to the acting Deputy Head of Operations at the Army Crisis Staff, Colonel P.H. Smeets. In the afternoon Lo Fo Wong once again personally talked through the handing over of the personnel with Pollé. The memo said nothing about the statement and they did not raise the issue either.

After the current affairs programme *Nova* on 26 July and the article in *De Volkskrant* on 27 July, the personnel at the Central Organization found that nothing was known there about the agreement. Consequently the Defence Crisis Management Centre and S. Reyn of the Directorate of General Policy Matters contacted the Deputy Commander of the Royal Netherlands Army Crisis Staff, Colonel P.H. Smeets. He too had no knowledge of the matter.

Meanwhile the reports about the agreement had prompted others to look elsewhere. On the morning of 27 July the head of the International and Legal Policy Affairs Department, G.F.J. van Hegelsom, instructed his assistant B. van Lent to make enquiries about the existence of such an agreement. Van Lent also phoned Lo Fo Wong who said he knew nothing about an agreement between Karremans and Mladic concerning the evacuation of refugees. That same afternoon however, Lo Fo Wong rang back to say that he had found a statement from a representative of the civilian population about the way in which the population had been evacuated. This statement had reportedly been signed on 17 July in the presence of a representative of UNPROFOR, the Deputy Commander of Dutchbat, Major R.A. Franken. Lo Fo Wong offered to the Deputy Chief of Staff of the Army Crisis Staff, Col. B. Dedden, and Colonel Smeets, to make further enquiries about other documents. At Van Lent's request he faxed the statement shortly afterwards to the Legal Affairs Department. Around four o'clock Lo Fo Wong spoke to Dedden and Smeets on the phone, telling them about the statement and the request from the Legal Affairs Department to send it to them. No further documents were known at the Netherlands Army Crisis Staff incidentally.

At 4:20 pm Smeets called the head of Operational Affairs of the Defence Staff, Colonel R.S. van Dam, who attended Voorhoeve's press conference to inform him of the statements and the fax to the Legal Affairs Department. After Van Dam had called Van Lent, the latter immediately rushed to the press room at the Ministry where he gave the fax to Van Dam, Reyn and Commander P.P. Metzelaar. But it never reached Voorhoeve's hands during the press conference. This compounded the Minister's loss of face. De Winter had asked Karremans about the existence of the statement just before the start of the press conference but he had answered in the negative.²⁴⁹⁹ After the press conference the statement ended up in the hands of the Deputy Chief of the Defence Staff M. Schouten and the Director of General Policy Matters De Winter. They, however, did not tell the Minister about the statement until the next day. The Minister only sent the statement with comments to Parliament on 3 August. In the covering letter, containing 31 pages, Voorhoeve also mentioned several matters that had emerged during the operational debriefing in Zagreb. As described in Part IV Chapter 7, Parliament was not satisfied with the information that Voorhoeve had given them.

The reconstruction makes it clear that a serious error of judgement was made here after the statement rolled from the fax at the Netherlands Army Headquarters in The Hague. In this case nothing went wrong with the communication. The statement had been sent into the 'line' and was read by several military officers who were extremely familiar with the Srebrenica problem. In this case no one had the slightest inkling of how media-sensitive this issue was. On 15 August Deputy Commander in Chief of the Royal Netherlands Army Van Baal was confronted at the office of Deputy Secretary-General H.H. Hulshof with the results of De Winter's enquiries. Again Van Baal said that he: 'had judged the statement in the first place as a document indicating that Mr Mandzic had fulfilled a certain formal role as representative of the refugees around the Potocari compound'.²⁵⁰⁰ Van Baal also again came to the conclusion that: '...the document is no more than a factual report of the events on 12 and

²⁴⁹⁹ Kreemers, '*Achterkant van de maan*' ('The other side of the moon').

²⁵⁰⁰ DS. No. 15815/95, Memo of Deputy Secretary-General H.H. Hulshof to the Minister of Defence, 16/08/95.

13 July, drawn up retrospectively (on 17 July), which in the light of the task of UNPROFOR is without significance'.²⁵⁰¹

The criticism in political circles and the media continued to focus on how the statement had been handled at the Ministry of Defence. In this sense there was a connection between this issue and the series of incidents that made the headlines after Zagreb. It prompted Voorhoeve to publicly announce measures designed to achieve more centralized coordination of the peacekeeping operations.²⁵⁰² How this was to be given shape was only unveiled in a long letter from the Minister of Defence to Parliament on 20 October 1995.²⁵⁰³ Before then however several other incidents would occur to underline even more forcibly that strong measures were imperative.

3. The list of 239

On 26 August 1995 *De Haagsche Courant* and *De Volkskrant* featured two articles mentioning a list of 239 Muslim men that had suddenly surfaced at the UN in Zagreb. Both articles claimed that the existence of the list had surprised the Minister of Defence. A feverish weeklong search had been undertaken to find it in The Hague, Tuzla and Zagreb.²⁵⁰⁴

The 'list of 239' was drawn up on 13 July 1995 in Potocari. It was an initiative of the Deputy Commander of Dutchbat, Major R.A. Franken. Until the very last moment there was talk of Muslim men being evacuated by UNHCR or the ICRC. When it became clear that Mladic would not allow this, two refugee representatives feared the worst. Franken thought he could give the able-bodied male refugees who were still there at least some guarantee of survival by putting them on a list. It was basically a concession to the fears of two refugee representatives. The idea of making a list of names had incidentally been raised before and it was not unusual to do this at international organizations. However, not all men wanted their name on the list because they were anxious about what would be done with it; they feared it would fall into the hands of the Bosnian Serbs. It eventually turned out that the list did not contain 239 but 251 names of refugees. When the list was ready, it was signed by Franken and sent to various addressees in Bosnia and the Netherlands. The Netherlands Army Headquarters also received a copy.²⁵⁰⁵ A reconstruction of what happened to the list after it was signed is given below. A memo describing the search for the list at the Ministry of Defence provides the basis for the reconstruction. This memo was prepared for the Minister by the Directorate of General Policy Matters.²⁵⁰⁶

Earlier on the 16th of August, Karremans had pointed to the existence of the list during a conversation with Commodore C.G.J. Hilderink of the Defence Crisis Management Centre, Colonel R. van Dam, Head of Operations of the Defence Staff, S.J.G. Reyn and F.J.J. Princen of the Directorate of General Policy Matters and Colonel B. Dedden of the Netherlands Army Crisis Staff. At the time he said that he had sent the list to the Netherlands Army Crisis Staff. The report made of the conversation with Karremans had also been given to Voorhoeve. On 20 August Voorhoeve sent a hand-written memo to the Head of the Directorate of General Policy Matters and the Chief of Defence Staff, asking what had happened to the men mentioned on the list and what had happened with the list.

Meanwhile Dedden who worked at the Netherlands Army Crisis Staff had no recollection of ever having seen such a list. But he promised to look into the matter. Dedden was subsequently able to

²⁵⁰¹ Ibid.

²⁵⁰² 'Defensie miskende politiek gewicht van fax Dutchbat' ('Defence underestimated political weight of Dutchbat fax'), *NRC Handelsblad*, 09/08/95.

²⁵⁰³ TK, Parliamentary session 1995-1996, 22 464, no. 1, 20/10/95.

²⁵⁰⁴ 'Verbijstering over nieuwe fouten bij Defensie' ('Bewildement over further mistakes at Defence'), *Haagsche Courant*, 26/08/95; 'Zoekgeraakte lijst met Moslims uit Srebrenica terecht' ('Missing list of Muslims from Srebrenica found'), *De Volkskrant*, 26/08/95.

²⁵⁰⁵ For a more detailed description of how the list of 239 was drawn up, see Part IV, Chapter 4.

²⁵⁰⁶ DCBC, 1094. D95/423, Memo for the Minister of Defence from the Deputy Director of General Policy Matters, L.F.F. Casteleijn, 25/08/95.

inform Van Dam on 18 August that a list of 239 names had in fact been received at the Army Crisis Staff and that several members of staff had seen it at the time. Dedden then also remembered having seen the list himself. As far as he could recall, the fax had come in without a cover page so that the nature of the list had been unclear. Meanwhile the efforts to trace the list continued at the Crisis Staff.

Later, on the 18th a staff member of the Ministry of Foreign Affairs gave a letter from a Belgian non-governmental organization to Van Dam and Reyn asking for a list of '293' names.²⁵⁰⁷ Reyn and Van Dam concluded that this actually referred to the list of 239 mentioned by Karremans on the 16th. Van Dam called Dedden and heard that the list had still not been located at the Crisis Staff. Van Dam asked Dedden to send the list to the Central Organization if it was found.

On 21 August the list had still not surfaced. It was suggested that if all else failed Karremans and/or Franken should be asked for clarification. By now the Netherlands Army was looking everywhere and at all levels. The Army Staff and the Defence Staff were in constant touch with each other. When the list had still not been tracked down on the 22nd, it was decided at the instigation of the Defence Crisis Management Centre to contact the Deputy Commander of UNPROFOR's Sector North-East in Tuzla, Colonel C. Brantz, and Lieutenant Colonel J.A.C. de Ruiter of UNPROFOR in Sarajevo. Brantz said he had never heard of such a list until 19 August when ex-Dutchbat interpreter Hasan Nuhanovic had told him about it. To add to the confusion, Brantz thought Nuhanovic had said there were 793 names on the list. De Ruiter knew nothing of the list. Meanwhile the Directorate of General Policy Matters and the Defence Staff had put a number of questions on paper for Karremans and Franken. Both were approached by telephone the next day through the Netherlands Army Staff.

The answers of Karremans and Franken were documented in a report that was sent to the Defence Crisis Management Centre on the morning of 24 July.²⁵⁰⁸ The report said that the Crisis Staff had failed to find the list and that an initial investigation of the battalion records of Dutchbat III in Assen has also been fruitless. The answers of Karremans and Franken also suggested that Karremans accepted responsibility for the composition of the list of names. Due to linguistic problems, the composition of the list had been entrusted to representatives of the Muslims in the encampment. The presence of Bosnian Serbs outside the encampment meant it was genuinely dangerous for the interpreters and the Muslim representatives to register people there. For this reason, the registration process had been confined to the male refugees in the compound. The list was reportedly then sent to the headquarters of UNPROFOR's Sector North-East and the Royal Netherlands Army Crisis Staff. Evidently Franken then filed the list in the battalion's records.

In the evening of 22 August there was a dawning recognition of the serious publicity risks surrounding this affair. Princen discussed his concerns with Hilderink, M. Schouten and Van Dam, and during that conversation the Secretary-General was alerted. Later that evening Voorhoeve was also informed by Princen who sent a fax to his home address.

Franken smuggled the list out of the enclave attached to his body when Dutchbat left for Zagreb on 21 July. After arriving in Zagreb the list was handed on 23 July to Major C.A.T.M. Bourgondiën of the Information Section of UNPF. He made multiple photocopies of the list and then saw to it that copies were at least sent to the Civil Affairs Department of the UNPF Headquarters as well as to staff members of the UN Commission on Human Rights. He also gave a copy to General Bastiaans who had come to Zagreb for the debriefing. In addition, Bourgondiën faxed the list to the Defence Crisis Management Centre in the Netherlands.²⁵⁰⁹ Various people later confirmed having received the list. These included M. Bossel-Lagos who was attached at the time to the Centre for Human Rights at Zagreb and cooperated with the investigation of Tadeusz Mazowiecki.²⁵¹⁰

²⁵⁰⁷ DPV/PZ, 1667/95, Memorandum of DVPZ/PZ to DGPZ, 21/08/95.

²⁵⁰⁸ Commander in Chief of the Royal Netherlands Army. Internal Memorandum from the Deputy Head of Operations to the Commander in Chief of the Royal Netherlands Army, 23/08/95.

²⁵⁰⁹ Interview C.A.T.M. Bourgondiën, 26/04/00.

²⁵¹⁰ Interview M. Bossel-Lagos, 20/12/00.

When it transpired that the list was nowhere to be found in the Netherlands, enquiries were made at the UN offices in Tuzla and Zagreb. Thanks to the fact that Bourgondiën had disseminated the list widely, it was relatively easy to find a copy. On 25 August the Defence Crisis Management Centre was finally faxed a list from the office of the UN's Special Rapporteur for Human Rights, Tadeusz Masowiecki. The list that Bastiaans received from Bourgondiën was never found.

The Minister was primarily interested in information about the fate of the men on the list. In late September the list was handed via Foreign Affairs to the United Nations and the International Committee of the Red Cross. The Red Cross was also requested to compare the list with their databases. One hundred and sixteen names with birth dates corresponded with the ICRC database. Family members claimed that, of this number, 103 men had been taken prisoner by the Bosnian Serbs, 7 had reportedly reached the Bosnian lines in safety and 5 had been found by the ICRC in the detention camp at Batkovic. As for the rest, 50 names did not occur in the ICRC database at all, 65 names occurred in the database but with different birth dates, two names possibly matched the records though there were minor spelling discrepancies, and finally three names matched the records but, in the opinion of the ICRC, were not the true names of the people in question. The ICRC also noted that the list included the names of an unknown number of men who had been released from the Batkovic detention camp at the end of September as the result of an exchange of prisoners.²⁵¹¹

After August 1995 the 'list of 239' refugees remained at the centre of public attention in the Netherlands, not least because Hasan Nuhanovic, one of the Dutchbat interpreters in Potocari, did not shy away from publicity in his efforts to find out what had happened to his family. In his quest to establish the fate of his family, Hasan also explored the events surrounding the 'list of 239'.

Meanwhile there were plenty of other matters in the summer of 1995 to keep Dutchbat and Srebrenica firmly in the public eye. The press lapped up all the news on the subject that came their way. But some news items proved more newsworthy than others.

4. 'There's nothing on it'. A ruined roll of film.

Introduction

The photos that Lieutenant J.H.A. (Ron) Rutten took after the fall of the Srebrenica Safe Area in and around Potocari²⁵¹² were to play a remarkable role in the media. But for a totally different reason than he had intended when he took them. Shocked by what he was seeing and hearing, Rutten had taken photos on 13 July 1995 in, among other places, a house where terrified Muslim men had been herded together and were evidently being interrogated (at least one of them was handcuffed to a stairway) and, later that day, also of nine bodies. He had heard about executions and had gone to the place in question with Lieutenant E.C.M.J. Koster and Sergeant-Major F. van Schaik to investigate. To prove the presence of the UN, Rutten got Koster to take up a position among the bodies for one of the photos. Though the Bosnian Serbs had forbidden any pictures to be taken out of the enclave, he (and he was not the only one, incidentally) had smuggled out his roll of film. His hope was that once back in the Netherlands the photos would help him to give forceful expression to his horror at and the gravity of what, in his firm conviction and according to his own observations, had happened.

How differently things turned out! The roll of film, which Rutten had on 25 July sent along with an officer of the Intelligence and Security Section of the Military Intelligence Service of the Royal Netherlands Army so that it could be developed and printed, was destroyed during development. The photos consequently never saw the light of day: not the men in the house, nor the bodies or anything else he had photographed, such as the separation of men and women during the evacuation of the population from Srebrenica. This caused a great deal of commotion, both immediately and later at

²⁵¹¹ TK, Parliamentary session 1995-1996, 22181, no. 128, 30/10/95.

²⁵¹² For a more extensive discussion of this, see Part IV, Chapter 4.

periodic intervals, in many different places in the army, at the Ministry of Defence and the government in general. But, above all, in the media. Not rarely, the official explanation, i.e. human error with fatal consequences, was brushed aside. This, so it was claimed, must have been done on purpose. Viewed in this light, the ruined roll of film could easily develop into a tangible symbol of a much more widespread cover-up, i.e. manipulation by the government in general, and Defence in particular, to conceal potentially embarrassing information. This was to make waves in the media, and high waves at that. In the summer of 1998 the storm grew to gale strength and until 2001 the wind was to return intermittently in varying degrees of intensity.

The fact that the controversy refused to die down compelled the NIOD, despite several earlier inquiries, to conduct its own investigation of the matter and bring out an extensive report. The findings of earlier inquiries were naturally taken on board in this connection.

One central problem must be made clear from the outset. If the roll of film was deliberately destroyed, then the fact that no group or person has claimed or admitted responsibility implies that there must have been some form of conspiracy, i.e. surreptitious activity with a view to preventing the disclosure of the pictures. If the conspirators did their work successfully, then their activity has indeed remained undetected. This gives rise to serious problems in terms of evidence, both for the proponents and opponents of the cover-up hypothesis.

The usual and, to all intents and purposes, only way to get round that problem is to reconstruct the events and circumstances as accurately as possible on the basis of available sources, in this case documents and persons. In addition, it is extremely important to answer the ‘why?’ question: what are the explanations and possible motives and what evidence is there to suggest these are the true, or at least plausible, explanations and motives? This chapter, therefore, is an attempt to reconstruct the events as accurately as possible and to discuss the plausibility of the explanations and motives given, both for the ‘human error’ and the ‘deliberate intent’ versions.

For the sake of clarity, the most important prior investigations are briefly discussed beforehand. This simultaneously allows us to mention a large number of the sources and put them in their true context. The first investigation was carried out by the investigation department of the Royal Netherlands Marechaussee, South Holland Section, which was started up immediately in the afternoon of 26 July 1995, the day on which the roll of film was destroyed. The investigative team formed under the direction of Captain P.H. (Peter) Rutten (no relation of the maker of the photos, incidentally) and called the Kodak team was provided that same afternoon with a brief report made immediately after the event by R.J.S. Schmöll, head of the photo section of the Military Intelligence Service of the Dutch Navy which had been entrusted with the development of the film. The assistance of the Forensic Laboratory was also immediately called in. A technical investigation was carried out and the persons most closely involved were heard. The investigators did not see the matter as a complicated affair. The investigation was rounded off by the Royal Netherlands Marechaussee on 31 July with an official report (P 11/1995). The technical report of the Forensic Laboratory was signed on 11 August 1995²⁵¹³.

For an understanding of the wider context of this affair it is also important to know that the Kodak team had agreed with the leadership of the Royal Netherlands Marechaussee and the Public Prosecutor not to confine their investigation to what had happened in the dark room. Partly in view of the evidence to be presented to the Yugoslavia Tribunal, Lieutenants Rutten and Koster, Sergeant Major Van Schaik and two other Dutchbat soldiers were heard about their observations of possible war crimes committed by Bosnian Serbs. The results of these interviews were recorded in a written report (P 13/1995) dated 2 August 1995.

The interviews with these five Dutchbat soldiers also touched on various matters other than Serb war crimes. The investigative team was particularly struck by the extremely emotional manner in

²⁵¹³ OM Arnhem, KMar P 11/1995. The report of Schmöll headed ‘proces-verbaal’ (which strictly speaking is not the correct name) is included in this official report P 11/1995. The same applies to the informative ‘Journal’ that the Kodak Team kept of its own activities. The report of the Forensic Laboratory can be found at the current Netherlands Forensic Institute (NFI) in dossier number 95.07.27.040.

which the witnesses spoke about the role played by Dutchbat in general and certain Dutchbat soldiers in particular. Mention was made of misconduct and/or what the interviewees considered an incorrect interpretation of the battalion's mission in the days after the fall. There was also a strong sense of frustration, so the Kodak team found, about the fact that many Dutch military and civil authorities underestimated the gravity of the situation. The leader of the investigation, P.H. Rutten, recorded these findings in what he called a 'Management Report' which could have a signalling function to all sorts of authorities. This document also became well-known because it was overlooked in certain places and originally had little impact. It is therefore extensively discussed in Part IV, Chapter 7 of this report.

As soon as word of the ruined film reached the media, they were naturally quick to pick up the story. But at this stage the journalists did not yet actually start doing their own fieldwork. The next investigation that devoted attention to the film was the major debriefing in Assen. But the destroyed film played only a subordinate part in this case and no new facts emerged. As the previous chapter has shown, the primary focus of the debriefing was on what had happened in Srebrenica.

The next moment that merits our attention occurred almost two years after the event when a *Nova* programme of 28 April 1997 rekindled interest in the subject. David Rohde, author of a successful book about Srebrenica entitled *Endgame*, voiced sharp criticism both of the actions of Dutchbat in the enclave and the subsequent publicity policy of the Dutch authorities. In general he considered the debriefing report as incomplete. As for the roll of film, he said he had heard that it had been deliberately destroyed.

This, among other things, led to talks between the photographer Rutten with, initially, the Commander in Chief of the Royal Netherlands Army, General M. Schouten, and the Director of Information of the Ministry of Defence, H. van den Heuvel, and later with the Head of the Directorate of General Policy Matters, J.H.M. de Winter, about Rutten's experiences and grievances. The roll of film was not the sole subject of discussion, but it was raised. Apart from adding a few documents to the departmental archives²⁵¹⁴, this also led to the Royal Netherlands Marechaussee being instructed to carry out another investigation into the roll of film. The ministry particularly wanted to know more about the involvement of the officers of the Military Intelligence Service of the Royal Netherlands Army. For this reason, apart from a further interview with Lieutenant Rutten, Major R.F.J.H. de Ruijter and his chief officer Lieutenant Colonel A. Bleumink were also heard. This time the inquiry concentrated both on the collection of the roll of film on 25 July 1995 and on the contacts that Rutten had with De Ruijter and Bleumink after the film was ruined. The interviews were conducted by Lieutenant K. van Dijk and warrant officer J.B. Vochteloo, both also members of the Kodak team in 1995. The investigation did not lead to fresh insights or the instigation of criminal proceedings. But the roll of film remained a sensitive issue even though it caused no further public outcry in the year 1997.

In 1998, by contrast, a media frenzy erupted and this time, unlike in 1995, the journalists did their own sleuthing. It all started quietly enough on 10 July 1998 in the relatively low-profile VPRO radio programme *Argos*. In an hour-long documentary the failure to develop the film was set against the background of the atrocities in and around Srebrenica and viewed from the perspective of a deliberate removal of information, in this case pictures, which was disagreeable to the authorities. In August *Nova* took over the torch. A series of broadcasts called various issues relating to Srebrenica into question. Recurring themes included the alleged cover-up in a broad sense. The roll of film caught the imagination as a telling example²⁵¹⁵.

The ensuing commotion in the media and therefore also in political circles was such that F.H.G. de Grave, the brand new Minister of Defence in the recently inaugurated second coalition government of Prime Minister Kok, was forced to cut his holiday short. On 13 August 1998 he ordered an in-depth investigation to find out whether any facts 'had been suppressed or carelessly handled, or if the truth

²⁵¹⁴ DAB. Memos of Director of the Directorate of General Policy Matters D97/244 29/04/97 and D97/472 12/09/97. DV. Memo of Director of Information 06/07/97.

²⁵¹⁵ Particularly about the roll of film in the *Nova* programme of 08/08/98.

finding process in this connection had in any way been obstructed or limited in scope'. This investigation was led by J.A. van Kemenade, who completed his report *Omtrent Srebrenica* (About Srebrenica) on 28 September. The investigation is discussed at length elsewhere in this chapter, and in the appendices to Van Kemenade's report which contain the transcriptions of the hearings the integrity of the truth finding process is an often recurring theme.

Van Kemenade's report did not provide the conclusive clarification that had been envisaged, particularly not in relation to the roll of film. The media especially took him to task for leaning too heavily on earlier inquiries and for not having done sufficient investigative work of his own, so that he could hardly have come up with anything other than the 'unsatisfactory' official version. As a result, the media attention for the roll of film continued unabated. In *Intermediair* of 8 and 22 October 1998 it was even emphatically argued that the portrayal of events as accepted by Van Kemenade was simply not possible.

In this way, the roll of film continued to attract attention, especially in 1998 but also later. On a few occasions it was even the subject of limited further research²⁵¹⁶. Several additional questions from 1998 long remained unanswered at the Forensic Laboratory, which in the meantime had been reorganized and renamed Netherlands Forensic Institute. In 2000, however, one of these questions was finally answered²⁵¹⁷. This sluggishness of response played a certain part in a new *Nova* programme about the roll of film on 19 June 2001 where a partially new variant of the cover-up hypothesis was put forward. The statement that members of the former Kodak team were also having second thoughts in turn prompted the Royal Netherlands Marechaussee to carry out some further investigation (a report of P.H. Rutten and a brief investigation by two retired officers). Still more sources for the NIOD, in other words²⁵¹⁸.

The NIOD could have restricted its own investigation of the ruined film to the dossiers of these earlier studies. But there were several good arguments for holding its own interviews with the people involved (including the investigators). First of all, it is in principle always preferable to do your own direct investigative work rather than rely on third-party investigations (even though efficiency considerations often prevented this), and all the more so if others have so emphatically cast doubt on the existing investigations. Secondly in this case even the investigators had their doubts about certain aspects of some of these investigations. Thirdly, while granting that there were few, if any, new facts to be considered, direct contact in the form of interviews offered an opportunity to talk over the events again with those involved as well as later investigators and experts with all the documents on the table. The arguments could be weighed up in these conversations and put in their proper context²⁵¹⁹.

All these considerations did indeed contribute to the following reconstruction of the events and the weighing up of the arguments for and against the competing interpretations. Very briefly put, it is 'human error' against 'deliberate intent' (in several variants). This chapter discusses as matter-of-factly as possible the failure to develop the roll of film that J.H.A. Rutten had handed in. The wider context must be taken on board as otherwise certain matters would either remain obscure or be capable of misinterpretation. But this context is not described *in extenso*. The events in the enclave, for instance, or the reception of Dutchbat in Zagreb and the press conference they are relevant, but have already been appropriately dealt with in other parts of this report. The same goes for the management report and the debriefing in Assen. It is no coincidence therefore that the following reconstruction starts with an exact

²⁵¹⁶ Attention in this connection was primarily focused on what had happened in Srebrenica/Potocari and the events surrounding the Management Report. This is discussed in greater detail elsewhere in this report.

²⁵¹⁷ NFI, dossier 95.07.27.040.

²⁵¹⁸ OM Arnhem, KMar. Report of P.H.Rutten 24/06/01 (Bureau of Internal Investigation, no.R.OZ: 034/2001); OM Arnhem, KMar. Report of H. Boersma and W.A.M van Dijk (retired captain and retired colonel respectively of the Royal Netherlands Marechaussee) 03/07/01.

²⁵¹⁹ The roll of film was specifically discussed with twenty-five people in total. In a number of cases this took place in interviews in which other issues were also raised. In other cases, contact was sought specifically about the roll of film, sometimes only by telephone.

chronological account of the route followed by the roll of film and the discussions held in this connection from 23 July 1995 when the photographer Rutten had contact about this matter with General H. Couzy, among other people. This part is rounded off with the conclusion of the Kodak Team on 31 July. Subsequently, various aspects are discussed on a more thematic basis, but without ever losing sight of the chronological sequence of events. Though often difficult to prove, the motives underlying the actions of the various people involved and the various peculiarities in the story (the 'background noise' in the dossier) are also given ample attention.

From 23 through 28 July 1995

During the limited debriefing activities at Zagreb, Lieutenant J.H.A. Rutten was also interviewed. In his contact with the Commander in Chief of the Royal Netherlands Army, General Couzy, on Sunday 23 July 1995, Rutten also mentioned the photos that he had taken in the house and of the bodies. He did this to underscore the serious nature of the matter. At the time he said little or nothing about the separation of men and women. His attention was mainly focused on the executions. Couzy displayed an interest in the photos and Rutten agreed to provide him with prints.²⁵²⁰

During the press conference towards the end of that Sunday afternoon, which was relayed live in the Netherlands in a special broadcast of *NOS-Actueel*, Couzy also mentioned these executions and the photos of the bodies. It was one of the examples of evidence that war crimes had been committed. But to the great annoyance of Rutten and some other Dutchbat soldiers Couzy also declared, and this received more attention, that the provisional impressions from the debriefing provided no indications of genocide. Even during the live broadcast Couzy's statement was set against statements by Ministers Pronk and Voorhoeve. The latter, who was also in Zagreb, struck a much more sombre note on the grounds of stories of refugees in Tuzla and the fact that several thousands of men were still unaccounted for. When pressed to explain these different readings of events, Couzy and Voorhoeve maintained there was no question of conflicting statements. Couzy had spoken exclusively about what he knew on the grounds of Dutchbat soldiers' observations; Voorhoeve had spoken on the basis of information received from international sources. Later in the programme the fact that pictures had been taken was again mentioned in an interview with a member of Dutchbat.²⁵²¹

The next day, on Monday 24 July 1995, Dutchbat departed for the Netherlands. A chaotic arrival at Soesterberg followed. Rutten (with his roll of film) went home with his wife fairly quickly. Those who had come to pick people up at Soesterberg included Major R.F.J.H. de Ruijter of the Intelligence and Security Section of the Military Intelligence Service of the Royal Netherlands Army. He was there to welcome the contact officer of this department in Dutchbat III, Sergeant Major E.A. Rave, who was also a friend of De Ruijter. Though he had come to collect him purely for social reasons, the roll of film with the bodies soon cropped up²⁵²².

De Ruijter asked where the film was and whether it would not be advisable to get the Military Intelligence Service/Royal Netherlands Army to develop and print it which was a perfectly normal procedure for films containing interesting information from an intelligence point of view. Rave said that he had said the same thing in Zagreb but that the commander, who knew about it, had felt it was private property and had agreed with Rutten that he would make prints available. De Ruijter insisted that this was not wise and that it was important both for the commander and the intelligence work to

²⁵²⁰ Rutten and Couzy made statements about this on various occasions. Apart from virtually all other dossiers already mentioned. See also interviews H. Couzy 04/10/01 and J.H.A. Rutten 13/09/01.

²⁵²¹ *NOS-Actueel* 23/07/95.

²⁵²² In retrospect it is no longer clear who brought this up first. As far as De Ruijter is able to recollect, it was Rave who started. But Rave thinks De Ruijter was the first to mention it. Nor was Rave surprised by this as he had also reported the existence of the film to others (certainly in Zagreb) and that information could quite easily have reached De Ruijter. Either way, the roll of film was mentioned in the course of the conversation. Interview R.F.J.H. de Ruijter 27/06/01 and 01/08/01 (additional telephone call) and interview E.A. Rave 13 and 14/12/00 and 11/07/01 (additional telephone call).

get the photos as soon as possible. What's more, there was also a certain risk that someone else would make off with the photos. After all, they would be worth a fortune in the media world²⁵²³.

Though this prevented Rave from going straight home, De Ruijter and he started to look for Couzy. The latter acknowledged the advantages of getting the Military Intelligence Service to develop and print the film (fast information also for him). He gave De Ruijter permission to ask Rutten to hand the film over to him. Rutten would naturally receive excellent prints free of charge. But Rutten had already left. De Ruijter therefore called Rutten the next morning, Tuesday 25 July 1995, and the latter was perfectly happy to hand over the roll of film: 'it was, after all, with that aim in mind that I had taken the photos, and also to serve as evidence and support for my observations'²⁵²⁴. That same afternoon De Ruijter picked up the film at Rutten's home. On this occasion they extensively discussed Rutten's experiences and their emotional impact on him. In this way, De Ruijter obtained an even more accurate picture of what could be expected to be on the photos. That evening and night he kept the roll of film at his own home.²⁵²⁵

Meanwhile De Ruijter had arranged for the film to be developed and printed first thing the next morning, on Wednesday 26 July 1995.²⁵²⁶ He could then bring the prints into the organization without further delay and present them to the commander. This would also allow him to return the photos and negatives to their rightful owner, Rutten, in the evening of that same day. De Ruijter asked warrant-officer H. Winkelman, head of the photo and video department of the Military Intelligence Service/Royal Netherlands Army, to make sure that the film he was bringing with him on the Wednesday morning would be attended to immediately. As the development machine in the photo lab of the Military Intelligence Service/Royal Netherlands Army was out of order, Winkelman asked his colleague of the Military Intelligence Service/Dutch Navy to help out. This was housed in the building of the Admiralty at the same barracks as where the Military Intelligence Service/Royal Netherlands Army was based. These buildings at the Frederik Barracks in The Hague, 35A and 32 respectively, were at walking distance from each other. R.J.S. Schmüll, head of the photo section of the Military Intelligence Service/Dutch Navy, was unable to be present early the next day but arranged for the laboratory technician H.J.W. van Boetzelaer to be present at 8am to develop the roll of film. Winkelman himself would then make the prints.

The first steps in the early morning of Wednesday 26 July 1995 still went according to plan. Around eight o'clock De Ruijter arrived with the film at the Military Intelligence Service/Royal Netherlands Army. Winkelman was waiting for him and took the roll of film. De Ruijter proceeded to his other work and Winkelman immediately made his way to the dark room of the Military Intelligence Service/Dutch Navy. Van Boetzelaer was waiting there as arranged. He had already made the preparations that were necessary with this particular development machine of the Mafina brand. Van Boetzelaer then took over the roll of film and carried it to the wet area of the dark room where the development machine was placed. Winkelman stayed behind in the front area. Van Boetzelaer continued the preparations, placed the film – according to his statement that same day to the Royal Netherlands Marechaussee: a Fujicolor 100, type Super G, 36 colour exposures - together with a roll of

²⁵²³ No evidence whatsoever was found to corroborate the story that the photos had been promised to *Elsevier*. Everyone who ever told the story says they had no first hand knowledge, but had only heard it from others.

²⁵²⁴ OM Arnhem, KMar, P 970715.1200. Statement of J.H.A. Rutten 11/07/97.

²⁵²⁵ OM Arnhem, KMar, P 970715.1200. Official Report of Examination of witness R.F.J.H. de Ruyter 14/07/97.

²⁵²⁶ The following reconstruction is based on statements and reports in all earlier-mentioned dossiers. Particularly OM Arnhem, KMar, P 11/1995 is relevant because the statements were made very shortly after the events. In addition, interviews with H.W.J. van Boetzelaer 26/07/01, A.M. van Dijk and H. Boersma 09/08/01, K. van Dijk 12/09/01, D.G.J. Fabius 19/10/01, A. Lub 01/08/01, P.J.T. de Ridder 08/08/01, P.H.Rutten and S. de Wilde 30/07/01, R.F.J.H. de Ruyter 27/06/01, R.S.J. Schmüll 06/08/01, J.B. Vochteloo 19/09/01 and H. Winkelman 12/07/01. The version of events in the area in front of the dark room early in the morning was also confirmed by M. Blokland (telephone interview 03/11/01) who had a work room nearby and, as on so many other occasions, had come to have a cup of coffee and discuss a video that was to be made.

film handed in by the Navy (a Kodak Gold 200, 36 colour exposures) in the machine and started the process shortly after 8am.

The rest of the development process was automated, so to pass the time until the process had been completed Van Boetzelaer returned to the front area where he had a cup of coffee with Winkelman and Schmüll who had arrived in the meantime. During the conversation, they mentioned the possibility that the photos that Winkelman had brought might have something to do with Yugoslavia. Until then, all they knew at the Military Intelligence Service/Dutch Navy was that it was a 'rush job' and that, in itself, was nothing special. Nor was it unusual in intelligence work not to know what was on the films being developed. Winkelman had heard from De Ruijter what it was about in general terms. The main thing that had impressed him, incidentally, was the fact that the Commander in Chief of the Royal Netherlands Army himself was evidently involved. That was unusual. He said that the photos had in fact been made by a Dutchbat soldier in Srebrenica. But at the time he himself did not know exactly what was on them.

At about a quarter to nine the signal that the development process had been completed went off and Van Boetzelaer went to the dark room to collect the developed rolls of film. To his amazement and dismay, he found himself confronted with the result of the mini chemical disaster that had taken place in the past 35 minutes. 'There's nothing on it' were the first words the others heard him say²⁵²⁷. It was immediately clear to everyone there that something with far-reaching consequences had occurred. The senior officers were informed straightaway. Schmüll alerted the head of Intelligence and Security Department at the Navy Staff (also deputy head of the Military Intelligence Service/Dutch Navy), Naval Captain W.Th. Lansink. Winkelman, who took the blank roll of film with him, went to inform De Ruijter. He too was shocked and then told Winkelman that the film had contained nothing less than the photos of the bodies that Couzy had spoken about at the press conference. De Ruijter took the empty film from Winkelman, mindful of his promise to return the photos and negatives that evening to R.J.A. Rutten.

Schmüll also quickly drew up a short report of what had happened. In essence, he already formulated what subsequent investigations repeatedly confirmed. Some serious error must have been made during the preparation of the development process, causing the developer to become contaminated with fixer. And as is clear, if something like that happens, the film is irreparably damaged and cannot possibly be developed.

The chief officers responded very alertly. Everyone was immediately informed right up to the highest level. It was decided that the Investigation Department of the Royal Netherlands Marechaussee would launch an investigation. That same afternoon an 'embargo team' was installed by the Commander of the Royal Netherlands Marechaussee, General D.G.J. Fabius, himself. This was the Kodak Team under the direction of Captain P.H. Rutten. Its task was to establish whether the failure of the development process was the result of deliberate intent. Given the circumstances, a fast answer was clearly called for. The investigation was started immediately afterwards. The cooperation of the Forensic Laboratory was requested and granted²⁵²⁸. The first interviews were then held.

Meanwhile De Ruijter faced a dilemma: how do I tell the photographer, who had handed over his roll of film in good faith, assuming it was in safe hands? Also in view of the promise he had made and after speaking with his chief officer Lieutenant Colonel A. Bleumink, he saw no option other than to break the news to J.H.A. Rutten that same evening. Later that day the Kodak Team tried to trace the roll of film which, as was only logical, they wanted for their investigation. It soon transpired that De Ruijter had it. He was asked to come and hand in the roll of film at the building of the staff of the Royal Netherlands Marechaussee on Raamweg, The Hague. On arrival there he found that the Marechaussee not only needed the film but, in the interests of the investigation, also objected to J.H.A.

²⁵²⁷ OM Arnhem, KMar, P 11/1995, Interview R.J.S. Schmüll.

²⁵²⁸ For this support from the Forensic Laboratory, apart from the dossier at the NFI 95.07.27.040, see also interviews with A.P.A. Broeders and H. van den Heuvel 27/07/01 and E. van Zalen 20/07/01.

Rutten being informed. De Ruijter's intention to inform Rutten was a matter of dispute right up to senior level. At the Marechaussee's building on Raamweg, strong words were also exchanged between De Ruijter and his opponents of the Marechaussee. De Ruijter did hand over the roll of film but would not be dissuaded from subsequently heading in the direction of Duiven (where Rutten lived), on the understanding that he would visit Bleumink, who lived nearby in Westervoort, from whom he was to receive further instructions.

The dispute as to whether De Ruijter could honour his promise to Rutten at least to the extent of being allowed to inform him of the failure or whether the interests of the investigation as perceived by the Marechaussee should prevail was resolved in the most unfortunate manner conceivable, namely with the following compromise. Instead of visiting J.H.A. Rutten together with Bleumink and telling him frankly what had happened, De Ruijter, on instructions from The Hague, was allowed to do no more than call him to say that he could not keep their appointment and that there were problems with the roll of film. But he was to say nothing about the nature and extent of the problems. After the telephone conversation with De Ruijter, Rutten also received a call from Bleumink who, without being able to enter into details, tried to convince Rutten that nothing fishy was going on. It is hardly surprising that these telephone calls made Rutten feel uneasy. It was precisely the vagueness of what was said to him that gave him the impression that the photos did exist. This impression was partly based on the fact that De Ruijter evidently knew what was on them. That De Ruijter had acquired this knowledge by other means (namely mainly from his conversation with Rutten himself the previous day) evidently did not occur to him at that time. In retrospect, it is clear that on this evening a sense of distrust was irreparably instilled in Rutten about the whole course of events.

On Thursday 27 July 1995 the Kodak Team continued their probe. An *in situ* investigation was carried out by the Forensic Laboratory, represented by two chemical experts, E. van Zalen and J.W. van Wilsem, and a forensic photographer H. van den Heuvel. They took away all sorts of samples of the chemicals present as well as the destroyed roll of film. Van Wilsem promised to give a provisional result the next day, Friday 28 July 1995. This result, the official report of which is dated on 11 August 1995, confirmed what Schmöll had already said. The reason for the failed development was that 'The roll of film was developed with a contaminated developer that possibly consisted of roughly 30% fixer and/or bleach'²⁵²⁹.

The Forensic Laboratory was also requested on 27 July to assist with a second film which warrant officer B.J. Oosterveen had already handed over in Zagreb so that it could be developed and printed and which in the meantime had reached the Military Intelligence Service/Royal Netherlands Army.²⁵³⁰ Oosterveen, too, had photographed bodies. It was not clear whether this concerned the same location that Rutten had photographed. Rather than developing these photos itself, the Military Intelligence Service/Royal Netherlands Army chose to avoid all risk and entrusted the film, via the Marechaussee, to the Forensic Laboratory. This institution was also wary of the situation. After discussing the matter, it was decided to follow the most normal procedure possible, i.e. the film was to be given to a professional development centre for the daily development session with the results being checked just before and just after the film in question. As an extra precaution, permission was asked and received to attend the development. The result was that most of the photos on the film were of excellent quality. This indicates that the film had been correctly developed. But precisely the photos of the dead bodies were very poor because of incorrect exposure and the great distance from which they

²⁵²⁹ One noteworthy point about this report is that it contains a < sign which is both illogical and in conflict with the text. The draft report in the complete dossier at the current Netherlands Forensic Institute (no. 95.07.27.040) does contain the logical > sign. What is evidently a typing error made during the production of the definite report has been overlooked when checked.

²⁵³⁰ In the course of time these two films were sometimes mixed up, even by those closely involved. There are in actual fact two separate films which were also separately discussed. No evidence whatsoever has been found to confirm rumours about the existence of further films that were destroyed or disappeared.

had been photographed. Efforts to enhance the quality by means of technical tricks helped to a certain extent but you still needed to be very well-intentioned to make out bodies on the prints²⁵³¹.

Another noteworthy activity of the Kodak Team that day was a second interview with the laboratory technician Van Boetzelaer who was now a suspect. While on 26 July the primary focus had been on the technical process, this time the investigators wanted to know how this could have happened to such an experienced laboratory technician as Van Boetzelaer. This question was all the more pressing as he, by his own admission, had noticed irregularities during the preparation of the process. These irregularities concerned the colour of the developer, which had initially been rather dark but had then turned very light. With hindsight he felt this should have made him conclude that something was wrong and that he should therefore have taken corrective action. He admitted that this was a culpable act and that he was guilty of destroying the film. By way of explanation, he said that due to personal circumstances he had had little sleep during a number of consecutive nights and that he had been very emotionally involved with the problems of a relative. This had possibly made him less accurate and attentive than he should have been. He emphatically denied destroying the film with deliberate intent.

Technically speaking a logical explanation was thus given for what had happened, the central cause being human error. No matter how clumsy and rare such an error may have been, it could have happened that way and all statements given pointed in that direction. It is important to state for the record that everyone involved, including both Van Boetzelaer's colleagues, the investigators of the Marechaussee and others who spoke to him later about the subject, regarded him as reliable and trustworthy. To this very day, most of them categorically rule out a deliberate cover-up. In the words of a few of the then investigators of the Marechaussee: he must be (or have been) a really fabulous actor if he took us all in.²⁵³² The dossier as a whole certainly makes a convincing impression.

And so the investigation of the Kodak Team drew to an end on the evening of 27 July. The next day, Friday 28 July 1995, the matter was basically rounded off insofar as the roll of film was concerned. On the 27th contact had already been sought with the Public Prosecutor for Military Affairs in Arnhem because, on the Minister's instructions, the investigation had now been given judicial status. This meant that an official report would be made and sent to the Public Prosecutor. On the 28th this led to further consultation with A.P. Besier. As far as the roll of film was concerned, this had virtually no further consequences as the dossier presented no grounds for prosecution (the cause, after all, was human error). After consulting with the press officer and the Ministry of Defence, Besier prepared a press release. But Besier was also the contact officer with the Tribunal and, as such, was interested in information on the observations of the makers of the photographs. He therefore asked for an official report of the findings in this connection.²⁵³³ This fired the starting shot for the aforementioned second part of the activities of the Kodak Team.

In the meantime a solution also still had to be found for properly informing J.H.A. Rutten, the maker of the photographs on the ruined film. After the Kodak Team and Lieutenant Colonel K.J.C. Leupe, Head of Staff of General Fabius, had consulted with Bleumink and De Ruijter, it was decided that Bleumink would explain by telephone what had happened. De Ruijter would then fill in the details in a personal talk with Rutten, after which the Kodak Team would hear him at the Arnhem brigade about his observations in Srebrenica. This, in fact, is what took place and the first interview was held, at Besiers' request, that same Friday on 28 July.²⁵³⁴

However, the explanation failed to dispel Rutten's suspicions regarding the events surrounding the roll of film. Confronted with the evidence in documents and later repeatedly in talks with the

²⁵³¹ The Forensic Laboratory initially made no report of this activity. It was not until 1999 that H. van den Heuvel drew up a statement from memory in which he recorded the events (also dossier no. 95.07.27.040). A chronological account of these events can incidentally be found in the Journal of the Kodak Team and in several official reports.

²⁵³² See in particular the interviews mentioned in note 34.

²⁵³³ These details are given very concisely in the Journal that the Kodak Team kept at OM Arnhem, KMar, P 11/1995.

²⁵³⁴ OM Arnhem, KMar, P 13/1995.

people involved and investigators, he was prepared to admit that he had little option other than to accept this version of the events. Besides, he did not have any proof for a different version. But every time he would say: And still I feel there's something wrong. In this connection it was not any help that the Kodak Team (which had been informed by De Ruijter who, in turn, had been told by Rutten himself) had such an accurate idea of what should have been on the photos. But apart from the unfortunate piecemeal manner in which Rutten had been notified and informed of the incident, this also had a lot to do with Rutten's overall dissatisfaction with the way in which the events in and around Srebrenica were being dealt with in the Netherlands.²⁵³⁵ The suppression of pictures with evidence fitted in with a broader pattern of concealing and downplaying information.

Nevertheless on 28 July the Kodak Team had basically completed its investigation into the ruined film. The 'Official Report of the findings relating to the destruction of a roll of film' was drawn up immediately after the weekend on 31 July 1995. The publicity that followed was naturally embarrassing for the people involved and particularly the Minister, as the politically responsible person, was forced to eat humble pie. The only avenue open to him was to admit that he was responsible for stupidities that really went beyond the pale. In *Nova* he spoke of 'utter clumsiness' and 'a daft mistake'.²⁵³⁶ At the same time he insisted categorically that human error really was the cause and that there was no question of ulterior motives. Sceptical noises were of course heard in the press and among political circles about the fact that such a rare accident could have happened to such an important roll of film that surely should have been handled with the utmost care. The suggestion of 'deliberate intent' was made, but finally in the summer of 1995 there appeared on balance to be a willingness to accept that such things do happen. Subsequently, however, this 'daftness' continued to feature prominently in a succession of blunders that were regularly dished out to the Ministry of Defence.

Deliberate intent after all? Motives and clues

Like the investigation in late July 1995 and various subsequent investigations, the reconstruction in the above section concludes that human error was the cause. As time went by, the 'deliberate intent' hypothesis was set against this with increasing insistence, particularly in 1998. The central thrust is always the same: the roll of film was deliberately destroyed. But there are a few different variants of the theory.²⁵³⁷ Originally the emphasis was on the deliberate destruction in the dark room and Van Boetzelaer, as direct perpetrator, was the prime suspect. But naturally he would have been operating on someone else's instructions. The immediate command must thus have come from the 'the Military Intelligence Service/ the Royal Netherlands Army' (with De Ruijter in a central role) which, in turn, may have been acting in collusion with or on the instructions of others, such as the military leadership, the Ministry or the Minister himself.

A later and less common variant postulates the earlier destruction of the material by De Ruijter in the hours that the roll of film was in his possession (from Tuesday 25 July 1995 at the end of the afternoon when he took the roll with him until early the next morning when it was handed in at the dark room)²⁵³⁸. In this variant the fact that even more went wrong during the development process can evidently be seen either as an attempt to cover up the earlier destruction as well as a coincidental unplanned circumstance (leaving open the possibility that Van Boetzelaer ruined the film in good faith).

An even more complicated variant involves a double operation. In that hypothesis the roll of film handed in at the dark room was not Rutten's film at all but a random substitute intended to divert

²⁵³⁵ J.H.A. Rutten frequently vented this dissatisfaction. In the course of time he was heard or interviewed in numerous investigations and this issue was raised very frequently either as the central subject or as a side issue. Here, we only make reference to the interview with J.H.A. Rutten 13/09/01.

²⁵³⁶ *Nova* 04/08/95. See also all Dutch media during these days.

²⁵³⁷ The following is an attempt to summarize as well as possible the assumptions and convictions voiced over time in the media into more or less consistent variants.

²⁵³⁸ Particularly *Nova* 19/06/01.

attention. In this version the real film was developed elsewhere in the deepest secrecy. That ‘elsewhere’ might very well have been the Audiovisual Department of the Dutch Navy in Valkenburg South Holland. This, after all, had been mentioned more than once as the actual scene of events rather than the dark room in the building of the Admiralty: was this by mistake, as some claimed, or a momentary lapse of someone in the know? When the Military Intelligence Service (and possible accomplices) viewed the pictures, they were so shocked by the incriminating nature of the images that they were immediately destroyed. This variant explains the ‘remarkable’ knowledge of De Ruijter and the Kodak Team of what had been photographed. In all variants, incidentally, the investigation of that Kodak Team must be seen either as a *cover-up* of the operation to destroy the film or as serious blundering.

The assumption that the Audiovisual Department of the Navy in Valkenburg South Holland was involved in a conspiracy found no corroboration in the sources. The reason why the story was able to come into circulation was that many people immediately associated ‘a dark room of the Navy’ with ‘Valkenburg’. That was a well-known institution, whereas the dark room of the Military Intelligence Service of the Dutch Navy was not. Even people who were closely involved in the investigation but were not actually out in the field (such as the leader of the investigation P.H. Rutten) took this for granted for some time and also informed others accordingly.²⁵³⁹ With this third variant, therefore, the destruction of the roll of film must have taken place at another, as yet unnamed, location.

Either way, particularly the second and the third variants assume fairly complicated conspiracies involving many people and consequently a high risks of leaks. There is no concrete evidence for any of these variants. What initially looked like evidence failed to stand up to verification. However, given the secrecy in which the events took place according to the hypothesis, the absence of clear leads is not surprising. Its persuasiveness must therefore be sought in other arguments. The first thing to be pointed out in this connection is that it is very hard, if not impossible, to believe that an experienced laboratory technician would make such an utter mess of precisely this roll of film. “Totally incredible” Elsbeth ETTY succinctly wrote in 2001 in the middle of her column and then, mincing no words, continued in the certain assumption that a cover-up had taken place²⁵⁴⁰.

The notion of ‘deliberate intent’ is also persuasively supported by a much broader and more deeply rooted conviction that the Dutch government, and the defence authorities in particular, were systematically withholding and manipulating information: the cover-up theory in other words, which is considered particularly plausible in relation to the debriefing. This issue is discussed extensively elsewhere in this report.²⁵⁴¹ The destruction of an incriminating roll of film fits in well with such a cover-up theory. To some, it goes without saying that ‘the Military Intelligence Service’ (virtually no distinction is made between the various departments that still existed in 1995) played a role in this case. That, after all, is precisely the sort of thing you would expect of such a department. In a sense you could say that the army has this department precisely for such secret operations. Even so, all this is largely based on impressionistic conjecture that provides a ‘ready and willing’ background rather than concrete corroboration of the suggested course of events.

Consequently, we must turn our attention to two particular aspects: peculiarities and weaknesses in the dossier that support the ‘human error’ version and the question about the motives. First, let’s look at the ‘background noise’ in the dossier. A few minor points, such as dates in statements that are

²⁵³⁹ Interview P.H. Rutten and S. de Wilde 30/07/01. To make absolutely sure, the NIOD also looked for evidence at the Audiovisual Department of the Dutch Navy (which in the meantime had relocated to Amsterdam). The administrative records of work assignments for this period are no longer present. Material, particularly classified material, was always returned to customers after the assignment had been carried out. The then head of the photo department and the person in charge of the photo workshop rule out the possibility that the film in question was developed there. If it had been, they would certainly have remembered. What’s more, they weren’t able to develop colour film there. Interview A. Zagers 03/10/01 and report of interview with the Audiovisual Department of the Dutch Navy 06/08/01. The suggestion that ‘Valkenburg’ referred to an intelligence officer is also untenable. The only officer who answers to that name and could have been intended was in Croatia at the time of the events. Telephone conversation with A.H.J.M. Valkenburg 01/08/01.

²⁵⁴⁰ E. ETTY in *NRC Handelsblad* 23/06/01.

²⁵⁴¹ See elsewhere in this chapter and Part IV, Chapter 7.

obviously inaccurate, can, in retrospect, easily be recognized as understandable mistakes (certainly where the statements are of a later date) or typing errors made when transcribing rough notes to a clean copy.²⁵⁴² The suggestions concerning 'Valkenburg' have already been discussed. Far more important are the question-marks that can be placed with hindsight behind what exactly was investigated in that first week (and how thoroughly) and what was not. You obviously need to be careful when assessing a dossier years after the event from a hypercritical perspective and with a lot of knowledge that was not available at the time. Even so, it is telling that both the Kodak Team and the Netherlands Forensic Institute have made critical comments about the investigation conducted in July 1995 regarding this aspect.

When the media were emphatically pursuing allegations of deliberate destruction in the summer of 1998, the Kodak Team showed no signs of doubting their own investigation. In 2001, however, some slight doubts were expressed and these were made public in the *Nova* programme of 19 June. The leadership of the Royal Netherlands Marechaussee asked the leader of the investigation P.H. Rutten to make a report about this. That report of 24 June in turn led to a request to two retired Royal Netherlands Marechaussee Officers, retired Colonel A.M. van Dijk and retired Captain H. Boersma, to investigate any such doubts. They reported on 3 July 2001.²⁵⁴³ In this connection they heard the members of the Kodak Team who, incidentally, were also interviewed by the NIOD around that time.

The conclusion of Van Dijk and Boersma, which corresponds with that of the NIOD, is that there were no doubts among the members of the Kodak Team regarding the investigation as carried out by them in July 1995. Only a few placed some professional question-marks, resulting from retrospective knowledge, behind the limited scope of the investigation. These are recorded in Rutten's report. In conformity with instructions, the investigation had concentrated entirely on what had happened in the dark room. All maintained that this had been carefully investigated and the outcome was beyond doubt, even though you could perhaps wonder why the development process had not been immediately simulated as accurately as possible from start to finish. At the time, the investigators had been content to take samples for further investigation. But what was even more remarkable was the failure to devote attention to the phase preceding the dark room, i.e. to what had happened to the roll of film after J.H.A. Rutten had handed it over. In other words, the role played by De Ruijter and the Military Intelligence Service of the Royal Netherlands Army had been disregarded. It was not until 1997 that attention was briefly devoted to this aspect following questions from the ministry, but these interviews had not amounted to much.

As it happens, a plausible explanation can be given for the course of events in 1995. In that week of 24 July 1995 it looked like a pretty cut-and-dried case to the members of the Kodak Team who were also expected to deliver a fast result (and they still maintain that their conclusion of 'human error' was in itself well-substantiated). That's why they were also able to report quickly. They did not leave it at that, however. But as explained earlier, the widening scope of their investigation did not lead them to the Military Intelligence Service/Royal Netherlands Army (whose role only acquired a certain urgency as a result of later pressing questions) but to what had happened in Srebrenica, what Dutchbat soldiers had seen of this and what role they had played themselves. These were the compelling questions of the time and that was the trail that the Kodak Team followed up. Reading serious professional errors into this or assuming that the Kodak Team fell into the trap of a decoy is really taking things rather far.

The absence of an attempt to simulate the entire process that caused the destruction of the film takes on significance against the background of the statement that the story as told by Van Boetzelaer simply was not possible. In 1998 *Intermediair*²⁵⁴⁴ had done tests at a professional company with a Fuji development machine and had found that such errors were precluded by the nature of the process. The

²⁵⁴² Interview P.H. Rutten and S. de Wilde 30/07/01 concerning internal consistency in OM Arnhem, KMar, P 970715.1200. And, already mentioned, NFI, dossier 95.07.27.040 and interview A.P.A. Broeders and H. van den Heuvel 27/07/01.

²⁵⁴³ See note 26.

²⁵⁴⁴ *Intermediair* 34 (1998) p. 41,43.

problem with that test, however, was that it was carried out with a fully automated machine while the Mafina machine used on the morning of 26 July was not automated in every respect. Several operations had to be performed manually at the beginning of each development round and all those involved agree that such a blunder was therefore theoretically possible. With hindsight, it would have been better to simulate the process as accurately as possible. No one incidentally has any doubts about the effects of fixer in the developer: disastrous and irreparable. No tests are needed to prove that.

This matter focuses attention on the Forensic Laboratory. In an evaluation report commissioned by the NIOD, the head of the Handwriting, Speech and Document Examination Department of what is now the Netherlands Forensic Institute (NFI) was critical of the investigation carried out by the Forensic Laboratory in 1995.²⁵⁴⁵ Strictly speaking, this investigation did not satisfy the requirements for professional forensic investigations, which incidentally have been considerably tightened up over the past years. The failure to carry out a ‘replication investigation’ (simulation of the process) is one of the arguments in this connection. Later questions as to whether the film may have still contained latently present images and whether it really was a Fuji film were answered very late in one case and not at all in another. Evidently the seriousness of the matter was not (or had not been made) clear to the investigator in question.

Against this, the response in 1995 had been fast and, in addition, ‘there is no reason to believe that further investigation will change the essence of the investigation carried out by Van Wilsem into the composition of the developer used as stated’.²⁵⁴⁶ In response to the NIOD’s question as to whether the asserted version of events could be regarded as plausible, the report gives the following answer: ‘If the assumptions concerning the origin of the investigated photo chemicals can be considered correct, then technically speaking a more than plausible explanation has thus been given for the failure to develop the roll of film. However, for the sake of completeness a test could be carried out to replicate the effect’.²⁵⁴⁷

Given the desirability in this controversial case to leave no investigative channels unexplored, and also in view of this self-critical report of the NFI, the NIOD requested this institute to carry out a further three investigations or attend these investigations as an observer and to report on the findings.²⁵⁴⁸ Firstly, the above-mentioned replication investigation seemed desirable. Secondly, it seemed advisable to carry out a more thorough investigation into the possibility, as mentioned in 1998 by C. van Rij, of using a special chemical procedure to see whether images might be produced after all. Thirdly, the question as to whether the investigated roll of film was a Fuji film from Rutten’s camera seemed worth exploring further.

The replication investigation was carried out in January 2002. The outcome was that there was a ‘great deal of support’ for the assertion that the developer had been mixed with fixer on that morning of July 1995 and, more specifically, in a concentration rendering all information (including edge coding) invisible.²⁵⁴⁹ This, in other words, confirmed the conclusion drawn from the earlier evaluation report and thus supported the outcome of the investigation of the Kodak Team in 1995.

²⁵⁴⁵ NFI, dossier 1995.07.27.04. Report 07/09/01 made to the NIOD. Also NIOD archives. In this report some “remaining questions” were asked in addition to the issues to be discussed below. When read by the NFI of OM Arnhem, KMar P 11/1995 (which was originally not known there) it turned out that these questions “were easy to answer or even lost all relevance”. See NFI, dossier 1995.07.27.040. Additional report, 28/01/02.

²⁵⁴⁶ See note 53. Quote on p. 13 of the report.

²⁵⁴⁷ See note 53. Quote on p. 11 of the report.

²⁵⁴⁸ The NFI is the institution most eligible to conduct this kind of investigation in the Netherlands. The NIOD did ask itself whether, in the light of the doubts raised about the investigation of the NFI’s precursor, the *Gerechtelijk Laboratorium* (Forensic Laboratory), it was desirable to entrust this follow-up investigation to the NFI. It was however precisely the highly critical attitude evident in the evaluation report that made the NIOD confident that the questions would be answered with integrity. Added to this, the head of the department had had nothing to do with the whole affair before the NIOD approached him.

²⁵⁴⁹ NFI, dossier 1995.07.27.040. Additional report 28/01/02, p. 10 and 11.

At the test designed to try out the suggestion of C. Van Rij, the NFI acted as observer because Mr Van Rij, who had been found willing to cooperate, wanted to keep a promise he had made to *Nova*. The makers of this TV programme had managed to trace him and had invited him to carry out the experiment exclusively for their cameras. If images were indeed produced, a programme would be devoted to it. Despite this exclusivity *Nova* had no objections to a NIOD representative attending the proceedings. The experiment failed to produce any results, however. And so it never reached the TV screen.²⁵⁵⁰

As regards the third question, unpublished journalistic investigative work again proved important. In 2001 two journalists from *NRC Handelsblad* had investigated whether the roll of film had come from the camera of J.H.A. Rutten. For this purpose the latter had provided them with strips of the film, which he had managed to retrieve with a great deal of effort, and his camera which had not been used since Srebrenica. Their conclusion was that the strips of film and camera unmistakably belonged together.²⁵⁵¹ Using the brief report of this investigation, the NFI looked at this question more closely and also carried out its own tests. The conclusion was that Rutten's camera 'can be considered as the possible cause of the traces in the strips of negatives'. This supports the improbability of the film having been exchanged for malicious reasons. The wording is less conclusive than that of the editors of *NRC Handelsblad* because the unavailability of cameras of the same make and type meant that 'the individual character of the scratch lines caused by the camera' could not be determined in greater detail.²⁵⁵²

In this way the further analyses of the 'background noise' in the dossier and the technical investigation performed in this connection lead to the partial conclusion that, certainly with hindsight, the investigation could have been better. But they do not cast serious doubt on the 'human error' explanation and provide no concrete evidence whatsoever for deliberate intent.

Finally, the motives. What considerations could have led to the destruction of the film? Who could have expected to benefit? That is not very clear. During the press conference on 23 July in Zagreb Couzy had referred with some emphasis to the photographs and what would be on them. So it was widely known that these pictures could be expected. Couzy had also emphatically asked Rutten for these pictures. So an initiative on his part is really highly unlikely. The failure to publicize the photos could only be to his disadvantage. This applied in almost equal measure to the other persons involved. In general both the civil and the military leadership showed great interest in observations and evidence of any war crimes and/or genocide.

For this reason the suggestion that Minister Voorhoeve had an interest in the disappearance of the photos because their circulation around the world would have tainted his reputation to the extent of forcing his resignation²⁵⁵³ is not only purely speculative but also in conflict with his perception at the time. He in fact was particularly keen to obtain information. From the Netherlands too every effort was made to provide the Tribunal with all possible material. The extremely direct interest, and occasionally even involvement, in the investigation into the roll of film on the part of the authorities is also understandable and explicable given their understanding of the sensitivity of the subject matter and the desire to be informed as well and as quickly as possible.

Looking back in 2001, the leader of the Kodak Team P.H. Rutten was annoyed by the fact that when the 'photographer' J.H.A. Rutten was heard on 28 July 1995 about what he had seen in Srebrenica, General Fabius had called several times to hear at first hand what the outcome of the interview had been. According to Fabius, the Minister had been listening in on these calls. In 2001 P.H. Rutten saw this as a reason for having suspicions vis-à-vis the Minister.²⁵⁵⁴ But it was not the Minister

²⁵⁵⁰ NFI, dossier 1995.07.027.040. Additional report 28/01/02, pp. 13-15.

²⁵⁵¹ NIOD Archive, letter of Steven Derix to NIOD, 15 November 2001.

²⁵⁵² NFI, dossier 1995.07.27.040. Additional report 28/01/02, quotes p. 17.

²⁵⁵³ For instance, interview P.H. Rutten 30/07/01.

²⁵⁵⁴ OM Arnhem, KMar. Report of P.H. Rutten 24/06/01 (see note 30) and interview P.H. Rutten and S. de Wilde 30/07/01.

who had taken the initiative. It was Fabius who had contacted the Minister, who was actually on holiday, to invite him to come to the Raamweg in The Hague so that he would be informed as directly as possible.²⁵⁵⁵ It would appear that the retrospective reservations of P.H. Rutten mainly grew out of suspicions and suggestions of a later date.

So did the Military Intelligence Service/Royal Netherlands Army itself have any interest in the destruction of the material? Nothing convincing has emerged to affirm this. But why then was this department so 'eager' about this issue, as again P.H. Rutten later put it? Something can be said in this connection. Two phases must be distinguished. The first phase preceded the destruction. It was the task of the Intelligence and Security Section to be informed as well as possible of all relevant events surrounding army operations. This of course applied in particular to what had happened in Dutchbat III's final phase in the enclave. The Military Intelligence Service/Royal Netherlands Army needed accurate and fast information to adequately fulfil its role as provider of information to the military leadership. Speed was invariably of the essence to prevent the military (and political) leadership from being surprised by actions of opponents or, as is naturally relevant in this case, the media. In this sense it was logical that there was a certain habit of taking over visual material from military personnel arriving in the Netherlands for rapid development and printing. So you could say that De Ruijter's idea on 24 July at Soesterberg was in line with the 'departmental reflexes': make sure you get the material quickly, so that you at least stay one step ahead of the press (you never know) and inform the commander. Better safe than sorry. Viewed from this perspective, De Ruijter's statement about his initiative to pick up the film and develop and print it at the Military Intelligence Service fits in with a wider pattern and thus gains greater plausibility.²⁵⁵⁶

The second phase occurred after the destruction. It is mainly in relation to this phase that P.H. Rutten later complained about the pushy presence of the Military Intelligence Service. This complaint was no doubt also fed by the quarrel between De Ruijter and the Kodak Team or, more widely, between the Military Intelligence Service of the Royal Netherlands Army and the Royal Netherlands Marechaussee. As explained, this quarrel pitched two more or less valid arguments and interests against each other: De Ruijter's need to set things right with J.H.A. Rutten and the Kodak Team's need, in the interests of the investigation, either to make no statements or only to issue these statements themselves when the time was right. This alone is sufficient to explain a regular, 'eager' and persistent presence of de Ruijter. It can be assumed that he, having been put in such an embarrassing situation vis-à-vis J.H.A. Rutten, had a special interest in knowing how this could have happened and made no secret of this towards the Kodak Team. In short, here too a plausible construction can be put on events. This explanation also fits in with the effect that the compromise about informing J.H.A. Rutten had on the latter.

Because it is so difficult to find a motive for the destruction of the film in relation to what was known at the time in July 1995 about the content of the photos – the bodies in particular played a role as 'evidence' for war crimes²⁵⁵⁷ – suspicions of alternative grounds arose later. The roll of film also contained shots of the separation of men and women and the role of the Dutchbat soldiers in this connection. These in other words were extremely incriminating photos for Dutchbat, the Netherlands and, above all, for the responsible authorities in the country, who were actually trying to salvage a little glory for the role played by Dutchbat and, failing that, to at least portray them as victims and not as

²⁵⁵⁵ Interview D.G.J. Fabius 19/10/01. According to Fabius the main topic of discussion between the minister and himself was the need to prepare a press release about the events. In view of the media sensitivity of this matter, the minister had to be properly informed, also about how J.H.A. Rutten had responded to the explanation of the ruined film. P.H. Rutten mainly remembers having shown interest by telephone in what J.H.A. Rutten had to say about what had happened in Srebrenica. These two recollections are not mutually exclusive.

²⁵⁵⁶ Interview R.F.J.H. de Ruijter 27/06/01 and interview E.A. Rave 13 and 14/12/00 and 11/07/01 (additional telephone conversation).

²⁵⁵⁷ It should be noted in passing that certain accounts are based on the opinion that the destruction of the photos caused the loss of evidence for war crimes. This, however, is a misunderstanding. In criminal law the evidential value of eyewitness statements is superior to that of photos.

accomplices. In this line of reasoning the disappearance of these photos most definitely served the interests of the authorities, or at least could be viewed as such.

At first sight there appears to be more in this than in the same reasoning in relation to the photos with bodies, even though the absence of direct and concrete indications remains a handicap. On closer inspection, however, there is also a serious problem here. For this reasoning assumes that those who took the initiative to destroy the film knew it contained pictures of Dutchbat soldiers assisting the separation of men and women. That is not very probable. J.H.A. Rutten has declared several times that in this initial phase his attention was entirely absorbed by the events in the house and the executions (i.e. photos of dead bodies). In his conversations about the contents of the photos, he had never mentioned the separation of men and women.²⁵⁵⁸

So to accept this motive as the actual reason for the destruction, you really have to assume that the photos had been seen first either by the person who destroyed them or the person on whose instructions he was acting. This only fits in with the extremely complicated variant where many accomplices take part in a double destruction, with a 'decoy film' being substituted for the real film in the dark room of the Military Intelligence Service/Royal Netherlands Army. But this variant is at odds with the result of the investigations into the origin of the strips of film returned to Rutten. It also assumes a certain blind spot among the 'perpetrators' for the corrosive effect of persistent media attention seeking to expose an unbelievable story about human error as the cause of the failure to develop the photos whose existence was known. As this motive could also not be demonstrably attributed to anyone, this explanation too must be seen as highly unlikely.

Conclusion

The roll of film of Lieutenant J.H.A. Rutten never produced photos. A painstaking reconstruction of the events based on various investigations from the day of the failed development of the film until very recently has led to the conclusion that human error was the cause. In retrospect, critical comments can be made about the investigation in the initial stage, but these do not detract from the validity of the conclusion. Plausible explanations can be given for a number of peculiarities in the story and their context (the 'background noise in the dossier').

Despite this conclusion, suspicions of deliberate destruction have never completely gone away. This is basically a serious accusation which was directed not only at 'defence' in general and the army in particular but also at individuals who in some cases were even publicly mentioned by name²⁵⁵⁹. In a state governed by the rule of law like the Netherlands you would expect such accusations to be supported with concrete evidence. But that is not the case. Assumed motives for (ordering) the deliberate destruction do not stand up to critical scrutiny either. Identified weaknesses in the reasoning leading to the conclusion of human error (indirect evidence in other words) turn out on closer inspection to be inaccurate or highly implausible.

The persuasive power of the deliberate intent hypothesis lies mainly in the combination of the incredibility of the trivial blundering in the dark room precisely with this important film, the imaginative appeal of an intelligence service cast in a conspiratorial role and the perfect manner in

²⁵⁵⁸ Emphatically reaffirmed in interview with J.H.A. Rutten 13/09/01. See also e.g.: OM Arnhem, KMar, P 13/1995. Statement of J.H.A. Rutten; OM Arnhem, KMar, P 970715.1200. Statement of J.H.A. Rutten; interview J.H.A. Rutten 01/12/99 (particularly 97-100); interview J.H.A. Rutten 22/12/99 (particularly 370-375).

²⁵⁵⁹ Various parties involved, both those at whom accusations were levelled as well as others who can be regarded more as witnesses, have told the NIOD of their extreme annoyance about the fact that their full names were published. This was sometimes done by press agencies but sometimes also by government institutions and civil servants. They believe they have a right to the protection of their privacy (even those suspected of very serious crimes are, for reasons of decency, usually only identified by their initials in the media). The NIOD subscribes to this standpoint. Nevertheless their names were again mentioned in full in this section. This was done because the people in question would have been very easy to trace even if mentioned anonymously. This would no doubt have been done with great frequency. In this case, therefore anonymization would have boiled down to unnecessary secretiveness and that would only have detracted from the clarity of the account.

which that fits in with a much broader cover-up theory. But in the absence of concrete evidence, all this cuts no ice. Set against the ‘human error’ explanation, which is based on strong foundations, this hypothesis is untenable.

In one respect, however, the story of the film does fit in with a wider context. The officer of the Military Intelligence Service/Royal Netherlands Army who proposed to have the film developed within the organization itself later explained that this was the obvious procedure. In doing so, he referred to the tasks as assigned to and interpreted by his department: always get information quickly (preferably as the first) so that the commander can be informed as early and adequately as possible, thereby allowing him to respond optimally and if required to take preventative action. This interpretation of the tasks echoes the aspiration of the army, as discussed elsewhere, to manage and control any information flows about its own organization that reach the outside world.

The irony in this specific case of the ‘roll of film’ is that the attempt to be the first to see these important photos failed so blatantly and thus actually triggered an ultimately uncontrollable avalanche of publicity. And all this resulted from a human error nobody wanted.

5. The Smith – Mladic agreement

In the same period as the debriefing an incident occurred that put the Minister in a very embarrassing situation. On 11 September *De Volkskrant* carried an article headlined ‘*Voorhoeve zweeg over VN-akkoord met Mladic*’ (‘Voorhoeve kept silent about UN agreement with Mladic’).²⁵⁶⁰ The thrust of the article was that the Minister of Defence had failed to mention the agreement signed between Generals Smith and Mladic on 19 July 1995 during the consultation with the Permanent Parliamentary Committees of Defence and Foreign Affairs on 31 August and 5 September. One of the sources for the article was a letter dated 8 September from an anonymous military member in which the Minister and his staff were accused of withholding information, meddling with the UN operation and incompetence. It was implied that the existence of the Smith – Mladic agreement completely overshadowed Franken’s statement of 17 July about the properly conducted evacuation of the population. In addition, it was claimed that the Dutch Navy and Air Force were over-represented in the Defence leadership, leading to less understanding for Army operations as well as suppression of the fact that the ‘roll of film’ was ruined in a Navy laboratory.²⁵⁶¹ The anonymous author of the letter had also enclosed a copy of the agreement, a memo of a close aide to Smith about the meeting on 19 July when it was signed and a copy of the Proceedings of the Dutch Parliament.

What exactly was it all about? On 19 July 1995 an agreement was concluded at Sarajevo by Generals Smith of UNPROFOR and Mladic of the VRS (Bosnian-Serb army) about a number of points concerning the situation in Srebrenica, Zepa, Gorazde and Sarajevo. This agreement was prepared on 15 July 1995 when Milosevic, Bildt and Stoltenberg had held political consultations in Belgrade about the situation in Bosnia and Hercegovina. Smith and Mladic had also attended the consultation in Belgrade. The text contained 9 points in which arrangements were laid down for such matters as access to the various regions for the Red Cross and UNHCR, the evacuation of the remaining women, children, elderly and wounded, and Dutchbat’s departure from the enclave. In Part III, Chapter 9 of this report, the Smith – Mladic agreement was already discussed at length in the context of Dutchbat’s departure from the enclave.

In an article in *De Volkskrant* Defence spokesman B. Kreemers said that Parliament had not been informed, ‘..because the document was not believed to be relevant to the Dutch responsibility in Srebrenica’. The next day *De Volkskrant* devoted an indepth article to the agreement: ‘*VN bielden*

²⁵⁶⁰ ‘Voorhoeve zweeg over akkoord met Mladic’ (‘Voorhoeve kept silent about agreement with Mladic’), *De Volkskrant*, 11/09/95.

²⁵⁶¹ Anonymous letter to *De Volkskrant*, Subject: Bosnia, Srebrenica/UNPROFOR/Dutchbat/Ministry of Defence, 08/09/95.

akkoord met Mladic geheim ('UN kept agreement with Mladic secret').²⁵⁶² This article quoted extensively from the memo of Smith's aide while Defence said that the agreement had not been mentioned because it was intended to improve the UN's relationship with Mladic. The UN had strongly recommended secrecy and Voorhoeve had felt bound to observe this. Once again spokesman Kreemers was drummed up to give the official reaction. He declared that '...the agreement between Smith and Mladic was not relevant to the account that the Minister had given Parliament'.

Even in their initial reaction politicians expressed shock and clearly felt bypassed. On the evening of 11 September several MPs were asked to comment on TV. Sipkes (GroenLinks; Green Left Party) questioned the Minister's credibility; Hoekema (D66; Democrats) said he felt bypassed and saw it as yet another mistake in what was – unfortunately – a catalogue of errors and blunders; and Valk (PvdA; Labour Party) said that the Minister had had sufficient time and opportunity during the debates to mention the agreement.²⁵⁶³ That same evening on a different programme MP De Hoop Scheffer said that the Minister's failure to mention the information about the agreement was a 'fairly dubious intermediate step' en route to the 'final debate'.²⁵⁶⁴ As far as he was concerned, the answer given by Voorhoeve's spokesman that morning was merely an attempt to 'fob everybody off'. The impact of these revelations in political circles was predictable and should indeed be seen in the light of the growing number of errors and incidents surrounding Srebrenica in which the Ministry of Defence and the Royal Netherlands Army had been involved since the middle of July 1995. What's more, only recently there had been two marathon debates with Parliament about Srebrenica – on 31 August and on 5 September – and on 31 August the Minister had affirmed categorically that 'Janvier or Rupert Smith never negotiated with Mladic in person after Srebrenica fell'.²⁵⁶⁵

It was not a complete surprise that the press had got wind of the Smith – Mladic agreement. On Sunday 10 September *De Volkskrant* editor Hans Moleman had contacted Bert Kreemers at home to get a reaction to the anonymous letter. That same evening Kreemers tried to get advice from his bosses during the dinner that had been organized for the visiting NATO Military Committee at the Binnenhof. Not everyone recognized the serious nature of the problem.

I really needed advice from Van den Heuvel and Van den Breemen as well as Voorhoeve's view of the situation. The chaotic conclave between two corridors produced no results. Henk van den Breemen took offence when he saw his name associated with the ruined film. Voorhoeve did not even give the possible consequences of this anonymous attack a second thought: 'Just say it's a load of nonsense'. Hans van den Heuvel kept a cool head. We read through the text together and tried to formulate a reaction: the agreement had no relevance to the assessment of the aftermath of the fall of Srebrenica.²⁵⁶⁶

Because Voorhoeve was travelling to Bratislava and Prague on 11 September, Prime Minister Kok was answerable in the first instance in his capacity as deputy Minister of Defence. Voorhoeve did have input in a letter to Parliament that had been drafted by the Directorate of General Policy Matters and was signed and sent by Kok on 12 September.²⁵⁶⁷ According to Kreemers, Kok was careful not to get his fingers burnt and during question time on 12 September he stayed miles away from Voorhoeve.²⁵⁶⁸ The letter itself reiterated the arguments that the Defence spokesman had used in the two *De Volkskrant* articles. Nothing was said, however, about the time when the ministry had first heard of the

²⁵⁶² 'VN hielden akkoord met Mladic geheim' ('UN kept agreement with Mladic secret'), *De Volkskrant*, 12/09/95.

²⁵⁶³ NOS, *Den Haag Vandaag*, 11/09/95.

²⁵⁶⁴ EO, *Het Elfte Uur*, 11/09/95.

²⁵⁶⁵ *De Volkskrant*, 11/09/95.

²⁵⁶⁶ Kreemers, *Aan de achterkant van de maan* ('On the other side of the moon'), p. 121.

²⁵⁶⁷ DAB. Front page for draft letter to Parliament, 11/9/1995, DAB/L. Casteleijn & S. Reyn.

²⁵⁶⁸ Kreemers, *Aan de achterkant van de maan* ('On the other side of the moon'), p. 121.

existence of an agreement. In addition, only the formal aspects of the agreement were looked at and no response was given to the actual content.²⁵⁶⁹ The Prime Minister had little else to say during question time. He told the critical MPs Sipkes and Heerma that if they had any further questions, the real minister would be happy to answer them.²⁵⁷⁰ However, Kok did promise to try to get a copy of the Smith – Mladic agreement from the UN. Meanwhile Voorhoeve, who was in Bratislava, saw the storm looming ahead. A meeting with the Permanent Parliamentary Committee on Defence had already been arranged for Thursday 14 September. Shortly afterwards, he ordered an inquiry into the origin of the leak via the Secretary-General.²⁵⁷¹ On 14 September another letter was sent to Parliament; this time signed by Voorhoeve himself. Meanwhile the Ministry of Foreign Affairs had been sent the text of the agreement from the UN Headquarters in New York and this was attached to the letter. But the UN did not release the memo with the agreement that a close aide of Smith had written after the meeting of 19 July.

Apart from the enclosed text of the agreement, the letter that Voorhoeve sent to Parliament on 14 September contained no new insights. On the basis of a few points from the agreement, the Minister tried to indicate that when the agreement was signed on 19 July it was no longer relevant to Dutchbat's role in Srebrenica. He said that access to the enclave for the Red Cross and the release of the Dutchbat personnel being held in Bratunac had already been arranged on 15 July in Belgrade during the discussion between Milosevic, Bildt and Stoltenberg. The arrangement for the evacuation of women, children and elderly people was emphatically intended for those still in the enclave after the actual evacuation, i.e. after 13 July.²⁵⁷² In the General Consultation that followed on 14 September the criticism of the MPs had already subsided. What did not go away, however, was the criticism that the Minister should have given Parliament timely information and that he had had ample opportunity to do this. The point of reference remained the General Consultation of 31 August, where several MPs had asked specifically about negotiations with Mladic at a level higher than Dutchbat. As is known, the Minister had answered these questions in the negative.²⁵⁷³ In his answer the Minister also pointed to a press release of the Ministry of Defence of 20 July in which mention was made of an agreement in the light of Dutchbat's departure from the enclave. While acknowledging that a press release was not the same thing as a letter to Parliament, the Minister said, 'There was no need to discuss the Smith – Mladic agreement any further. What's more, detailed information from the Dutch government about that confidential meeting would have been out of order. In any case, the information given by the Ministry of Defence to the media shows that, contrary to what the author of the anonymous letter wants to lead us to believe, there was no intention whatsoever to conceal the meeting of the two generals on 19 July'.²⁵⁷⁴

The most important argument remained that an individual country could not decide unilaterally to violate the confidentiality of a UN classified document. The next day *De Volkskrant* devoted a small article to the General Consultation. The article, headlined '*Kamer toont begrip voor minister*' ('Parliament shows understanding for Minister'), briefly summed up the situation surrounding the agreement:

'Assuming he had no alternative, Minister Voorhoeve of Defence should at least have informed Parliament confidentially about the existence of a secret agreement that the UN signed on 19 July with the Bosnian Serb General Mladic after the fall of the Bosnian enclave Srebrenica. But Parliament understands

²⁵⁶⁹ TK, Parliamentary session 1994-1995, 22 181, no. 120, (12/09/95).

²⁵⁷⁰ 'VN-akkoord met Mladic was niet bekend bij Kok' ('UN agreement with Mladic not known to Kok'), *De Volkskrant*, 13/09/95.

²⁵⁷¹ Kreemers, '*Aan de achterkant van de maan*' ('On the other side of the moon', p. 122).

²⁵⁷² TK, Parliamentary session 1994-1995, 22 181, no. 122 (14/09/95).

²⁵⁷³ TK, Parliamentary session 1995-1996, 22 181, no. 123 (26/09/95).

²⁵⁷⁴ TK, Parliamentary session 1995-1996, 22 181, no. 123 (26/09/95)

that Voorhoeve felt bound to secrecy and draws no political consequences from his failure to disclose the information'.²⁵⁷⁵

After the General Consultation on the 14th, the sting had been taken out of the debate. The subject was raised later in a general sense, but the Minister's skin had been saved for the time being. From a political/public perspective, the matter had thus basically been dealt with. However, at the Minister's instigation, a criminal investigation was initiated to find out who had sent the letter to the press and for what reasons. The anonymous letter, the series of newspaper articles, the criminal investigation and the political aftermath came to be known in September 1995 as the affair of the 'leaking colonel'. An investigative team of the Royal Netherlands Marechaussee dubbed the '*Pleinteam*' was formed on 13 September. On the basis of the copies of the anonymous letter with annexes that they received from Kreemers – one had been sent to *De Volkskrant* and one to *NRC Handelsblad* - the investigators soon came to the conclusion that the writer should be sought near the Commander in Chief of the Royal Netherlands Army. The addresses on the documents and the legalistic language of the letter indicated that the author was probably to be found at the Legal Affairs Department of the Royal Netherlands Army. In addition, certain fonts and a stain on the text of the agreement quickly led them to the word processor and copier that had been used.

Each and every person whom the Royal Netherlands Marechaussee interviewed in the course of their investigation confirmed the extreme frustration that existed within the Royal Netherlands Army about the relationship with the Central Organization. The immediate cause mentioned was the problems that had arisen in relation to the statement of 17 July that Franken had signed, the missing list of 239 names and the ruined film.²⁵⁷⁶ So it was no coincidence that one of the main conclusions of the anonymous letter was that Franken's statement of 17 July was virtually meaningless in the light of the statement signed by Smith and Mladic.²⁵⁷⁷ To help restore the tarnished image of the Royal Netherlands Army, the anonymous letter writer had wanted to put the ball in the Minister's court by saying that he had withheld information; information which, if published, would certainly have focused attention on the Minister. After the *Pleinteam* had spoken with several members of the Legal Affairs Section of the Royal Netherlands Army, a colonel of that department, whose office was near the Cabinet of the Commander in Chief of the Royal Netherlands Army, came forward.

The Commander of the Royal Netherlands Marechaussee reported to Voorhoeve in a confidential memorandum after the completion of the investigation. During its exploratory investigation among staff of the Royal Netherlands Army, the *Pleinteam* had noted a negative attitude towards the Central Organization and the Minister. During the investigation on 15 September witnesses had spoken extensively and had frequently consulted among themselves. This had continued into the evening when Colonel Zuidema, Director of Legal Affairs of the Royal Netherlands Army, spoke to 'a' colonel of Legal Affairs by telephone. In the course of this conversation Zuidema expressed his suspicion that a fellow lieutenant colonel had done it. Later that evening another colonel of Legal Affairs came forward and identified himself as the author of the letter.²⁵⁷⁸ The Commander of the Royal Netherlands Marechaussee concluded from this that in confessing his guilt the colonel had hardly been acting 'voluntarily'. The ideas expressed in this letter were shared by most of the officers of the staff. Both Kreemers and Fabius later reported attempts to thwart and manipulate the investigation of the Royal Netherlands Marechaussee. First of all, the Commander in Chief of the Royal Netherlands Army had tried to remove the Royal Netherlands Marechaussee investigators from the Juliana Barracks immediately after the colonel had come forward. This had only been prevented by the direct

²⁵⁷⁵ 'Kamer toont begrip voor minister' ('Parliament shows understanding for Minister'), *De Volkskrant*, 15/07/95.

²⁵⁷⁶ KAB. Memo for Minister of Defence, Management Report of the Commander of the Royal Netherlands Marechaussee, 05/10/95.

²⁵⁷⁷ DAB. Anonymous letter of 08/09/95 to *De Volkskrant*.

²⁵⁷⁸ NIOD, Coll. Couzy. Handwritten notes, undated.

intervention of General Roos, the Deputy Commander of the Royal Netherlands Marechaussee.²⁵⁷⁹ Evidently the army's reasoning was: the guilty person has been found, hasn't he? So why look further? After this, pressure was allegedly exerted on witnesses to give a particular statement or even no statement at all. The investigators of the Royal Netherlands Marechaussee had found proof of this and the Commander of the Royal Netherlands Marechaussee reported this as follows in the earlier-mentioned memo to the Minister: 'In the course of the investigation it became clear during a conversation with a witness that the investigation was being manipulated. Evidently the manipulation had taken place by putting a few officials under pressure to make a particular statement or no statement at all'.

What, in fact, had happened? General Nicolai, who was working in Sarajevo as UNPROFOR Chief of Staff at the time of the fall of the enclave, suddenly announced that he wanted to make a voluntary statement about the Smith – Mladic agreement. In doing so, he intended to say that the secret classification assigned to the agreement had been superseded by time. The implication was that the 'leaker' had not committed a punishable offence in sending the agreement to the newspapers. During the investigation of the Royal Netherlands Marechaussee, Nicolai found himself facing pressure from two sides. On the one hand, the Central Organization did not want him to make a statement because their main line of defence to the outside world was based on the undertaking to keep the agreement secret. In the weekend of 23 – 24 September 1995 a conversation with Nicolai did in fact take place. On the Minister's instructions and in the presence of Secretary-General Barth, the Chief of Defence Staff Van den Breemen convinced Nicolai by telephone that the agreement had not been declassified.²⁵⁸⁰ This conversation persuaded Nicolai not to make his statement.

In a hand-written note about the leaking of the Smith – Mladic agreement, Couzy partly confirmed this reading of events. According to Couzy, the Secretary-General had called him on 22 September and had asked him to speak to Nicolai in order to dissuade him from making his statement. During that conversation, so Couzy claims, he pointed out to the Secretary-General that this could be construed as manipulation. After consultation with Van Baal, it was decided that he should talk to Nicolai. On Monday 25 September Couzy heard from his Chief of Staff that during the weekend the Chief of Defence Staff had threatened Nicolai not to make a statement. According to the note, Van Baal did not speak to Nicolai until the 25th and the latter had promised only to speak about his term as Chief of Staff at the BiH Command.²⁵⁸¹

The Royal Netherlands Army, for its part, was pressuring Nicolai in exactly the opposite direction. They wanted him to make the statement on the grounds that this argument had lost its force as a new line of defence. When the efforts to make the Royal Netherlands Marechaussee abort the investigation proved fruitless, the Royal Netherlands Army Staff started to look for new arguments. The defence of the Colonel was now aimed at demonstrating that the agreement between Smith and Mladic was no longer classified in any way and that the colonel had therefore not committed a punishable offence.²⁵⁸² The Commander in Chief of the Royal Netherlands Army had used this argument when the *Pleinteam* interviewed him on 20 September.²⁵⁸³ The notion that the agreement was no longer classified had been formulated earlier in an internal memo marked 'strictly confidential' (dated 18 September) from the Director of Legal Affairs of the Royal Netherlands Army, Colonel Zuidema, to the Commander in Chief of the Royal Netherlands Army. The tone of the memo was clearly one of irritation and impatience towards the Minister: 'I am writing to point out that, as you may already know, the Minister has still not given any notification of Directive 2/95 of General Smith,

²⁵⁷⁹ Kreemers, *'Aan de achterkant van de maan'* ('On the other side of the moon'), p. 169.

²⁵⁸⁰ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 5, Questions to D.J. Barth 03/09/98 and to H.G.B. van der Breemen 03/09/98.

²⁵⁸¹ NIOD, Coll. Couzy. Hand-written note, undated.

²⁵⁸² KAB. Memo for the Minister of Defence, Management Report of the Commander of the Royal Netherlands Marechaussee, 05/10/95; Kreemers, *'Aan de achterkant van de maan'* ('On the other side of the moon'), p. 123.

²⁵⁸³ NIOD, Coll. Couzy. Hand-written notes, undated.

particularly point 7 of the Directive. (Essential for the role of Dutchbat.)²⁵⁸⁴ Point 7 of the Directive says, among other things, that: ‘fulfilling the mandate is secondary to the safety of UN personnel’. A little further on, the memo reads: ‘Already on 12 Aug. last the Directive and the agreement were faxed by Lt. Col. De Ruiter to the Defence Crisis Management Centre!’. Zuidema struck a strikingly indignant note in his memo. Apart from this, it was basically an analysis of the elements that the Staff was putting forward to defend the anonymous letter writer.²⁵⁸⁵ For the rest, the main line of defence of the Commander and the Director of Legal Affairs of the Royal Netherlands Army was that the agreement was no longer classified. The statement they wanted from Nicolai was intended to support this line of defence with evidence from an officer who had filled a key position at UNPROFOR.

As things turned out, only internal measures were taken against the colonel. He was transferred to a different post at a completely different department and was informed that he would not be considered for further promotion. It could not be proven that the colonel was guilty of betraying state secrets; but he was guilty of betraying official secrets. The maximum penalty for this offence was one year but the Public Prosecutor held that, in view of the disciplinary measures already taken and his irreproachable record, he already had been sufficiently punished.²⁵⁸⁶

One pressing question that remains, finally, is: when did the Minister know of the talks between Milosevic, Bildt and Stoltenberg – that were also attended by Generals Smith and Mladic – which resulted in the Smith – Mladic agreement? It is clear that as early as 15 July General Nicolai reported several times on this matter from Sarajevo to the Defence Crisis Management Centre. In the chronology of his diary the Chief of Defence Staff, Van den Breemen, indicated that during a telephone conversation that day at 11 o’clock in the morning he heard from Nicolai that a meeting would be held on the same day with Milosevic, Mladic, Akashi, Bildt and Stoltenberg. That evening the Chief of Defence Staff received ‘important’ news via the bunker from Nicolai about the results of the talks in Belgrade on a tape:

‘Dutchbat can leave with the vehicles and equipment and weapons at the end of next week. The first part is better than I expected, the second part, the timescale, is disappointing. All the wounded can be evacuated tomorrow. Restocking can take place if necessary. The Commander of Dutchbat must calculate how many convoys are involved and what he needs in the way of additional vehicles. The Red Cross will be given access to the Muslim men whom the Serbs consider to be prisoners of war. Free access to the enclaves (except Bihac) by UNHCR is permitted. The Kiseljak route will be opened by UNHCR (the modality is still to be elaborated). The details of other matters are also still the subject of negotiation. Which is why Nicolai is urging not to make anything known yet. Secondary reaction after joy, let’s see it happen first before we celebrate. I consult with Hans Couzy. We agree with Nicolai’s wish. Next I contact the Minister. We too rapidly agree on the line to be followed. After some further talk, we agree that the preparations for the meeting next Friday must be very thorough. At 10.30pm the Minister calls me to say we will be meeting the next day at 3pm at the home of the Minister of Foreign Affairs.’²⁵⁸⁷

This makes it clear, first of all, that the Minister had detailed knowledge of what was going on. The same applies to Couzy. On 19 July the Chief of Defence Staff again received a report from Nicolai. That same day the Chief of Defence Staff saw to it that this important information about the Smith – Mladic agreement was passed on. According to the notes in his diary, he gave a rough indication of

²⁵⁸⁴ SMG, 1004. HQ UNPROFOR Directive 2/95, 29/05/95.

²⁵⁸⁵ DJZ. Hand-written Memo of Director of Legal Affairs, Col. Mr. A.C. Zuidema to the BLS, 18/09/95.

²⁵⁸⁶ Press release of the Public Prosecutor at Arnhem, 01/11/95.

²⁵⁸⁷ DCBC, unnumbered. Diary CDS, Chronology, 11/10/96, p. 55-56.

what was recorded in the treaty. Again there can be no doubt that the Minister and others knew what was going on. The Chief of Defence Staff gave the impression that he was constantly liaising with everyone.

The negative feelings among the staff of the Commander in Chief of the Royal Netherlands Army about how the Minister handled Srebrenica and the consequences are known and were discussed earlier in Part IV. Nevertheless this attack on the Minister was unexpected. In view of the frequent consultations between all parties over the telephone and in various meetings, the Minister must have assumed that no problems were to be expected. After all, the Commander in Chief of the Royal Netherlands Army had indicated to the Chief of Defence Staff that he too felt that the agreement should be kept under wraps.

The perspective changed as soon as Dutchbat had safely left the enclave. Now the agreement was purely of historical interest. After the return of Dutchbat III, the leadership of the Royal Netherlands Army was confronted more and more with severe criticism about the way they handled information; information that invariably put the Royal Netherlands Army in a bad light. In this atmosphere the defence mechanisms were activated, eventually resulting in the type of ill-considered actions just described. In this way the Smith – Mladic agreement became an instrument in the battle that the Royal Netherlands Army was waging against what it saw as unfair treatment. The UN statement presented by the Minister to the effect that the secret classification status was still in force did not impress Couzy. He stated to the Royal Netherlands Marechaussee that this had been ‘arranged’ by the Netherlands.²⁵⁸⁸ The colonel who leaked the information had merely been a mouthpiece for expressing the general feelings prevailing among the Royal Netherlands Army Staff. The poor relationships between the Central Organization and the Royal Netherlands Army that were described earlier in this chapter thus received yet another sequel in the public domain.

6. The Bunker Leak

Two months after the affair surrounding the Smith – Mladic agreement, information was again leaked to the press. This time, it was a leak in the true sense of the word. Not only were classified documents passed on to the press, but the content of confidential talks was also revealed, frequently verbatim. These talks had taken place during a closed and secret meeting on 1 November 1995 in the ‘bunker’ under the Ministry of Defence.

On 11 November 1995 an article of Frank Westerman appeared in *NRC Handelsblad*. This article alleged that the fall of Srebrenica was partly attributable to differences in opinion and misunderstandings between high-ranking Dutch officers in the UN line of command concerning UN permission for air support.²⁵⁸⁹ This, so Westerman claimed, was the outcome of secret talks held on 1 November in the bunker under the Ministry of Defence in The Hague. He reported that four officers from the UN line of command of UNPROFOR had been heard at this meeting. Westerman followed this up with a second article in the Saturday Supplement where he summarized the problems that the Minister of Defence was struggling with. First of all, communication between The Hague, the UN and NATO in Italy had been poor. Secondly the debriefing report contained ‘too many loose ends’ about the air support issue. Thirdly, it had to be investigated whether there were any indications that General Janvier had possibly sacrificed the enclave as part of a wider-ranging peace plan. This could explain the refusal to support Dutchbat with air strikes. The further implication was that Dutchbat had been knowingly and willingly left to fend for themselves. Finally Voorhoeve was under pressure because his possible intervention in the UN command structure made it look as if he had called off the air strikes.²⁵⁹⁰ The day after the debriefing report appeared, *The Independent* had published an article arguing

²⁵⁸⁸ NIOD, Coll. Couzy. Hand-written notes, undated.

²⁵⁸⁹ ‘Onenigheid bij VN-officieren’ (‘Discord among UN officers’), *NRC Handelsblad*, 11/11/95.

²⁵⁹⁰ ‘spookrijders in Srebrenica’ (‘Wrong-way drivers in Srebrenica’), *NRC Handelsblad*, 11/11/95.

that Janvier had already urged the UN to abandon the enclaves in May 1995. Taking this as his basic starting point, Westerman translated the matter to the Dutch arena.

The immediate reason for the meeting mentioned in *NRC Handelsblad* of 1 November was to establish the exact sequence of events surrounding the requests for air support by the battalion in Srebrenica.²⁵⁹¹ That next day Ministers Voorhoeve and Van Mierlo were to have a General Consultation with the Permanent Committee on Defence and Foreign Affairs.²⁵⁹² Two items that would definitely be on the agenda were the role of the UN and the air support issue. Only two days previously, on 30 October, the report on the major debriefing had been made public and presented to Parliament by Voorhoeve. The Minister and the leadership of the Defence Staff were of the opinion that the problems surrounding the air support had not been addressed, or at least not sufficiently. In his presentation letter to Parliament, Voorhoeve had already devoted extensive attention to the air support issue.²⁵⁹³ But he had not gone so far as to give a precise reconstruction. At the press conference held on the occasion of the presentation, Voorhoeve was unable to answer the question as to whether the UN had sacrificed the enclave. It was also clear that Parliament would sink its teeth into this issue. On 19 October *NRC Handelsblad* had already reported that public statements made by Dutch UN Commanders had prompted the Christian Democrats (CDA) to press for a parliamentary hearing.²⁵⁹⁴ The central focus of the matter under investigation was to be 'the attack that never came'. Given the prevailing atmosphere among parliamentarians, the article concluded that other parties would not oppose the Christian Democrats' request.

In view of the General Consultation, the coming parliamentary questions, and the subsequent debate, Voorhoeve had decided to hold the meeting in the bunker with those directly involved. According to Deputy Chief of Defence Staff Schouten, who led the debate, two questions were central in this connection: 'first, what were the thoughts of C-UNPF (Janvier) concerning air strikes and the enclaves in general and did these thoughts influence his actions and decisions during the fall of Srebrenica on 11 July 1995? and, secondly, how were the events surrounding the theme of the air strikes experienced at the various echelons?'²⁵⁹⁵ The best and most logical way of clarifying these subjects was to hear the four Dutch officers who had served in key positions at UNPROFOR. In view of the mounting pressure from Parliament to hold a hearing on this subject, it was important to do this as quickly as possible. There were too many things that remained unclear and still needed to be unravelled. Another concern in the back of people's minds was that the Minister had to be spared yet another embarrassing situation.²⁵⁹⁶ To achieve this, everyone had to follow the same line, and all the more so considering the fact that the four UN officers regularly answered questions from the press about various issues. Their willingness to speak to the press did not come to a temporary end until their debriefing in Assen in late September. Van der Wind had urged all persons involved not to have any further contact with the press until the final report appeared.

Notes of the deliberations show that – apart from the former UNPROFOR officers Nicolai, de Jonge, Brantz and de Ruiter – the meeting was also attended by: Metzelaar, Couzy and Smeets of the Royal Netherlands Army, De Winter and Princen of the Directorate of General Policy Matters and Verboom on behalf of the Directorate of Information. The two central questions of Schouten basically concerned the possible role of Dutch officers in relation to the request for air support. Another matter that needed looking into was whether the United States had foreseen the Serb attack and whether UN General Janvier had possibly allowed the enclave to fall on purpose. During the deliberations, the

²⁵⁹¹ For an extensive account of the content of the bunker meeting, see Part III, Chapter 7

²⁵⁹² TK, Parliamentary session 1995-1996, 22 181, no. 141 (07/12/95).

²⁵⁹³ TK, Parliamentary session 1995-1996, 22 181, no.128 (30/10/95).

²⁵⁹⁴ 'CDA wil hoorzittingen over rol van Dutchbat' ('CDA wants hearings on role of Dutchbat'), *NRC Handelsblad* 19/11/95.

²⁵⁹⁵ DAB. Notes of the meeting of 01/11/95 concerning the fall of Srebrenica, of DAB, [undated].

²⁵⁹⁶ DAB. Notes to the meeting of 01/11/95 concerning the fall of Srebrenica, of DAB, [undated].

debriefing and the final reports were also extensively discussed insofar as the air support was concerned.

While the deliberations were still in progress, Deputy Director of Information, Bert Kreemers, returned from a meeting where journalists had been given an opportunity to exchange thoughts with Minister Voorhoeve. On arriving back at his office, he was called by Frank Westerman who asked him about the outcome of the secret meeting in the bunker that was still taking place at that very moment. Accompanied by the Chief of the Defence Staff, Kreemers went to the bunker where the deliberations were drawing to a close. He informed those present that Westerman knew of the meeting.²⁵⁹⁷ When Schouten closed the meeting, he appealed to everyone to keep everything within four walls. Kreemers also said that if anyone was approached by the press, they should contact him first.²⁵⁹⁸

The matter would certainly attract press attention. Another tricky problem was the fact that, as two months earlier with the leaking of the Smith – Mladic agreement, the press now also had a number of classified documents in their possession. In Westerman's case this was not limited to the documents used for his article of 11 November. As was clear from an article of 21 October, he had also had access to classified UNMO reports and, in addition, possessed a copy of parts of the logbook of the UNPROFOR sector headquarters in Tuzla. In response to questions from the Minister about this, Deputy Chief of Defence Staff, Lieutenant General Schouten, had carried out an investigation revealing that Westerman had received these documents from and through Dutch UN officers.²⁵⁹⁹ Subsequent talks that various persons involved had with Westerman showed how widely ramified his sources were in general, including long-standing close contacts and extensive written documents.²⁶⁰⁰

To discuss the consequences of the bunker leak, a meeting was held on 13 November between the Deputy Secretary-General, the Chief of Defence Staff, the Deputy Chief of Defence Staff and the Deputy Commander of the Royal Netherlands Marechaussee, Roos. It was decided here that the Royal Netherlands Marechaussee should instigate an 'exploratory investigation'. The conclusions of the inquiry as reported by the Commander of the Royal Netherlands Marechaussee were as follows:

- (a) the journalist possesses classified documents which he, without any doubt, received from defence personnel.
- (b) the content of the article is so 'exact' that it is beyond doubt that one or several participants in the "bunker" meeting on 011195 must have spoken to the journalist.
- (c) the 'bunker' meeting was classified.
- (d) there are suspicions/indications that one of the participants in the 'bunker' meeting keeps his own private 'departmental records' which include the documents in question.
- (e) given the situation, there are three possible 'suspects' namely BG N, Col B and Lt Col De R.

²⁵⁹⁷ Kreemers, *'Aan de andere kant van de maan'* ('On the other side of the moon'), pp. 123-124.

²⁵⁹⁸ DAB. Notes of the meeting of 01/11/95 concerning the fall of Srebrenica, of DAB, [undated].

²⁵⁹⁹ DAB. Memo of the Deputy Chief of Defence Staff, M. Schouten to the Minister of Defence, S/95/061/4198, 27/10/95.

²⁶⁰⁰ DV. Memo from the Deputy Director of Information, H.P.M. Kreemers, to the Minister of Defence, *'Gesprek met NRC journalist'* ('Interview with NRC journalist'), 16/11/95, V95021626; BSG. Letter of Lkol. Drs. J.A.C. de Ruiter to CDS and BLS following his talk with Frank Westerman on 06/11/95, 21/11/95.

The foregoing would appear to offer sufficient grounds for a 'judicial inquiry'.
Ultimately the Public Prosecutor in Arnhem must decide on this matter.²⁶⁰¹

The exploratory investigation of the Royal Netherlands Marechaussee most certainly did provide grounds for a judicial inquiry and this was initiated on 20 November under the direction of Royal Netherlands Marechaussee Captain P.H. Rutten. Very soon it transpired that two of those present at the secret meeting had had contact with Frank Westerman very shortly afterwards.²⁶⁰² Both were Netherlands Army officers who had served in staff posts at UNPROFOR. In addition, it was found that one of the two kept private records which probably contained the documents quoted by Westerman.²⁶⁰³ The inquiry extended over all those present at the meeting as well as senior civilian and military officials who could be expected to know what had been discussed at the secret meeting. Many did not shirk from trying to discredit others and lay the blame elsewhere.²⁶⁰⁴

The judicial inquiry was rounded off at the end of January 1996. Despite strong indications that a punishable act had been committed, the Directorate of Legal Affairs of the Ministry of Defence was advised: '...that in the case concerning the leaking of secret/confidential information from the 'bunker meeting' of 1 November 1995, which was published in *NRC Handelsblad* of 11 November 1995, it is not possible to prove legally and convincingly that one of the participants in this meeting passed on this information.'²⁶⁰⁵ The Public Prosecutor therefore concluded that none of the participants would be prosecuted. This decision prompted no in-depth analyses and the matter was given short shrift in the media. The investigation into this matter within the context of the present report also failed to establish who was the guilty party.

It was not until the beginning of 1997 that the bunker leak affair received a brief sequel. In the *Netwerk* programme of 24 January it was revealed that Voorhoeve had had virtually all senior civilian and military officials of his Ministry interviewed in 1995 in connection with the 'bunker leak' investigation that was carried out by the Royal Netherlands Marechaussee. *Netwerk* also claimed that the Royal Netherlands Marechaussee had bugged the telephone and fax of *NRC Handelsblad* journalist Frank Westerman. The first accusation sparked a certain amount of speculation in the press about the relationship between the Minister and the military leadership.²⁶⁰⁶ The PvdA (Labour) MP G. Valk said he would ask in Parliament whether the Minister could trust his top military personnel.²⁶⁰⁷ The Ministry categorically denied the second accusation and Voorhoeve delegated that question to the Ministry of Justice.²⁶⁰⁸ But no genuinely new insights emerged from this renewed digging into the affair in 1997. What, in fact, had prompted *Netwerk's* sudden interest in this subject was the publication in mid-January 1997 of the book '*srebrenica, het zwartste scenario*' by Frank Westerman and Bart Rijs.

In 1995 Voorhoeve had attached great importance to finding out in detail what the attitude in the UN line had been towards the Srebrenica enclave. After receiving the final report of the debriefing

²⁶⁰¹ BSG. Memo for the Minister of Defence, D.G.J. Fabius, 16/11/95, Litt PC95/25.

²⁶⁰² Kreemers, '*Aan de achterkant van de maan*' ('On the other side of the moon'), p. 126; BSG. Letter from Lkol. Drs. J.A.C. de Ruiters to CDS and BLS, 21/11/95.

²⁶⁰³ BSG. Memo for the Minister of Defence, D.G.J. Fabius, 16/11/95, Litt PC 95/25.

²⁶⁰⁴ For this, see NIOD, Coll. Brantz. The Brantz Diary for the period January 1996; Kreemers, '*Aan de achterkant van de maan*' ('On the other side of the moon'); BSG. Letter from Lkol. Drs. J.A.C. de Ruiters following his conversation with Frank Westerman on 06/11/95, 21/11/95.

²⁶⁰⁵ DJZ. DJZ/9601/206, letter from the Public Prosecutor of the District Court at Arnhem, J.F. Boon, to the Minister of Defence, 'leaking information', 31/01/96.

²⁶⁰⁶ 'Media-lek in militaire top' ('Media leak in military leadership'), *De Telegraaf*, 25/01/97; 'Militaire top ondervraagd over lek Srebrenica' ('Military leadership quizzed about Srebrenica leak'), *De Volkskrant*, 25/01/97.

²⁶⁰⁷ 'PvdA wil Voorhoeve horen over lek in militaire top' ('PvdA wants to hear Voorhoeve about leak in senior military circles'), *De Volkskrant*, 27/01/97.

²⁶⁰⁸ DJZ. C95/277, letter from the Minister of Defence, J.J.C. Voorhoeve, to the Minister of Justice, W. Sorgdrager, 27/01/97.

early in October, he concluded there was nothing to reproach Dutchbat for.²⁶⁰⁹ The problem now facing the Minister was that – disregarding the Bosnian Serbs – the guilt for what had gone wrong in Srebrenica rested with the UN and the international community. This had already led to a heated exchange with Kok, Pronk, Dijkstal, Van Mierlo and Borst during the discussions about the presentation letter accompanying the final report in the Ministerial Council on 20 and 27 October.²⁶¹⁰ They thought Voorhoeve was shirking his responsibility. Moreover Van Mierlo argued that the relationship with the UN would be damaged if all the blame were pinned on them.

The ‘bunker leak’ almost certainly arose because one of the persons involved felt the need to defend himself against the possible accusation that his actions made him partly guilty of the fall of Srebrenica. This person was one of the four officers who had filled key positions in UNPROFOR. By opening up the discussion and placing it in a broader context, it would be less relevant to probe the actions of individuals. In addition, shifting the action and responsibility to the more senior UNPROFOR level also relieved the pressure on Karremans and the battalion in relation to the air support. Viewed in this light, the same motives seen earlier in relation to the Smith-Mladic affair were again involved to a certain extent. The effect of this affair was indeed to bring the role of the UN under much closer scrutiny. The personal motive of the perpetrator was to delegate the blame to the other UN officers and the UN. He certainly succeeded in this aim.

In this sense the bunker leak came at a propitious time for Voorhoeve. After all, his conclusion that there was nothing to reproach Dutchbat for implied that the UN and the international community were to blame for the failure to provide air support. Because the discussion in political circles and the media concentrated on this aspect, the final report was viewed with a less critical eye. This was convenient, for the final report of the debriefing displayed quite a few shortcomings. But the question on everybody’s mind remained: was air support deliberately blocked to promote a peace arrangement involving the sacrifice of the enclaves?

The stir surrounding the possible guilt of the UN also distracted public attention from the final report of the debriefing, and therefore from the Royal Netherlands Army. Considering that the general conclusion was that Dutchbat was not to blame, Voorhoeve’s efforts will have been viewed with approval by the Royal Netherlands Army. The desire to restore the disturbed relationship with the Royal Netherlands Army probably also played a role with Voorhoeve. The vigour with which he defended Dutchbat certainly suggests as much. The most obvious reason for this, as was also repeatedly mentioned by Members of Parliament in the course of 1995, was that the Armed Forces were undergoing a sweeping reorganization and that the Royal Netherlands Army was having to make the greatest sacrifices. Srebrenica and its aftermath had put further pressure on the already strained relationship between the Central Organization and the Royal Netherlands Army. To bring the reorganization to a successful conclusion, it was absolutely vital to restore a relationship of mutual trust. Whether the perpetrator had also envisaged this effect is very much open to doubt.

7. The promotion of Karremans

Early in 1996 ‘srebrenica’ once again provided the media with an occasion for highlighting the stressed relationship between the Central Organization and the Royal Netherlands Army. On Saturday 13 January a VNU journalist asked Junior Minister J.C. Gmelich Meijling, who was in Eindhoven to send off Dutch military personnel, what he thought of the promotion of the Commander of Dutchbat III, Karremans, to the rank of colonel. Meijling had been informed about this that morning by J. Veen of the Directorate of Information: it turned out that neither he nor his Minister had been consulted by the

²⁶⁰⁹ DAB. Appendix to DAB Memo to the Minister of Defence, ‘Debriefingsrapport Srebrenica’ (‘srebrenica debriefing report’), 17/08/98, D98/431.

²⁶¹⁰ For a description of that period, see Part IV, Chapter 7.

Royal Netherlands Army in the decision-making procedure. A report to this effect appeared that same day in several regional newspapers.²⁶¹¹

It transpired that Karremans had been nominated for the new post of Netherlands Liaison Officer at the Training and Doctrine Command (Tradoc) in Norfolk (Virginia) as from mid-1996 in the United States.²⁶¹² The rank of colonel was attached to that post. It had been necessary to find a new job for him because he was handing over the command of the 13th airmobile battalion on 9 February of that year.

The political leadership felt bypassed, given the obviously sensitive nature of the promotion of this controversial commander. The pictures of the commander raising his glass with the Bosnian Serb General Mladic had gone round the world. His statement that there were no 'good guys and bad guys' in the conflict in Bosnia and his praise for the strategic qualities of Mladic had not gone down very well with a lot of people.

Even so, no formal breach of procedure had occurred. Transfers and promotions of colonels are ministerial decisions that are mandated to the Royal Netherlands Army. This means that the Minister and the Junior Minister need not be personally informed of promotions up to and including the rank of colonel. That authority has been mandated to the Royal Netherlands Army. The political and civil service leadership must only be informed of appointments concerning higher ranks of the Royal Netherlands Army, namely flag officers, general officers and defence attachés.²⁶¹³

Initially the issue failed to create any great publicity stir, despite the articles mentioned in the regional newspapers and, a little later, a publication in Elsevier on 27 January.²⁶¹⁴ However, G. Valk and K. Zijlstra, both members of the PvdA (Labour Party), did want to know why the Minister and Junior Minister had known nothing of the promotion. On 1 February they submitted their parliamentary questions. That evening *De Volkskrant* journalist Ewoud Nysingh had been invited to attend the festive installation of the new staff of the Commander in Chief of the Royal Netherlands Army at the Princess Juliana Barracks.²⁶¹⁵ With the information gathered there, he published two articles on 2 February headed '*Couzy bevordert Karremans tegen zijn van Voorhoeve*' ('Couzy promotes Karremans against Voorhoeve's will') and '*Defensie verwijt Couzy slecht politiek inzicht*' ('Defence condemns Couzy's lack of political insight'). A day later Nysingh continued his series of reports, claiming that Meijling, according to insiders, had insisted on tougher action against both Couzy and Karremans. The Junior Minister was opposed to Voorhoeve's plan to maintain Karremans as Commander in Assen for another few months.

²⁶¹¹ In e.g. 'Voormalig bevelhebber Srebrenica gestationeerd in Amerika. Karremans bevordert tot kolonel' (Former Srebrenica Commander stationed in America. Karremans promoted to colonel), *Eindhoven's Dagblad*, 13/01/96; BSG.V96000607, memo from Kreemers to Voorhoeve, '*Bevordering Lieutenant-Colonel Karremans*' (Promotion Lieutenant Colonel Karremans), 12/01/96.

²⁶¹² Tradoc is the most important US centre for tactical studies, training and applications of new equipment. Karremans was there to help fine-tune Dutch tactical doctrines and training to US practices. The rank of colonel was attached to this post. Gert-Jan Pos, 'Karremans gaat naar Amerika' ('Karremans goes to America'), *Elsevier*, 27/01/96; Ko Colijn and Paul Rusman, 'Karremans kreeg bijna een onderscheiding' ('Karremans almost decorated'), *Vrij Nederland*, 09/02/96. According to Van Baal a large ally like the United States had been deliberately chosen: "They know how to handle things like this. And that has been proven too. In the three years that Karremans spent in America, nobody ever made any below-the-belt remarks about his time in Srebrenica. Not because they did not dare to; after all, he brought the matter up himself. But the way they saw it was: imagine it happening to you.' Interview A.P.P.M van Baal, 12/12/01.

²⁶¹³ In e.g.: 'Voorhoeve keurt gang van zaken rond bevordering Karremans af' ('Voorhoeve disapproves of events surrounding Karremans' promotion'), *ANP*, 05.02.96, 17.46. The Council of General Officers is the highest body on personnel qualifications and transfers and makes proposals for general appointments and promotions. The Council comprises the BLS (as Chairman) as well as a number of directors and commanders, including the Personnel Director of the Royal Netherlands Army. General promotions are royal decisions that are countersigned by the junior minister. At a level lower, the Advisory Council performs the same activities for colonels. This Council is not involved in promotions and advises exclusively on career developments. The PBLIS is the chairman and is assisted by the deputy directors and commanders. Interview G.M. Offers, 06/02/02.

²⁶¹⁴ Gert-Jan Pos, 'Karremans gaat naar Amerika' ('Karremans goes to America'), *Elsevier*, 27/01/96.

²⁶¹⁵ Kreemers, '*Aan de achterkant van de maan*' ('On the other side of the moon'), Part 1, p. 145.

He had wanted to give Karremans a different post earlier (in November); Voorhoeve, on the other hand, had intended to postpone the commander's promotion a little longer and offer him a new (regional) post in the Netherlands later in the year, a plan that Couzy had thwarted with this proposal, according to Nysingh.²⁶¹⁶

These articles unleashed a storm of indignation in the media.²⁶¹⁷ In the first place the criticism concerned this renewed manifestation of a lack of political *Fingerspitzengefühl* in top military circles in general and Couzy in particular. He, after all, had failed to gauge the political leadership's opinion before proceeding with the appointment. Secondly, it was in their eyes yet another instance of Voorhoeve's manifest failure to control his ministry. The PvdA (Labour) MP M. Zijlstra condemned Couzy's behaviour as 'more or less a provocation' vis-à-vis the Minister by leaving him in the dark about the promotion. 'This once again proves that the army is politically inept,' so the PvdA spokesman claimed.²⁶¹⁸ In the TV programme *Buitenhof* on 4 February former Defence Minister A. Stemerding said that Voorhoeve should dismiss Couzy without notice. If he did not, he would '[give] the military leadership a free hand to side-step political authority'.²⁶¹⁹ The Minister was thus putting his credibility on the line.

Responding to this, Zijlstra reproached Minister Voorhoeve for lacking the guts to fire the commander: 'Voorhoeve should take tough action, but evidently he is not that kind of man'.²⁶²⁰ His party (PvdA; Labour) also pressed him to sack Couzy but the VVD (Liberals) did not want their own party member to go. The CDA (Christian Democrats) did not want that either, but was unsure whether the Minister still had a strong enough grip on his ministry. D66 (Democrats) refrained from expressing an opinion on the grounds that Couzy's behaviour was a matter of personnel policy, 'and that's none of our business', according to the Defence Spokesman for Personnel Affairs, M. de Koning.

Voorhoeve and Gmelich Meijling answered the parliamentary questions on 5 February. They wrote that the Commander in Chief of the Royal Netherlands Army had that day been told in a personal interview that it would have been wiser to have held prior consultation about Karremans' appointment and promotion. Couzy, who would be leaving a few months later upon reaching the prescribed retirement age, had then offered his apologies.²⁶²¹ The parliamentary questions also asked about the date that Couzy would be handing over his command. Though the answers did not actually go into this, another ill-considered fact emerged during the interview mentioned above: the Commander in Chief of the Royal Netherlands Army had initially planned to hand over his command

²⁶¹⁶ 'PvdA-kamerlid ziet zaak-Karremans als 'provocatie' (Labour MP sees Karremans affair as provocation), *De Volkskrant*, 03/02/96; during his visit to Zagreb on 15 and 16 July, the junior minister had heard critical noises about Karremans. Interviews J. Veen, 16/01/02 and J.J.C. Voorhoeve, 01/10/01 (also Part III, Chapter 7).

²⁶¹⁷ TK, session 1995-1996, Proceedings Appendix, TK 552, p. 1119.

²⁶¹⁸ 'PvdA-kamerlid ziet zaak-Karremans als "provocatie"' (Labour MP sees Karremans affair as provocation) *De Volkskrant*, 03/02/96.

²⁶¹⁹ 'PvdA voor het ontslag van Couzy' (Labour Party wants Couzy's dismissal) *Het Parool*, 05/02/96; 'Oud-minister: "Voorhoeve moet Couzy ontslaan."' (Former minister: Voorhoeve must dismiss Couzy), *De Telegraaf*, 05/02/96.

²⁶²⁰ 'PvdA voor het ontslag van Couzy' (Labour Party wants Couzy's dismissal), *Het Parool*, 05/02/96; 'Oud-minister van Defensie bepleit ontslag Couzy' (Former Defence minister says Couzy must go), *Haagsche Courant*, 05/02/96. According to Van Baal, a discussion took place early in January 1996 between CDS Van den Breemen with the CO with a view to replacing Couzy before his official retirement because of the criticism levelled at the BLS in connection with the promotion affair, among other things. Van Baal blocked this, with the support of the army council. Interview A.P.P.M. van Baal, 12/12/01. Junior Minister Meijling was also in favour of Couzy's early departure. Interview J.J.C. Voorhoeve, 01/10/01.

²⁶²¹ TK, Parliamentary session 1995-1996, Proceedings Appendix, TK 552, p. 1119. SG Barth held the interview with Couzy. Kreemers, *Aan de achterkant van de maan* ('On the other side of the moon'), Part 1, p. 146. There was already a discussion on 15 January about this matter between the minister, the PCDS and the Commander of the Royal Netherlands Army. The content of that discussion is not known. BSG. V96001763, memo from Kreemers to the minister, 'Karremans', 02/02/96; TK, session 1995-1996, 24 400X, no. 70 (08/02/96).

on 11 July, exactly one year after the fall of Srebrenica. The significance of this date had not occurred to Couzy and the ceremony was brought forward to 4 July.²⁶²²

Zijlstra accepted the answers. The underlying intention of his questions had been to awaken greater political awareness among the military leaders: 'I hope that Schouten [Couzy's successor] learns something from this incident. But it would be rather bad form to insist on Couzy's departure at this stage. He'll be leaving shortly anyway'. D66 (Democrats) Defence spokesman J.Th. Hoekema agreed and expressed the hope that the relationships between the Central Organization and the Royal Netherlands Army would improve.²⁶²³

NRC Handelsblad regretted this stance: 'Given the man's repeated lapses, Couzy should have been given an official reprimand. He could then have done the honourable thing and resign. The fact that Couzy's retirement is only a few months off takes nothing away from this. At least his successor would then have known where he stood with this minister.' *Het Parool* agreed. It was after all the umpteenth time that Couzy had embarrassed a minister without censure.²⁶²⁴ The media consequently placed the incident in the broader context of the problematic relationship between the political and military leadership, in this case Voorhoeve and Couzy (see also Part IV, Chapters 5-7).²⁶²⁵ Apart from Karremans' blunders in the media, many papers referred to Couzy's remark after the fall of Srebrenica that there had been no question of genocide, despite assertions to the contrary from the Minister for Overseas Development J. Pronk and Voorhoeve. The clumsy and conflicting remarks illustrated the poor communication and erratic working relationship between the leadership of the Central Organization and that of the Royal Netherlands Army.

The army vehemently opposed the criticism. Their line of argumentation rested, as so often, on the notion that the politicians were trying to offload the entire responsibility for the fall of Srebrenica on the military, with Couzy and Karremans in the role of prime scapegoats. The mandate and equipment with which Dutchbat had been sent on their way had been completely inadequate, so the retired Lieutenant General G.C. Berkhof fulminated in *De Haagsche Courant*. And he went on to add that Parliament, which for that matter knew nothing whatsoever about the art of warfare, had no business meddling with the personnel policy of the Royal Netherlands Army.²⁶²⁶ Couzy was admired within the Royal Netherlands Army as a man who always stood right behind his men and continued to support them in times of criticism and tension. And that was certainly necessary when accusation-happy politicians were turning their backs on the military. What's more, the Commander in Chief of the Royal Netherlands Army had successfully orchestrated a complicated and incisive reorganization resulting from the Defence White Paper and, subsequently, the Priorities Policy Document.²⁶²⁷

²⁶²² Gert-Jan Pos, 'Karremans gaat naar Amerika' ('Karremans goes to America'), *Elsevier*, 27/01/96; 'Voorhoeve keurt gang van zaken rond bevordering Karremans af' (Voorhoeve disapproves of events surrounding Karremans' promotion), *ANP*, 051746 February 1996; Kreemers, 'Aan de achterkant van de maan' ('On the other side of the moon'), Part 1, p. 146.

²⁶²³ 'Voorhoeve corrigeert Couzy over bevordering Karremans' ('Voorhoeve rebukes Couzy over Karremans' promotion'), *NRC Handelsblad*, 06/02/96.

²⁶²⁴ Editorial, *Het Parool*, 06/02/96.

²⁶²⁵ Couzy had also already had problems with Ter Beek at the time of the decision to send Dutchbat. But Srebrenica was not the only matter that showed up the difficult relationship and cultural differences between the political and military leadership. Examples from 1996 include the differences in Couzy's thoughts about the timing of the abolition of military conscription as expressed to the CO and the Royal Netherlands Army and the presentation of his book upon retirement. K. Colijn and P. Rusman present an overview of the contentious issues in 'De dertien affaires-Couzy' ('Couzy's thirteen contentious issues'), *Vrij Nederland*, 06/07/96.

²⁶²⁶ G.C. Berkhof, 'Met sterren van Karremans heeft Kamer niets te maken' (Karremans' stars are none of Parliament's business), *Haagsche Courant*, 07/02/96. TK. Parliamentary session 1995-1996, 24 400X, no. 70 (08/02/96).

²⁶²⁷ The voice of the Royal Netherlands Army could be heard in e.g.: A. van der Horst. 'De eigen oorlog van Couzy' ('Couzy's personal war'), *HP/De Tijd*, 16/02/96; Geert van Asbeck, Petra de Koning and Guido de Vries, 'sukkels!' ('Blundering fools!'), *NRC Handelsblad*, 29/08/98. Berkhof's article was to have minor repercussions because of his claim at the end that Voorhoeve had had the proposal on his desk and had signed it (either with or without reading it). This turned out to be false. However, this article did prompt Christian Democrat H. Hillen to demand a clarification of the procedure which Voorhoeve and Meijling set forth in a letter of 8 February. Voorhoeve wrote Berkhof a personal letter expressing his

This was why Voorhoeve had protected Couzy.²⁶²⁸ It was important for the reorganization of the Royal Netherlands Army to be a success and the commander's cooperation was necessary to achieve that aim. There was to be no rocking the boat in public.²⁶²⁹ In a letter of 8 February to Parliament, in which the course of events was reiterated one more time, Voorhoeve and Meijling wrote:

'The Royal Netherlands Army is currently making a major contribution to the Dutch participation in IFOR, the implementation force in Bosnia-Herzegovina. At the same time, this part of the armed forces is undergoing extensive restructuring. Lieutenant General Couzy is giving competent leadership to these changes within the army organization and to the army's conduct of various peacekeeping operations.'

They added that differences in opinion, such as about the fall of Srebrenica, 'had been thoroughly discussed and corrected where necessary'.²⁶³⁰

The other side of the coin was that Voorhoeve's position had come under pressure: the media were already saying he himself should go.²⁶³¹ But he did not do that either.

So what exactly had happened and what role had the Commander in Chief of the Royal Netherlands Army played in this connection? Though the media had directly attacked Couzy²⁶³², it later became clear that his deputy A.P.P.M. van Baal had made most of the preparations for the promotion. The Commander in Chief of the Royal Netherlands Army, as Van Baal's immediate boss, was of course responsible.

The Royal Netherlands Army had already felt for a number of years that Karremans was eligible for the rank of colonel: on 27 January 1994 he was found suitable to fill colonel-level positions. He was personally informed of this on 18 March of that year.²⁶³³ In Srebrenica he had fulfilled his third Lieutenant Colonel posting, making promotion to the rank of colonel the logical next step. As noted, the Commander in Chief of the Royal Netherlands Army was authorized to decide on this matter.

Fairly soon after the enclave fell – presumably already in August 1995 – the question was raised as to what Karremans's new position would be. In October Van Baal discussed a colonel's position with Couzy but the Commander in Chief of the Royal Netherlands Army felt the time was not yet right.²⁶³⁴ Srebrenica and the battalion commander were still the subject of fierce debate. They decided to put off their decision until 19 December 1995 when Parliament was to give its 'final' verdict on the fall of Srebrenica and the way in which Dutchbat had conducted itself.

dissatisfaction over the damage that the accusations had done to the Ministry of Defence. Ko Colijn and Paul Rusman, 'De minister laat Berkhof als een baksteen vallen' ('Minister dumps Berkhof without ceremony'), *Vrij Nederland*, 24/02/96; TK, Parliamentary session 1995-1996, 24 400X, no. 70 (08/02/96), letter from the minister and junior minister; NIOD, Coll. Kreemers. Handwritten letter from Voorhoeve to Berkhof, 07/02/96.

²⁶²⁸ Voorhoeve repeated his praise on 16 February in the TV programme *Buitenbof*. It was Van Baal's idea that Voorhoeve should publicly back Couzy in order to stop criticism being directed at the Royal Netherlands Army. Couzy himself did not embrace that idea, however; Van Baal took responsibility for it. Interview A.P.P.M. van Baal, 12/12/01; Voorhoeve's Diary, p. 191.

²⁶²⁹ In e.g.: 'Voorhoeve corrigeert Couzy over bevordering Karremans' ('Voorhoeve rebukes Couzy over Karremans' promotion'), *NRC Handelsblad*, 06/02/96.

²⁶³⁰ TK, Parliamentary session 1995-1996, 24 400X, no. 70 (08/02/96).

²⁶³¹ In e.g. 'Minister Voorhoeve moet z'n conclusies trekken' ('Minister Voorhoeve must draw his conclusions'), *Nederlands Dagblad*, 02/02/96; editorial in *De Limburger*, 06/02/96. Voorhoeve claims he considered resigning several times after the fall. Whether the same applied in relation to the promotion affair is not known. See e.g. Voorhoeve's Diary, p. 192.

²⁶³² See e.g. headlines: 'Dwarsligger Couzy' (Couzy plays obstructionist'), *Het Parool*, 06/02/96; 'Nog eens Couzy' ('Couzy again'), *NRC Handelsblad*, 06/02/96; 'Voorhoeve roept Couzy op het matje over promotie' ('Voorhoeve carpets Couzy over promotion'), *Trouw*, 06/02/96.

²⁶³³ TK, Parliamentary session 1995-1996, 24 400X, no. 70 (08/02/96).

²⁶³⁴ Couzy. *Mijn jaren*, p. 174; Bert Bommels, "'Srebrenica was de waanzin ten top'" ('srebrenica was height of madness') *Elsevier*, 06/07/96; interview A.P.P.M. van Baal, 12/12/01.

The conclusion of that parliamentary debate was that the international community had been unable to avoid this disaster and that there was nothing to reproach Dutchbat for.²⁶³⁵ Van Baal immediately latched on to this line of reasoning and concluded, also in view of the extreme circumstances under which Dutchbat had had to operate, that the same applied to Karremans.²⁶³⁶ It was emphatically clear that a position was to be found in the longer term and with a low profile. The Deputy Commander in Chief of the Royal Netherlands Army contacted the Deputy Head of Personnel Affairs, Brigadier General E.M.L.H. Termont, and asked him on 21 December to set in motion the proposed appointment attached to the promotion.²⁶³⁷ As Deputy Commander in Chief of the Royal Netherlands Army, Van Baal was entrusted with the direction of the Advisory Committee for Management Development (MD). This council advises on career development and its advice serves as the basis for personnel placement plans.²⁶³⁸ Whenever necessary, the Commander in Chief of the Royal Netherlands Army is duly informed of the proposed placements. The same applies to the army council which also has the power to make amendments. Karremans himself was informed of the proposal that day. On this subject, Van Baal said in 1998 that this by no means meant the matter had been finalized.²⁶³⁹

The next meeting of the army council was on 9 January 1996. At this meeting, the transfers and appointments proposed at the time, including that of Karremans, were dealt with. Couzy chaired the meeting.²⁶⁴⁰ Van Baal described the position he had in mind for Karremans as low-key: he would be out of the public eye and have a chance to unwind and collect his thoughts. As the post was only to be filled halfway through the year, it also accommodated Couzy's wish to wait a while. There was a dominating sense of satisfaction about the proposal. According to Van Baal, the Commander in Chief of the Royal Netherlands Army and Lieutenant General R. Reitsma even congratulated him: 'What a great find. Good thinking'.²⁶⁴¹ The proposal also fitted in with the army council's desire to 'move forward' after the parliamentary debate. 'Let that be the end of the matter. This will stay with us for the rest of our lives [but] we can make a new start. The Minister stays. The Commander stays. Karremans gets a new post,' so the Deputy Commander in Chief of the Royal Netherlands Army said to the NIOD.

Army spokesman P. Hartman was present at the army council meeting and informed the Deputy Director of Information, Kreemers, the next day on 10 January.²⁶⁴² With G. ter Kuile, Head of the Minister's Staff, they tried in vain to reconstruct the course of events. As things stood, they assumed that the promotion had been put to the Minister and the Junior Minister – who at that moment were both absent because of the Christmas recess. Shortly afterwards Van Baal called

²⁶³⁵ TK, Parliamentary session 1995-1996, Proceedings, 19/12/95, TK 40, p. 3155-3189.

²⁶³⁶ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, Appendix to A.P.P.M van Baal: P.077/98, memo from Van Baal to De Grave, 'Bewordering Klol Karremans' (Lt Col Karremans promoted), 26/08/98; interview A.P.P.M. van Baal, 12/12/01.

²⁶³⁷ Interview A.P.P.M. van Baal, 12/12/01; TK, session 1995-1996, 24 400X, no. 70 (08/02/96). In 1998 Van Baal wrote a letter to the minister, saying that he had not only consulted the Directorate of Personnel of the Royal Netherlands Army about his opinion concerning Karremans, but had also raised the matter informally with the other members of the Advisory Committee. Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, Appendix to A.P.P.M. van Baal: P.077/98, memo from Van Baal to De Grave, 'Bewordering Klol Karremans' (Lt Col Karremans promoted), 26/08/98.

²⁶³⁸ Interview G.M Offers, 06/02/02.

²⁶³⁹ Interview A.P.P.M. van Baal, 12/12/01; Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, A.P.P.M van Baal, p. 8-9.

²⁶⁴⁰ Semi Static Archive of Royal Netherlands Army. Army Council Minutes, 09/01/96. However, the minutes contain nothing about the promotion because of "personnel confidentiality aspects". Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, Appendix to A.P.P.M. van Baal: P.077/98, memo of Van Baal to De Grave, 'Bewordering Klol Karremans' (Lt Col Karremans promoted), 26/08/98.

²⁶⁴¹ According to Van Baal the army council supported this line of reasoning. The fact that neither the Minister nor the Commander of the Royal Netherlands Army resigned was sufficient reason for Van Baal not to raise any further questions about Karremans' performance. Interview A.P.P.M. van Baal, 12/12/01.

²⁶⁴² Kreemers, *Aan de achterkant van de maan* ('On the other side of the moon'), Part 1, p. 143-144.

Kreemers to inform him of the approved promotions, including that of Karremans.²⁶⁴³ Two days later, on 12 January, the spokesman received a call from the aforementioned VNU journalist who wanted confirmation of her suspicion that was based on information from ‘military circles’.²⁶⁴⁴ That evening Kreemers informed his minister who had returned from the Christmas recess.²⁶⁴⁵ Voorhoeve was furious when he heard the news.

So the main reason for the Minister’s anger was the fact that none of those present had realized the sensitivity of the appointment-cum-promotion or had thought of consulting him. Not Couzy; nor his deputy, Van Baal. ‘We just all misread the situation. It’s that simple, ‘ so the Deputy Commander in Chief of the Royal Netherlands Army commented.²⁶⁴⁶

But was it that simple? Whatever the truth was, Van Baal stuck to the formal line. In 1994 he had promised Karremans promotion and he was honouring that promise. According to the Deputy Commander in Chief of the Royal Netherlands Army, Karremans regularly called the office of Management Development to ask what he would be doing in the future. Van Baal saw nothing strange in that question: ‘If you are told in 1994 that you are eligible to be promoted colonel and the moment that you will be handing over the command of your battalion is drawing near, then surely it’s perfectly normal to ask: ‘What about my future? Where am I going?’²⁶⁴⁷

But the question remained whether Couzy knew about this. The Commander in Chief of the Royal Netherlands Army himself has always denied knowing about the nomination before 9 January 1996. He said that he agreed to the nomination at the time because the position (low-profile) and the effective date (not earlier than mid-1996) were in accordance with the line thought out in October. He was however irked by the fact that Karremans had already been informed, which in his view made the process irreversible. In his autobiography the Commander in Chief of the Royal Netherlands Army wrote: ‘That bothered me, but such things happen in a large organization. I had been intending to inform the Minister of this promotion. Now it was too late.’²⁶⁴⁸

In 1998 the matter again reared its head when Couzy suggested in public that Van Baal had pushed the promotion through without his knowledge. ‘I was able to block that [Karremans’ promotion] once, but later my deputy General Van Baal went ahead with it behind my back. It was Karremans’ turn and that was that. That’s how military people think sometimes ‘²⁶⁴⁹ Van Baal tried to set this straight towards Van Kemenade (see previous chapter). He repeated his version of events that it simply had not occurred to anyone to inform the Minister:

²⁶⁴³ According to Van Baal he had contact a day later, on 11 January, with Kreemers about the promotion of Karremans. NIOD, Coll. Kreemers. Hand-written letter from Van Baal to Kreemers, 02/02/96.

²⁶⁴⁴ BSG. V96000607, memo from Kreemers to Voorhoeve, ‘Bevordering Lieutenant-Colonel Karremans’ (‘Promotion of Lieutenant Colonel Karremans’), 12/01/96. The memo contains a report of the talk with the VNU journalist. All promotions incidentally are published in *Legercourier*, which appears monthly.

²⁶⁴⁵ At the request of DV H. van den Heuvel, Kreemers made a report of the interview with the journalist for the minister. Kreemers, ‘*Aan de achterkant van de maan*’ (‘On the other side of the moon’), Part 1, p. 144; Voorhoeve was on a language course at a nunnery and was difficult to reach there, according to Kreemers. Interview H.P.M. Kreemers, 29/01/02.

²⁶⁴⁶ Interview A.P.P.M. van Baal, 12/12/01; Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 2, Appendix 4, Appendix to A.P.P.M. van Baal: P.077/98, memo from Van Baal to De Grave, ‘Bevordering Klol Karremans’ (‘Lt Col Karremans promoted’), 26/08/98.

²⁶⁴⁷ Interview A.P.P.M. van Baal, 12/12/01. According to Kreemers, Karremans also wrote to the Directorate of Personnel to enquire about his opportunities. ‘*Aan de achterkant van de maan*’ (‘On the other side of the moon’), Part 1, p. 142.

²⁶⁴⁸ Couzy, *Mijn jaren*, pp. 174-175. The Commander of the Royal Netherlands Army described his failure to inform the minister as an ‘error’ and condemned this as yet another breakdown in communication. He told the same version of events to *Elsevier*, where he said: “Before I could write my note to the minister, a journalist was already on the phone to him”. B. Bommels, “Srebrenica was de waanzin ten top” (‘srebrenica was the height of madness’), *Elsevier*, 06/07/96. The commander does condense the chronology here as three days lapsed between the decision and the notification to the minister.

²⁶⁴⁹ Jaco van Lambalgen and Cees van der Laan, ‘Het is niet pluis op Plein 4’ (‘strange things are happening at Plein 4’), *Tubantia*, 22/08/98.

‘And that was obviously wrong. He [Couzy] subsequently had to offer his apologies for that; he also took responsibility for the matter (...). But in my eyes it’s not done to start exclaiming afterwards: it all happened behind my back. Because that is simply not the case (...) This is beginning to get very annoying. Couzy is starting to throw mud’²⁶⁵⁰

It certainly seems hard to believe that Couzy knew nothing of the promotion before January 1996. After all, as early as October 1995 plans were already made with his involvement to give Karremans a position at colonel level. He wanted to put it off at the time, but not call it off – nor did he grasp the opportunities for doing that in October and January. What the actual position would be (in terms of content) and as from when, he probably did not know before 9 January; but that Karremans would be made a colonel, could, in the words of Van Baal, ‘no longer be a surprise’ for Couzy.²⁶⁵¹

Be that as it may, the proceedings surrounding the promotion certainly testified to the lack of political insight among the leadership of the Royal Netherlands Army. Their awareness that the promotion of the controversial commander would meet with resistance evidently did not prevent the military leadership from going ahead with the promotion. Van Baal stuck to the formal line and saw no reason to do otherwise; not on the grounds of Karremans’ actions (what’s more, formally speaking, he had never received a negative performance appraisal), nor in response to the stance taken by the political and military leadership who, after all, had stayed put. Whether there were any other reasons for going ahead with the promotion, such as a counter-move against the political leadership, is hard to say. This is certainly possible but there is no hard-and-fast evidence for it.²⁶⁵² Presumably the military leadership wanted to manifest their support for Karremans who, as the scapegoat, had taken the brunt of the criticism.²⁶⁵³ Another factor, no doubt, was the army’s desire to keep the matter in their own hands.

The affair highlighted in no uncertain manner the poor communicative relations and the untransparent procedures within the defence apparatus.²⁶⁵⁴ There was great mistrust between the military and politicians, and the unwillingness of the military leadership to comply with the Minister taking supreme responsibility for the actions of the Royal Netherlands Army was equally great. Or as Nysingh wrote in 1997 ‘at the time of handing over the command, Schouten had already subtly hinted that he would not continue to tentatively test the limits of the primacy of the political leadership, as Couzy had done’.²⁶⁵⁵ Though Couzy’s departure on reaching the prescribed retirement age marked the exit of one heavily criticized protagonist in the Srebrenica tragedy, Srebrenica continued to hang over the ministry like an oppressive blanket of cloud.²⁶⁵⁶ It was not until 1998 that a minister felt compelled to take tough measures in an effort to restore the damaged integrity of the Ministry of Defence.

²⁶⁵⁰ Van Kemenade, *Omtrent Srebrenica* (About Srebrenica), Part 2, Appendix 4, A.P.P.M. van Baal, p. 9.

²⁶⁵¹ Interview A.P.P.M. van Baal, 12/12/01.

²⁶⁵² In 1997, for instance, the current affairs programme *Netwerk* had mooted the theory that the Royal Netherlands Army had gone ahead with the promotion to revenge themselves on the politicians, to show that they were rallying behind their commander. *Netwerk*, 26/01/97.

²⁶⁵³ See, for instance, the idea of retired General Major Bruurmijn: ‘Dutchbat Commander Karremans was used as a scapegoat. That was convenient for both Couzy and the minister. Karremans also drew the fire towards himself and in doing so covered others. He was rewarded for this later when he was promoted to colonel. But he has been damaged for life.’ In: Jaco van Lambalgen and Cees van der Laan, ‘Het is niet pluis op Plein 4’ (‘strange things are happening at Plein 4’), *Tubantia*, 22/08/98.

²⁶⁵⁴ Interview H.H. Hulshof, 06/12/01; Jaco van Lambalgen and Cees van der Laan, ‘Het is niet pluis op Plein 4’, *Tubantia*, 22/08/98.

²⁶⁵⁵ Ewoud Nysingh, ‘Liever onder de troepen’ (‘Rather among the troops’), *De Volkskrant*, 26/04/97.

²⁶⁵⁶ According to a “senior officier” in: Jaco van Lambalgen and Cees van der Laan, ‘Het is niet pluis op Plein 4’, *Tubantia*, 22/08/98.

8. The OP-Mike incident

What came to be known as the ‘OP-Mike incident’ played an important role in the aftermath of the events in Srebrenica. Here we propose to explore how allegations that a Dutch armoured vehicle ran over a number of Muslims developed into a full-blown incident and the effects that this had on those involved. In this connection, of course, it is important to establish the extent to which the great commotion caused by this incident was, in retrospect, justified by the facts. The history of the incident is largely also the history of the manner in which the information about it reached the outside world. But what was the core of the matter?

Part 3 already dealt with the difficult circumstances under which the troops manning OP-Mike started to pull back to Potocari on 11 July.²⁶⁵⁷ The Dutchbat soldiers had seen two men being liquidated before their eyes by the local Muslim commander ‘Envir’ for trying to prevent the departure of the Dutch. Subsequently, mutual fighting had broken out and more people had been killed.²⁶⁵⁸ The group of over one hundred refugees from the village of Jaglici, where the OP was located, then slowly moved in the direction of Potocari together with the Dutch. En route large numbers of civilians from the surrounding villages and hamlets joined the column. At 8.10pm the soldier on duty recorded in the register of the Ops Room: ‘OP-M goes back, but thousands of refugees head in this direction with them. ‘Huge problem’’.²⁶⁵⁹

The YPR was laden with refugees. Everybody was trying to get themselves a place. The OP-commander, who was also the driver of the YPR at the time, sergeant M.A. (Martijn) Mulder, ‘kicked’ anyone who could walk normally off the vehicle. Mothers were throwing their children onto the YPR; some fell off again. Very soon, wounded people, victims of the earlier Bosnian Serb mortar shootings, were also lying ‘three layers thick’ on the armoured vehicle. Some were therefore at risk of asphyxiation. The medic did what he could. At a certain moment Mulder heard that a woman was in labour on the hatch of the armoured vehicle.²⁶⁶⁰

Mulder was in the YPR together with his liaison officer and the gunner. Two soldiers were walking behind the vehicle and one in front. Progress was very slow and Mulder feared being cut off from the compound, also because fuel was running low: ‘It was drive, stop, drive, stop’. Captain Matthijssen had ordered him to keep the refugees behind him, but at a certain point this was no longer possible as more and more people were continuing to join the column. Mulder stopped now and then just to show them his face, to reassure them.²⁶⁶¹ On one of these occasions he saw several dozens of refugees ahead of his vehicle, mostly women, young children and elderly people. Behind him he saw countless refugees as far as the eye could reach.

Around midnight a crisis situation arose. The YPR was on the road running between the village of Susjnari, just south of Jaglici, and Potocari, just beyond the village of Milacevici. At that point of the route there was a steep rock face on the south side and, on the north side, water with a steep slope behind it. Mulder had just climbed back onto the front of the armoured vehicle when he heard a burst of fire. The column was being fired at from the north with .50 tracer bullets. Great panic and chaos immediately ensued. Refugees fell from the YPR; it was not clear to the soldiers whether they had been hit or were scrambling for cover. Mulder had to decide instantly what to do. He thought the white YPR was attracting the fire and that there would be even more victims if he were to stay put. He ordered his men to get into the armoured car and go under armour. Then he switched on the lights of the YPR and blew his horn. He then accelerated.

²⁶⁵⁷ Unless otherwise indicated, the following is based on: OM Arnhem, official reports drawn up by the KMar -Sebrateam, P. 506/1998, completed on 25/11/98, and on debriefing statements of R.P. van Veen, 11/09/95; M. Doze, 12/09/95; information based on confidential debriefing statements (52).

²⁶⁵⁸ Confidential information (83).

²⁶⁵⁹ SMG/Debrief. Monthly Ops Room register, 11/07/95, entry 20.10.

²⁶⁶⁰ Interview M.A. Mulder, 06/10/98.

²⁶⁶¹ Interview M.A. Mulder, 06/10/98.

Though Mulder had looked when he drove off and the road appeared to be fairly free, he was partly unsighted because he was driving under armour. He had the impression that he had run over people. But under armour his view was restricted. This impression was however confirmed by his gunner who was responsible for keeping an eye on the driver's blind spot from his gun turret on top of the YPR. He was certain they had run over refugees. He saw how people were pressed against the rock face and pushing others away. It all went very quickly. There was no time to warn Mulder. The gunner saw at least three people end up under the tracks on the right-hand side of the YPR.

Mulder quickly drove on for another three hundred metres or so. After a bend in the road, where both the YPR and the refugees found cover, he brought his vehicle to a halt. The YPR was level with the Mosque on entering Potocari (the actual village is situated in east-west direction along the road to Susjnari, which leads to the north-south road from Srebrenica to Bratunac on which the factory complexes and the Dutchbat compound were situated). The crew discussed what had just happened. They also reported the shooting to the Ops Room of C company. Meanwhile the refugees were approaching, still in a state of great panic. No one came up to the Dutchbat soldiers to say refugees had been run over. Together they drove on to the *blocking position* of B Company at the T-junction with the road between Srebrenica and Bratunac. There they were met by their colleagues who told them they were to proceed to the compound; the refugees would be led onto the bus yard. Two sick people stayed on the YPR and were taken to the compound in Potocari.

After Mulder had parked the YPR in the factory hall, colleagues came out to meet them. Six of them then spoke in the bunker about the incident in order to form a clear idea of what had actually happened. The gunner knew for certain that they had run over people. Mulder then reported the incident to his Commander, Captain Matthijssen. Shortly afterwards the YPR crew heard (probably from colleagues) that blood and remains of flesh could be seen on the tracks and that these had had to be hosed down. Not everyone dared to go and look. Mulder consoled himself with the idea that this could also be the remains of a cow. The animal, that had probably been taken out of the stable by refugees, had crossed the path of the YPR when they had started to pull back. Mulder had been unable to avoid the animal and had run over it.²⁶⁶²

In Zagreb, after the battalion had returned on 22 July, Mulder was debriefed by Generals Couzy and Bastiaans. It is not clear from the written report of that interview whether the running over of the refugees was mentioned.²⁶⁶³ According to Mulder he had talked about it with Couzy, albeit briefly. This was confirmed by one of his colleagues who had already heard this in Zagreb from Mulder. Couzy himself later confirmed that Mulder had reported the incident to him, but that he had not given it any further thought. The Commander in Chief of the Royal Netherlands Army had been more interested in the mutual fighting between the Muslims that Mulder had witnessed.²⁶⁶⁴

During the debriefing in Assen in September 1995, Mulder was for unknown reasons the only person who mentioned the incident involving refugees being run over. On that occasion he said that 'quite a lot of people' had ended up under the YPR²⁶⁶⁵, but added that this was not based on personal observation. Because he had not read the report carefully, he had failed to notice that this was the impression he had conveyed. The story was not included in the debriefing report that appeared in October 1995.

All personnel who had manned OP-Mike left the military. The events in Srebrenica had made a deep impression on them. Most of them could not rid themselves of the memory. When the humanist chaplain of Dutchbat III, then Major L.W.A. (Bart) Hetebrij, heard in a roundabout way of the problems that the incident had caused among some of the soldiers, he managed to contact two of

²⁶⁶² Interview M.A. Mulder, 06/10/98.

²⁶⁶³ SMG, 1007. Klep/Lagaune, 'debriefing report of sgt1 Mulder, 22/07/95, Pleso Camp'.

²⁶⁶⁴ Interview H.A. Couzy, 04/10/01.

²⁶⁶⁵ Confidential information (83).

them, including Mulder, in the autumn of 1995.²⁶⁶⁶ They told him the story of the refugees being run over.

Early July 1996 Hetebrij received a telephone call from the Deputy Director of Information, H.P.M. (Bert) Kreemers. He had been approached early in May by the American journalist David Rohde, who had won the Pulitzer Prize for his reports in 1995 about the execution sites where the men from Srebrenica had been killed. Rohde was now writing a book about the fall of the Safe Area and had asked the Ministry of Defence to cooperate. Kreemers had promised the Ministry's cooperation. In June Rohde sent him a list of questions, including one about the soldiers who had manned OP-Mike. The journalist wanted to know what they had seen of the Muslims' departure. Kreemers tried to put Rohde in touch with them but heard that all the soldiers involved had in the meantime left the Royal Netherlands Army. He was given the name of Hetebrij who had evidently maintained contact with the ex-soldiers.²⁶⁶⁷

In the first week of July Kreemers called Hetebrij and put Rohde's request to him. The humanist chaplain's urgent advice was to keep Rohde away from the soldiers who had manned OP-Mike. The commander of the YPR had been compelled to decide to drive through a crowd of people, including women and children. Kreemers understood from Hetebrij's words that some twenty to thirty people may have been involved. The decision to start driving had been taken in a panic and on arrival at Potocari it had been necessary to hose down the tracks of the YPR because human remains were sticking to them. Two ex-soldiers now felt the incident weighing heavily on their conscience. According to Kreemers Hetebrij said that the crew had sworn secrecy to one another, but Hetebrij later denied this when speaking to investigator Van Kemenade in 1998.²⁶⁶⁸

Since the fall of Srebrenica Deputy Director of Information Kreemers had been the most important Defence spokesman on the subject. He had tried to keep the publicity as favourable as possible for Defence, but not everyone appreciated his approach. He gradually gained a reputation among journalists of being a spin doctor. They suspected him of trying to keep the lid on the cover-up. Some only changed that opinion when it became clear after the publication of all sorts of documents that much had also been unknown to Kreemers.²⁶⁶⁹ But even within the Defence organization not everyone was enamoured with the way he went about things. Many members of the Royal Netherlands Army saw him as the mouthpiece of Voorhoeve and felt he mainly served Voorhoeve's interests.

Kreemers recognized the great political risks attached to the OP-Mike story, at least if the version he had heard was true. There was no reference to the incident in the debriefing report as the Minister might then be accused of having failed to give Parliament full information. "I will resign within five minutes flat if it turns out that Parliament has been wrongly informed and the matter is not rectified", I said two or three times in my office to those present,' said Voorhoeve.²⁶⁷⁰ One of these occasions was when the OP-Mike incident was announced. On 9 July 1996, after the telephone conversation with Hetebrij, Kreemers informed Voorhoeve, in the presence of his Head of Staff, G. (Gijs) ter Kuile. The Minister was shocked when he heard about the incident and said he would resign if it was true.²⁶⁷¹ The highly charged nature of the affair was also significant from the fact that Lieutenant General M. Schouten, Couzy's successor, already had an order lying on his desk to disband the 13th Battalion of the Airmobile Brigade. Whether the order would actually be given depended on the outcome of an inquiry that Voorhoeve had requested.²⁶⁷²

²⁶⁶⁶ Interview L.W.A. Hetebrij, 12/01/01.

²⁶⁶⁷ Kreemers, *'Aan de achterkant van de maan'* ('On the other side of the moon'), pp. 151-152; *ibid*, Part 2, pp. 26-27; Interview H.P.M. Kreemers, 18/03/99; OM Arnhem, KMar Sebra-team, P. 506B 001/1998. Official report of interview of witness H.P.M. Kreemers, 25/08/98.

²⁶⁶⁸ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, L.W.A. Hetebrij and E. Dijkman, p. 2.

²⁶⁶⁹ This emerged in various interviews with journalists, including Twan Huys. Interview T. Huys, 08/11/00.

²⁶⁷⁰ Voorhoeve's Diary, p. 193. The other two occasions were the fall itself on 11 July and the publication of clear indications of mass murders in August 1995. Voorhoeve does not mention OP-Mike.

²⁶⁷¹ Kreemers, *'Aan de achterkant van de maan'* ('On the other side of the moon'), Part 2, p. 26.

²⁶⁷² Interview H.P.M. Kreemers, 18/03/99.

The decision to this effect was taken in a conversation with Junior Minister J. Gmelich Meijling, some senior officials and the Commander of the Royal Netherlands Marechaussee, D.G.J. Fabius, in which Voorhoeve repeated his statement about a possible resignation. Those present decided to ask the Royal Netherlands Marechaussee to conduct an inquiry. Voorhoeve wanted to know whether the OP-Mike story had been reported during the debriefing in 1995 and whether there had been any contact with the Public Prosecutions Department.²⁶⁷³ Fabius first called Hetebrij who was shocked to hear the news. When Kreemers called him he had assumed that the story about OP-Mike was known in The Hague. Now he realized that his statement about something he had been told in confidence had acted as a wake-up call for The Hague. So Hetebrij was furious with Kreemers. When Fabius called him, he refused to cooperate on the grounds that what he knew had been told in confidence.²⁶⁷⁴ The Commander of the Royal Netherlands Marechaussee then sent two of his investigators, P.H. Rutten and C.A. Martens, around to see him. Faced with this pressure, Hetebrij promised to contact one of the persons in question and ask him to cooperate. The chaplain called Mulder who gave him his permission. Hetebrij then passed his name and address on to the investigators.

Shortly after midnight, Rutten and Martens visited Mulder to pick up his debriefing report. Mulder handed it over on condition that only the Minister would receive a copy.²⁶⁷⁵ Meanwhile, Brigadier General O. van der Wind, the former leader of the debriefing in Assen, had received a request from senior ministerial level to carry out an inquiry into the OP-Mike incident. Van der Wind instructed two members of the Military Intelligence Service of the Royal Netherlands Army, F. Pennin and Captain Triep, to take the confidential statements out of the debriefing archive. On the basis of the statements, they formulated a draft reply which they took back to Van der Wind who drew up the definite reply.²⁶⁷⁶

On Friday 11 July Kreemers was told by Minister Voorhoeve that the inquiry of the Royal Netherlands Marechaussee had led to a version of the story which, certainly in terms of numbers, diverged strongly from that of Kreemers.²⁶⁷⁷ What remained unclear was whether the number he believed he had heard from Hetebrij was correct. What had transpired was that it had been mentioned during the debriefing and that there had been contact with J. Besier of the Public Prosecutions Department at Arnhem about the possibility that refugees had been run over. He, however, saw no grounds for criminal proceedings. The incident had not featured in any other statement and, even if true, it had taken place under circumstances of war.

The reference to the inquiry of the Royal Netherlands Marechaussee by Voorhoeve was remarkable. As Kreemers himself noticed in 1998, that consisted of nothing more than the official report of the contacts that Rutten and Martens had with Hetebrij and Mulder on 9 July 1996. What's more, that report had merely quoted what Mulder had said about the refugees being run over in his debriefing statement.²⁶⁷⁸ The conclusion that there was no question of a new fact was drawn after comparing his statement with those of the other YPR crew members. It turned out that they had said nothing about the matter.

At the internal meeting where Voorhoeve reported the outcome of the inquiry, Kreemers received sharp criticism. He recalled that the Deputy Chief of Defence Staff, Lieutenant General A.P.P.M. van Baal, had said in no uncertain manner that this should 'on no account happen again'. It was said that the information officer had wrong-footed the Minister. In future such matters were to be

²⁶⁷³ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica') Part 2, Appendix 4, J.J.C. Voorhoeve, 1st interview, p. 12.

²⁶⁷⁴ Interview L.W.A. Hetebrij, 12/01/01.

²⁶⁷⁵ Interview M.A. Mulder, 06/10/1998. This element was absent in the official report that the investigators made of their activities.

²⁶⁷⁶ OM Arnhem, KMar Sebra-team, P 506.D8d/1998. Official Report of additional interview with witness F. Pennin, 24/11/98.

²⁶⁷⁷ Kreemers, *'Aan de achterkant van de maan'* ('On the other side of the moon'), Part 2, p. 27; Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, J.J.C. Voorhoeve, 1st interview, p. 12.

²⁶⁷⁸ Kreemers, *'Aan de achterkant van de maan'* ('On the other side of the moon'), Part 2, p. 29; OM Arnhem, KMar R 003/1996 JD, 'srebrenica Post M', 10/07/96. Included in: KMar Sebrateam, P. 506/1998, completed on 25/11/98.

handled through the Commander. Kreemers was also reproached for having caused unnecessary panic.²⁶⁷⁹ Later Van Baal declared to the NIOD that he ‘fully understood’ that Kreemers had gone directly to the Minister: “The relationship [of the Central Organization] with the Royal Netherlands Army was determined by the relationship between Voorhoeve and Couzy. So it was evident that the people at the Plein no longer wanted to have any dealings with the Royal Netherlands Army. There were good lines to the Minister and the Chief of Defence Staff, but not to the Royal Netherlands Army” At the time Van Baal had shown little understanding for this: ‘so I was annoyed with him [Kreemers] about that: “(...) Bert, I see you often. I fail to understand why you did not bring this phenomenon immediately to the Army so that we could have looked into it straightaway.” Well, he didn’t do that. And then the relationship takes on a whole new dimension that can never be put right.’²⁶⁸⁰ Shortly afterwards, colleagues advised the information officer to lie low for a while. He took parental leave.²⁶⁸¹

Two years later, in 1998, the OP-Mike affair flared up violently again. The efforts to lay Srebrenica to rest seemed doomed to fail, with new or reportedly new incidents constantly coming to light. Every year, around the anniversary of the fall of Srebrenica on 11 July, the publicity would swell into a crescendo. ‘The S is in the month again’, people would say within Defence.²⁶⁸²

One of the main Srebrenica news-chasers was the current affairs programme *Nova*, with reporter T. Huys playing a particularly prominent role. In the summer of 1995 the editors had singled out Srebrenica as a journalistic spearhead and since then the programme had regularly caused controversy.²⁶⁸³ By now a great many parties with diverse interests had become involved with the Srebrenica affair, so that Huys, but also the other journalists who had sank their teeth into the dossier, had a field day. The people involved found that selective disclosure of information to the media was an effective way of promoting their own interests or damaging those of others.

Nova, too, made clever use of this. In the evening of 12 August 1998, Huys sent a fax to Kreemers in which he invoked the WOB (Freedom of Information Act) to request the disclosure of ‘Report 003/1996 JD’, drawn up by the Royal Netherlands Marechaussee on 19 July 1996. The precise reference to this confidential document makes it clear that the reporter had been tipped off.

While preparing a reaction, Kreemers set eyes on the document for the first time. To his amazement, it appeared to confirm Hetebrij’s story about the part Mulder had played. On 13 August the Commander of the Royal Netherlands Marechaussee, Fabius, went to deliver the report from 1996 in person to Secretary-General D.J. Barth, who allowed Kreemers to see it. The document contained the relevant passages from Mulder’s debriefing statement. Fabius said that he had called the Chief Public Prosecutor in Arnhem, De Wit. The Public Prosecutions Department was taking over the case and the documents were already on their way to serve as a basis for a new criminal inquiry.²⁶⁸⁴ For this

²⁶⁷⁹ Kreemers, ‘*Aan de achterkant van de maan*’ (‘On the other side of the moon’), Part 2, p. 29

²⁶⁸⁰ Interview A.P.P.M. van Baal, 12/12/01.

²⁶⁸¹ Kreemers, ‘*Aan de achterkant van de maan*’ (‘On the other side of the moon’), Part 2, p. 27.

²⁶⁸² The investigators encountered this expression various times during informal contacts.

²⁶⁸³ Interview T. Huys, 08/07/00. See also the appendix of J. Wieten, ‘*srebrenica en de journalistiek*’ (‘srebrenica and journalism’), July 2001.

²⁶⁸⁴ The OM was to investigate whether any punishable acts had been committed. The decision to carry out the inquiry was taken by the Chief Public Prosecutor in Arnhem after new material became available. Since 13 August the OM had had a report of the Royal Netherlands Marechaussee from 1996 about OP-M. This had reached them after Defence had started to deal with the WOB (Freedom of Information) request from *Nova*. The OM would then also check the entire debriefing report again for any indications of alleged punishable acts. In e.g.: ‘Onderzoek OM naar Dutchbat’ (Public Prosecutor investigates Dutchbat); ‘Onvolledige weergave incidenten Srebrenica’ (‘Incomplete account of incidents in Srebrenica’), *NRC Handelsblad*, 14/08/98; ‘Toch onderzoek optreden Dutchbat’ (‘Dutchbat inquiry after all’), *Trouw*, 14/08/98; TK, session 1997-1998, 26 122, no. 1 (13/08/98). The Ministries of Defence and Justice together with the OM had incidentally announced in a press statement on Wednesday 12 August that, as in 1995, the recently received management report gave insufficient grounds for a criminal investigation. The reason for this statement was *Nova*’s claim that the management report had never reached the OM. The content had been made known to the OM in 1995 but the document had never been sent. The proviso was that this decision would be reviewed if the current inquiries revealed new facts. A day later this proved to

reason the request to access information under the WOB (Freedom of Information Act) was refused. Huys was furious when he heard this. In view of his personal involvement in 1996, Kreemers decided to stop acting as a spokesman in relation to this subject.²⁶⁸⁵

Still on 13 August dr. J.A. van Kemenade and his Chief of Staff D. Bijl were at the Ministry of Defence, where they were drawing up a press release about Van Kemenade's appointment as independent investigator. He was to ascertain how Defence had handled information in this connection (see Part IV, Chapter 8). This initiative was the consequence of all sorts of painful revelations, the main source of which was the *Nova* TV programme. De Grave was unwilling to inherit the blot that Srebrenica had left on his predecessor's image and had therefore decided to act immediately.

Elsewhere in the ministry, De Grave and Korthals (Justice) were at that moment meeting with their respective secretaries-general and several civil servants. De Grave repeated his instructions to review all dossiers on Srebrenica once again to find out whether there were any other matters that needed to be made public or handed over to the Public Prosecutions Department. The two ministers decided to write a letter about this as quickly as possible to Parliament.

This intention was thwarted by a telephone call from the NOS News. An anonymous source had come forward with a story that dozens of Muslims had been run over by a Dutch YPR at OP-Mike. The News was planning to give the story 'big' coverage and was inviting the Minister to respond in the programme. De Grave gratefully used this opportunity to announce that a criminal inquiry was to be carried out into the events at OP-Mike and that Van Kemenade would conduct an independent inquiry.

That same evening on 13 August 1998 the parliamentary parties expressed 'shock and sadness' at the NOS News report (which was based on a 'source within the defence organization that wished to remain anonymous') that a Dutch YPR had run over and killed twenty to thirty Muslims in July 1995. 'This is a blow to the Netherlands and to the Ministry of Defence,' said MP J. Hoekema of D66 (Democrats).²⁶⁸⁶ The great political nervousness created in The Hague by the steady stream of publicity about Srebrenica since July also had a visible effect on Prime Minister Kok. On returning from holiday a few days after the NOS News report, Kok stated, without having any other information, that he was 'dismayed' and that there could be 'no question of understanding' if the reports proved to be true.²⁶⁸⁷ He was later criticized for these overhasty and strong words.

The number of people that had been run over according to the NOS News (twenty to thirty) was the same number that Deputy Director of General Policy Matters L.F.F. Casteleijn had heard in 1996 from the mouth of Kreemers and had laid down in a memo.²⁶⁸⁸ The identity of the person who had leaked the information to the NOS News remained unclear, as did the motive. Huys claimed that the 'revelation' was designed to distract attention from his journalistic digging into this issue and other sensitive matters.²⁶⁸⁹ That is possible. Now Defence was one step ahead of him. Minister De Grave could demonstrate that he had immediately taken every step to get to the bottom of the matter and had thus avoided sustaining political damage at such an early stage in his career as a minister.

The media also raked up other incidents of people being run over, some of which had long been known. Amidst the commotion, the various stories were sometimes confused or mixed up. The inquiry in 1998 by the Sebra-team of the Royal Netherlands Marechaussee, which had been specially set

be the case. In e.g.: 'OM weigert onderzoek Srebrenica. Vervanger van De Ruiters gezocht.' (Public Prosecutor refuses Srebrenica inquiry. De Ruiters to be replaced.), *Het Parool*, 13/08/98; 'Justitie: geen onderzoek Dutchbatters' (Justice: no investigation of Dutchbat soldiers), *De Volkskrant*, 13/08/98; Kreemers, 'Aan de achterkant van de maan' ('On the other side of the moon'), Part 2, p. 22-31; Media Release of the District Court in Arnhem, (14/08/99).

²⁶⁸⁵ Kreemers, 'Aan de achterkant van de maan' ('On the other side of the moon'), Part 2, p. 29.

²⁶⁸⁶ 'Tweede Kamer geschokt over nieuwste feiten in zaak Srebrenica' (Parliament shocked by latest facts in Srebrenica case) *ANP*, 13/08/98, 21:23 CET.

²⁶⁸⁷ 'Kok onthutst door incident Dutchbat' ('Kok dismayed by Dutchbat incident'), *De Limburger*, 18/08/98.

²⁶⁸⁸ Interview H.P.M. Kreemers, 18/03/99.

²⁶⁸⁹ Interview T. Huys, 08/07/00.

up to investigate all Srebrenica-related matters that could lead to criminal prosecution, looked into these incidents as well as OP-Mike.²⁶⁹⁰

The findings of the Sebra-team concerning OP-Mike illustrated how two years previously Defence had become convinced that Hetebrij's story was inaccurate. It also became clear from the official reports how Defence had arrived at that conclusion. Due to the description of the activities of Van der Wind and his colleagues in 1996, the inquiry unintentionally cast light on the way in which intelligence was gathered in times of political emergency. This also made it clear that the conclusion drawn in that year was essentially the same as the conclusion of the compilers of the debriefing report: Mulder's story was 'hardly' corroborated by 'supporting statements'. Nor was this outcome particularly strange. After all, both in Assen in 1995 and in 1996 General Van der Wind had been involved in the inquiry and in both cases the conclusions had been exclusively based on material from the debriefing statement; no new facts had become available. In the course of the inquiry of the Royal Netherlands Marechaussee in 1998, the truth did come to light: during his interview one of the other crew members admitted having seen the YPR run over people, although in his opinion only over a small number of people. Because of the severe psychic problems that this event had caused and a number of other distressing incidents, he had kept silent about this matter all these years. He told the inquiry team that he was relieved to have told the story now. The same applied to his colleagues who made additional statements.

The Public Prosecutor decided not to prosecute the driver of the YPR, the former sergeant Mulder. Wilful intent and guilt could not be proven. In view of the critical situation – the YPR was under fire; there was great panic – the crew had taken the right decision in driving off; they had done what was to be expected to avoid casualties. There had been no violation of criminal law.²⁶⁹¹ To him and his five colleagues, the verdict that their decision had been understandable formally drew a line under a deeply distressing event. OP-Mike was a traumatic event for all Dutch parties involved and an example of the impossible dilemmas that some Dutchbat soldiers had faced. Shortly after the NOS News programme one of the former crew members of OP-Mike spoke anonymously in the press:

'shit, (...) I want to forget it all. It was all a shambles. You have no idea what we went through. Every day we were exposed to the madness of war. And now the press coolly isolates each incident and magnifies it out of proportion. Man, when you are fleeing under mortar fire [sic] you don't stop to wonder what's going on around you. You just think: how can I survive this hell? Will I ever make it back home?'²⁶⁹²

Apart from these indirect victims, there were also the refugees who had been run over and shot at. It never became clear how many there were. The media outcry in the Netherlands about the OP-Mike incident also alarmed the Bosnian press. Some media and interest groups responded with outright hostility to what they considered to be yet another instance of the anti-Muslim attitude among the Dutch military. They certainly fanned the flames. But there were also journalists who undertook serious investigative work. One of them was the former UNMO interpreter Emir Suljagic, who had come out of the enclave together with Dutchbat. He later became a journalist for the independent weekly *Dani*. In the summer of 1998 Suljagic also went after the story of refugees being run over, but found no confirmation.²⁶⁹³ A colleague of the daily newspaper *Dnevni Avaz* managed to trace a few people who

²⁶⁹⁰ For more details about this, see Part IV, Chapter 4.

²⁶⁹¹ Media Release Arnhem District Court, 24 March 1999. To reach a conviction, evidence was required of the consequence of the incident (injuries or deaths *as a consequence of*). Even if victims were identified, prosecution would have been inappropriate as the soldiers' actions had not constituted a deliberate attempt to kill or injure refugees.

²⁶⁹² P. Bolwerk, 'Over moslims gereden? Niets van gemerkt' ('Run over Muslims? Never noticed a thing?'), *De Limburger*, 15/07/98.

²⁶⁹³ Interview Emir Suljagić, 12/03/99.

were among the refugees walking with the YPR. They heard the story for the first time and were surprised. Nobody had seen anything. They did not rule out the possibility that such an incident had occurred. The paper headlined the article: 'In that hell everything was possible'.²⁶⁹⁴

9. About Van Kemenade

The media, with the politicians in their wake, would not let go of 'srebrenica' after the concluding parliamentary debate in December 1995. Every year the fall of the enclave received broad coverage around 11 July. Existing reports issued by Defence, such as the debriefing report, had not yet given satisfactory answers to the events surrounding the fall of the enclave. The subjects that made the news were virtually identical, but each time the accents were different. What's more, the object of the exercise was not just to find out exactly what had happened and who was responsible. Many assumed, or even became convinced, that the defence organization had willingly and knowingly swept unpleasant matters under the carpet to prevent putting the Ministry of Defence and the Royal Netherlands Army in a bad light. The Netherlands, so it was claimed, had covered up information on Srebrenica. In the summer of 1998 the lowest ebb in this affair was reached: the integrity of the Defence organization, and thus of the ministry, was explicitly called into doubt.

The brand new Minister of Defence, F.H.G. de Grave, promised improvements and announced that everything would be done to get everything out in the open. One of his actions was to initiate an inquiry into the collection and dissemination of information concerning the fall of the enclave.²⁶⁹⁵ The Royal Commissioner of the Province of North Holland, J.A. van Kemenade, agreed to carry out this task. The appointment of this political heavyweight was a clear indication that the government was taking the criticism seriously and that concrete action was being undertaken to bring the ongoing discussion about Srebrenica to a close.

Van Kemenade concluded that there had been no question of a cover-up in the sense of a deliberate obstruction of truth-finding efforts. He did immediately add that since July 1995 the flow of information on Srebrenica had often been muddled, sparse, haphazard, late and amateurish. Defence had also reacted rather forced to incidents.²⁶⁹⁶ De Grave heaved a sigh of relief²⁶⁹⁷. This was understandable considering there was so much at stake. In his own words: 'I could not have continued in the job if there was any suggestion that Defence was

²⁶⁹⁴ 'In that hell everything was possible', *Dnevni Avaz*, 16/08/98. Translation in the daily press round-up of the US SFOR unit in Tuzla: *Tuzla Night Owl*, 17/08/98. During interviews of NIOD investigators in Bosnia after the summer of 1998, the general reaction was one of surprise and acceptance; these things happen in wartime.

²⁶⁹⁵ Several more measures followed that summer. On 13 August 1998 De Grave also announced that the OM would carry out a renewed inquiry into allegations that Dutchbat soldiers had run over Muslims (see elsewhere in this chapter). Then on 18 August 1998 the decision was taken that a parliamentary working group, later the Blaauw Committee, would investigate whether a parliamentary inquiry was necessary. The findings of Van Kemenade and the OM were awaited first. The Blaauw Committee then concluded that a parliamentary committee should investigate how the political decision-making on peacekeeping operations could be improved. This task was entrusted to the Bakker Committee which started its work on 24 March 1999. Mainly proponents of a parliamentary inquiry complained in the media about the long succession of (partial) inquiries into 'srebrenica' alongside the 'major' NIOD inquiry which, in view of the length of the project, could not yet answer any questions. In their eyes the political leadership was using all these inquiries as a means to avoid a parliamentary inquiry. In e.g. editorial, *NRC Handelsblad*, 14/08/98; J.A.A. van Doorn in *HP/De Tijd*, 21/08/98.

²⁶⁹⁶ Van Kemenade used these words at the press conference when the report was presented. In e.g. *Het Parool* and *NRC Handelsblad*, 29/09/98.

²⁶⁹⁷ The press made a big thing of De Grave's relief. The headline in *Het Parool* speaks volumes: 'De Grave haalt opgelucht adem. (De Grave heaves sigh of relief)', *Het Parool*, 29/09/98.

obstructing the truth-finding process'.²⁶⁹⁸ And: 'A minister can only do his job properly on the basis of full and correct information. Only then can he carry political responsibility'.²⁶⁹⁹

The inquiry had a calming effect; De Grave's position and that of the Ministry were no longer on the line. De Grave was praised for his incisive initiation of the inquiry and Van Kemenade for the speed with which he had reached a conclusion. Nevertheless critical noises were also heard. Van Kemenade, so it was said, had overhastily arrived at conclusions that were 'not too unfavourable' for the ministry.²⁷⁰⁰ In certain circles the decisiveness with which he presented his findings also fed, rather than removed, the feelings of mistrust.²⁷⁰¹ All this undermined the credibility of the inquiry. Doubts remained. The media frequently reproached Van Kemenade that he himself was part of the cover-up.

This reproach, in combination with the fact that the conclusions of the NIOD differ from those of the Van Kemenade report concerning the handling of certain matters (such as the debriefing, the Smith-Mladic agreement, the 'leaking' colonel, the 'Franken statement'; see elsewhere in this chapter), formed the reason for taking a closer look at Van Kemenade's inquiry in this report. How did he arrive at his conclusions and do they correspond with the sources at his disposal? Was his report motivated by the desire to close the book on Srebrenica? Why did the calls for answers continue after the inquiry?

Run-up to the inquiry

Early in August 1998 great unrest arose at the Ministry of Defence due to the persistent media attention for 'srebrenica'. The VPRO radio programme *Argos* and, inspired by this, *Nova* again made critical comments about the ruined roll of film. Parliamentary questions followed.²⁷⁰² From then onwards the subsequent *Nova* programmes 'impacted like meteorites on the Ministry of Defence', according to Defence spokesman Kreemers.²⁷⁰³ The question as to whether the 'missing' diary of a Dutch soldier who had served in Angola had been deliberately lost added fuel to the flames. The diary contained incriminating information and had disappeared without trace in mid-1997 after the completion of an inquiry into possible misconduct of Dutch troops on peacekeeping missions between 1992 and 1997.²⁷⁰⁴

On 11 August a crisis meeting took place at the office of the Secretary-General of Defence, D.J. Barth.²⁷⁰⁵ Something had to be done to end the persistent flow of rumours that was discrediting the

²⁶⁹⁸ Quoted in *Het Parool*, 29/09/98, 'De Grave haalt opgelucht adem.' ('De Grave heaves sigh of relief').

²⁶⁹⁹ 'Defensie werkte naar behoren mee' ('Defence cooperated satisfactorily'), *NRC Handelsblad*, 29/09/98; *Trouw* writes that De Grave would have been in big trouble if Van Kemenade had concluded that 'there had been any economising on the truth'. In: 'Geen Srebrenica-dooftpot gevonden' ('No Srebrenica cover-up found'), *Trouw*, 29/09/98.

²⁷⁰⁰ 'Twijfels na conclusies' ('Doubts after conclusions'), *Algemeen Dagblad*, 29/09/98.

²⁷⁰¹ Dick Berts, 'Van Kemenade tussen reputatie en dooftpot' ('Van Kemenade caught between reputation and cover-up'), *Trouw*, 30/9/98; interview J.H.M. de Winter, 20/07/00.

²⁷⁰² On 14 and 17 July and 11 August 1998 H. Hillen (CDA) posed written parliamentary questions about the ruined film. The questions in July came after the *Argos* programme on 10 July, those of 11 August after a broadcast of *Nova* on 8 August. Van Hillen together with M. Verhagen (CDA) posed a second series of questions on 11 August about both the ruined film and the Angola diary. <http://www.overheid.nl>

²⁷⁰³ Kreemers, 'Aan de achterkant van de maan' ('On the other side of the moon'), Part 2, p. 11. *Nova*, incidentally, was the only current affairs programme that continued its broadcasts during the summer recess in 1995. Apart from the News it had no competition to fear and could easily win a leading position. The editors often took their time to flesh out the various Srebrenica items; sometimes entire programmes were devoted to the subject. Interview T. Huys, 08/07/00.

²⁷⁰⁴ The second inquiry into the lost Angola diary is not discussed here. Van Kemenade adopted the conclusion of the IGK, Vice-Admiral J.L.A. van Aalst, that the disappearance of the diary had not resulted in the loss of the incriminating information. The relevant data could also be found in the statement of the owner of the diary. The IGK also concluded that when the inquiry was completed the diary 'had, with probability verging on certainty, been destroyed by mistake' together with material that was found to be irrelevant. Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 1 (report), p. 36.

²⁷⁰⁵ Apart from De Grave and the Junior Defence Minister, H.A.L. van Hoof, those present at the meeting were: PSG H. Hulshof, PBLA A.P.P.M van Baal, Commander KMar D.G.J. Fabius, Chief of Staff G. ter Kuile, F.J.J. Princen of DAB and H.P.M. Kreemers. Kreemers, 'Aan de achterkant van de maan' ('On the other side of the moon'), Part 2, p. 16.

integrity of the defence organization. Since the fall of Srebrenica, when the tragedy in Bosnia became a controversial affair in the Netherlands, the idea had grown among the civil service leadership that something had to be done to wipe the slate clean. Things had come to such a pass that the Minister and his staff were no longer able to do their job properly.²⁷⁰⁶ The unrest of ‘the summer of 98’ made action imperative; the political situation (a new minister on the scene) provided scope for this. Proposals along the lines of a lengthy letter with an explanation, as was Voorhoeve’s customary practice, or a parliamentary inquiry, were rejected by Barth and De Grave. The first method did not work and the second would lead to ‘an endless series of leaks and media clamour’, as the Minister put it.²⁷⁰⁷ De Grave decided to initiate an independent inquiry into the question as to whether defence personnel had impeded the truth-finding process in relation to Srebrenica. ‘such an inquiry is now necessary to cast light on the affair and clear Defence of all blame’, De Grave wrote on 18 August 1998 in a letter to Parliament.²⁷⁰⁸ If any ‘serious’ shortcomings on the part of defence officials were found, then these too must be disclosed and appropriate measures taken’. If no cover-up was discovered, trust had to be restored.

The search for a suitable leader of the inquiry first led to former Minister of Justice J. de Ruiter. He himself hesitated for health reasons; others questioned his suitability on account of his involvement as external advisor in the debriefing at Assen. The media also grumbled that this was not the right man. On 12 August De Ruiter solved the problem himself by not making himself available ‘for purely personal reasons’.²⁷⁰⁹ A talk with former Minister of Defence and former Vice-Chairman of the Council of State, W. Scholten, produced no results. De Grave then turned to Van Kemenade. The request was also made on behalf of the Prime Minister who made an ‘urgent appeal’ to the Commissioner.²⁷¹⁰ According to Van Kemenade this clinched the matter,²⁷¹¹ and on 13 August Defence announced his appointment as independent investigator. The media greeted this experienced public administrator with open arms.²⁷¹²

The first effect of De Grave’s decision was to silence the call for a parliamentary inquiry into the aftermath of Srebrenica which had been very loud in the summer of 1998. A parliamentary majority could no longer be found for this. The PvdA (Labour Party) which was initially in favour now decided to await the results of the Van Kemenade inquiry. Together with the VVD (Liberal Party), which had been opposed from the outset, the party blocked the proposal (the D66 Democrats and CDA Christian Democrats had wanted to go ahead with a parliamentary inquiry).²⁷¹³

²⁷⁰⁶ Interview H.H. Hulshof, 06/12/01.

²⁷⁰⁷ Kreemers, ‘*Aan de achterkant van de maan*’ (‘On the other side of the moon’), Part 2, pp. 16-18. He describes Srebrenica as a ‘virus that taints everything, bad and good’.

²⁷⁰⁸ BSG. D98002165, letter with memo from De Grave to the chairman and members of the ministerial council, ‘*Notitie ten beboene van de ministerraad over de nasleep van de val van Srebrenica*’ (‘Memo for ministerial council about the aftermath of the fall of Srebrenica’), 18/08/98.

²⁷⁰⁹ Kreemers, ‘*Aan de achterkant van de maan*’, (‘On the other side of the moon’), Part 2, pp. 23-31. In the media in e.g.: ‘Van Kemenade onderzoekt rol Defensie’ (‘Van Kemenade investigates role played by Defence’), *NRC Handelsblad*, 14/08/98.

²⁷¹⁰ Interview J.A. van Kemenade, 09/07/01; see also: Kreemers, ‘*Aan de achterkant van de maan*’ (‘On the other side of the moon’), Part 2, pp. 23-31.

²⁷¹¹ Interview J.A. van Kemenade, 09/07/01. Van Kemenade did want to seek prior contact with the Director of the NIOD, J.C.H. Blom, in order not to get in the way of his inquiry. He also stipulated that the report would be made public and that he would receive all necessary support.

²⁷¹² ‘Van Kemenade geknipt voor onderzoek naar Dutchbat’ (‘Van Kemenade cut out for Dutchbat inquiry’) *De Volkskrant*, 15/08/98; ‘Veteraan Van Kemenade draait zijn hand niet om voor een commissie’ (‘Committee work a piece of cake for veteran Van Kemenade’), *Trouw*, 14/08/98; ‘Van Kemenade echt een buitenstaander’ (‘Van Kemenade is a real outsider’), *Algemeen Dagblad*, 14/08/98. *NRC Handelsblad* wrote on 14/08/98 that Minister De Grave hoped that Van Kemenade’s findings will “have sufficient authority to satisfy” the critics of Defence reports “to some extent”.

²⁷¹³ In e.g.: ‘Toch onderzoek optreden Dutchbat’ (‘Dutchbat inquiry after all’), *Trouw*, 14/08/98; ‘Kamer stuurt aan op enquête Srebrenica’ (‘Parliament sets sights on Srebrenica inquiry’), *De Volkskrant*, 15/08/98.

Nature and set-up of the inquiry

The exact wording of the assignment that Minister De Grave gave Van Kemenade was: ‘to establish whether there are any indications that personnel of the Ministry of Defence and/or the defence organizations withheld or carelessly handled any facts or statements relating to the events surrounding the fall of Srebrenica or obstructed or restricted the truth-finding process in any manner.’²⁷¹⁴

There was therefore no intention to make an analysis of the events in Srebrenica before, during and after the fall. That task, after all, had been assigned to the NIOD. Van Kemenade incidentally also had a say in the formulation of his assignment. He deliberately sought to draw a clear dividing line between his inquiry and the NIOD inquiry so as not to get in the way of the latter’s work.²⁷¹⁵

In his written instructions De Grave imposed no restriction whatsoever on the *manner* in which the inquiry was to be carried out. As for the timescale, the Minister asked Van Kemenade to hand over his recommendations ‘as soon as possible but not earlier than permitted by the required investigative rigour’.²⁷¹⁶ The report would then be sent without delay to Parliament, as well as to the Public Prosecutions Department, so that the latter could decide for themselves whether criminal proceedings needed to be initiated.²⁷¹⁷ In view of the time pressures, Van Kemenade decided to carry out the inquiry alone, i.e. not within the context of a committee. He did receive the support he required from the civil service.²⁷¹⁸

On 28 September 1998, six weeks after he had accepted the assignment, Van Kemenade presented the 55-page report entitled *Omtrent Srebrenica. Rapport over de verzameling en verwerking van informatie door de defensieorganisatie over gebeurtenissen rond de val van de enclave Srebrenica* (‘About Srebrenica. Report on the gathering and handling of information by the defence organization on events surrounding the fall of the Srebrenica enclave’)²⁷¹⁹. A bulky appendix with the reports of all the interviews held and several documents was included. The report contained a reconstruction in broad outline of the events from the preliminary debriefing in Zagreb on 21 to 23 July 1995 up to and including a number of controversial issues that kept cropping up (in the media). Then the rapporteur summed up his findings, followed by a number of recommendations.

In the introduction Van Kemenade explained his method. He pointed to the importance of the context in assessing the information gathering, handling and dissemination process. He added that the main significance of his inquiry lay in the possible lessons for the future and ‘not so much’ in any justification or condemnation of those involved. He also emphasized that the inquiry and the report had no scientific pretensions.

The inquiry was based on archive material and interviews with 35 persons involved, the rapporteur continued. In this connection, he had received full cooperation and all information that he

²⁷¹⁴ DJZ. C95/277 98002094, letter from De Grave to Van Kemenade, 17/08/98, in which the assignment was confirmed; TK, Parliamentary session 1997-1998, 26 122, no. 1 (13/08/98).

²⁷¹⁵ Interview J.A. van Kemenade, 09/07/01. In his introduction to the interviews, Van Kemenade stressed this demarcation between the two inquiries to those interviewed in the course of the inquiry.

²⁷¹⁶ BSG. D98002165, letter with memo from De Grave to the chairman and members of the ministerial council, ‘Memo for the ministerial council about the aftermath of the fall of Srebrenica’, 18/08/98. The minister’s memo stressed the pressing nature of Van Kemenade’s inquiry in more urgent terms than the ‘letter of engagement’. In the memo De Grave asked for clarity “in the short term”.

²⁷¹⁷ The OM undertook no steps following the Van Kemenade report; as noted, a judicial inquiry into whether Muslims had been run over was already under way during ‘Van Kemenade’.

²⁷¹⁸ The support from the civil service consisted of: L.F.M. Verhey, W.J.G. Oosterveen, J. Rademaker (staff members of the Ministry of Justice), D. Bijl (Chief of Staff of Van Kemenade), J. Bos and Ms C. van Wijk of the CAOP (Centre of Labour Relations). Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 1, p. 4; interview J.A. van Kemenade, 09/07/01.

²⁷¹⁹ The presentation of the report took place at the CAOP because Nieuwspoor was already fully booked. The copies of the report were made available an hour before the press conference started.

had deemed necessary from the Ministry of Defence, personnel of various parts of the armed forces and the Public Prosecutions Department.²⁷²⁰

In view of the confidentiality of the debriefing interviews from 1995, the rapporteur was not given access to the individual interview reports. Therefore, in order to obtain relevant first-hand information, he asked De Grave to send letters to the Dutchbat soldiers involved, the members of the debriefing and analysis teams of the debriefing in Assen, and all persons in the defence organization, requesting them to get in touch with Van Kemenade if they had any further statements to make in relation to the information gathering, handling and dissemination process. Responses were received from 28 people. Their information, in many cases obtained by telephone, provided a lot of insight into the events and circumstances in the enclave and the subsequent information gathering, handling and dissemination process. The truthfulness of these statements was not verified however, nor was anyone given an opportunity to make a counter-statement. The statements were added to the report anonymously and summarized as an appendix. Subject to the approval of those involved, this information (including name and contact address) was handed over to the NIOD. The other information was destroyed.

Findings

The general conclusion of the report was that it 'has not been found that the truth-finding process was deliberately impeded, obstructed or restricted by persons in the defence organization'.²⁷²¹ However, the rapporteur did establish 'that the information gathering, handling and dissemination process was marred by remarkable shortcomings and acts of carelessness in relation to certain points'. He particularly reproached 'Defence' and the Public Prosecutions Department (at Arnhem) for having failed on several occasions to give sufficient attention to reports of possible misconduct by some Dutch soldiers.

Next Van Kemenade went into a number of matters that had had a negative influence on the information gathering, handling and dissemination process. He describes, for instance, the time pressures under which this process had taken place in 1995 (the debriefing) and the shifting focus of attention over the years which had meant that certain aspects were not given due weight. He also stressed the changes that had occurred in the field of defence after the end of the Cold War in 1989 (and the ensuing reorganization). As a result, Defence found itself more emphatically in the spotlights of publicity and public opinion. But the organization was insufficiently familiar with or prepared for this and had taken insufficient account of the consequences – both internally and in its relations with the outside world. Outsiders were too quick to read cover-up scenarios into this 'incompetence', so the investigator asserted.

More specifically, the poor mutual relations between the various parts of the defence apparatus had adversely affected the information gathering, handling and dissemination process. Van Kemenade spoke of 'poor lines of communication and difficult relations' between the Central Organization of Defence and the Royal Netherlands Army, as a result of which the Minister 'did not consistently receive timely and sufficient information'. This had negatively influenced the image presented to the outside world.

The role of the media was also touched on. Despite their share in the truth-finding process, they had contributed to the creation of the (incorrect) impression that Defence had systematically and deliberately withheld facts and that soldiers in Srebrenica had been guilty of misconduct. The reason for

²⁷²⁰ In this connection Van Kemenade had been able to make use of the collection of copies that Defence had kept of the documents that the NIOD had requested for its inquiry. The rapporteur thus received relatively rapid access to a large number of documents.

²⁷²¹ Unless otherwise indicated, the quotes from the Findings section are from the chapter with the same title in Van Kemenade's report, *Omtrent Srebrenica* ('About Srebrenica'), Part 1, pp. 37-51.

this was that ‘in some cases’ incidents and situations had been presented as new facts or had not been shown in their full context.

The inquiry also highlighted the influence of the press on the political arena. Parliament had been frequently informed and MPs had also regularly requested information on their own initiative. Nevertheless on many occasions they had noticeably allowed themselves to be led by the publicity. The ‘confusing and fragmented’ flow of information caused by this made it difficult to form a complete picture of the events in and around Srebrenica. Public statements made by Dutchbat soldiers had also influenced the course things had taken after the fall. Military personnel had regularly spoken to the media out of discontent over the lack of recognition received during the debriefing, in the media and from politicians. The rapporteur therefore advocated greater understanding for Dutchbat soldiers in general, regardless of the question as to whether everyone had conducted themselves properly.

Van Kemenade was extremely critical of the stance taken by the Public Prosecutions Department, which he rebuked for showing no thorough or systematic involvement in the information gathering, handling and dissemination process. It was true that the supply of information from ‘Defence’ (i.e. the Royal Netherlands Marechaussee) to the Public Prosecutions Department had been limited and no follow-up steps for criminal proceedings had been arranged. But the Public Prosecutions Department had also been too passive. It had not taken sufficient initiatives to obtain and process information on possible punishable acts by Dutch soldiers in a timely and adequate manner.²⁷²² One of the reasons was the initial fixation on testimonies of war crimes allegedly committed by the belligerents themselves.²⁷²³

The Public Prosecutions Department argued that its restraint was deliberate. Van Kemenade found it understandable ‘up to a certain point’ that they had not wanted to trouble the soldiers who had just returned with inquiries of this nature. Even so, this had been an ‘unfortunate and unwise’ course to adopt given the Department’s duty to ensure a sound judicial procedure. Considering that signals of possible misconduct had already been heard shortly before the debriefing, heightened alertness to relevant types of behaviour during the debriefing would have been appropriate.

Van Kemenade had noted a similar attitude of restraint on the part of the Public Prosecutions Department in the first months of 1995, i.e. also before the fall of the enclave. The preliminary judicial inquiry into, for instance, the Esbit tablets affair (which incidentally occurred in the Dutchbat II period; see Part II, Chapter 9) had only been started in May 1995, even though the Royal Netherlands Marechaussee had information about this matter months earlier.²⁷²⁴ According to the rapporteur it was ‘hard to understand that no judicial inquiry of any kind was initiated’ after the Ministry of Defence received new reports of possible misconduct on 1 May 1995. The Minister had informed Parliament in a general sense about these reports and inquiries in May and June. But more specific information would have been desirable.

²⁷²² DJZ. 95000856, memo from PDJZ G.H. de Keizer to Voorhoeve, 29/08/95. She concluded that it was clear that Dutch soldiers were guilty of misconduct. This inquiry had been prompted by a report in the *Haagse Courant* of 12/08/95 about misconduct by Dutchbat soldiers in Lukavac (i.e. not in Srebrenica). Due to the limited scope of the inquiry, De Keizer had been unable to assess the scale of this misconduct. She believed that some of these instances of misconduct were in principle punishable and therefore concluded that the OM in Arnhem had evidently not been able to successfully prosecute the perpetrators. She emphasized, however, that it had not been made sufficiently clear that absence of criminal proceedings did not automatically entail that nothing improper had happened. Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 1, p. 24.

²⁷²³ In addition, time pressures also played a role according to Van Kemenade.

²⁷²⁴ This preliminary judicial inquiry had started on 9 May 1995 after Voorhoeve, who had only been informed of this at the end of April, had initiated an internal inquiry on 1 May and reports had appeared in the media. The OM had already been informed in February of the aforementioned Royal Netherlands Marechaussee inquiry (20/01/95), but saw no grounds for criminal proceedings. Van Kemenade summed up a number of inquiries into possible misconduct and noted that these did not always concern the same reports of possible misconduct. On the basis of the internal inquiry mentioned, PBLs Van Baal advised the minister on 12 May not to submit a request for the initiation of a judicial inquiry. Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 1, pp. 22-23 and 41; Bstas 519. 95/012, letter from Van Baal to Voorhoeve, 12/05/95.

Omtrent Srebrenica ('About Srebrenica') then singled out a number of issues which had attracted a lot of media interest. Van Kemenade concluded for instance that the development of the roll of film had 'simply been bungled on account of an unfortunate concurrence of circumstances'.²⁷²⁵ A report to the effect that Defence may have had a hand in the loss of other rolls of film had not been corroborated. A further point he made was that the information from the management report that was not related to war crimes perpetrated by the belligerents had 'not been adequately forwarded to the relevant parties'. Moreover, the inquiry into what came to be known as the YPR incident had taken place 'overhastily for reasons of political urgency'.²⁷²⁶ A more thorough inquiry would have been wiser to bring all the facts out into the open.

Another subject that attracted severe criticism from the rapporteur was the major debriefing operation in Assen. The criticism concerned both the set-up and implementation as well as its presentation in the accompanying report (see for a full description of the debriefing operation, Part IV, Chapter 7). The shortcomings of the debriefing report were attributed to the high level of abstraction with which the individual interview reports were drawn up. In addition, the elaboration of certain concrete aspects had been 'insufficiently explicit', such as the running over of refugees, the separation of men and women and the 'medical issues'. As a consequence, in some cases the debriefing report portrayed events in an 'incomplete or overly favourable' light. The exchange of information with the Yugoslavia tribunal was up to standard in so far as crimes of belligerent parties were concerned.

The follow-up to the debriefing was also flawed. Further inquiry into alleged punishable acts would have been desirable immediately after the publication of the debriefing report. 'Neither Defence, nor the Public Prosecutions Department took sufficient initiatives in this connection'. In that light Parliament in its capacity as controlling body was also rapped over the knuckles. After a lengthy debate in December 1995, the debriefing report had received broadly-based support from Parliament. But the shortcomings that Van Kemenade criticized had largely escaped their notice. Particularly the (poor) lines of communication between the debriefing organization and the Public Prosecutions Department had been completely overlooked.

Working method and points of criticism

Van Kemenade's report was thorough, informative and critical of certain aspects of the truth-finding process within the defence organization, particularly the way in which the debriefing was organized and the role played by the Public Prosecutions Department in Arnhem.²⁷²⁷ However, the interview reports in the appendix give the reader the impression that the entire information gathering, handling and dissemination process surrounding Srebrenica, the organization of this process and the time and places where it went wrong were much more widely ramified and complex than suggested in the Van Kemenade report.

As noted, Van Kemenade took six weeks to conduct his inquiry and write his report. In that short space of time he did a lot of work and gathered a large amount of information. The rapporteur, by his own admission, had been acutely aware of the time pressures. The crisis atmosphere at the ministry had to be dispelled as soon as possible. In his opinion the inquiry could be rounded off as

²⁷²⁵ At the press conference Van Kemenade said resolutely: 'Please. Forget about the roll of film'. And: 'We must accept it. However improbable it may seem, the development of the film was simply bungled'. In e.g.: 'De Grave haalt opgelucht adem' ('De Grave heaves sigh of relief'), *Het Parool*, 29/09/98; "'Hoe onwaarschijnlijk ook, het rolletje is gewoon mislukt'" ('However improbable, the development of the film was simply bungled'), *De Volkskrant*, 29/09/98. He wrote in his report that his opinion about the roll of film was based on the 'available information'.

²⁷²⁶ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 1, pp. 19-21 and 50-51.

²⁷²⁷ Questions about the debriefing focused on the structure and aims. The interviewees were also consistently asked about their involvement in such incidents as: the roll of film, the management report and the YPR incident, the relationship between the CO and the Army at meta level and 'lessons learned'.

soon as he and his staff ‘could make a statement to the Minister in a responsible manner’.²⁷²⁸ Evidently that moment arrived after six weeks.

Alongside admiration for the speed with which Van Kemenade completed his report, it is legitimate to wonder about the consequences of this hasty approach. It is reported that as the inquiry progressed the need arose for a more thorough exploration of certain matters. The option of postponement was even mooted, but Van Kemenade would not hear of it. However, a significant qualifying remark was added to the principal conclusion (i.e. that there were remarkable shortcomings and acts of carelessness in the information gathering, handling and dissemination process).²⁷²⁹

Time constraints will certainly have influenced the choice of interviewees. Though Van Kemenade spoke to many people involved, a number of pivotal figures were absent. These included the leader of the debriefing in Zagreb, Brigadier General G. Bastiaans, the ‘photo developer’ H.W.J. van Boetzelaer, Prime Minister Kok, Brigadier General W.F. Vader, Naval Captain H.G.J. Hegge and/or First Lieutenant L.C. van Duijn. Initially Colonel C.L. Brantz and Colonel Doctor G.D. Kremer were also not on the list, but they approached Van Kemenade on their own initiative.²⁷³⁰ Major R.A. Franken, who had not been called up either, did not come forward voluntarily because he was unwilling to cooperate with a ‘political inquiry’.²⁷³¹ Van Kemenade justified the omissions on the grounds of the limited scope of his inquiry (in relation to Hegge/Van Duijn) or the availability of material from earlier inquiries which in his view precluded the need for renewed interviews with the persons in question (in the case of Van Boetzelaer and Vader).²⁷³² It is unclear to what extent Van Kemenade’s opinion was decisive in selecting the people who were heard.

Van Kemenade largely held the interviews with the 35 people heard, with occasional assistance from his staff. All the interviewees had the opportunity to make confidential statements that would be processed anonymously. The reports of the interviews were incorporated in full in Van Kemenade’s reports, but the interviewees were given a chance to read them through and make changes or further confidential comments if they so desired. Only limited use was made of these options according to Van Kemenade.²⁷³³ It is no longer possible to find out exactly where and how such changes or further comments were made, as all this material was destroyed before the report was presented.

The rapporteur opened each interview with the standard remark: ‘I do not want to know any confidential information that I am absolutely unable to use’.²⁷³⁴ It was also impossible to establish whether Van Kemenade missed any information because of this. He himself was not under this impression; the interviewees all spoke fairly extensively in his opinion. However, the question remains whether such a restriction has consequences for an inquiry into a truth-finding process. It may have inhibited the interviewees from speaking freely. Chief of Staff of the Commander in Chief of the Royal Netherlands Army, Colonel J.M.J. Bosch, questioned the value of the inquiry in the light of that initial remark: ‘From that moment on you can almost throw the report in the wastepaper basket’.²⁷³⁵ As the interviews progressed and Van Kemenade acquired more knowledge of the affair, he visibly got into his stride and manifested himself as a critical interviewer. In at least three follow-up interviews

²⁷²⁸ Interview J.A. van Kemenade, 09/07/01.

²⁷²⁹ Confidential interviews (89) and (93). It was also said that a working visit to China was a further incentive for Van Kemenade to round off the inquiry as soon as possible.

²⁷³⁰ Confidential interview (89).

²⁷³¹ Interview R.A. Franken, 14/09/98.

²⁷³² Interview J.A. van Kemenade, 09/07/01.

²⁷³³ Interview J.A. van Kemenade, 09/07/01.

²⁷³⁴ Interview J.A. van Kemenade, 09/07/01. He then repeated that he had made the remark because he could do nothing with such information: ‘Then I’m stuck with it’.

²⁷³⁵ Interview J.M.J. Bosch, 10/05/99. Bosch wondered how much confidential material Van Kemenade had received on paper and how much had been destroyed. He regretted the fact that Parliament had not asked the rapporteur this. He himself was one of the persons who had been approached in writing on account of the talk with Couzy. Bosch was given the choice: if he wanted his information to remain confidential, it would be destroyed. Otherwise it would be incorporated in an appendix.

(with Voorhoeve, the Public Prosecutor at Arnhem A.P. Besier and debriefing leader Brigadier General O. van der Wind) the interviewees faced tougher questioning from him. Mostly this concerned the verification of statements made by others. Even so, the rapporteur regularly failed to persist where information clearly required further explanation. The lack of systematic and probing questioning left statements hanging in the air. He did not always seize opportunities to ask for more detail. Director of the Directorate of General Policy Matters, J.H.M. de Winter, for instance, once mentioned two examples of matters that in his view had been ‘deliberately omitted’ from the debriefing report, namely the leadership of Dutchbat and the medical affairs. When he added: ‘And I could mention a few others’, Van Kemenade let the matter rest.²⁷³⁶ In his report Van Kemenade also repeatedly passed over differences in opinion that could be heard in the reports and disregarded the complexity of causes and consequences. When asked about this by the NIOD, he pointed to the written questions that had been put to almost half of those heard after the oral interviews in order to fill this gap.²⁷³⁷ Though many subjects were touched upon in these questions, they were not thoroughly investigated.

What were the principal issues that Van Kemenade focused on? In his inquiry the rapporteur concentrated mainly on issues that were attracting a lot of media attention. Interestingly, a memo about Van Kemenade’s inquiry from De Grave dated 18 August 1998 to the chairman and the members of the Ministerial Council reconstructs the incidents that had proved particularly media-sensitive since the fall: the roll of film, the management report and the YPR incident.²⁷³⁸ In addition, it discussed the arrangements that the debriefing team had (not) made with the Public Prosecutions Department.

The choice of subjects in this memo corresponded largely with those in the subsequent *Omtrent Srebrenica* (‘About Srebrenica’) report. Kemenade had seen the memo: he received it at his own request when the inquiry was still in progress.²⁷³⁹ It is striking that Van Kemenade’s report hardly ventures outside the contours of the focal issues identified in the memo. In other words: the inquiry was confined to a fairly ‘narrow’ scope. Many subjects remained untouched despite their relevance to the information-gathering process.

The most striking subjects hardly paid attention to from Van Kemenade’s report were: the problems with and within the battalion leadership and the functioning of the Ministry of Defence’s internal information gathering, handling and dissemination system. Van Kemenade recognized in his report that the debriefing report should have devoted more attention to the battalion leadership. But he failed to explain why that had not happened. The functioning of the Ministry’s Directorates of Information, General Policy Matters²⁷⁴⁰ and Legal Affairs²⁷⁴¹ was also left out of the picture. Moreover, the tensions between the Crisis Staff of the Royal Netherlands Army and the Defence Crisis

²⁷³⁶ Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 2, Appendix 4, J.H.M. de Winter, pp. 5-8.

²⁷³⁷ The answers to the written questions were, subject to permission, included in Appendix 5 to *Omtrent Srebrenica*.

²⁷³⁸ BSG. D98002165, letter with memo from De Grave to the chairman and members of the ministerial council, ‘Memo for the ministerial council about the aftermath of the fall of Srebrenica’, 18/08/98.

²⁷³⁹ BSG. D98002292, letter from Hulshof to Van Kemenade, 27/08/98.

²⁷⁴⁰ Informing DAB was not standard procedure, e.g. DAB was not informed of the management report. De Winter said it was a given that: ‘Certain matters were conducted between the minister and those directly involved’ and pointed in this connection to the minister’s ‘discretion’ which prevented him from telling DAB certain things. Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 2, Appendix 4, S.J.G. Reyn and L.F.F. Casteleijn; J.H.M. de Winter, p. 5.

²⁷⁴¹ DJZ. CST92/011 92001833, letter from SG of Defence M. Patijn to the BLS, 27/01/92. The letter contains a directive about information gathering, handling and dissemination in relation to punishable acts. DJZ had knowledge of the anonymized version of the KMar inquiry into observations relating to the roll of film (PV 13/95) with a presentation letter from Besier to J.J. Buirma of DJZ. This dossier also went to the ICTY. In order to protect the witnesses and not to jeopardize the handling of the matter by the ICTY, Besier prohibited publication of the content of the dossier. The content of the PV (official report) showed strong similarities with that of the management report. Director DJZ S.B. Ybema acknowledged to Van Kemenade that the contact between DJZ and the minister concerning the fall and during the aftermath of Srebrenica had shown severe shortcomings. DJZ. Besier/AK 6095-40095.95, ‘Mensenrechten/voormalig Joegoslavië’ (Human Rights/former Yugoslavia) 21/08/95; Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 2, Appendix 4, D.G.J. Fabius, p. 4; S.B. Ybema, p. 8.

Management Centre were not mentioned as such in the report, though this point was clearly raised in the interview reports.²⁷⁴²

'Communication flows' on a number of subjects that apparently fell outside the scope of Van Kemenade's inquiry were also relevant, but these too were not taken on board. For instance, the rapporteur failed to investigate whether the radical change (from positive to negative) in the press's opinion concerning Dutchbat's role had been partly due to the (poor) communication about and (incorrect) impression conveyed of the events in Srebrenica by the political and military leadership in The Hague. The same applied to the discussion as to whether a speaking ban had ever been imposed on the soldiers – this supposition fuelled suspicions of a cover-up among many people.

Furthermore, not all aspects that Van Kemenade did describe in his report received exhaustive treatment. Certain aspects relating to the debriefing operation and the accompanying report remained underexposed, despite being mentioned in the interview reports. For instance, he offered no opinion on the functioning of the reading and analysis teams; he confined himself to a description of their composition and tasks. The divergent working method of the 'green' team, however, had been mentioned in the reports. Van Kemenade also did nothing with comments claiming that third parties had interfered with the editing of the debriefing report.²⁷⁴³ In addition, his report focused on the YPR incident (where Muslims were run over by an armoured vehicle driving away from an OP; see elsewhere in this chapter). The interview reports, however, mentioned another, similar incident where refugees had fallen from overcrowded vehicles and been run over on the road between Potocari and Srebrenica. What is more, he asked not a single question about the first operational and psychological debriefing in Zagreb of the group of 55 and the KHO-5 (Army Hospital Organization) on 16 and 17 July 1995, though it was precisely there that many disconcerting noises and indications of incidents had been heard (see Part IV, Chapter 5). The criticism that Van Kemenade vented about the flawed judicial process was mainly levelled at the role played by the Public Prosecutions Department. The entire connection with the Defence organization was left out of consideration. It was, for instance, the obligation of the Royal Netherlands Marechaussee to inform the Public Prosecutions Department, as indeed was also indicated by the Deputy Commander of the Royal Netherlands Marechaussee K.C. Roos.²⁷⁴⁴

Unwillingness or incompetence?

One of the explanations for the poor lines of communication and the difficult relations between the Central Organization (CO) and the Royal Netherlands Army, according to Van Kemenade, was the incompetence with which Defence went about its new tasks. But Van Kemenade did not mention the fundamental cultural differences between the Royal Netherlands Army and the Central Organization at the level of information gathering, handling and dissemination. Nor did he mention the army leadership's distrust of political interference and the lack of political awareness within the Royal Netherlands Army.

In the interviews however it was precisely these factors that were pinpointed as the causes of the disjointed communication. The tendency of the Royal Netherlands Army not to wash their dirty

²⁷⁴² See e.g. Voorhoeve's remark about the Sitsen of the Army that there had been an indication in the reports of the KL, and particularly of the Sitsen to the DCBC, that the consequences of the fall of the enclave had initially been seriously underestimated. This was due to the slow information gathering, handling and dissemination process and the trivialization of the events to 'really nothing special'. Excessive trivialization of these events was particularly noticeable among officers who had served for a longer period in Bosnia. Van Kemenade, *Omtrent Srebrenica*, ('About Srebrenica'), Part 2, Appendix 4, J.J.C. Voorhoeve, 2nd interview, p. 3.

²⁷⁴³ Brantz (to Van Kemenade) and De Winter (to the NIOD) also referred to interference by J. de Ruyter (buffer stocks/medical affair). P.H. Rutten mentioned the possibility that the YPR incident had been omitted from the debriefing report with the approval of the OM. Interview J.H.M. de Winter, 20/07/00; Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, C.L. Brantz, p. 10; P.H. Rutten, p. 13.

²⁷⁴⁴ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, K.C. Roos, p. 13.

linen in public had impeded the information gathering, handling and dissemination process. Requested material was not released, not even if the Minister asked for it. Voorhoeve was striving for openness but was thwarted in this endeavour. Deputy Director of the Directorate of General Policy Matters L.F.F. Casteleijn spoke in this connection of the ‘tunnel thinking’ and ‘isolation’ of the Royal Netherlands Army. He did not call their attitude insincere but was surprised to note that the Army people would sometimes say that ‘they did not see the point or necessity of reporting certain things to the Plein’.²⁷⁴⁵ Voorhoeve’s heartfelt cry about the differences in judging situations that existed between the Central Organization and that of the Royal Netherlands Army is telling: ‘It is staggering to note this and, at the same time, when you transport yourself back to that period and the psychology of the time, you can only conclude: yes, that’s how things go in such situations’.²⁷⁴⁶ As an example he mentioned the fact that the Deputy Commander in Chief of the Royal Netherlands Army, A.P.P.M. van Baal, had received Franken’s statement of 17 July about the deportation of the population but had laid it aside. It was only after persistent queries from the Directorate of Legal Affairs that the document surfaced one and a half weeks later.

Other glaring examples of ‘miscommunication’ between the Central Organization and the Royal Netherlands Army are the aftermath issues surrounding the Smith-Mladic agreement and the ‘bunker leak’ (see elsewhere in this chapter). Van Kemenade had been told of a concrete case where a deliberate attempt was made to obstruct the truth-finding process in relation to the Smith-Mladic agreement. But he was unable to obtain confirmation that Nicolai had been forced to refrain from making a statement that the documents in question were no longer classified. This conclusion appears to be a simplification. The readings of those involved (Van Baal, H.G.B. van den Breemen, H.A. Couzy and C.H. Nicolai) were by no means unequivocal. Nicolai, for instance, had to make an effort to recollect the advice from Van den Breemen to ‘exercise restraint’ in providing information to the press in view of the debriefing inquiry.²⁷⁴⁷ He said that he had never felt pressurized. As for statements that Couzy himself had tried to stop or impede the inquiry of the Royal Netherlands Marechaussee after the identity of the leaking colonel was known, Van Kemenade simply let them lie.²⁷⁴⁸

Inveterate habits obviously cannot be changed overnight, but the Royal Netherlands Army had shown little flexibility when it came to improving the communication flows. It was found that new procedures were rarely implemented in practice.²⁷⁴⁹ A genuine cultural change was thus difficult to realize.²⁷⁵⁰ This applied, for instance, to Defence’s continuous interference with the inquiries of the Royal Netherlands Marechaussee that was noted in the reports. But since the reorganization of 1990/1991 only the Public Prosecutor was empowered to start up an inquiry, and not Defence.²⁷⁵¹ Referring to this subject in his recommendations, the rapporteur merely expressed the general desirability of further reflection on the consequences of the investigative authority of the Royal Netherlands Marechaussee vis-à-vis the Public Prosecutions Department, on the one hand, and vis-à-

²⁷⁴⁵ Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 2, Appendix 4, L.F.F. Casteleijn, p. 6.

²⁷⁴⁶ Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 2, Appendix 4, J.J.C. Voorhoeve, 2nd interview, p. 13.

²⁷⁴⁷ Van Kemenade, *Omtrent Srebrenica*, (‘About Srebrenica’), Part 2, Appendix 4, C.H. Nicolai. Appendix: ‘Further information on interview with genm. C.H. Nicolai dated Fri. 4 Sep 1998’, 09/09/98.

²⁷⁴⁸ Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 2, Appendix 4, A.P.P.M. van Baal, H.G.B. van den Breemen and H.P.M. Kreemers.

²⁷⁴⁹ DJZ. CST92/011 92001833, letter from the SG of Defence to the BLS, 27/01/92, in which the Royal Netherlands Army was requested to report matters that were politically and media sensitive to the DJZ, who would then inform the minister. Van Kemenade made a reference to this letter in his Recommendations, where he raised the question whether the recommendation of the SG possibly required any modification. Van Kemenade, *Omtrent Srebrenica*, (‘About Srebrenica’), Part 1, p. 54.

²⁷⁵⁰ See e.g. Warlicht to Van Kemenade. He said that opinions differed within the army regarding the approach to a future debriefing; openness as soon as possible versus ‘dampening things a little’. The calls for the former approach were growing louder according to him. Van Kemenade, *Omtrent Srebrenica*, (‘About Srebrenica’), Part 2, Appendix 4, E.E. Warlicht, p. 7.

²⁷⁵¹ In e.g.: Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 2, Appendix 4, P.H. Rutten, p. 18.

vis the political leadership, the different parts of the army and the Military Intelligence Service, on the other.²⁷⁵²

The description of the function and tasks of the Military Intelligence Service in the information gathering, handling and dissemination process was insufficiently clear, so Van Kemenade observed. That was all he had to say about the Military Intelligence Service's involvement in 'srebrenica'. Among the things he disregarded was the inquiry conducted in 1996 by the Military Security Department of the Military Intelligence Service/Royal Netherlands Army into extreme right-wing behaviour. This inquiry came to light in the summer of 1999 and caused a lot of commotion because the Military Intelligence Service had reportedly failed to inform the Minister of it. De Grave saw the incident as a 'crucial error of judgement' and not as a cover-up.

The matter had far-reaching consequences for the then incumbent leadership of the Military Intelligence Service.²⁷⁵³ What set the ball rolling was the statement of an officer of the Royal Netherlands Marechaussee, G. Klomp, on 22 June in *Nova* about an unpublished secret Military Intelligence Service report containing indications of alleged punishable acts. The then Deputy Head of the Military Intelligence Service/Central Organization, R. Wielinga, denied the alleged involvement of the Military Intelligence Service to the Secretary-General. Klomp had got two things mixed up. These were, first of all, the activities of Major H. Stumpers who was a member of the Operational Actions LA team for the major debriefing in Assen and who was also personally collecting information for the Lessons Learned Bureau of the Royal Netherlands Army. Debriefing leader Van der Wind ordered the discontinuation of this activity as soon as he learnt of it (see Part IV, Chapter 7). Secondly, it concerned the separate debriefings of Dutchbat soldiers by the Military Intelligence Service/Royal Netherlands Army after the debriefing operation. Klomp had learned this information from hearsay. It was true that an inquiry had been conducted into alleged right-wing extremism about one and a half years after the fall of the enclave but, in contrast to what *Nova* had suggested, this had not produced hard-and-fast evidence of politically inspired right-wing extremism; racist and fascist forms of behaviour were confirmed.

After frank talks between De Grave and the incumbent leadership (which incidentally had only taken office in 1997), the latter decided to resign. The 'rotten apple' had thus been removed according to the Minister. The Military Intelligence Service felt hard done by and explained the course of events to De Grave in a letter of 20 July.²⁷⁵⁴ In his letter to Parliament the Minister had, among other things, failed to mention that alleged acts had been known to the political, civil service and military leadership as well as to Parliament. Moreover, at the time it was not customary practice to report 'unevaluated information or finalized matters pertaining to the commander' to the Secretary-General or the Minister.

Van Kemenade could have learned of the alleged acts. But he had exclusively asked the Military Intelligence Service for outgoing information reports. Consequently he had not received the internal document about alleged right-wing extremism. Nor had the rapporteur been informed of such a

²⁷⁵² Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica') Part 1, p. 54.

²⁷⁵³ Klomp's statement may have been partly inspired by the presence of the MID/KL at the debriefing. *De Volkskrant* observed at the time of the departure of the MID leadership, that De Grave was shielding the Army leadership. The MID leadership was not the first casualty. *De Volkskrant* and *Trouw* reported, for instance, that Srebrenica had cost Fabius promotion to Brevet Lieutenant General while the promotion of Roos to Commander of the KMar had been blocked because of his failure to deal with the misconduct of soldiers in Angola. Before then Defence spokesman Kreemers had been relieved of his duties and transferred in 1999 to a new post at Clingendael because his reputation as a spin doctor had made his position untenable. 'De Grave beschermt landmacht' ('De Grave protects army'), *De Volkskrant*, 14/07/99; 'Top MID weg na verwijten' ('Military Intelligence Service leadership goes amidst reproaches'), *Trouw*, 14/07/99; 'De Grave zet leiding Military Intelligence Service aan de kant' ('De Grave removes Military Intelligence Service leadership'), *De Volkskrant*, 14/07/99; 'De Grave hield rapport over Srebrenica stil' ('De Grave kept silent about Srebrenica report'), *De Volkskrant*, 23/06/99; editorial, *Trouw*, 14/07/99.

²⁷⁵⁴ MID. Memo R. Wielinga and De Grave, 'srebrenica', 22/06/99; litt 99/74, memo from G. Beelen to De Grave, 'NOVA programme 22-6-1999, 24/06/99; MID. DIS99003434, memo from HMID and PHMID to the minister of Defence, 'Chronologie m.b.t. vermeende rechts-extremistische gedragingen van militairen van de B-compagnie te Srebrenica' ('Chronology in relation to alleged right-wing extremist acts by soldiers of the B Company at Srebrenica'), 20/07/99.

document because until the *Nova* programme the Deputy Head of the Military Intelligence Service had not known of the existence of an internal document comprising interview reports on this matter. According to the Deputy Head of the Military Intelligence Service, the information contained in this document had been explained during the debriefing, incorporated in the debriefing report and the account of facts, and mentioned in Voorhoeve's presentation letter with the debriefing report. Van Kemenade was in the possession of the account of facts.²⁷⁵⁵

Responsibilities

Van Kemenade's conclusion that the cooperation and communication within the defence organization was not functioning properly was correct but very general.²⁷⁵⁶ Flaws in the organizational structure had been accurately identified but this was not enough to explain the full cause of the problems. Precisely in situations where things went wrong, individual responsibilities could not be shirked. A closer look at incidents like the bunker leak and the Smith-Mladic agreement and the statement of 17 July would have revealed to what extent certain people determined, or at least tried to determine, the course of events.²⁷⁵⁷

For instance, the report contained no reference whatsoever to the criticism directed at the Commander in Chief of the Royal Netherlands Army Couzy by several people (including people from his own leadership circle) in their interviews with Van Kemenade.²⁷⁵⁸ Even so, apart from being responsible for his own actions, he also carried the ultimate responsibility for the Royal Netherlands Army. The reports suggested that Couzy had repeatedly impressed, or at least tried to impress, his stamp on the course of events. The report made no mention, for instance, of the dominant role that Couzy had played vis-à-vis the Minister of Defence in relation to the organization of the debriefing. Voorhoeve indicated in his interviews however that he had placed the responsibility for this with the Royal Netherlands Army in order not to disown them (see Part IV, Chapter 5).²⁷⁵⁹

Generally speaking, various parties sought to shirk their responsibility. This could be done by shifting the responsibility to their superiors or deputies – people with the greatest responsibility were often on holiday at critical times, e.g. during the handling of the roll of film, the management report and the YPR affair. The Commander of the Royal Netherlands Marechaussee D.G.J. Fabius for instance referred in his absence to his deputy Roos and placed the entire responsibility for initiating criminal proceedings in the hands of the Public Prosecutor Besier. If the Public Prosecutor saw no grounds for prosecution, then Fabius endorsed that decision. He undertook no initiatives in this

²⁷⁵⁵ DJZ. C95/277 98002512, memo from J.F. R. Boddens Hosang to DJZ, 17/09/98. According to Van Kemenade, his staff made a comparison between the account of facts and the debriefing report. Interview J.A. van Kemenade, 09/07/01.

²⁷⁵⁶ See e.g. Voorhoeve's critical remark about Sitcen Landmacht that there had been an indication in the reports of the Royal Netherlands Army, and particularly of the Sitcen to the DCBC, that the consequences of the fall of the enclave had initially been seriously underestimated. This was due to the slow information gathering, handling and dissemination process and the trivialization of the events to 'really nothing special'. Excessive trivialization of these events was particularly noticeable among officers who had served for a longer period in Bosnia. Van Kemenade, *Omtrent Srebrenica*, ('About Srebrenica'), Part 2, Appendix 4, J.J.C. Voorhoeve, 2nd interview, p. 3.

²⁷⁵⁷ Also in Ko Colijn and Paul Rusman, 'Nederland heeft nog steeds een begrafenisritueel nodig' ('The Netherlands still needs a funeral ritual'), *Vrij Nederland*, 03/10/98. The authors blame the failing information gathering, handling and dissemination process at Defence on the power that officials had built up simply because they had a knowledge advantage and not so much because of flaws in the rules and structure. By way of example, they mention the tug of war between Voorhoeve and Couzy for the reins of power during the days before the fall.

²⁷⁵⁸ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, D.J. Barth, A.P.P.M. Van Baal, J.J.C. Voorhoeve, J.H.M. de Winter and E.E. Warlicht. The criticism referred to the actions and subsequent explaining and justifying by Couzy. Van Baal was extremely critical of Couzy. Schouten pointed to the element of incompatible natures which no rules can remedy. In this connection, he also pointed indirectly to Couzy. Ibid, M. Schouten, p. 7.

²⁷⁵⁹ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, J.J.C. Voorhoeve, 2nd interview, p. 2; J.H.M. de Winter, p. 3.

connection to carry out further investigations with a view to providing the Public Prosecutions Department with more information.

The long delay before the probe into the YPR incident got under way illustrated how little effort was made at various levels to address disconcerting signals in earnest. Besier expressed his surprise to Van Kemenade that Van der Wind had not informed him at the debriefing of the armoured car story (though he had mentioned other incidents where people may have been run over).²⁷⁶⁰ The Public Prosecutor only remembered the debriefing leader calling him to say that no evidence of punishable acts had been found during the debriefing. According to Van der Wind, he had informed Besier of a statement concerning an incident where people had been run over but had added that there was no material to substantiate the story. The Public Prosecutor therefore saw no grounds for a criminal investigation. According to Roos this gave the Royal Netherlands Marechaussee ‘something to hold on to’, as they were not allowed to start up an inquiry of their own accord.²⁷⁶¹

Van Kemenade naturally asked the interviewees for an explanation of the sketched problems. Many criticized the information gathering, handling and dissemination process at Defence but miscommunications were seen as human error with no malicious intent. They sprang from an inadequate organizational structure. According to the Director of Legal Affairs S.B. Ybema, Deputy Secretary-General H.H. Hulshof and Casteleijn, the defence organization was insufficiently prepared for the problems that it was confronted with. There was no organizational control structure or ‘countervailing power’. Ybema did not believe ‘in any deliberate intent or machinations’.²⁷⁶² Hulshof said that the course steered after the debriefing - ‘nothing new under the sun’ – had been decisive for the reaction to the subsequent issues: ‘The tone had been set’. It is worth noting, incidentally, that P.H. Rutten of the Royal Netherlands Marechaussee, Hulshof and Defence Chief of Staff and Protocol G.J. Ter Kuile did not rule out the possibility of new issues coming to light.

Several persons told Van Kemenade more concretely that information had been withheld. This concerned both the content of the individual interview reports in the debriefing report and the communication of alleged punishable acts to the Royal Netherlands Marechaussee and the Public Prosecutions Department.²⁷⁶³ Kremer, humanist chaplain L.W.A. Hetebrij and De Winter were explicit in their criticism that a deliberate attempt had been made at the debriefing to present certain matters to the outside world in the most sanitized and non-confrontational manner possible or to smooth the rough edges. ‘They certainly made every possible effort to do that’, according to Kremer.²⁷⁶⁴ He described the passages about the KHO (Army Hospital Organization) team in the debriefing report as a ‘cover-up’, because ‘in these passages certain matters are omitted or expressed differently from the way

²⁷⁶⁰ There were several alleged incidents of people being run over (see elsewhere in this chapter). The interview reports do not make it clear who of those directly involved at the investigative level (Besier, Fabius, Van der Wind) knew about what incident and when. Even they got the facts mixed up. Van Kemenade made no distinction between the incidents and said in a general sense that military vehicles may have driven over dead or living refugees. Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 1, p. 19; *ibid*, Part 2, Appendix 4, A.P. Besier, pp. 7-9; O. van der Wind, p. 8.

²⁷⁶¹ Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 2, Appendix 4, O. van der Wind, p. 8; D.G.J. Fabius, pp. 14-15; Roos, pp. 7-12. The war situation in which the YPR found itself was taken into account in the weighing up process.

²⁷⁶² Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 2, Appendix 4, H.H. Hulshof, pp. 11-15; S.B. Ybema, pp. 8-9; L.F.F. Casteleijn, p. 6.

²⁷⁶³ Van Kemenade, *Omtrent Srebrenica*, (‘About Srebrenica’), Part 2, Appendix 4, J.H.M de Winter, pp. 8-9; G.J. ter Kuile, p. 9.

²⁷⁶⁴ Van Kemenade, *Omtrent Srebrenica* (‘About Srebrenica’), Part 2, Appendix 4, G.D. Kremer, pp. 6-10; L.W.A. Hetebrij, p. 7. As an example of the friction between the KHO team and the debriefing leaders, which had been ‘glossed over’ in the debriefing report, Kremer mentioned the handing over procedure between the KHO teams. In his eyes the battalion leadership had lied about the decision-making process in this connection. Moreover, the refusal to obey the command to wait in the bunker at the time when wounded refugees were coming in had, according to him, been deliberately omitted from the debriefing report.

they were originally said. If the Minister knows nothing about that, then I would say there is something seriously wrong with the communication between the Secretary-General and the Minister'.²⁷⁶⁵

P.H. Rutten and C. van Dijk of the Royal Netherlands Marechaussee were critical of the fact that neither the management report nor the debriefing report had led to criminal proceedings. P. Rutten: 'The statements of Lieutenant [Ron] Rutten and the commander of Post M surely make it crystal clear that punishable acts may have been committed'. In this connection he pointed to Van der Wind and Besier who had done nothing with the information.²⁷⁶⁶ To many, the outstanding piece of evidence for the defence organization's failing policy, if not assumed cover-up, was 'the ruined film', even though there was no motive for ruining it (its contents after all were already known)²⁷⁶⁷ and too many people would have been involved to keep it secret (see elsewhere in this chapter). To Van Kemenade's question as to whether any facts had been withheld in a broad sense during the truth-finding process, Van Dijk replied: 'Yes, look, the facts are simply there. (...) If you just place the facts next to each other, facts have obviously disappeared. These were not disclosed to him [Besier]'. Rutten added: 'Defence at least has appearances against it'.²⁷⁶⁸ Brantz, too, was critical. He thought that certain things had been 'systematically suppressed' by the Royal Netherlands Army (as for the Defence Staff, he was unable to judge). The mere fact that the Minister had been caught unawares several times by bad news pointed to this. Van Kemenade did not press further for concrete examples.²⁷⁶⁹

Assignment with political-administrative focus

In 2001 the rapporteur still stood right behind his conclusions from 1998 that information had not been systematically withheld. He summed up his opinion as follows:

'Inaccuracies were rife due to poor lines of communication, the bad relationship between the military organization and the central defence organization, and above all with the Public Prosecutions Department. The fact that the Public Prosecutions Department was not involved in setting up the debriefing, that was totally wrong. But the impression I got through all the interviews was that this was really mainly due to inaccuracy, carelessness, [a consequence of] time pressures, an organization in transition that was totally incapable of handling its increased exposure to the public eye since the changes. They had no idea of how to deal with publicity. (...) It was a relatively closed organization where things like that do not speak for themselves. But to say: [there was] deliberate obstruction or opposition? No.'²⁷⁷⁰

What's more, he thought his criticism went pretty far. In response to the criticism that he had let certain matters lie, he pointed to the nature of the engagement, the time pressures and the fact that he had not wanted to encroach on the NIOD's territory.

Van Kemenade thus focused on the organizational structure of Defence and spotted a number of flaws. These observations are correct but do not completely cover the content of the reports. This raises the question: why did Van Kemenade accept, or in fact impose upon himself, the extremely constrained scope of his inquiry? It would seem that he allowed the need to set things right as soon as

²⁷⁶⁵ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, G.D. Kremer, p. 10. He was unable to assess the debriefing report in its entirety.

²⁷⁶⁶ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, P.H. Rutten and K. van Dijk, p. 10 and 17.

²⁷⁶⁷ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, D.G.J. Fabius, p. 16; P.H. Rutten and K. van Dijk, p. 1 and 5.

²⁷⁶⁸ Van Kemenade, *Omtrent Srebrenica* ('About Srebrenica'), Part 2, Appendix 4, P.H. Rutten and K. van Dijk, p. 20.

²⁷⁶⁹ Van Kemenade, *Omtrent Srebrenica*, ('About Srebrenica'), Part 2, Appendix 4, C.L. Brantz, p. 10. He also mentions the handling of the 'list of 239' and Franken's statement of 17 July.

²⁷⁷⁰ Interview J.A. van Kemenade, 09/07/01.

possible prevail over the truth-finding process. Viewed in this perspective, Van Kemenade's engagement had a political-administrative focus and he accepted and executed it as such.

The reactions of De Winter and Hulshof to the inquiry suggest that there was an important underlying aim: give Defence the chance to break with the past. De Winter said to the NIOD:

‘Van Kemenade could do nothing but conclude what he concluded. He is a decent and intelligent man who agreed to carry out the inquiry. But he obviously could not have come to the opposite conclusion. It would have been totally destructive for him to say: ‘I have come to the conclusion that the debriefing report is at odds with the truth’.²⁷⁷¹

The Director of the Directorate of General Policy Matters said that Van Kemenade had carried out a good inquiry but also pointed to the discrepancy with the reports: ‘If people read all these reports for a few days in succession, they will say: ‘Yes, there is more to this than meets the eye.’” There were also suggestions in the media that Van Kemenade's friendship and shared party membership with Prime Minister Kok also led him to tone down his conclusions.²⁷⁷²

Deputy Secretary-General Hulshof said that the findings could have led Van Kemenade to a different conclusion, without actually claiming that people at the top had contrived to suppress the facts. The Minister of Defence and his people were dogged by ‘srebrenica’ and they wanted to rid themselves of the problem. The main objective was to clear the air. Hulshof: ‘Of course you have to stop and think about the things that went wrong, but you also have to move forward. Van Kemenade gave us the chance to make a fresh start. To say: Yes, we made mistakes. We must do things differently’.²⁷⁷³ The Deputy Secretary-General spoke to Van Kemenade about the shape his inquiry would take: ‘At the time we had every opportunity to say: what is the best way to shake off that [negative] image?’

Van Kemenade made that possible by criticizing Defence, without actually accusing it of acting in bad faith.²⁷⁷⁴ He formulated his criticism in such a way that Defence could embark on a process of change with a view to adjusting its policy to the new needs of the times.²⁷⁷⁵

Conclusion

In the short term Van Kemenade's report certainly had the envisaged effect: calm was restored. His opinion about certain aspects of the information gathering, handling and dissemination process was well-founded and firm: particularly the debriefing operation and the Public Prosecutions Department in Arnhem received sharp criticism, as did the communication to the political leadership. De Grave termed the rapporteur's conclusions ‘tough and, with regard to certain aspects, serious’.²⁷⁷⁶ He promised to act on the conclusions. The big chill was over; the integrity of Defence was no longer fundamentally open to question. The ministry no longer laboured under the burden of the past and a window to the future had been opened.

But elsewhere, cracks were soon noted in the picture that Van Kemenade had sketched. Despite positive responses, his report was not regarded as absolutely convincing. *De Volkskrant* wrote: ‘Whilst

²⁷⁷¹ Interview J.H.M. de Winter, 20/07/00.

²⁷⁷² Dick Berts, ‘Van Kemenade tussen reputatie en doofpot’ (‘Van Kemenade caught between reputation and cover-up’), *Trouw*, 30/09/98; Cees van der Laan, ‘schaamrood’ (‘Red-faced’), *Trouw*, 02/09/0; interview J.H.M. de Winter, 20/07/00.

²⁷⁷³ Interview H.H. Hulshof, 06/12/01.

²⁷⁷⁴ Editorial, *De Volkskrant*, 30/09/98.

²⁷⁷⁵ Interview H.H. Hulshof, 06/12/01. He described that operation with the words ‘transparent and focused’.

²⁷⁷⁶ ‘Defensie wordt “onkunde, geen onwil” verweten’ (‘Defence is reproached for “incompetence, not unwillingness”’), *De Volkskrant*, 29/09/98.

containing useful recommendations, it turns a blind eye to far too many things'²⁷⁷⁷ The report did not give a satisfactory answer to the underlying cause of the problems. *NRC Handelsblad* said that the border line between incompetence and unwillingness 'was very thin indeed'.²⁷⁷⁸ And so the calls in the media for a parliamentary inquiry started to grow louder once again.²⁷⁷⁹ New incidents (such as the report of the Military Intelligence Service made in 1996 and released in 1999 about right-wing extremism and the publication of the Account of Facts in 1998) sowed further doubt about the value of the inquiry.²⁷⁸⁰

The central question in 1998 was whether the failing information gathering, handling and dissemination process was the consequence of deliberate intent (unwillingness) or of the sketched circumstances (incompetence). This question cried out for a speedy answer. It was essentially an administrative problem that could not be solved without an inquiry into the truth-finding process. But such an inquiry was, strictly speaking, a means rather than an end. The motive for asking this elder statesman to accept the assignment was rooted in that priority.

It was for this reason that Van Kemenade imposed a tight time schedule upon himself, interpreted the assignment very narrowly and aimed for a speedy conclusion. The inquiry itself, particularly the interviews, yielded a remarkably large amount of information and insights in that short space of time. The rapporteur concluded from this that the failing information gathering, handling and dissemination process was due to incompetence. The conclusion that could also be clearly distilled from the reports was that the efforts to keep painful matters outside the glare of publicity were aimed at damage control. In other words: identify the damage and then limit it as far as possible. This attitude sprang from a collective desire not to wash the dirty linen in public and that formed a natural part of the defence organization's inward-looking culture. The material thus contained concrete indications for the further conclusion that a strong measure of unwillingness was also involved (as argued in the NIOD report). By ignoring critical comments about the information gathering, handling and dissemination process by and for the Army Staff in The Hague and the Ministry of Defence, both the political and military leadership of Defence escaped censure. Van Kemenade, however, guided as he was by the objective to create a new start, did not explore the unwillingness variant any further. As a result, emphasis was placed on the failure of the Public Prosecutions Department and the debriefing organization. Bypassing the responsibilities of individuals, Van Kemenade focused on the flawed organizational structure. He was thus able to arrive at a politically anodyne conclusion: there was no question of deliberate intent. It was the system that had failed.

Even so, organizations are partly made by people. As Hulshof put it: 'We always claim that people cannot change the systems, the bureaucracy. But that, of course, is nonsense. This [Srebrenica] is a good example of how these people made these systems serve their own ends. The Royal

²⁷⁷⁷ Editorials, *De Volkskrant*, 30/09/98 and *NRC Handelsblad*, 29/09/98; Jan Blokker, 'Vergeten' ('Forgotten'), *De Volkskrant*, 29/09/98.

²⁷⁷⁸ Editorial, *NRC Handelsblad*, 29/09/98.

²⁷⁷⁹ For instance: editorial, *NRC Handelsblad*, 29/09/98; 'Kans op een parlementaire enquête Srebrenica groeit' ('Growing prospect of parliamentary inquiry into Srebrenica'), *Trouw*, 30/09/98; editorial, *De Volkskrant*, 30/09/98; Ton Heerts, 'Enquête over Srebrenica louterend voor Dutchbat' ('srebrenica inquiry purifying exercise for Dutchbat'), *Het Parool*, 06/10/98.

²⁷⁸⁰ According to *Trouw* the MID's silence about alleged extreme right-wing behaviour "revives doubts about the value of the Van Kemenade report", Editorial, *Trouw* on 14/07/99; E. Kalse, 'srebrenica' blijft trauma Defensie' ('srebrenica remains trauma for Defence'), *NRC Handelsblad*, 14/07/99. As an explanation of the annual resuscitation of the Srebrenica dossier ("Despite or really thanks to Van Kemenade's inquiry"), she pointed the finger at Van Kemenade for missing an opportunity to (help) close the dossier. In her weekly column Elsbeth Etty criticized the system of setting up committees to reassure rather than to reveal. In doing so, she referred to the investigative committees headed by Oosting (fireworks disaster in Enschede), Alders (fire in Volendam bar) and Van Kemenade: the 'elitist system where members of the governing class carry out non-committal inquiries into the administrative failings of their fellow governors'. This leads to 'untruthfulness and murkiness, not to say downright deceit and mendacity'. She denounced the system where the government conducted inquiries into its own affairs as their independence was open to question. Elsbeth Etty, 'Herstel wantrouwen' ('Restore trust'), *NRC Handelsblad*, 23/06/01.

Netherlands Army did not want to be led and the Central Organization did not want to lead. They did not fulfil the very purpose for which they were created²⁷⁸¹ As it was not inconvenient for some of the people involved to keep certain matters out of the public eye, unwillingness was definitely also at work. The information gathering, handling and dissemination process therefore failed due to a combination of incompetence and unwillingness.

The administrative priority had led to the acceptance of a hybrid assignment: restore calm in the short term and an in-depth inquiry. It was predictable that the effect would not be long-lived. A critical report is obviously not the solution to the problem of persistent attention for and criticism of 'srebrenica'. This must be followed up by concrete measures and recognition of errors in order to meet society's need for accountable political and military leadership. A greater willingness on the part of Van Kemenade to expose the full scale of the problem could in the longer term have helped to dispel the mistrust. The inquiry failed to do this, particularly in the public domain. The wound was too deep and this suture too thin to silence the discussion once and for all.

²⁷⁸¹ Interview H.H. Hulshof, 06/12/01.

Chapter 9

The fate of the other eastern enclaves

1. Introduction

After the fall of Srebrenica two of the three eastern Safe Areas remained alongside the Safe Areas of Sarajevo, Tuzla and Bihac. These were: Zepa and Gorazde. Zepa was the next enclave to be lost with the international community looking on powerlessly. The fall of Srebrenica did however set a process in motion that led to the London Conference on 21 July 1995, where the international community took a decisive stance regarding a possible attack on Gorazde. The 'dual key' command system was modified to permit the more forceful deployment of air power. The new system was put into practice almost immediately afterwards when a mortar attack on the Markale market in Sarajevo killed a great many people. This triggered Operation Deliberate Force during which NATO and the UN conducted extensive air attacks. After the fall of Srebrenica and the discovery of the massacres perpetrated there, this marked a new turning point in the war in Bosnia.

Though the events in Zepa displayed many resemblances with those in Srebrenica, they were to take a very different course. Gorazde was ultimately saved as a Safe Area. The international community managed to draw a single line under the leadership of the British (who were responsible for Gorazde) to stop a further advance of the military forces of the Bosnian Serbs. This too was agreed upon during the London Conference. International political intervention came too late for Zepa. Evidently the Bosnian Serbs knew only too well that the international community would not act before the London Conference. This gave them time and space to direct their attentions to Zepa, Gorazde and the western enclave of Bihac.

The loss of Zepa will be described in more detail to implicitly provide material for comparison with the circumstances in Srebrenica as described in Part III and in this Part. The London Conference itself and the subsequent events in Gorazde are only sketched in outline, as is the role of the Dutch in this connection and the events in Bosnia until the Dayton Agreement. The fighting in Bihac, where no less than five warring factions were involved but which ultimately had no consequences for the map of Bosnia, has already been dealt with in Part II and is not discussed here. This had its own long prehistory and had no influence on the fall of Srebrenica.

Strictly speaking, Zepa did not fall. The Bosnian Serbs did not capture the enclave in the way they had overrun Srebrenica. Rather, it was abandoned by the Bosnian Muslim military forces and the population after which the latter made their way as Displaced Persons to Tuzla via Kladanj.²⁷⁸² The geographical and military circumstances at Zepa were also different from those in Srebrenica. The territory favoured the resistance that the Bosnian Muslim troops were able to offer and they were also better organized than their comrades in Srebrenica. What's more, there was less cause for revenge-taking fed by events in the earlier years of the war and by Bosnian Muslim actions outside the Safe Area.

There were various protagonists. Alongside the military forces of the Bosnian Serbs and Bosnian Muslims, General Smith and his opponent Mladic were prominent players, while Milosevic and negotiator Bildt also had a crucial hand in preventing victims in Zepa. Wherever possible the differences with the fall of Srebrenica and the lessons learned from this tragedy will be indicated. The Netherlands played a part in the background owing to concerns over the safety of Dutchbat soldiers held by the Bosnian Serbs and fears that Dutchbat, which was awaiting the Bosnian Serbs' permission for departure, would be taken hostage after all.

²⁷⁸² Interview Hagrup Haukland, 03/05/99.

2. After Srebrenica, next objective: Zepa

After the fall of Srebrenica the UN leadership was deeply pessimistic about the possible fate of the other Safe Areas. Boutros-Ghali and Akashi detected a pattern in the behaviour of the Bosnian Serbs. The UN had been saddled with a mission impossible and not only Zepa and Gorazde would come under threat, but the Bihac area was also at risk. Apparently Boutros-Ghali was so pessimistic that he expressed the fear that Sarajevo too might be taken by the Bosnian Serbs.²⁷⁸³ On the evening of 11 July 1995 Janvier did not even rule out the possibility of the Bosnian Serbs seeking to force the UN to evacuate Zepa and Gorazde by threatening to refuse humanitarian aid into Srebrenica.²⁷⁸⁴ The Security Council was also aware that Zepa and Gorazde might be the next target but had been unwilling to include references to Zepa and Gorazde in Resolution 1004 of 12 July about the restoration of the Safe Area of Srebrenica on the grounds that the talks about this would have taken too long.²⁷⁸⁵

The fall of Srebrenica had again made the problem of the demilitarization of the Safe Areas acutely pertinent. Boutros-Ghali had already pointed to the flaws in the Safe Area concept and on 16 June 1995 the Security Council had again underlined the need for demilitarization in Resolution 998, but so far no concrete steps had been taken in this direction.²⁷⁸⁶ After the fall of Srebrenica, however, the Contact Group stressed that calls for demilitarization needed to be supported in order to promote the policy aimed at protecting the population.²⁷⁸⁷ The Russians were also of the opinion that one of the lessons to be learned from Srebrenica was that the Security Council should finally clarify the Safe Area concept. The only way to make these areas safe was to achieve a form of demilitarization acceptable to both parties.²⁷⁸⁸ The Russians incidentally believed at this stage that the demilitarization of Zepa and Gorazde was no longer feasible because the Bosnian government was opposed to it.²⁷⁸⁹ The British also regretted that the demilitarization was not supported by the Bosnian government, but added that this was still no justification for Bosnian Serb actions.²⁷⁹⁰ Stoltenberg therefore received instructions from New York to attempt to negotiate an end to the Bosnian Serb attacks on the Safe Areas as well as an official demarcation of borders and demilitarization.²⁷⁹¹ Time was beginning to run out. For the Bosnian Serbs had already set their sights on Zepa.

The Military Information Branch of the UN headquarters in Zagreb saw the frustration of the Bosnian Serbs regarding the demilitarization and the continuation of traffic between Srebrenica and Zepa as the prime motive for the attack.²⁷⁹² At the same time as launching the attack on Srebrenica on 6 July, the Bosnian Serbs had also commenced hostilities against the villages around Zepa. On 11 July the Ukrainian company came under fire from Bosnian Serb mortars and artillery and the unit was urgently requested to leave the enclave.²⁷⁹³ The Ukrainian company increasingly found itself caught between two fires. By way of a countermove, the Bosnian Muslims took over three OPs from the Ukrainians in Zepa to seize the weapons there. This tactic had already been recommended for Srebrenica but had not actually been carried out there. The Ukrainian company however had partly destroyed or disabled its weapons and armoured vehicles. Unlike in Srebrenica, the Bosnian Serbs had already emptied the UN Weapon Collection Point on 8 July but this contained little more than sixty miscellaneous weapons, only one 82 mm mortar and, most notably, two *Strela* ground-to-air missiles.²⁷⁹⁴

²⁷⁸³ NIOD, Coll. Banbury. Banbury's Diary, SRSG's briefing 12/07/95.

²⁷⁸⁴ SMG/1004/85. Brief report of the meeting of KL Crisis Staff and PBLs at FC UNPF, 11/07/95.

²⁷⁸⁵ ABZ, DPV/ARA/02110. Code Biegman 611, 12/07/95.

²⁷⁸⁶ United Nations. S/RES/998 (1995), 16/06/95.

²⁷⁸⁷ DCBC 757. Code Loudon 270, 13/07/95.

²⁷⁸⁸ ABZ, DPV/ARA/02110. Code Biegman 611, 13/07/95.

²⁷⁸⁹ ABZ, DPV/ARA/02110. Code Biegman 612, 12/07/95.

²⁷⁹⁰ ABZ, DPV/ARA/02110. Code Biegman 611, 13/07/95.

²⁷⁹¹ CRST. Code Cable Annan to Akashi, 13/07/95, No. 2318.

²⁷⁹² NIOD, Coll. Theunens. Interoffice Memorandum G2 to COS, 'srebrenica: the Aftermath', 13/07/95.

²⁷⁹³ UNNY, DPKO, UNPF. Code Cable Akashi to Annan, 13/07/95, No. Z-1153.

²⁷⁹⁴ SMG/1002. Annex A to Sitrep UNPROFOR 9 July 1995 from Chief G-3.

The commander of the Ukrainian battalion (who was not stationed in Zepa) was in favour of concentrating his troops in the village of Zepa. General Gobilliard, the sector commander of Sarajevo, which included Zepa, preferred to concentrate the troops at the OPs. He thought that was safer in view of the experiences at Srebrenica.²⁷⁹⁵

As usual, the Bosnian Muslims were deployed near UN positions, giving rise to the risk that the positions would come under Bosnian Serb fire and have to be abandoned. Shortly afterwards eighteen Ukrainian peacekeepers were in the hands of the Bosnian Muslims and the Bosnian Serbs in turn threatened to kill the others if NATO aircraft attacked their positions.²⁷⁹⁶ So the UN had to walk a tightrope in Zepa and there was little scope for warning off the Bosnian Serbs with the kind of tough talk used when taking up blocking positions in Srebrenica.

3. Reinforcement and air support?

With only eighty peacekeepers in Zepa and 280 in Gorazde, there was little UNPROFOR could do. From a military perspective Zepa was relatively easy to take and, after the fall of Srebrenica, the Bosnian Serbs were expected to start up an operation sooner rather than later. The UNPF headquarters in Zagreb estimated the Bosnian Muslim force in Zepa at 700 to 1300 men.²⁷⁹⁷ The location of the eastern enclaves was a complicating factor. Remote and surrounded by Bosnian Serb territory, it was virtually impossible to reinforce them with military equipment. Kofi Annan pointed out that the limited resources available to UNPROFOR meant that little could be done militarily to prevent Zepa and Gorazde from falling. Zepa was particularly vulnerable.²⁷⁹⁸

Pleas from Bosnian Prime Minister Haris Silajdzic to send more troops to Zepa merely elicited indications from New York that the tasks in the eastern enclaves could not be credibly continued and that withdrawal to central Bosnia might be unavoidable.²⁷⁹⁹ Janvier had actually been thinking along those lines for some time. The first phase of a withdrawal from Zepa had already been set in motion with the abandonment of the observation posts. This regrouping enabled the UN to negotiate a possible departure from Zepa. A number of unarmed observers could then take their place without creating a supply problem. In making this proposal to New York Janvier tried in vain to breathe new life into his old plan to abandon the eastern enclaves, which had been torpedoed earlier by the Security Council.²⁸⁰⁰

Janvier and Deputy Force Commander Ashton had explored military options for retaining the remaining eastern enclaves but Janvier had seen a largely political problem in the fact that a decision to reinforce or defend the enclaves would mean UNPROFOR fighting with the Bosnian Muslims against the Bosnian Serbs.

From a military perspective an attempt could be made to block a Bosnian Serb advance to Zepa and Gorazde, but that was likely to fail as the heavy terrain made it easy to circumvent defensive positions.

A second option was to bring in reinforcements to make the Bosnian Serbs pay a heavier price for capturing the enclaves. Ashton, however, saw no point in sending more troops as this would only worsen the supply problems and increase the vulnerability. More viable options in his eyes were the deployment of aircraft, armed with Precision Guided Munition, and land mines. Visible preparations

²⁷⁹⁵ NIOD, Coll. De Ruiter. Interoffice Memorandum MA to SC, DSC, DCOS, SOO, SLO, SMIO, PIO, 13/07/95, UN Conf.

²⁷⁹⁶ NIOD, Coll. Banbury. Banbury's Diary, SRSG's briefing 17/07/95; ABZ, DPV/ARA/00797. Code Biegan 632, 18/07/95.

²⁷⁹⁷ NIOD, Coll. Theunens. Interoffice Memorandum G2 to COS, 'srebrenica: the Aftermath', 13/07/95.

²⁷⁹⁸ NIOD, Coll. Clingendael. Code Cable Annan to Akashi, 12/07/95, No. MSC-2295.

²⁷⁹⁹ MID/KL. MID/KL, INTSUM 134/95, 141200Z July 95, Conf.

²⁸⁰⁰ NIOD, Coll. Ashton. Code Cable Janvier to Annan Only, 14/07/95, No. Z-1163, UN Secret. (Janvier's attached memorandum 'Pour pas perdre fe fil en cette periode troublee' dated 12/07/95.)

combined with the resolution of the Bosnian Muslims to defend themselves and of the civil population to resist deportation might dissuade the Bosnian Serbs from attacking. Negotiations at all levels, together with the prevention of Bosnian Muslim raids launched from the Safe Areas, should accompany the military measures. If these steps failed, then the Security Council had to decide between peace enforcement and withdrawal, so Janvier concluded.

The only constant factor that Janvier had been able to distil from the resolutions of the Security Council was that the population had to be protected, but military action had so far failed to achieve this. In his view the UN's failure in Srebrenica had made the choice clearer than ever: side with the Bosnian Muslims or withdraw -²⁸⁰¹ Janvier had already opted for withdrawal.

The Rapid Reaction Force, which was on the point of becoming operational, could conceivably have been used to reinforce Zepa. However, this would have required opening up a corridor by force to get these troops into Zepa and that option was simply not on the table. On the contrary, in fact: Janvier took the view that it was impossible to send reinforcements and that defending the enclave was 'out of the question'.²⁸⁰² The sole option was a negotiated withdrawal. Only Gorazde offered possibilities for using the 'srebrenica model' involving a blocking position and pre-planned Close Air Support. The only practicable route was to keep crisis teams on stand-by and inform commanders of the lessons learned during the fall of Srebrenica.²⁸⁰³

In a Directive to General Smith, Janvier confirmed on 14 July that reinforcing Zepa was not feasible. It was impossible to open up an overland corridor. If the departure of the UN contingent could not be negotiated, Janvier wanted to make the UN troops less vulnerable and let them assist with the evacuation of the refugees.²⁸⁰⁴ Janvier added that the OPs in Zepa that were still manned should be abandoned in order to avoid a repeat of the situation in Srebrenica, where the Bosnian Muslims prevented withdrawal. Troops had already been pulled back from the OPs in Gorazde. The decision for Zepa was up to General Gobilliard who, as the commander of the Sarajevo sector, was also responsible for Zepa and Gorazde.²⁸⁰⁵

Zagreb did consider whether UNHCR staff should already be stationed in Zepa ahead of a possible fall of the enclave to avoid chaos, but the UNHCR representative feared that the Bosnian government would throw up a dam to prevent this.²⁸⁰⁶

Faced with the threat against Zepa, the UN took no further initiatives to step up the use of air power. Such initiatives did come from NATO. The fall of Srebrenica prompted the Military Committee to study ways of making air support to the UN more effective. After all, the fall of that Safe Area had brought the withdrawal of UNPROFOR closer. Apart from this fact, the threatening outbreak of hostilities on Croatian territory had also put the subject of air support back on the agenda. In the eyes of the Military Committee, the greatest stumbling block to the more effective deployment of NATO air power was the fact that the military leadership of UNPROFOR was still not empowered to authorize its use.²⁸⁰⁷

In addition, with further attacks on the Safe Areas in prospect, the North Atlantic Council had already concluded on 12 July that the execution of the extraction plans (Oplan 40104) had to be speeded up and the opportunities for assisting UNHCR explored.²⁸⁰⁸

Then the discussion flared up as to whether Zepa should be declared a Military Exclusion Zone; Gorazde already had this status. On 22 April 1994 the North Atlantic Council had determined

²⁸⁰¹ DCBC No. 2751. Code Cables Janvier to Annan, 16/07/95 and 17/07/95, Nos. UNPF-HQ Z-1177 and Z-1181.

²⁸⁰² UNNY, UNPROFOR, Box 88040, File 4-2, SRSG Meeting, May-Oct 95. Senior Staff Meeting, 14/07/95.

²⁸⁰³ UNNY, UNPROFOR, Box 87299, File 3066, Jul-Dec 95. Chief G3 Plans (Col K. Bache) to COS, 14/07/95, No. G3 Plans/698.

²⁸⁰⁴ NIOD, Coll. Ashton. Letter Janvier to Comd UNPROFOR, SRSG, DFC, COS, 'Guidance to Commander UNPROFOR', 14/07/95.

²⁸⁰⁵ NIOD Coll. Banbury. Banbury's Diary. SRSG's Briefing 14/07/95.

²⁸⁰⁶ UNNY, UNPROFOR, Box 88040, File 4-2, SRSG Meeting, May-Oct 95. Senior Staff Meeting, 15/07/95.

²⁸⁰⁷ BSG, DS 95 III. Memorandum CDS to the Minister, 17/07/95, No. SN/95/938/4537.

²⁸⁰⁸ DCBC, 704. Fax PVNAVO to Min of FA and DEF, 12/07/95.

that a Military Exclusion Zone could be set up in the case of attacks with heavy weapons or the threat of such attacks. In that event, Bosnian Serb attacks could provoke air strikes. But NATO could not do this of its own accord. Consultation with the UN was necessary as otherwise a 'single key' situation would arise. However, as the UN was unlikely to embrace the idea of declaring Zepa a Military Exclusion Zone, NATO did not pursue the matter. Moreover, it was uncertain whether the NATO countries would be prepared to take action and, if so, what could be done and with what means. Zepa could not be defended: this was the inevitable conclusion and there was no point in inducing a counter-reaction from the Bosnian Serbs elsewhere. The UN did not request NATO action either.²⁸⁰⁹

Air support for Zepa could therefore be ruled out for the time being. Janvier had already decided that no permission would be given for Close Air Support above Zepa as long as Dutchbat had not left Srebrenica. Air support, for that matter, was also impossible for procedural and technical reasons: there was no Forward Air Controller in Zepa and it was not possible to work with an airborne Forward Air Controller as the Ukrainians lacked the required radio equipment. Little could be done beyond maintaining an air presence (circling above the enclave). The demand of the Permanent Representative of the Ukraine to the UN to support his compatriots with Close Air Support would only endanger the lives of the UN troops and was not feasible, according to the analysis in Zagreb.²⁸¹⁰ It was made clear to the Ukrainian representative that the Rules of Engagement did not permit Close Air Support under these circumstances.²⁸¹¹ The Ukrainian Defence Minister, V. Shmarov, then approached General Smith personally. Smith replied that he had ordered an air presence above the enclave and indicated that he was prepared to recommend the use of Close Air Support as soon as UNPROFOR troops were attacked.²⁸¹²

According to the Bosnian Minister for UN affairs, Hasan Muratovic, the UN troops in Zepa had submitted a request for air support. He said that the Bosnian Muslims had recorded this on tape. At the same time Muratovic said he no longer put the blame on UNPROFOR but on individuals; next he tried to damage General Nicolai. That was a name to remember, he said, because Nicolai had lost precious hours proving he had not received a request for air support. Nicolai had reportedly received such a request in the afternoon of 18 July and had requested an air presence, but the Dutch general had not given the order to bomb. According to Muratovic he had asked Nicolai why he had not yet given that order but Nicolai had then come up with 'all sorts of elaborate tales'. Muratovic consequently suspected Nicolai of waiting for darkness to fall so that he could then say it was too late: in his eyes this was tantamount to thwarting aid to Zepa and according to him thousands of lives were thus in the hands of Generals Nicolai and Janvier.²⁸¹³

However, NATO's Supreme Allied Commander Europe (SACEUR), General Joulwan, argued in a briefing to the North Atlantic Council that Close Air Support was not feasible for Zepa which, in his view, had little chance of survival. Nevertheless Joulwan sent Admiral Smith to Zagreb to discuss cooperation with Janvier and to see whether Zepa could thus be spared the same fate as Srebrenica. Janvier told Admiral Smith, however, that Zepa was doomed to fall because he could not reinforce it.²⁸¹⁴ Janvier therefore indicated in a directive to Smith that, given these circumstances, he was unwilling to consider air support.²⁸¹⁵

Even though air power had virtually no role to play in the case of Zepa, the Netherlands also took specific steps to avoid becoming involved in any air operations above Zepa. Chief of Defence

²⁸⁰⁹ Confidential information (155).

²⁸¹⁰ NIOD, Coll. Banbury. Banbury's Diary, SRSG's Briefing, announcement Deputy Force Commander, 15/07/95.

²⁸¹¹ NIOD, Coll. Banbury. Banbury's Diary, SRSG's briefing 15/07/95.

²⁸¹² NIOD, Coll. Smith. Lt-Gen R.A. Smith to V. Shmarov, 18/07/95.

²⁸¹³ ABiH Tuzla. ABiH 2nd Corps, 19/07/95, No. 02/IKM-698/10-227. Information Bulletin with interview Hasan Muratovic.

²⁸¹⁴ DCBC No. 729. Code Feith Navo 1039, 12/07/95, Confi; Interview Leighton Smith, 06/06/00; confidential information (156).

²⁸¹⁵ NIOD, Coll. Ashton. Letter Janvier to Comd UNPROFOR, SRSG, DFC, COS, 'Guidance to Commander UNPROFOR', 14/07/95.

Staff Van den Breemen was against Dutch F-16s becoming engaged there. After the Close Air Support at Srebrenica and as long as Dutchbat was effectively held hostage by the Bosnian Serbs, his main priority was not to provoke the Bosnian Serbs. Major General C.J. van den Burg, Director of Operations of the Royal Netherlands Air Force, was instructed to arrange this with NATO. Van den Burg was unhappy with this assignment: on the one hand, the aircraft were not allowed to fly below 10,000 feet anyway; on the other hand, he could not guarantee that they could be identified as not being Dutch aircraft. From an operational point of view, the withdrawal of the Dutch aircraft was not a big problem for NATO: there were enough aircraft to maintain an air presence above Zepa.²⁸¹⁶

The Netherlands also included a proviso in the North Atlantic Council about the creation of an Exclusion Zone in Zepa. It would not oppose the initiation of the procedure agreed in this connection but if any danger to the Dutch hostages in Bratunac were to arise as a result, the Dutch government would feel compelled to contact the UN to call a halt to the air operations. SACEUR Joulwan promised he would bring the Dutch position to the attention of Admiral Leighton Smith.²⁸¹⁷ It was a fairly far-reaching and exceptional step that was prompted by concerns over the safety of the Dutchbat soldiers being held hostage.²⁸¹⁸ Or as Prime Minister Kok said, ‘at the present moment we do not feel immediately called upon to be the first to help protect one of the two other enclaves while we are still up to our necks in trouble with four hundred men.’²⁸¹⁹

The impression that the negotiators Stoltenberg and Bildt, like General Smith, had got from their contacts with the Bosnian government was that the Bosnian Muslims assumed that Zepa was lost but would nevertheless protest vociferously.²⁸²⁰ The UN headquarters in Zagreb started to realize that plans already needed to be made in case aid to refugees from Zepa and Gorazde was necessary.²⁸²¹

Faced with the unavoidable fall of Zepa, Minister Van Mierlo wondered in the General Council of the EU on 17 July whether it wouldn’t be wise to consider evacuating the population. ‘Knowledge creates responsibility’, Van Mierlo said in reference to Srebrenica. In his view such a decision was morally justifiable even though it entailed the risk of being accused of cooperating with ethnic cleansing. After it became clear that both President Izetbegovic and Prime Minister Silajdzic had responded positively to evacuation, EU negotiator Bildt was instructed to work out the details, assuming there was still enough time to implement this option.²⁸²² At an earlier stage UNHCR had already made preparations for the evacuation of the population but at that time the Bosnian government was still opposed to such a step.²⁸²³ As far as the Netherlands was concerned, the Dutch/Belgian transport battalion could be used for this purpose.²⁸²⁴ In any case, one of the lessons learned from Srebrenica was that refugees needed proper accompaniment and that every effort had to be made to ensure that UN observers, UNHCR and the International Red Cross were present from the word go.²⁸²⁵

4. Orders of the parties involved

When the Bosnian Serbs were deciding the battle around Srebrenica in their favour, the Drina Corps issued orders on 10 July to capitalize on the success and start offensive actions against the Bosnian

²⁸¹⁶ Interview C.G.J. Hilderink, 11/08/00.

²⁸¹⁷ Confidential information (156).

²⁸¹⁸ Interview P.C. Feith, 24/08/01. The proviso was made on 14 July.

²⁸¹⁹ NOS, *Den Haag Vandaag*, Ned.3, 14/07/95, 11 p.m.

²⁸²⁰ UNNY, DPKO, UNPF. Box 234, File 6/15. Cryptofax Stoltenberg to the Secretary-General, 15/07/95.

²⁸²¹ UNNY, UNPROFOR, Box 87299, File 3061/3, Jul 95 - Nov 95. Interoffice Memorandum, Chief G3 Policy/Plans to FC, 14/07/95.

²⁸²² ABZ, DPV/ARA/00797. Code Van Mierlo 93, 18/07/95.

²⁸²³ NIOD, Coll. Banbury. Banbury’s Diary, SRSG’s briefing 15/07/95.

²⁸²⁴ ‘Van Mierlo wil evacuatie van burgers Zepa’ (‘Van Mierlo wants evacuation of citizens of Zepa’), *De Volkskrant*, 18/07/95.

²⁸²⁵ ABZ, DPV/ARA/02110. Memorandum incl. DPV to DGPZ, 18/07/95, No. DPV/PZ-1509/95.

Muslim lines on the north side of Zepa. At that time such an action fitted in with the objective stated in relation to Srebrenica, namely to separate the enclaves and restore the dominance of the Bosnian Serbs in the area between the two enclaves.²⁸²⁶ On the same evening as the fall of Srebrenica, General Mladic announced that the attack on Zepa would be launched and appointed General Krstic as the commander of the operation.²⁸²⁷ But the Bosnian Serbs could not immediately set this plan in motion because the column of men fleeing from Srebrenica to Tuzla was taking up a lot of their attention and even forcing Bosnian Serb units that were already near Zepa to return. In the second instance the units were to be ready to advance on 17 July.²⁸²⁸

Initially, incidentally, the Bosnian Serbs had tried to seize the enclave without a fight. On 13 July the Bosnian Serbs tried to persuade the Bosnian Muslims to lay down their weapons, after which the population could choose to stay or leave. No answer was given; it was the Bosnian Muslims who wanted to fight.²⁸²⁹

The Bosnian Serbs, unlike the UN, estimated the initial Bosnian Muslim force at around 1200 men, who had subsequently been joined by a further seven hundred to one thousand soldiers from Srebrenica. In addition, the Bosnian Serbs were worried about groups of Bosnian Muslims who could still be anywhere between Srebrenica and Zepa and who could disturb the preparations for an attack. Drina-Corps Commander General Krstic unfolded a plan according to which the Milici and Bratunac Brigades, the 1st Vlasenica Brigade and the 1st and 5th Podrinje Brigades were to attack Zepa along several routes. Most of these troops had been engaged in the fighting around Srebrenica and, so the general reasoned, that success would no doubt have strengthened their motivation to capture Zepa too. The population and UNPROFOR were not to be targeted. Both groups were to be collected and placed under protective guard. Warning was given, however, that armoured UNPROFOR vehicles might have been stolen by the Bosnian Muslims and were consequently a legitimate target. The Bosnian Serbs' acute shortage of fuel is evident from the instruction that fuel tanks were not to be filled more than halfway.²⁸³⁰

On 15 July the Bosnian Muslim Army Commander Rasim Delic issued orders to defend Zepa with all possible means. There was no alternative. He believed that any hesitation in offering resistance could have only one outcome: wholesale massacre. Negotiations with the Bosnian Serbs had to be avoided at any price as those could merely lead to an exodus and certain death. Delic pointed out that none of the men from Srebrenica aged between 16 and 60 had reached Tuzla. Everything had to be done to block the work of UNPROFOR and seize their weapons for the Bosnian Muslims' own use. In addition, panic among the population was also to be avoided. The command had obviously learned from the events in Srebrenica. In this connection, Delic referred in particular to the actions of the military and civil leadership there, the actions of the Bosnian Serbs and what he called UNPROFOR's cooperation in the genocide. In addition, Delic gave military instructions to relinquish part of the enclave to shorten the lines of defence.²⁸³¹

Meanwhile, the Commander of the 2nd Corps of the ABiH, Sead Delic, who was in charge of the area in which Zepa was located, exerted pressure on Brigadier General Haukland, the Commander of Sector North East, to stop the Bosnian Serb attack and bring in humanitarian aid. In doing so, he ignored the fact that Zepa was not in the latter's area of command. Delic said that if Haukland failed to meet this request, he would be held personally responsible and Delic would be unable to prevent acts of revenge against his person.²⁸³²

²⁸²⁶ ABiH Tuzla. Komanda Drinskog Kopusa to Komandi 1.Plbr, 07.1995 [sic], br. 03/157-3.

²⁸²⁷ ICTY, (IT-98-33), Judgement, 02/08/01, para 304.

²⁸²⁸ ICTY (IT-33-98), OTP Ex 538/a. Komanda 1. Brlpbr, Str.pov.br 468-2, 16/07/95.

²⁸²⁹ NIOD, Coll. De Ruiter. Interoffice Memorandum MA to SC, DSC, DCOS, SOO, SLO, SMIO, PIO, 13/07/95, UN Conf.

²⁸³⁰ ICTY (IT-33-98), OTP Ex 482/a. Komanda Drinskog Korpusa, IKM Krivace, 13/07/95, Str.pov.br 02/04-158-1.

²⁸³¹ NIOD, Coll. Trifunovic. BiH Generalstab Armije to KM 285 IB lbr, 15/07/95, br. 1/825-1212.

²⁸³² NIOD, Coll. Brantz. ABiH 2nd Corps to H.Q. UNPROFOR Sector N-E, 14/07/95, Conf No. 02/1-421/2.

To prepare for the reception of new flows of refugees into Tuzla, Haukland made an urgent appeal to the Minister of UN affairs, Muratovic, not to send still more refugees to Tuzla Air Base, which was already overcrowded with refugees from Srebrenica, but to look for reception facilities in Zenica. Muratovic had not wanted to make this undertaking but the Minister for Refugee Issues, Cero, had made this pledge.²⁸³³

5. Negotiations and battle

In the estimation of the UNPF headquarters at Zagreb, Zepa's chances of survival were very small. On 15 July Zagreb thought that the Bosnian Serbs could start advancing at any moment and that the Bosnian Muslims would lack the will and motivation to defend the enclave. The prognosis therefore was that the Bosnian Serbs would achieve the same result as in Srebrenica but in a much shorter space of time.²⁸³⁴

The Bosnian government was also gloomy about the prospects. At the express request of President Izetbegovic, General Smith and he met on 17 July to discuss the options for evacuating the population of Zepa in an emergency. Izetbegovic divided the population into two categories: the sick, wounded and elderly and the rest. He made no mention of soldiers. Smith did not so much foresee logistical problems but was unsure whether the Bosnian Serbs would grant permission.

Izetbegovic then asked Smith to contact Mladic in order to find out whether he would grant permission. Mladic did not appear averse to the idea and was prepared to discuss it with Smith. However, the Bosnian Serbs were wary of 'Muslim tricks' and proposed that, as a mark of good will, two representatives of the Bosnian government should attend the meeting with Smith at a location of Mladic's choice. Mladic offered a guarantee of safe conduct.

Izetbegovic agreed and appointed a Bosnian Muslim general and a civil servant as his representatives. Mladic was satisfied with the names given and arrangements for the meeting were set in motion. The Bosnian government had second thoughts, however, arguing that a meeting should take place on neutral territory. Smith, now acting as messenger between the two, continued his efforts to arrive at some sort of agreement. Mladic demanded unconditional surrender, after which arrangements could be made for the evacuation of the population. But before the population left, all fighting had to stop and all weapons handed over to the Bosnian Serbs. The Bosnian government turned down the demand to surrender all weapons before the negotiations. A proposal for a meeting without prior conditions was indignantly rejected by Mladic. He suspected the Bosnian government of playing for time. He stuck to his condition of unconditional surrender and a meeting at a location of his choice. Izetbegovic turned this down.²⁸³⁵

The next surprising twist came on 19 July when Mladic told Smith that a Muslim delegation in Zepa had surrendered to him; in his view, this meant that Zepa had fallen. At the same time, Mladic asked Smith to meet him and a representative of the International Red Cross the next morning in Rogatica and to send fifty trucks and fuel in case the population wanted to be evacuated to the region of the Federation. In addition, Mladic asked Smith to let the Muslim representatives know that he was willing to work together with them to ensure the entire operation proceeded safely. The wounded could be brought to Sarajevo in UN vehicles and the population could be taken to Kladanj.²⁸³⁶

Mladic did incidentally stipulate that only he would decide who of the men could leave and who would be placed in detention. Nor would Mladic tolerate British Joint Commission Observers (JCOs),

²⁸³³ UNGE, UNPROFOR Box 42, File 2-2, Sector Command Matters General, Fax Biser to Moussali, 17/05/95.

²⁸³⁴ CRST, Fax G3 LandOps/UNPF HQ to KL Crisis Staff attn. G2, 16/07/95, Daily UNPF Sitrep 150001B to 152359B Jul95.

²⁸³⁵ UNNY, UNPROFOR, Box 87305, File 3300 - SRE Vol. I, 15 Jul - 16 Nov 95. Fax HQ UNPROFOR to HQ UNPF attn. SRSG, FC, DFC, COS, 172300B Jul 95, Secret, 'Meeting President Izetbegovic/General Smith: 17 Jul 95'.

²⁸³⁶ NIOD, Coll. Segers. Lt-General Ratko Mladic to UNPROFOR Command Sarajevo, HQ Army of the Republic of Srpska, 19/07/95, No. 06/17-470.

who acted as the eyes and ears of General Smith, being present in Zepa.²⁸³⁷ Mladic said all this to General Nicolai in Bratunac during the departure of Dutchbat. However, there were no JCOs in Zepa anyway, as the British government considered the situation in Zepa to be so dangerous that they would not allow General Smith to send a JCO team there.²⁸³⁸

Meanwhile, no one really knew whether Zepa had fallen or not. The UN in New York was unable to confirm this on 20 July. Mladic had already spoken with Civil Affairs in Sarajevo about the exchange of prisoners of war and the prisoners of war still to be captured in Zepa – if this was refused, the shelling of Zepa would resume – and sixty Bosnian Serb buses had been observed on the edge of the enclave, but Mladic's statement turned out to be premature.²⁸³⁹

In the evening of 21 July the fighting had started up again, but the Bosnian Serbs were in two minds whether to launch an infantry attack or not. They were worried that losses could be heavy in the inhospitable territory. Zepa was much more difficult terrain for the attacking force than Srebrenica. The Bosnian Muslims managed to hold the lines because the Bosnian Serbs did not press the attack. The local authorities let the Ukrainian commander know that they were intending to confiscate all UN equipment in order to facilitate their flight from the enclave.²⁸⁴⁰

On 24 July the seven thousand inhabitants of Zepa were surrounded by the Bosnian Serbs, who were constantly shelling and attacking the village. There were heavy casualties, with dozens of people being killed or wounded on both sides every day. The Bosnian Muslim lines had not yet been broken anywhere, but this seemed only a matter of time. A conversation between the Bosnian Muslim Chief of Staff in Zepa, Hamdija Torlak, and General Bjelajac in Sarajevo revealed that the defenders feared suffering the same fate as their comrades in Srebrenica; these apprehensions were fuelled by stories told by a group of 150 men who arrived from Srebrenica and a group of 53 men, some of whom were wounded, who were exhausted and shocked by what the Bosnian Serbs had done to the people in Konjevic Polje. It was said that one thousand men had been massacred.²⁸⁴¹ The defenders were running out of ammunition and soon none would be left. The scene appeared to be set for the Bosnian Serbs' next massacre, particularly as there were no international observers in the region. The commander of the disarmed Ukrainian peacekeepers had sought protection from the Bosnian Serbs.²⁸⁴²

This situation remained on a knife-edge for several more days. The London Conference held in response to the fall of Srebrenica on 21 July gave short shrift to Zepa. The central issue there was the prevention of the fall of Gorazde (see below). In New York too the attention was mainly focused on preventing the larger and strategically more important town of Gorazde from falling into the hands of the Bosnian Serbs.²⁸⁴³ Or, as Janvier noted, though the fall of Zepa was not yet a reality, international public opinion and the governments of the troop-contributing nations had already accepted and sanctioned this.²⁸⁴⁴ All this elicited an angry response from the UN representative for Human Rights, Tadeusz Mazowiecki, who said that the world leaders should look into the eyes of the citizens of Zepa who were facing the same tragedy that had befallen Srebrenica.²⁸⁴⁵ During the conference Van Mierlo pointed to his earlier suggestion of a 'pre-emptive evacuation' of the population of Zepa on the grounds that the UN would have to withdraw from indefensible areas.²⁸⁴⁶

²⁸³⁷ NIOD, Coll. Brantz. Meeting between Gen Nicolai and Gen Mladic at Bratunac on 21/07/95.

²⁸³⁸ Ripley, *Operation Deliberate Force*, p. 53.

²⁸³⁹ DCBC 946. Code Biegman 644, 20/07/95.

²⁸⁴⁰ Confidential information (48).

²⁸⁴¹ NIOD, Coll. Trifunovic. BiH Generalstab Armije to KM 285 IB lbr, 15/07/95, br. 1/825-1212 with attached transcription of telephone conversation, Chief of Staff 285 lbr to ABiH-General Bjelajac, undated.

²⁸⁴² ABZ, DAV/ARA/00255. Turkish Delegation to NATO to Willy Claes, 24/07/95.

²⁸⁴³ NIOD, Coll. Ashton. Fax UNPROFOR HQ DPKO Military Adviser to UNPF HQ Zagreb, 152200NYTJul95.

²⁸⁴⁴ NIOD, Coll. Ashton. Concept Code Cable Janvier to Smith UNPROFOR Sarajevo (Only) info Akashi UNPF, Zagreb (Only), Kolsteren, UNPF, Zagreb (Only), 30/07/95.

²⁸⁴⁵ Eve-Ann Prentice, 'UN envoy claims Serbs mutilated civilians', *The Times*, 25/07/95.

²⁸⁴⁶ ABZ, DEU/ARA/05244. Code Celer 69, 25/07/95.

Smith was unable to contact Mladic at the agreed meeting point in Rogatica.²⁸⁴⁷ It was not until 25 July that Mladic and Smith met, at the latter's request, to speak about the situation in Zepa. The meeting took place in Han Kran.²⁸⁴⁸ This time Mladic did bring along an agreement signed by the Chief of Staff of the Zepa Brigade of the ABiH, Hamdija Torlak. The agreement set forth arrangements for a ceasefire and an evacuation of the population, except for men of military age. These were to be exchanged for Bosnian Serbs under the supervision of UNPROFOR.²⁸⁴⁹ The International Red Cross was not happy with the situation and wondered whether sufficient safety guarantees were in place. Both the VRS and the Bosnian authorities had been offered assistance for the evacuation of the population provided that both parties agreed and the population clearly also wanted this.²⁸⁵⁰

The agreement with Hamdija Torlak depended on three conditions which, according to Smith, none of the parties could satisfy. The ceasefire had to be enduring, the Bosnian Muslims had to lay down their arms and accept prisoner of war status until an exchange took place, and the Bosnian government had to agree to an exchange of prisoners of war. Smith had accepted the agreement as a *fait accompli*. It was not clear to Smith whether the local Bosnian representatives were authorized to conclude such an agreement or whether the Bosnian government endorsed it; Minister Muratovic, for instance, said that he had no knowledge of the agreement. Hamdija Torlak was not a representative of the Bosnian government and had no authority. Muratovic assumed that this was another Bosnian-Serb trick, comparable to the one a week earlier when Mladic had told Smith that Zepa had surrendered. The Bosnians would however accept an evacuation from Zepa provided it was carried out by UNPROFOR in order to prevent a repetition of Srebrenica where people had been pulled from the buses.²⁸⁵¹

Even so, there appeared to be a good chance that an arrangement for the evacuation of the population would be reached and implemented. In a letter to the chairman of the Security Council, Izetbegovic requested that the evacuation of the population would take place under the protection of UNPROFOR and that General Smith would be permitted to use force to protect the convoys. After the fall of Srebrenica and after the Security Council had failed to make even the slightest attempt to defend Zepa, surely the UN could at least undertake to save the women and children of Zepa. Izetbegovic made no mention of the men.²⁸⁵²

Mladic was subsequently unwilling to do business with the Bosnian government because Minister Muratovic had drawn his good intentions into doubt. Mladic did however accept a talk with Muratovic to organize the exchange of prisoners. In order to ensure the smooth implementation of the agreement, a liaison group and a company of French UNPROFOR soldiers had been transferred from Sarajevo, and the presence of the International Red Cross and the media had been arranged to deter the Bosnian Serbs from committing crimes. Furthermore, UNPROFOR was responsible for registering and assisting refugees who wanted to leave the enclave and was available to act as an intermediary in the exchange of prisoners of war.

After this meeting with Mladic, Smith went on to Zepa to continue the talks with Mladic, review the situation and set the evacuation of the wounded in motion. At that moment representatives of the International Red Cross and UNHCR were already in Zepa. As in Srebrenica, the train of events swept along at a speed that UNPROFOR and the Bosnian government were unable to keep up with.²⁸⁵³

²⁸⁴⁷ NIOD, Coll. Shitakha. Diary, SRSG Meeting 21/07/95.

²⁸⁴⁸ NIOD, Coll. Ashton. Concept Code Cable Janvier to Smith UNPROFOR Sarajevo (Only) info Akashi UNPF, Zagreb (Only), Kolsteren, UNPF, Zagreb (Only), 30/07/95.

²⁸⁴⁹ NIOD, Coll. Ashton. The Office of the Comd HQ UNPROFOR to HQ UNPF Zagreb, SRSG, FC, DFC, 260300BJul95, 'Meeting Notes General Smith / General Mladic 25 July [1995]. Conf.

²⁸⁵⁰ ABZ, DAV/ARA/00255. Code Hofstee 258, 20/07/95.

²⁸⁵¹ UNGE, UNPROFOR, Box 115, SNE, CVAO, 20 Jan - 12 Aug 95. Memorandum Harland to Ryan info Maj-Gen Gobilliard, 'Negotiations on Zepa (6)', 25/07/95.

²⁸⁵² ABZ, PVNY. Alija Izetbegovic to Gerardo Martinez Blanco, 25/07/95. Sent with fax PVVN to DPV/PZ and DEU/OE, 25/07/95, No. NYV-4568.

²⁸⁵³ NIOD, Coll. Ashton. The Office of the Comd HQ UNPROFOR to HQ UNPF Zagreb, SRSG, FC, DFC, 260300BJul95, 'Meeting Notes General Smith / General Mladic 25 July [1995]. Conf.

The evacuation was already under way before Smith arrived in Zepa. The Dutch TV news even reported how Mladic had generously offered Smith buses and trucks to transport the wounded when it became clear that the UNPROFOR ambulances and vehicles would need another two and a half hours to reach Zepa.²⁸⁵⁴

Smith also made the same demand that he had made earlier to Mladic, i.e. that UNPROFOR personnel would be allowed to escort the buses transporting the population to Kladanj. A further sixty French soldiers arrived at night for this purpose. Mladic also agreed to allow organizations like UNHCR and the International Red Cross to travel freely to Zepa and raised no objections to the arrival of a CNN TV crew. The world could then witness how things were being done, said Mladic.²⁸⁵⁵

On 25 July a convoy with wounded civilians and relatives left for Sarajevo. That evening the first convoy of refugees also departed for Kladanj. The Bosnian Serbs had provided 21 buses for this. Each bus was escorted by UNPROFOR soldiers. A second convoy was planned for the morning of 26 July.²⁸⁵⁶ The population, excluding the men of able-bodied age, came down from the mountains to await the arrival of the buses that would take them to Kladanj. Many houses were on fire, evidently set alight by the people themselves.²⁸⁵⁷ UNPROFOR representatives got the impression that the Bosnian Serbs were intending a less aggressive ethnic cleansing than in Srebrenica.²⁸⁵⁸

As things turned out, the evacuation of the civilians of Zepa led to few problems despite the constant changes in circumstances and moods. Muratovic did claim, however, that two women and an estimated thirty men had been pulled from a bus. Also, there was no one within UNPROFOR who could give assurances that all buses that had left Zepa had actually arrived in Kladanj.²⁸⁵⁹ The refugees had received better treatment and they also looked less exhausted and anxious than the refugees from Srebrenica. Reports from UNHCR and in the media confirmed this impression²⁸⁶⁰ even though, unlike in the case of Srebrenica, the Bosnian authorities did not allow journalists to speak with the refugees.²⁸⁶¹

6. Departure of the men from Zepa

The biggest problem was the departure of men of military age from Zepa. This group comprised 1500 to 2000 men. They were staying in hiding while awaiting guarantees for their departure. On 26 July the Bosnian Serbs were in all population centres and it did not look as if they intended to continue fighting.²⁸⁶² Mladic confirmed in talks with Bosnian Muslim representative Hakija Torlak that those who handed in their weapons would be registered by the International Red Cross. However, unless the Bosnian government backed this plan, the men would be afraid to act upon it. But the surrender of weapons was a matter for the Bosnian Muslim Commander Avdo Palic. Mladic therefore proposed that Smith and Muratovic should clear up this point the next day. Mladic said that as 'a professional soldier

²⁸⁵⁴ 'Text from NOS News of Wednesday 26 July 1995.'

²⁸⁵⁵ NIOD, Coll. Ashton. The Office of the Comd HQ UNPROFOR to HQ UNPF Zagreb, SRSG, FC, DFC, 'Meeting Notes General Smith / General Mladic 25 July [1995]'. Confi.

²⁸⁵⁶ UNNY, UNPROFOR, Box 87304, File 3300-6, Vol. 5, 1 Jun 95 - 15 Sep 95. HQ UNPROFOR Sarajevo, Supplementary Order to OPO 12/95 - Evacuation of Refugees from Zepa, 26232 [sic] B Jul 1995.

²⁸⁵⁷ UNGE, UNPROFOR, Box 115, SNE, CVAO, 20 Jan - 12 Aug 95. Memorandum Harland to Ryan info Maj-Gen Gobilliard, 'Negotiations on Zepa (8)', 26/07/95.

²⁸⁵⁸ UNGE, UNPROFOR, Box 115, SNE, CVAO, 20 Jan - 12 Aug 95. Memorandum Harland to Ryan info Maj-Gen Gobilliard, 'Negotiations on Zepa (8)', 26/07/95.

²⁸⁵⁹ UNGE, UNPROFOR, Box 115, SNE, CVAO, 20 Jan - 12 Aug 95. Memorandum Harland to Ryan info Maj-Gen Gobilliard, 'Negotiations on Zepa (11)', 28/07/95.

²⁸⁶⁰ UNGE, UNPROFOR, Box 115, SNE, CVAO, 20 Jan - 12 Aug 95. Fax Tuzla (UNHCR) 26 Jul 95 11.40Z. 'Zepa refugees complain of betrayal', *The Times*, 'Concern for Zepa defenders left in hills', *Daily Telegraph*, 27/07/95.

²⁸⁶¹ UNGE, UNPROFOR, Box 115, SNE, CVAO, 20 Jan - 12 Aug 95. Memorandum Harland to Ryan info Maj-Gen Gobilliard, 'Negotiations on Zepa (8)', 26/07/95.

²⁸⁶² UNGE, UNPROFOR, Box 115, SNE, CVAO, 20 Jan - 12 Aug 95. Memorandum Harland to Ryan info Maj-Gen Gobilliard, 'Negotiations on Zepa (8)', 26/07/95.

he had a code of honour' but could not be held responsible if the men tried to cross the Drina or break out.²⁸⁶³

Later in the night of 25 July, Smith met Izetbegovic and Muratovic to give his report. It turned out that Izetbegovic had already obtained a copy of the agreement through Bosnian Serb channels and declared that he was prepared to exchange five hundred Bosnian Serb prisoners of war for two thousand men from Zepa. Izetbegovic feared however that Mladic would change his mind and not honour his part of the agreement. Another problem for the Bosnians was that they too suspected that Hakija Torlak had been forced to sign the agreement and that he had not been acting with the approval of the Bosnian Muslim Commander Avdo Palic or of the Bosnian Muslim army in Zepa. The extreme difficulties that Smith faced as he tried to operate in the heat of the moment are evident from the reproach he received from Muratovic that UNPROFOR was assisting in the evacuation from Zepa and even without the approval of the Bosnian government and that UNPROFOR was therefore responsible for the registration of the population and the checks in Kladanj.²⁸⁶⁴

Apart from the talks between Smith and Mladic, negotiations were in progress at the airport of Sarajevo about an exchange of prisoners of war and the role to be played by UNPROFOR in this connection. These talks however became deadlocked over the question as to which party was to take possession of the weapons. The Bosnian Muslims wanted to hand the weapons over to UNPROFOR, the Bosnian Serbs wanted to take the weapons themselves. Another sensitive issue concerned the question what to do with the group of men (estimated by UNPROFOR at three thousand men) who had reportedly been taken prisoner at Srebrenica. The Bosnian Serbs refused to hand over lists of these men – in reality they had already been murdered.

Chief Civil Affairs Officer David Harland, who was chairing the talks, believed that the Bosnian government had by now accepted that the Bosnian Muslims had been defeated at Zepa but did not rule out that groups would fight on. The 'srebrenica option', a military solution followed by a humanitarian disaster, thus remained a possibility.²⁸⁶⁵

All hopeful thoughts about a speedy settlement of the fall of Zepa were thus almost immediately dashed to the ground. UNPROFOR was also becoming increasingly concerned about other Safe Areas. The results of the London Conference had hardly filled the Bosnian Serbs with awe. Mladic publicly announced that the autumn would not only see Zepa and Gorazde in Bosnian Serb hands but also the Bihac area and, finally, Sarajevo, thus bringing the war to an end,²⁸⁶⁶ though Mladic did add to journalists that he would not need to attack Gorazde if the Bosnian Muslims handed over their weapons.²⁸⁶⁷ Meanwhile the situation in Gorazde remained tense and fierce fighting in the Bihac area had set a large flow of refugees in motion.²⁸⁶⁸

The hostilities around Zepa were beginning to subside, however. Regular combat units of the Bosnian Serb army had been pulled back and replaced with reservists. These seemed unlikely to start up operations to drive the Bosnian Muslims out of Zepa. Smith expected them to continue the siege and prevent the men from escaping. Smith had to decide whether the UNPROFOR personnel should stay on in Zepa. The Bosnian Serbs were refusing to let supplies through and UNPROFOR personnel were becoming mixed up with Bosnian Serb troops in their efforts to track down civilians still in the enclave. The Bosnian Serbs gave no guarantees for their safety and they could easily be taken hostage. Smith was particularly worried that something might happen to the French soldiers. There were still an

²⁸⁶³ NIOD, Coll. Ashton. The Office of the Comd HQ UNPROFOR to HQ UNPF Zagreb, SRS, FC, DFC, 'Meeting Notes General Smith / General Mladic 25 July [1995]'. Conf.

²⁸⁶⁴ NIOD, Coll. Ashton. The Office of the Comd HQ UNPROFOR to HQ UNPF Zagreb, SRS, FC, DFC, 'Meeting Notes General Smith / General Mladic 25 July [1995]'. Conf.

²⁸⁶⁵ UNGE, UNPROFOR, Box 115, SNE, CVAO, 20 Jan - 12 Aug 95. Memorandum Harland to Ryan info Maj-Gen Gobilliard, 'Negotiations on Zepa (7)', 25/07/95.

²⁸⁶⁶ Confidential information (187).

²⁸⁶⁷ 'Mladic wil onderhandelen met autoriteiten Gorazde' ('Mladic wants to negotiate with authorities of Gorazde'), *Reuters*, 27/07/95, 05.23.

²⁸⁶⁸ DCBC, No. 1027. Code Biegman 653, 26/07/95.

estimated 1500 Bosnian Muslim troops and 2800 civilians left in Zepa and these would only be prepared to surrender if guarantees were given for a safe departure. Smith was worried that in this case it would be very difficult to separate the soldiers from the civilians.

The Bosnian government insisted that UNPROFOR should stay and help the people to reach safety. Mladic reportedly continued to demand surrender to the Bosnian Serbs and was unwilling to compromise. Smith felt that for moral reasons UNPROFOR should stay in Zepa for as long as civilians remained there. Withdrawal would be tantamount to abandoning them to their fate. It would also undermine the credibility of UNPROFOR and saddle the UN with negative publicity as well as difficulties with the Bosnian government. The risk of hostage-taking had to be taken, but Smith did put the matter to Akashi and Janvier.²⁸⁶⁹

The Croatian offensive changed the mood among the Bosnian Serbs in the days thereafter. At the next meeting that Smith had with Mladic, again at the former's request to resolve the Zepa issue, he found Mladic a changed man. Mladic made a tired and harassed impression. He was visibly strained by the serious military and humanitarian situation that had arisen in the Livno valley where the Bosnian Serbs were confronted with fifty thousand refugees as a result of the Croatian offensive. Zepa was no longer as high on Mladic's agenda as a few days previously. An exchange of prisoners of war had still not been arranged and Mladic remained unwilling to make concessions on that point. He claimed that the evacuation of the population had been completed but did not allow Smith to have patrols carried out to check whether anyone had stayed behind. According to Mladic, the Bosnian Muslim army was breaking out in the direction of Gorazde and Kladanj and to Serbia. Mladic offered a free conduct for the withdrawal of UNPROFOR but had no objection to UNHCR and the International Red Cross staying. Evidently certain things had also gone wrong: men who had been promised safe conduct to Kladanj had been taken prisoner. This was a matter of great concern to Smith, particularly as it would make the Bosnian Muslim soldiers still roaming around in the hills totally unwilling to surrender, while also doing little to encourage sympathy for the refugees that the Bosnian Serbs were confronted with. These arguments cut no ice with Mladic.²⁸⁷⁰

Talks about an exchange of prisoners continued but the standpoints of the warring factions remained as far apart as ever. The Bosnian Serbs would not budge and continued to demand the surrender of the men in Zepa. After this, an exchange could take place. The Bosnian Muslims too held on to their demand that the men should be evacuated and kept out of the hands of the Bosnian Serbs. They would be freed anyway after an exchange, so they argued. Mladic, for his part, stepped up the pressure by setting a deadline, after which any men who had not surrendered would be attacked. Muratovic countered by saying that the Bosnian Muslims would not surrender but that negotiations should continue nevertheless. UNPROFOR tried to work out a solution other than total surrender and the Bosnian Serbs appeared to hope that continuation of the fighting would lead to a *fait accompli*. The conclusion of UNPROFOR was: 'we appear to be in a mess'.²⁸⁷¹

On 30 July the talks between the Bosnian Serbs and Bosnian Muslims about the evacuation of the Bosnian Muslims came to an end. Neither party had any new proposals to make. The Bosnian Serbs appeared to have abandoned the idea of a negotiated evacuation and were intending to cleanse the area at their own pace. Zepa was no longer a priority for Mladic now that he had his hands full with the Croatian offensive. The senior members of the General Staff had travelled to Banja Luka and Mladic let Smith know that he was no longer interested in an exchange of prisoners. It also meant for

²⁸⁶⁹ NIOD, Coll. Smith. Code Cable Smith to HQ UNPF Zagreb attn. SRSSG, FC, G3OPS, 292200BJul95.

²⁸⁷⁰ NIOD, Coll. Ashton. The Office of the Comd HQ UNPROFOR to HQ UNPF Zagreb, SRSG, FC, DFC, 010050BAug95, 'Meeting Gen Smith / Gen Mladic 31 July 1995'. UNPROFOR Geneva, Box 25/77, File 1.1.57, SNE 4 Apr - 23 Aug 94.

²⁸⁷¹ UNGE, UNPROFOR, Box 115, SNE, CVAO, 20 Jan - 12 Aug 95. Memorandum Harland to Ryan info Maj-Gen Gobilliard, 'Negotiations on Zepa (10); (11)', 27/07/95 and 28/07/95.

UNPROFOR that the 150 men still in Zepa had to be pulled out soon to prevent them from becoming hostages in a remote area in Bosnia.²⁸⁷²

In the inaccessible area around Zepa the Bosnian Muslims ensconced on the mountain slopes and in the caves continued the struggle. The Bosnian Serbs were unable to achieve a victory but were combing the area to flush out any remaining Bosnian Muslim fighters. The road to the north via Srebrenica was cut off and the routes to Muslim areas at Gorazde and Sarajevo were far away and dangerous. One of the few escape routes left entailed crossing the Drina River to Serbia. Smith had already asked Bildt to persuade Milosevic to exert pressure on Mladic to give UNPROFOR better access to Zepa. Bildt also received the request from Muratovic to ask Milosevic whether the safety of the Bosnian Muslim soldiers crossing the Drina River could be guaranteed.

The flight across the Drina appeared to give a sudden twist to the situation and offer a way out of the morass. Bildt feared however that if Mladic were informed of the organized flight or found out about it himself, this could lead to a renewed massacre similar to the one that had taken place at Srebrenica. Secrecy was therefore essential. Milosevic could possibly be persuaded to see cooperation with the plan as a political investment. This, in fact, proved to be the case; the flight of Bosnian Muslim soldiers to Serbia prompted Milosevic to write letters calling upon Izetbegovic and Mladic to stop the war and bring the hostilities to an end. Remarkably enough, Milosevic wrote directly to Mladic, thus bypassing Karadzic. In his letter Milosevic referred to the images of the refugees from Srebrenica and Zepa who were fleeing to Tuzla and of the Serbian refugees who had fled to Banja Luka after the Croatian offensive.²⁸⁷³

The Bosnian Muslim army was instructed via the surviving radio lines with Sarajevo to make its way to Serbia.²⁸⁷⁴ Six hundred men from Zepa and a smaller contingent that had originally come from Srebrenica swam or rafted across the Drina at Bajina Basta.²⁸⁷⁵ Not all men fled across the Drina, incidentally: many escaping from Zepa (the exact number is not known) took the same route as the column of men from Srebrenica to Tuzla. This journey too was a horrific ordeal with no food. On the way they encountered a great many bodies lying around Konjevic Polje. The bodies had started to stink because of the warm weather and the Bosnian Serbs were trying to round up the men with dogs and guide them back to the road. Some did not arrive in Tuzla until 12 October.²⁸⁷⁶

Around Zepa there was no evidence of mass murders. Nor had any digging machines been observed in the surroundings. One notable victim was the local Bosnian Muslim Commander, Colonel Avdo Palic. Smith's Military Assistant, Lieutenant Colonel Jim Baxter was one of the last to see Palic alive. At the time he was in the company of the Bosnian Serb General Tolimir. An hour later Baxter saw Tolimir again, this time without Avdo Palic.²⁸⁷⁷ Mladic boasted that he had been shot because the surrender talks had not led to a result.²⁸⁷⁸ This was a severe blow to the negotiations as Palic was the only man in Zepa who was authorized by the Bosnian government to negotiate.²⁸⁷⁹

²⁸⁷² UNGE, UNPROFOR, Box 115, SNE, CVAO, 20 Jan - 12 Aug 95. Memorandum Harland to Ryan info Maj-Gen Gobilliard, 'Negotiations on Zepa (14)', 31/07/95.

²⁸⁷³ UNPROFOR New York, Box 88039, File 1-2-1, Nov 94 - Aug 95. Slobodan Milosevic to Alija Izetbegovic, 01/08/95.

²⁸⁷⁴ Bildt, *Peace Journey*, pp. 70-71.

²⁸⁷⁵ *Borba*, 03/08/95.

²⁸⁷⁶ Confidential interview (51).

²⁸⁷⁷ Interview J. Baxter, 16/10/00.

²⁸⁷⁸ 'Bosnian Serbs Said to Have Killed Zepa Commander', *Reuters*, 29/07/95; 'Zepa Negotiator Detained, Fate of Another Unclear With BC-Yugoslavia', *Associated Press*, 29/07/95. On 26 July John Pomfret, *Washington Post Foreign Service*, wrote about Palic: 'Avdo Palic, a former Yugoslav army captain who has commanded Zepa's defence since the war began. In the spring of 1992, according to U.N. officials, Palic orchestrated a raid on a Yugoslav army communications tower near Zepa, capturing 60 guns and killing as many as 50 Serbs. In June 1992, when the Serbs tried to retaliate and add Zepa to their eastern booty, Palic ordered the only paved road into the valley dynamited and incoming tanks ambushed. The Serbs said 400 of their soldiers were killed -- their bloodiest defeat of the war.' Pomfret did not link this to the situation in 1995, but such a connection cannot be ruled out.

²⁸⁷⁹ UNGE, UNPROFOR, Box 115, SNE, CVAO, 20 Jan - 12 Aug 95. Memorandum Harland to Ryan info Maj-Gen Gobilliard, 'Negotiations on Zepa (11)', 28/07/95.

7. Conclusions about Zepa

The warring factions and UNPROFOR appeared to have learned their lessons from the events at Srebrenica. On the one hand the Bosnian Serbs were willing to come to an arrangement in an evident attempt to avoid a repeat of Srebrenica, which had been extremely damaging to their position. The same applied to the Bosnian government which in the first instance was considering an evacuation of the population and then recoiled when confronted with Mladic's demand for unconditional surrender, but which ultimately did not resist the evacuation of the population and at a certain moment even insisted on it. The UN responded alertly and talks were held under the direction of UNPROFOR to arrange an exchange of prisoners and so spare the lives of the able-bodied men. These talks, incidentally, failed to produce results due to mistrust over the intentions of the Bosnian Serbs, but at any rate no mass murder took place at Zepa.

On 19 July 1995 Mladic had made generous promises to Smith concerning access to Zepa, but little came of these in practice. After 3 August there would be no UN presence in Zepa as the withdrawal of the Ukrainian garrison would then be completed. Though Mladic had agreed to the presence of two Civil Affairs Officers, the military authorities in Pale refused them permission to travel to Zepa. UNHCR now also failed to gain access to Zepa and it was no longer known whether the International Red Cross or other NGOs were present or not. The International Red Cross had been able to visit no more than 44 men while the total number of detainees was unknown. Estimates put the figures at several hundred men in addition to the group that was making its way to Serbia.²⁸⁸⁰ On 10 August the Security Council adopted Resolution 1010 demanding that UNHCR and the International Red Cross be granted access to Srebrenica and Zepa. This time, the scope of the resolution was restricted to humanitarian affairs. Unlike in the case of Srebrenica, there were no longer vigorous calls for a restoration of the Safe Area of Zepa.²⁸⁸¹

It was striking that Mladic went to a lot of trouble in Zepa to get Smith there as quickly as possible and also that he tried to use Smith as a link between the Bosnian Muslims and UNPROFOR. He also promised Smith that he would supervise the proceedings in person to ensure everything went in orderly fashion. It looked as if Mladic wanted to be personally involved to avoid a repetition of the events in Srebrenica.

Other factors also played a part: Mladic was losing the strategic initiative and he knew it. The operations in Krajina were going badly for the Bosnian Serb forces. Mladic made a hasty departure in the midst of the negotiations to go to Krajina. He placed the negotiations in the hands of Tolimir who, so Smith suspected, had been instructed to 'get it over quickly'. All sorts of demands regarding Zepa then suddenly proved acceptable to the Bosnian Serb negotiators and a lot could be arranged.²⁸⁸² This was in stark contrast with Srebrenica, where Mladic had denied negotiators access, thus leaving Karremans to fend for himself. Another marked difference was that in Zepa Mladic was prepared to permit the arrival of the International Red Cross and UNHCR as well as journalists at an early stage. The fact that nothing came of the proposed exchange of prisoners was due to a lack of trust over the intentions of the Bosnian Serbs, but was also because the Bosnian Muslims and UNPROFOR did not know how many men the Bosnian Serbs were still holding at Srebrenica. For this reason, the Bosnian Muslims were unwilling to conclude a comprehensive arrangement for the exchange of prisoners. That these men had already been murdered was not yet known at the time.

The grim reality behind the fact that no men from Srebrenica had arrived in Tuzla needed no further explanation in Zepa. Around 700 men from Srebrenica had reportedly fled to Zepa, including 109 Bosnian Muslim soldiers. Many of them could bear witness to the horrors that the column of men had encountered during their flight to Tuzla before heading for Zepa. The spectre of Srebrenica led to stiff resistance against the Bosnian Serbs in Zepa.

²⁸⁸⁰ UNGE, ICFY, Ordner 140(47) Cryptofax In 1-14 Aug 95. Code Cable Akashi to Annan, 03/08/95, No. Z-1321.

²⁸⁸¹ S/RES/1010 (1995), 10/08/95.

²⁸⁸² Interview R.A. Smith, 12/01/00.

The local government in Zepa also appeared to have a better grip on things than their counterparts in Srebrenica. Compared with Srebrenica, Zepa was an enclave with fewer internal conflicts. After their initial refusal to assist the UN with the evacuation, the local representatives of the SDA (Muslim's Party of Democratic Action) were quickly able to indicate what was necessary to help the refugees. Evidently this had been carefully planned beforehand.²⁸⁸³ A reported 1245 Bosnian Muslim troops were in Zepa and these were better armed and organized than their comrades in Srebrenica. The Bosnian Muslims were able to put up a better and longer defence and when resistance was no longer possible they managed to stay out of the hands of the Bosnian Muslims by retreating in a well-organized manner to the mountains and caves. The Bosnian Serb army was reluctant to engage the enemy in such terrain, where its heavier equipment offered fewer advantages. In this way, time could be won to reach a political arrangement which allowed the majority of the men to cross the Drina to safety in Serbia. It was striking that Milosevic lent his support to this, thereby seizing the opportunity for a political initiative to move towards a peace settlement. It was also striking that, unbeknown to Karadzic, he turned directly to Mladic and Izetbegovic in this connection.

Lessons appeared to have been learned from Srebrenica. UNPROFOR was prepared for the fall of Zepa and, unlike in Srebrenica, it was not caught off guard by a stark and paralyzing reality. General Smith was able to play an active role and Mladic allowed him to do so. As a result, the International Red Cross could be involved at an early stage and arrangements could be made to remove the wounded and evacuate the population without leaving all initiative to the Bosnian Serbs. The Bosnian government had been cooperative up to a certain point and the political intervention of Milosevic through the intermediation of Bildt had prevented escalation when an arrangement for the exchange of men failed to materialize. Though this was not an easy process, it at least did not lead to the enormities on the scale of Srebrenica.

8. Gorazde: military plans are hatched

After the fall of Srebrenica and the threatening and unavoidable loss of Zepa, all the signs were that Gorazde, the only remaining Safe Area in Eastern Bosnia, would be the next target for the advancing Bosnian Serbs. Though Mladic had said on 15 July during talks in Belgrade that he had no intentions to take Gorazde and had given assurances to this effect, no one took his word at face value.²⁸⁸⁴ The UN, the French and the British set to work in a bid to find measures that would prevent Gorazde being taken. Gorazde was protected by a small Ukranian contingent and somewhat larger British contingent of peacekeepers. Skirmishing between the warring factions around Gorazde had already been going on for some time. The UNPROFOR presence had become almost totally ineffectual. The Bosnian Muslims had largely disarmed the Ukrainians. The British had pulled back from their observation posts to their compound.

After their earlier but hardly fruitful ideas for recapturing Srebrenica, the French turned their attention to Gorazde. They requested the US to air-lift a thousand French troops in US helicopters to Gorazde as the advance force of a brigade being sent to reinforce the town. The French exerted pressure on the Americans by saying that failure to meet their request would leave them with no option other than to withdraw from UNPROFOR. The Americans incidentally did not treat this French plan as a ploy to withdraw from Bosnia. After the rather unrealistic French plans for recapturing Srebrenica, the Americans did take the French proposals seriously this time, but opinions in Washington were divided over how to respond to the French request.²⁸⁸⁵

The French proposal put Washington in a difficult position. Not only was it perceived to be risky – Holbrooke called it 'Dien Bien Gorazde' – but it also entailed the danger of sucking the

²⁸⁸³ NIOD, Coll. Clingendael. Postscript to Srebrenica, author Maj P.H.D. Wright, UNMO MIO SNE, 26/07/95. Secret.

²⁸⁸⁴ Confidential information (27).

²⁸⁸⁵ ABZ, DPV 452342. Code Jacobovits 454, 14/07/95.

Americans further into the conflict in Bosnia than they were willing to go; a flat rejection, however, was not really an option now that Chirac had managed to put the ball in Washington's court. Washington therefore decided not to reject the proposal but to try to replace the idea of reinforcing Gorazde with ground troops by a consensus on the strategic use of air power if Gorazde were attacked. Secretary of Defence William Perry was a particularly strong proponent of air strikes. He saw the fall of Srebrenica as providing the long-awaited opening to persuade the allies of the merits of an air campaign. President Clinton decided to send the Chairman of the Joint Chiefs of Staff to London in order to arrive at a realistic military proposal with his British and French colleagues, Admiral Lanxade and Field Marshal Sir Peter Inge, giving due attention to the option of a NATO air campaign.²⁸⁸⁶

The Chiefs of Defence Staff of France, the United States and the United Kingdom met each other on 15 July in London to see whether they could reach agreement on a military reaction.²⁸⁸⁷ At this meeting there was a clash of views between the United States, France and the UK. The United States regarded reinforcing Gorazde as virtually unfeasible. After all, they argued, the Bosnian Serb air defences would have to be destroyed first to ensure the safety of the helicopters and aircraft. The Americans therefore favoured massive bombardments from the air to deter an attack on Gorazde; the French however stuck to their idea of a greater military presence in Gorazde. The British were prepared to reinforce UNPROFOR but believed that air strikes would lead to the departure of the British troops from Bosnia.²⁸⁸⁸ Bosnia-Herzegovina Commander General Smith was also opposed to bombardments but if these were to be carried out, he wanted the UN troops removed from Gorazde first. In his eyes SACEUR General Joulwan exaggerated the signals that the intelligence services were giving about Gorazde. But according to the American Gorazde awaited the same fate as Srebrenica.²⁸⁸⁹

The question was not only whether the United States was prepared to provide an airlift but also whether other countries were willing to take part. The Dutch UN ambassador Biegan saw room for Dutch participation after the release of the Dutch hostages in Bratunac on 15 July.

The British were not keen on sending reinforcements to Gorazde, mainly on technical military grounds.²⁸⁹⁰ The British Chief of Defence Staff, Field Marshal Sir Peter Inge, was indeed against military action. Speaking to Admiral Leighton Smith, the British Foreign Secretary, Malcolm Rifkind, expressed fears that Gorazde could not be saved from the air either: the Bosnian Serbs had assembled 12,000 troops there.²⁸⁹¹ The British appeared more inclined to withdraw their contingent from Gorazde than to send in reinforcements. Even if reinforcements could reach Gorazde, this would still offer no prospect of a successful defence of the enclave. More was needed to achieve that. The Russians felt little good would come of using military units to avert the fall of Gorazde. In their viewpoint UNPROFOR had a peacekeeping and humanitarian mission and they felt it was not desirable for UN troops to become embroiled in hostilities.²⁸⁹²

The Department of Peacekeeping Operations in New York also studied the military options for preventing Gorazde being taken by the Bosnian Serbs. If the international community failed in this endeavour, so New York feared, then the French would in all probability leave Bosnia and the Americans would lift their arms embargo. The only military option open to the UN was to station the Rapid Reaction Force units already in Bosnia in Gorazde. New York was not yet ready for the massive deployment of air power: that would trigger outright war with the Bosnian Serbs. What's more, it was also worried that any fighting between UNPROFOR and the Bosnian Serbs could jeopardize the release of the Dutchbat soldiers still being held in Bratunac.²⁸⁹³

²⁸⁸⁶ Daalder, *Getting to Dayton*, pp. 69-72.

²⁸⁸⁷ Bildt, *Peace Journey*, p. 59.

²⁸⁸⁸ Daalder, *Getting to Dayton*, pp. 69-72.

²⁸⁸⁹ Interview Jim Baxter, 16/10/00.

²⁸⁹⁰ Archive PVVN. Fax PVVN to M[inister], 15/07/95, und. Later sent as Code Biegan 629. (ABZ, DEU 05278).

²⁸⁹¹ Interview Leighton Smith, 06/06/00.

²⁸⁹² Eric Schmitt, 'U.S. Sees French Plan as Nudging It to Brink of War', *New York Times*, 18/07/95.

²⁸⁹³ NIOD, Coll. Ashton. Crypto Fax UNPROFOR HQ, DPKO, Military Advisor to UNPF HQ Zagreb, 152200NYTJul95.

Janvier was not very happy with the ideas from New York to transfer Rapid Reaction Force units to Gorazde. It was true that this might deter a Bosnian Serb attack, but Janvier feared an outcome similar to Srebrenica. NATO air strikes would represent an attack on the Bosnian Serb air defences. This could be interpreted as an act of war and the possible consequences of this were unclear. Janvier had already expressed this fear before. Moreover, the Bosnian Serbs would see the sending of reinforcements to Gorazde as a decision of UNPROFOR to fight along with the Bosnian Muslims. Also, Janvier argued, it was hard enough getting supplies through as things were and more troops in Gorazde would only aggravate this problem. Janvier wanted to follow the same tactics as in Srebrenica, namely to set up a blocking position with the units already in Gorazde, only this time with well-prepared defensive positions. Janvier realized that such a step would have little effect if these positions were circumvented in difficult and inaccessible terrain. That's why he also wanted to deploy mines and armed helicopters. Janvier saw this as a more viable option than the route that New York had chosen, i.e. sending reinforcements. He pointed out once again that in his opinion the objective of the resolutions of the Security Council was to protect the population and not the enclave as such.²⁸⁹⁴

In a lengthier analysis of the plans from New York, Zagreb reiterated the need to protect the population. Zagreb pointed out that New York had not defined the protection of the population as a clear objective of the UN efforts. Zagreb believed that there were ways other than purely military ones to protect the population. The deployment of military means would merely endanger the population and bring UNPROFOR into conflict with the Bosnian Serbs, thus exacerbating the danger for the population even further. The proposal from New York was dangerous, full of risk and 'smacks of military adventurism', so Janvier said. First of all, light had to be shed on the objective that the international community, and the UN as its mouthpiece, had set themselves. If New York issued military orders, then these had to fit in with the strategy that the UN proposed to pursue, Janvier concluded.²⁸⁹⁵

9. The London Conference

After the fall of Srebrenica and after a large number of men had been deported to an unknown destination, according to General Smith the British government panicked and was gripped by fears that the same thing could happen in Gorazde. Given the British presence in Gorazde this had to be avoided at all costs.²⁸⁹⁶ The British decision to organize a conference of the Foreign Affairs and Defence ministers of the most important troop-contributing nations had actually already been taken before the mass murders were made known (see Chapter 3 of this Part). On 14 July London announced its intention to organize a conference on 21 July. The French and Americans were not entirely happy with this British proposal: the French would have preferred to see a prior political *commitment* to defend Gorazde and the Americans wondered why it was necessary to wait an entire week before holding the conference. That would give the Bosnian Serbs a free hand to capture what they could in the meantime. The British however said they needed a week to think about the best course of action.²⁸⁹⁷

The French wanted the meeting in London to result in a consensus approach, consisting of a credible military signal to stem the advance of the Bosnian Serb army combined with a political signal, i.e. continuation of the negotiations on the basis of the Contact Group's plan and recognition of Bosnia by Belgrade. Presidents Chirac and Clinton at least agreed that a line had to be drawn before Gorazde also fell into the hands of the Bosnian Serbs. But Washington and Paris did not agree about how that line was to be drawn. The French objected to a defence of Gorazde in combination with bombardments of strategic targets: the Bosnian Serbs could interpret this as an act of war and respond

²⁸⁹⁴ UNNY, DPKO, UNPF, Code Cable Janvier to Annan, 16/07/95, No. UNPF HQ Z-1177.

²⁸⁹⁵ NIOD, Coll. Ashton, Code Cable Janvier to Van Kappen, UNHQ, DPKO MILAD, 17/07/95, No. UNPF-HQ Z-1183. The code was signed by Ashton.

²⁸⁹⁶ Interview R.A. Smith, 12/01/00.

²⁸⁹⁷ ABZ, DPV 452342. Code Biegan 620, 14/07/95.

to it accordingly. The French also pointed in this connection to the vulnerable position of Dutchbat which was still in Potocari.²⁸⁹⁸

'Drawing a line in the hills' was also the advice that Boutros-Ghali received from the UN Secretariat in connection with his preparations for the conference. According to the UN, a *status quo* could no longer be maintained in Bosnia. The limitations of Close Air Support had now become sufficiently clear and further humiliation of peacekeepers could not be tolerated. Urgent changes were necessary otherwise the UN mission would lose the support of the United States, France and the Bosnian government, and that would herald the end of UNPROFOR. A – symbolic – reinforcement of Gorazde should make Mladic think twice before attacking. The underlying intention was to strengthen the deterrent rather than to fight. The Secretariat held the view that this could go some way towards restoring the credibility that the Security Council had lost, even though it was not completely without risk. Military adviser Van Kappen added that in this case it was desirable to already send a Forward Air Controller (in a Tactical Air Control Party) and a Fire Support Coordination Center to Gorazde so that air and artillery support could be given. In addition, a decision was needed to choose the side of the Bosnian Muslims. In the words of Van Kappen it basically meant that: 'the Bosnians will do the fighting and dying and we (NATO) will provide the firepower'.²⁸⁹⁹

The conference convened on 21 July. The ministers of Foreign Affairs and Defence of the countries of the Contact Group and of the most important troop-contributing nations, the Secretaries General of the UN and the NATO and representatives of the European Commission took part. Generals Janvier and Smith were also invited.

While the fighting around Zepa continued, several options came up for consideration. These were partly a reiteration of the options that Boutros-Ghali and Janvier had put to the Security Council in May 1995: withdraw from vulnerable positions and write Gorazde off as a lost cause, withdrawal of UNPROFOR, or draw a line at Gorazde.²⁹⁰⁰ During the conference there was a growing awareness that such a line should indeed be drawn and that a further advance of the Bosnian Serbs to other Safe Areas had to be avoided. The fall of Gorazde would mark the beginning of the end for UNPROFOR. But how exactly could the fall of Gorazde be avoided? This was the burning question that remained unanswered. The Bosnian Serbs were told straightaway that 'any attack on Gorazde will be met with a substantial and decisive response, including the use of air power'.²⁹⁰¹ This stance was at least a good deal tougher than Akashi's earlier warning on 9 July to the Bosnian Serbs to discontinue their advance against Srebrenica. What's more, this warning had the full weight of the international community behind it.

Though that international community had not yet reached a consensus opinion, military measures to protect the Safe Area of Gorazde had now come a good deal closer. The differences that had existed before the conference had not been resolved, however. The United States wanted 'a decisive commitment' to defend Gorazde with a campaign from the air. General Shalikashvili, chairman of the Joint Chiefs of Staff, made no secret of what the Americans wanted: the abandonment of the proportionality principle by the UN, suppression of Bosnian Serb Air Defences, and modification of the dual key system. The French pointed out however that air power and ground troops were inextricably linked. The British stance was 'again essentially non-committal'. The Russians pressed for diplomatic action and did not support an air campaign. There was however consensus about the fact

²⁸⁹⁸ DCBC 940. Code Andreae 222, 20/07/95.

²⁸⁹⁹ DCBC 947. Secure fax PV New York to Min. of Foreign Affairs/DGPZ and Min. of Defence, 'Update UN study Gorazde, 19/07/95, No. nyv-4455.

²⁹⁰⁰ NIOD, Coll. De Ruiter, UNPROFOR HQ Sarajevo, Weekly Situation Report, No. 128, 17-23 July 1995.

²⁹⁰¹ NIOD, Coll. Smith. 'Bosnia: International Meeting, London 21 July 1995, Chairman's Statement'.

that withdrawal of UNPROFOR was not an option or as EU negotiator Bildt put it: 'withdrawal was not a policy, but the abandonment of policy'.²⁹⁰²

The motto that General Smith had given his speech for the conference, 'the dilemma of killing the injured animal or allowing it to die in agony', appeared to have been resolved. Smith did raise a warning finger however: robust action might meet a 'pressing emotional need by nations who are *outside* the Balkans, it does little to solve the dilemma of the UN *within* the borders of Bosnia-Herzegovina, whilst carrying considerable risks for the longer term'.²⁹⁰³ Smith also found it worth noting that only the Safe Area of Gorazde had been mentioned in connection with the bombardments. During the conference both Janvier and Smith had to stand up and say that there were still UN soldiers in Zepa and that that enclave had not yet fallen. The politicians appeared to take little account of this and Smith had also felt compelled to explain that there were still other Safe Areas and that he was also responsible for troops from countries that were not represented at the conference, such as Bangladesh.²⁹⁰⁴

Janvier emphasized the need for a realistic and pragmatic approach in London. In view of the limited resources at his disposal, there were no military solutions. In his view, the taking of hostages had demonstrated that the use of air power would be of only limited value. UNPROFOR was not able to defend the enclaves, so Janvier said.²⁹⁰⁵

10. The Dutch attitude towards Gorazde

The Netherlands Military Intelligence Service also predicted that the Bosnian Serbs were intending to seize all the eastern enclaves. It therefore seemed probable that the Bosnian Serbs would attempt before long to gain control of Gorazde too. For this enclave was of even greater strategic importance than Srebrenica,²⁹⁰⁶ and the Safe Area was also bigger in terms of size and population (60,000 inhabitants).

There were 10,000 well-armed Bosnian Muslim troops in Gorazde. Foreign Affairs therefore assumed that the Bosnian Muslim army would be capable of defending the enclave on its own. In that scenario the British UNPROFOR troops would have little option other than to leave. The British had already pulled back from the OPs and were now in the shelters. If the Rapid Reaction Force were deployed to reinforce the military presence in Gorazde, then the Netherlands could not avoid involvement: the Netherlands were represented in this Rapid Reaction Force with a mortar company of the Royal Netherlands Marine Corps and a mortar location radar unit of the Royal Netherlands Army. At the same time, the civil servants of Foreign Affairs believed that the enclave was not viable in the long term and that a negotiated solution had to be found for it. In addition, the Netherlands was to speak out in favour of maintaining a UN presence in Bosnia for as long as the UN played a principal humanitarian role.²⁹⁰⁷

In London, Minister Van Mierlo made this standpoint conditional on the departure of Dutchbat from Srebrenica. This was planned for 21 July, the day of the conference. Van Mierlo still appeared uncertain about the departure of Dutchbat after the tough language levelled at the Bosnian Serbs before the conference. Van Mierlo also took the view that the UN should abandon indefensible areas. Van Mierlo reasserted the standpoint that he had taken earlier in the EU concerning Zepa: the

²⁹⁰² NIOD, Coll. De Ruiter, UNPROFOR HQ Sarajevo, Weekly Situation Report, No. 128, 17-23 July 1995. The stance taken by General Shalikashvili is derived from: UN New York, De Mello Papers. OSE, UNHCR Zagreb to The High Commissioner, 'Note for the File on London Meeting', 28/07/95.

²⁹⁰³ NIOD Coll. Smith, 'Notes for Speech to London Meeting' [20/07/95].

²⁹⁰⁴ Interview R.A. Smith, 20/01/00.

²⁹⁰⁵ UN New York, De Mello Papers. OSE, UNHCR Zagreb to The High Commissioner, 'Note for the File on London Meeting, author Anne Willem Bijleveld, 28/07/95. See also ABZ, DDI-DEU 1/Bosnia-Herzegovina/NAVO, C-map. Code Van Mierlo 67, 24/07/95.

²⁹⁰⁶ DCBC 882. MID-briefing for Ministers Voorhoeve and Van Mierlo, 18/07/95.

²⁹⁰⁷ ABZ, DPV 452342. Memorandum 'Welke toekomst voor UNPROFOR?' (What future for UNPROFOR?), 18/07/95. The memo was a joint product of DAV, DEU and DPV.

population should be evacuated in that case. If Gorazde could be defended, then that is what had to be done, according to Van Mierlo. But even if Gorazde could not be defended, this did not, in his view, rule out an attempt to repel a Bosnian Serb attack. Though the eastern enclaves were indefensible, they were still counters in the political game. Nevertheless Van Mierlo was now prepared to look at plans for a 'realignment' of UNPROFOR in order to make this force less vulnerable. Before the fall of Srebrenica, he had rejected proposals for a realignment.²⁹⁰⁸

Voorhoeve asked Janvier in London how Gorazde could be protected by an air campaign if that was to be combined with a UNPROFOR presence; no clear answer was forthcoming.²⁹⁰⁹ Voorhoeve also asked Janvier whether the dual key system should be maintained, considering that the Americans had their doubts about this. Janvier calmly answered that the dual key was working well. As an example he mentioned the air support that had been given to Dutchbat on 11 July: on that occasion a decision had been taken in Zagreb within five minutes.²⁹¹⁰

11. The ball in NATO's court

No real decisions were taken in London. It was only after the conference that NATO and NATO commanders also became involved in the efforts to find adequate military measures to save Gorazde. The Military Committee of the NATO pressed for a reconfirmation of the decision whereby Gorazde had been declared a Military Exclusion Zone. Under this decision of April 1994, Bosnian Serbs were forbidden to possess heavy weapons within a 20 kilometre radius around Gorazde. In this way the Military Committee wanted to avoid a repeat of the situation where tough talk failed to lead to concrete actions; it would merely further undermine the credibility of the UN and NATO if there were any doubts about the existence of the political will to take tough measures even when faced with the threat of hostage-taking.²⁹¹¹ Consultation between the NATO headquarters in Mons (SHAPE) and the UN headquarters in Zagreb to map out plans for Gorazde initially yielded few results. Without being granted specific powers by the UN in New York, Zagreb did not feel authorized to make plans.²⁹¹²

Meanwhile the Americans had launched a diplomatic offensive to enable NATO to translate the decisive response achieved in London into deeds. In the first instance use could be made of massive Close Air Support and after further escalation an air campaign could be directed against strategic targets. The Americans preferred the key for this to be placed in the hands of General Smith. In view of the experiences with Srebrenica, a system of 'triggers' (see below) had to be put in place to achieve the envisaged deterrent effect. Once under way, an air campaign should be prosecuted until the end, regardless of the risks involved. By this time there was also a growing realization that the measures should not be confined to Gorazde; after all, it was by no means certain that this would be the Bosnian Serbs' next target. The Safe Area of Bihac was another possible target.²⁹¹³

The Americans were worried that the commitment to the consensus achieved in London about a decisive and substantial response was weakening. They met with resistance from the British: the British merely wanted to target the heavy weapons of the Bosnian Serbs, while the Americans believed that a disproportionate response was required to achieve a deterrent effect. Both the British and the French were hesitant about expanding the scope of the deterrent actions to Bihac and Sarajevo. While the countries all agreed that the authority to call in air power should be delegated to the military personnel within UNPROFOR, they failed to see eye to eye about the question whether this authority

²⁹⁰⁸ ABZ, DEU 05244. Code Celer 69 (lonu 069), 25/07/95.

²⁹⁰⁹ ABZ, DDI-DEU 1/Bosnia-Hercegovina/NAVO, C-map. Code Van Mierlo 67, 24/07/95.

²⁹¹⁰ UN New York, De Mello Papers. OSE, UNHCR Zagreb to The High Commissioner, 'Note for the File on London Meeting, author Anne Willem Bijleveld, 28/07/95.

²⁹¹¹ DCBC 1552. Memorandum HPMV to CDS/BDZ/BLS/BDL, 23/07/95.

²⁹¹² DCBC 1547. Code Feith NAVO 1105, 24/07/95.

²⁹¹³ DCBC 1546. Code Van Mierlo 294, 24/07/95.

should be placed with Janvier or Smith. The French preferred to leave the authority in the hands of Janvier.

There was also the threat that the progress made by Bildt on the diplomatic front would be lost. In these negotiations Milosevic had been prepared to recognize Bosnia in exchange for the lifting of the sanctions against Yugoslavia. The Bosnian government, however, had mixed feelings about this. The Americans, unlike the British and French, felt that after the events in Srebrenica it was no longer appropriate to exert pressure on the Bosnian Muslims to accept Bildt's proposal: Bildt reacted by threatening to quit.

On the American home front Senator Dole had condemned the results of the conference in London as an invitation to the Bosnian Serbs to continue their advance. Dole again pressed for lifting the arms embargo against the Bosnian Muslims, but President Clinton vetoed this on 9 August.²⁹¹⁴

12. Modification of the 'dual key'

One of the effects of the London Conference was a growing realization that the dual key system needed to be modified. After the bombardments at Pale late in May 1995, Boutros-Ghali had drawn the authority to call in air strikes towards himself. He was fiercely opposed to giving up the dual key.

After the conference, the American UN ambassador, Albright, called the military adviser to Boutros-Ghali, Van Kappen, from the White House about the modification of the dual key. Van Kappen was told: 'General, you really have to do something now, because your boss Boutros-Ghali must give up that dual key!' In her eyes the dual key system was ripe for a major overhaul. Albright felt that it was up to Van Kappen, as the Secretary-General's military adviser, to point this out to him. Van Kappen agreed and asked Kofi Annan to help. He thought that the UN was barking up the wrong tree; New York had to give up the dual key and meet with NATO to draw up a plan for the deployment of air strikes and the Rapid Reaction Force. An old, but still relevant, problem in this connection was that the safety of the units on the ground had to be guaranteed, even if this meant moving them elsewhere. Otherwise UN personnel might be taken hostage again.

But the UN Secretariat found the member states unwilling to shift their units. A talk between Boutros-Ghali, Kofi Annan, Undersecretary-General Goulding and Van Kappen was arranged to find a solution. This was not easy, because Boutros-Ghali set great store by the dual key. He also had a clear preference for limiting the use of air power to Close Air Support. The vexed relationship between the UN and the NATO plus the fact that neither organization empathized with the other's position and culture, as well as the circumstance that the two Secretaries General did not get on very well also played a part. Moreover, Boutros-Ghali was under great pressure from the troop-contributing nations to avoid casualties and new hostages. He stressed this point during the talk, but found himself facing a closed front²⁹¹⁵

Boutros-Ghali finally conceded his 'key', but not before NATO Secretary-General Claes had renewed his assurances that NATO would not go it alone. Boutros-Ghali had first wanted clarification of the concrete shape that the decisive and substantial response agreed in London was to take and he also wanted to know what NATO had in mind regarding further Bosnian Serb military adventures against the surviving Safe Areas.²⁹¹⁶

Earlier Boutros-Ghali had kept his distance from NATO (see Chapter 2 of Part III) but when it became clear that NATO would still collaborate with the UN if air power were deployed, he pledged his support to NATO's plans. When Boutros-Ghali was reluctant to allow air strikes across the whole of Bosnia without Security Council approval, NATO was briefly worried that proposals could then be

²⁹¹⁴ Amb Washington, No. 139750. Code Jacobovits 480, 25/07/95; TK, session 1994-1995, 22 181, No. 116 (01/09/95).

²⁹¹⁵ Interview F.H. van Kappen, 21/06/00.

²⁹¹⁶ ABZ, DEU 05278. Code Biegan 653, 25/07/95; ABZ, DEU 05244, Code Jacobovits 480, 26/07/95; ABA, DEU 05278. Code Feith NAVO 1119, 27/07/95; PV NAVO Brussels, No. 119539, Letter Secretary General [NATO] to Permanent Representatives, 27/07/95, No. SG/95/509.

vetoed by the Russians. Boutros-Ghali did however agree to a delegation of powers: from 26 July the authority to decide on air strikes was placed in the hands of Janvier. Janvier, in turn, was allowed to delegate the authority to call in Close Air Support to General Smith. Within NATO this was seen as a major step forward, provided that Janvier, as a French General, would follow the tough line taken by Paris, which he had not done in the case of Srebrenica.²⁹¹⁷

After lengthy meetings the North Atlantic Council had in the meantime decided to permit pre-emptive air strikes if Gorazde came under threat. Suspension of the air strikes would only be possible in exceptional cases. The Dutch had helped to persuade the British that troop concentrations should be included among the 'triggers' for an air strike. The British had a deep aversion to the kind of air strikes that had killed so many Iraqi soldiers during the Gulf War. They had therefore insisted that strikes on troop concentrations should be conditional on the approval of the North Atlantic Council. The Dutch argued however that the council's authorization could not possibly be obtained at such short notice. Another US wish was also fulfilled: authority was granted to suppress the Integrated Air Defence System of the Bosnian Serbs.²⁹¹⁸

In an exchange of letters the two Secretaries General laid down that 'graduated air operations' could be initiated as soon as NATO and UN commanders agreed that military preparations threatening Gorazde were under way. The same applied to Bosnian Serb attacks or shelling.²⁹¹⁹ This represented an enormous step compared with the situation during the Bosnian Serb attack on Srebrenica. It was NATO which, with an attack on Gorazde in prospect, was the motor behind the expansion of the scope to deploy air power. The North Atlantic Council decided that air strikes could be used against troop concentrations and concentrations of heavy weapons if these constituted a threat to Safe Areas and in the case of a direct attack. This decision led to an agreement between General Janvier and NATO Admiral Smith. The purpose of this agreement was not only to breathe new life into the idea of deterrence, but also to offer a concrete opportunity for responding sharply to attacks. The first step in this direction consisted of the identification of targets that were eligible for attack; the second step was to reduce the vulnerability of UNPROFOR (this included plans for an evacuation of the Safe Area). Only then could air operations be started up. The exchange of information formed part of the agreement between Admiral Smith and Janvier. One special aspect concerned the arrangements regarding a Zone of Action. This was the name for a large area with sufficient targets that could be related to a threat or attack, such as command centres, logistical installations and supply lines.

The agreement thus did away with the smoking gun principle, which had imposed restrictions at the time of Srebrenica. Air strikes were no longer limited to a small area such as the Srebrenica enclave, where aircraft had too little room to operate effectively and where there were hardly any targets. If air strikes were approved, Air Defences throughout Bosnia could be targeted. Admiral Smith's long-cherished wish was thus fulfilled. As soon as the military commanders agreed, an operation could be initiated. As a result, Akashi or Boutros-Ghali were excluded from the decision-making process.²⁹²⁰

Though the agreement marked an important new step towards strengthening the deterrent effect, certain automatic reflexes within the UN had not yet wholly disappeared. Janvier reiterated that the attacked party could see a NATO action as a declaration of war to which the UN would thus also become a party. Most UNPROFOR compounds were within range of Bosnian Serb mortars and artillery. Hostages could be taken and supplies would have to be air-dropped, humanitarian aid would grind to a halt and countries would want to pull out their troops. That would spell the end of

²⁹¹⁷ DCBC 1542. Code Feith NAVO 1119, 27/06/95.

²⁹¹⁸ DCBC 1544. Code Feith NAVO 1110, 26/07/95.

²⁹¹⁹ PV NAVO Brussels, nos. 119515 and 119539. Secretary-General to Permanent Representatives, 26/07/95, Ref. SG/95/502.p and SG/95/509, 27/07/95.

²⁹²⁰ UNNY, DPKO, UNPROFOR. Code Cable Janvier to Annan, 10/08/95, No. Z-1379, MOU between CINCSOUTH and FC UNPF, Confi.

UNPROFOR and lead to a request to NATO to assist with the withdrawal. Janvier asked Admiral Smith to remind the NATO authorities of this yet once again.²⁹²¹

Boutros-Ghali was particularly worried about overhasty action against the Bosnian Serb air defences. He wanted no such strikes until these were genuinely necessary to protect the Safe Areas.²⁹²² NATO, for its part, pointed to the reduced number of flights that was currently possible over Bosnia because of the threat of Bosnian Serb air defences.²⁹²³ It was an old argument and Janvier saw no option but to accept the limitations.²⁹²⁴ Boutros-Ghali also repeated to Claes that the resolutions of the Security Council did not permit pre-emptive action.²⁹²⁵ The Netherlands – again – labelled the NATO demand to suppress Bosnian Serb air defences as exaggerated. It was unacceptable not to use air power because there were risks. The effectiveness of air power could very well be improved without NATO carrying out pre-emptive air strikes.²⁹²⁶

While the use of air power was being revitalized, UNPROFOR made arrangements with NATO about what exactly was to be defended in the Safe Area. This clarified another point that had long remained unclear and gave NATO the triggering mechanisms that it had always wanted. The arrangements incidentally were not intended to determine the exact borders of the Safe Areas, which was an old point. The Safe Areas were subdivided from the inside out into three zones. The inner zone, covering several kilometres that ‘can realistically be protected’, was the area with the largest population concentration. Around this, there was a tactical zone, outside the range of direct and indirect fire where troops could be brought in for reinforcement or evacuated, but where fighting could also be conducted. The third zone was the periphery of the Safe Area. The crossing of any zone line could act as a trigger. The fact that the attention was primarily focused on a small area was to be kept a close secret.²⁹²⁷

The commanders of the warring factions received a ‘formal notification’ from Janvier: any threat against or attack on a Safe Area would meet with a response and the reaction ‘will not necessarily be proportional, nor will it be limited to the area immediately surrounding the Safe Area’. The action would continue for as long as was necessary to eliminate the threat.²⁹²⁸

13. Measures ‘beyond Gorazde’

While the attention of the international community was firmly focused on Zepa’s downfall and the threat against Gorazde, concerns over a possible Bosnian Serb action against Bihac started to grow in late July. This could prompt the Croatians to spring to the rescue of the Bosnian Muslims living in Bihac. The Croatian government had said that Bihac was vital to Croatian safety and would not tolerate the area being overrun by the Bosnian Serbs. What’s more, it appeared to be only a matter of days before the Croatians would launch an offensive against Krajina, the self-proclaimed Republika Srpska Krajina on Croatian territory which was inhabited by Serbs. No one knew how the Bosnian Serbs and Milosevic would respond to this.²⁹²⁹

²⁹²¹ UNNY, DPKO, UNPF. Code Cable Janvier to Annan, 10/08/95, No. Z-1379, MOU between CINCSOUTH and FC UNPF, Confi.

²⁹²² UNNY, DPKO, UNPF. Code Cable Annan to Akashi, 10/08/95, No. 2656.

²⁹²³ UNNY, DPKO, UNPF. Code Cable Annan to Akasi, 11/08/95, No. 2674, with attached letter Balanzino to Annan, 11 August 1995, No DSG/95/535. Confi.

²⁹²⁴ UNNY, DPKO, UNPF. Code Cable Janvier to Annan, 15/08/95, No. Z-1417.

²⁹²⁵ UNNY, DPKO, UNPF. Code Cable, Annan to Akashi, 17/08/95, No. 2757 with attached letter Boutros-Ghali to Claes, 15/08/95.

²⁹²⁶ BSG, DS 95 IV. Memorandum CDS to the Minister, 30/08/95, No. SN95/938/5603.

²⁹²⁷ UNNY, DPKO, UNPF. Code Cable Janvier to Annan, 10/08/95, No. Z-1385; Code Cable Janvier to Annan, 21/08/95, No. 1473.

²⁹²⁸ UNNY, DPKO, UNPF. Code Cable Janvier to Annan, 16/08/95, No. Z-1429.

²⁹²⁹ ABZ, DAV 999.241. Code Scheffer 79, 27/07/95.

General Smith feared UNPROFOR being sucked into the war before a clear political policy line had been mapped out for Bosnia. In that case UNPROFOR would actually be part of the problem rather than the solution. What was needed was a decision allowing the Rapid Reaction Force and UNPROFOR to cast off their role as neutral peacekeepers and take sides with the Bosnian Muslims. Smith expressed this expectation on 11 August in a meeting with Akashi and Janvier, among others. Janvier believed however that the UN would be unwilling to choose between peace and war, though he too was worried that UNPROFOR would become mixed up in the fighting. He was particularly apprehensive about incidents that could trigger air strikes. Janvier also vented his earlier frustration: in May 1995 Boutros-Ghali and himself had sketched the opportunities for UNPROFOR, but the international community had not wanted to make a clear-cut choice then.

Smith summed up the new options in case no political arrangement was found in the short term: 'to join the fighting; to withdraw; or to reduce the force in strength'. If the UN opted to fight on the side of the Bosnian Muslims, then Smith wanted to send his 'white troops' home. Many UNPROFOR units had little to do, were not suitably trained or equipped for combat and would only be a nuisance. The Rapid Reaction Force could then be deployed and the operation possibly handed over to NATO. Meanwhile agreement had been reached with NATO about the possibility of large-scale air strikes but Janvier continued to struggle with the negative consequences of this for the troops on the ground and the mission.²⁹³⁰

In mapping out a new course for UNPROFOR Janvier assumed that all Serbs, whether they were living in Croatia, Bosnia or Serbia, were still aspiring to establish a 'Greater Serbia'. In Janvier's opinion, Pale and Belgrade had taken brilliant advantage of crises and had perfectly timed their offensive to gain more territory. General Smith disagreed with Janvier's analysis, asserting that the Bosnian Serbs merely wanted to end a threat – as in Srebrenica – in order to free troops for employment elsewhere.

UNPROFOR was gradually losing its impartiality but Janvier also now saw this as inevitable and felt that it should no longer be considered a problem. He quoted the words of the French Prime Minister Alain Juppé who had said that it could no longer be accepted that peacekeepers were passive witnesses to ethnic cleansing and the separation of men and women. Smith, however, said that if that was the case, he wanted the mandate to be changed first.

Janvier also changed his mind about Close Air Support. If the decision was taken to deploy air power, this should no longer be intended 'to disable a tank poking out of the woods'. Such a message would not get across to the Bosnian Serbs. Only substantial damage to their military potential would make it clear that the international community was determined to stop the Bosnian Serb army. This meant that air strikes were necessary.²⁹³¹ Though the UNPROFOR mandate had not been changed, this new strategic concept was nothing short of a revolution in Janvier's thinking. NATO, in fact, had already marched ahead of Janvier: strict impartiality of UNPROFOR was no longer a first requirement. Granting air support against a tank (a textbook example of Close Air Support according to Janvier at the time of Srebrenica) was now dismissed as inadequate.

On 2 August the North Atlantic Council addressed the question whether the decisions taken to deter an attack on Gorazde could be extended to the other remaining Safe Areas: Sarajevo, Tuzla and Bihac.²⁹³² The NATO military staff saw no objections to expanding the scope of the decisions for Gorazde to Sarajevo and Tuzla. Bihac was more problematic because the borders of that Safe Area had not been demarcated and because of the large number of warring factions.²⁹³³ Janvier therefore excluded Bihac from the arrangements, also in view of the fact that the Croatian advance in Krajina had

²⁹³⁰ UNNY, UNPROFOR, Box 88401, File 4-4, Notes on Meetings 1995. 'Note for the File, Coordination Meeting on 11 August 1995'.

²⁹³¹ NIOD Coll. Smith. 'General Janvier's Concept "Charting a New Course"', 29/07/95, with notes by Smith. For the original French text see: NIOD, Coll. Ashton, 'Mémoire du Général Janvier "pour un changement de cap"'.
²⁹³² DCBC No. 1534. Code Celer 298, 01/08/95.

²⁹³³ DCBC No. 1537. Code Veenendaal NATO 1129, 02/08/95.

altered the situation there.²⁹³⁴ The threat against Gorazde thus appeared to have lessened. Now that the Bosnian Serbs had their hands full with West Bosnia, the UN no longer believed that an attack on Gorazde was likely.²⁹³⁵

14. Troops for Gorazde

The British had announced that they would be withdrawing their 180-strong military contingent from Gorazde on 22 August. Unlike the Netherlands in Srebrenica, they were unwilling to send fresh troops to relieve them. In trying to find a country willing to take the place of the British, the UN experienced more or less the same problems as those that had occurred in the case of Srebrenica. The main difference was that the British Defence Minister said it was not his concern and had placed the problem on the UN's plate. Not a single country was prepared to take over that task; nor, for that matter, did anyone seriously believe that the British would dig in their heels and persist in their refusal.

After all, if anyone was eligible for being relieved, it was the 90 Ukrainian troops: after their experiences in Zepa and Gorazde, Ukraine was only willing to provide troops as part of a multinational contingent of troops. This same wish had been expressed when there was question of Ukrainian troops relieving Dutchbat, but it had not proved an insurmountable obstacle on that occasion.

In the end the Russians offered to fill the gap in Gorazde; the Bosnian Serbs would not object to this, but the Bosnian Muslims presumably would. New York therefore exerted pressure on them not to frustrate the Russians' passage to Gorazde. Another concern of the UN was to get a Tactical Air Control Party in Gorazde; a Forward Air Controller would then be brought in from one of the NATO countries. Without their presence, Close Air Support was impossible.²⁹³⁶

On 9 August the military adviser to the Secretary-General of the UN, Van Kappen, asked if the Netherlands would be willing to contribute troops for Gorazde. Van Kappen not only asked for a Tactical Air Control Party, but also for the transfer of the Dutchbat IV company stationed in Simin Han to Gorazde as well as a Dutch Commander for the Safe Area. Ambassador Biegman was in favour of this, arguing that it would help to restore the Netherlands' image which, after the fall of Srebrenica, had become severely tarnished in the media. In view of the experiences in Srebrenica, Minister Voorhoeve was by no means keen to embark on a new adventure. What's more, he foresaw that Parliament would create problems if the government decided to send troops to Gorazde. He thought it would be more logical to send observers.²⁹³⁷

The Ministry of Foreign Affairs did seriously explore the possibility of dispatching Dutch troops to Gorazde, but the results were negative: 'if you're too eager to help, people will take advantage', was the official verdict. The Netherlands was still nursing the wounds of Srebrenica and, given the recent discovery of the first mass graves, the debate about the role played by the Netherlands was only just starting. Foreign Affairs was also worried that the Royal Netherlands Army would oppose deployment in Gorazde. Moreover Parliament had only recently been told that any units dispatched in the future to Central Bosnia would have to be more heavily armed. So it would be very hard to explain to them why a lightly armed company was now being transferred from Simin Han to Gorazde.²⁹³⁸

The matter did not go beyond a draft memorandum from Defence about a Dutch presence in Gorazde for the Ministerial Council. On 15 August, during a personal meeting with Prime Minister

²⁹³⁴ Confidential information (75).

²⁹³⁵ UNNY, DPKO, UNPF, 'Impact of the Withdrawal of Gorazde Force on the Warring Faction', attached to Code Cable Annan to Akashi, 01/08/95, No. 2513.

²⁹³⁶ UNNY, DPKO, UNPF, Code Cable Annan to Akashi, 01/08/95, No. 2513.

²⁹³⁷ DCBC 1013. Code Biegman 713, 09/08/95. NIOD, Coll. Hilderink. Memorandum 'Herovering Srebrenica hoe verder' ('Recapturing Srebrenica, where to go from here?') in 'Chronologie der gebeurtenissen' ('Chronology of Events'); NIOD, Coll. Princen, fax F.J.J. Princen to the Minister, undated.

²⁹³⁸ ABZ, DEU 05278. Memorandum Chief DPV to acting DGPZ, 10/08/95, No. DPV-1631/95.

Kok in the latter's office, Minister Voorhoeve advised against this.²⁹³⁹ The draft memorandum also indicated that the Netherlands should not honour the requests; it pointed out that the Netherlands had already been performing tasks in Srebrenica under difficult circumstances for a year and a half. Voorhoeve considered the 'need for rehabilitation' an invalid argument: in his opinion the Netherlands' reputation had not been tarnished and so there was no need for rehabilitation.

A further argument was that according to the 'framework of assessment' for dispatching Dutch troops, which had already been submitted to Parliament, troops would only be sent if the operation was considered feasible. The experiences in Srebrenica and the situation in Gorazde suggested that the objective for this mission was unfeasible. The framework of assessment also stipulated that the troops had to be suitably armed for the circumstances; this was a further indication that a Dutch unit could make little or no contribution to an effective defence. A recent UN study had demonstrated that a whole division was necessary to defend Gorazde. NATO had worked out plans for the deployment of air power but this would never be enough to halt a large-scale Bosnian Serb attack. The circumstances in Gorazde would be the same as in Srebrenica: the troops would be a plaything for the warring factions, deprived of supplies and exposed to the risks of artillery fire and hostage-taking. It was telling that even the French, who were previously in favour of bringing reinforcements into Gorazde, now refused to supply troops. Members of Parliament had also commented negatively on a Dutch role in Gorazde.²⁹⁴⁰

The subject of Gorazde was later raised in conjunction with the Ministerial Council. Minister Van Mierlo was intending to send a Code to the Dutch representative at the UN, Biegan, in response to his request for the deployment of Dutch troops in Gorazde. The draft of the Code said that a decision on this subject would be difficult, but that in a first exchange of thoughts in the Ministerial Council the matter had not been dismissed out of hand. Voorhoeve objected to this wording as well as to the strong emphasis placed on the need to retain Gorazde. After all, if the Netherlands thought Gorazde was so important, why wasn't it prepared to defend the town itself? Voorhoeve did agree with the recommendation to send UN observers to Gorazde. The only option that made sense in Voorhoeve's eyes was to secretly reinforce the Bosnian Muslims with anti-tank weapons. This however was a task for the larger Western countries, and not for the UN or the Netherlands. Voorhoeve warned Prime Minister Kok that he expected problems both in Parliament and in the Defence organization if the government were to ignore the advice of the Defence people and send Dutch troops to Gorazde after all.²⁹⁴¹

In his letter to Parliament of 1 September about the situation in former Yugoslavia, Minister Van Mierlo made no further reference to Gorazde. It was still too early to draw lessons from the experiences in Srebrenica. The Netherlands would assess UN requests for contributions to peace operations on a case-by-case basis in a 'constructive-critical' manner and no contribution whatsoever was ruled out beforehand.²⁹⁴² The letter did not mention the fact that an informal request from the UN to contribute troops for Gorazde had been turned down.

The UN's search for a replacement proved fruitless. The British, for their part, had repeated that after eighteen months in Gorazde they were calling it a day. They were at most prepared to supply a few UN observers. Belgium, France, Germany and the United States had also refused to send troops. The planned multinational force of Russians and Ukrainians, which was to be supplemented (at the instigation of Kofi Annan and Van Kappen) with contingents from Malaysia and Pakistan, was thus put in jeopardy. After all, without the support of a Tactical Air Control Party from a NATO country, such a multinational contingent was not a workable solution. All the UN could do was station a number of

²⁹³⁹ AZ, PAZ-M, No. 95M006724. Letter J.J.C. Voorhoeve to W. Kok, 17/08/95, without No.

²⁹⁴⁰ ABZ, DEU 05278. Draft memorandum for the Ministerial Council, on Friday 18 August, about possible dispatch of Dutch units to Gorazde, 17/08/95.

²⁹⁴¹ DCBC 1083. Handwritten memorandum Voorhoeve to Kok, handed to the Prime Minister during the Ministerial Council at 2.45pm, 22/08/95.

²⁹⁴² TK, Parliamentary session 1994-1995, 22 181, No. 116 (01/09/95).

UN observers in Gorazde.²⁹⁴³ The UN Secretariat regretted this and, after the tough talk spoken in London, said it was a humiliation for the UN and NATO.²⁹⁴⁴

The last British troops left Gorazde on 30 August after first having to repel a Bosnian Muslim attack evidently launched in an attempt to steal weapons.²⁹⁴⁵ The Bosnian Serbs gave the British a free passage: even before Srebrenica fell General Smith had agreed with Mladic that the British would be allowed to leave Gorazde before the Bosnian Serbs started their attack. He had also agreed that UNPROFOR would not start air attacks before the British had left the enclave.²⁹⁴⁶

Boutros-Ghali was concerned on learning from the press that the UN were abandoning the enclave of Gorazde to its fate. The UN had no alternative, but UN spokesmen were to emphasize that the UN remained bound to its mandate to deter attacks on the Safe Areas in close collaboration with NATO.²⁹⁴⁷ The Americans feared that the Bosnian Serbs would occupy the enclave as soon as the British had left. This meant that, as had happened earlier in Srebrenica and Zepa, another bargaining counter or means of exchange for future peace negotiations had been lost.²⁹⁴⁸

15. Mortar shells on the Markale market in Sarajevo

The problem of Gorazde was swept from the public eye when five mortar shells exploded near the Markale market in Sarajevo on 28 August, with a single grenade killing 37 people and wounding 87 others. In February 1994 68 people had been killed and 200 wounded at the same spot. The Bosnian Serbs denied all guilt, but UNPROFOR concluded that their troops were the only ones who could have fired the 120 mm mortar shell.²⁹⁴⁹

UNPROFOR's conclusions were called into question, however. The Russians in particular raised objections. The Chief of Staff of Sector Sarajevo, the Russian artillery officer Colonel Andrei Demurenko, refuted the findings on the basis of his own analysis. In his opinion, the grenade could never have been fired from Bosnian Serb positions.²⁹⁵⁰ Russian intelligence officers told author Ljiljana Bulatovic that the Bosnian Muslim Commander Rasim Delic had organized the attack.²⁹⁵¹ But the British intelligence services also had doubts and thought that the Bosnian Muslims, rather than the Bosnian Serbs, were the perpetrators.²⁹⁵² US intelligence officers, too, admitted that the Bosnian Muslims had been responsible.²⁹⁵³ The US colonel J.E. Sray, who was an intelligence officer at the time in Sarajevo, also claimed in a publication in *Foreign Military Studies* that the Bosnian Muslims had been responsible.²⁹⁵⁴ This issue is dealt with more extensively in the intelligence appendix to this report.

On that same day of 28 August, Janvier, thinking of Gorazde, had informed New York that a single mortar shell, irrespective of its consequences, could not be interpreted as a threat to a Safe Area. This could not provoke the substantial or decisive reaction that had been agreed in London; in his eyes,

²⁹⁴³ UNNY, DPKO, UNPF, Code Cable Annan to Akashi, 17/08/95, No. 2756.

²⁹⁴⁴ ABZ, DPV 00797. Memorandum R. Swartbol (DVL) to acting PV New York, 18/08/95, No. nyv-4947. The memorandum also indicated that Pakistan was the only Islam country prepared to go to Gorazde, provided the battalion was heavily armed.

²⁹⁴⁵ Christopher Bellamy, 'British kill Muslim raiders in Gorazde; Balkan turmoil: Bosnians seeking arms shot dead in firefight with troops quitting vulnerable enclave', *The Independent*, 26/08/95.

²⁹⁴⁶ Confidential interview (80).

²⁹⁴⁷ UNNY, DPKO, UNPF, Code Cable Janvier to Annan, 28/08/95, No. UNPF HQ-Z1524, with 'Guidance to MPIOs' attached, 26/08/95. For reports in the press see e.g.: 'Gorazde bitter at betrayal', *The Guardian*, 02/10/95.

²⁹⁴⁸ DCBC, No. 1107. Code Van Houtem 543, 26/08/95.

²⁹⁴⁹ UNGE, UNPROFOR, Box 119, File BHC Weekly Sitreps 17 Jun-21Sep 95. UNPROFOR HQ Sarajevo, Weekly Situation Report, No. 133, 28 Aug - 3 Sep 95.

²⁹⁵⁰ UNGE, UNPROFOR, Box 119, File BHC Weekly Sitreps 17 Jun-21Sep 95. UNPROFOR HQ Sarajevo, Weekly Situation Report, No. 133, 28 Aug - 3 Sep 95.

²⁹⁵¹ Bulatovic, *General Mladic*, pp. 125-6, 129 and 131.

²⁹⁵² Confidential interview (8).

²⁹⁵³ Confidential interview (54).

²⁹⁵⁴ John E. Sray, 'selling the Bosnian Myth to America: Buyer Beware', *Foreign Military Studies*, October 1995.

a single shell did not justify the deployment of NATO air power.²⁹⁵⁵ But the mortar shell that hit the Markale market was to bring about a radical change in this standpoint on that very same day: on 30 August NATO started a bombing campaign. NATO aircraft and the Rapid Reaction Force attacked the Bosnian Serb positions around Sarajevo in coordinated action involving Close Air Support and air strikes as well as artillery and mortar fire. The UN headquarters and NATO had acted on their new powers with extraordinary alacrity. The UN Secretariat was caught unawares and wondered why there had been a six-hour delay before it was informed of ‘this momentous decision’. New York also wondered whether an investigation had been carried out into the mortar attack.²⁹⁵⁶

On 28 August Janvier was in Paris, so Admiral Leighton Smith arranged the matter with General Rupert Smith: they directed their sub-commanders, Lieutenant General Mike Ryan (AFSOUTH Air Commander) and Major General of the Royal Marines David Pennyfather (commander of the Rapid Reaction Force), to set up a Joint Targeting Board for the selection of targets. After having contact with General Smith, Janvier turned the key for air strikes from Paris. Smith had only asked for a 24-hour delay to give him time to warn his troops that air strikes were imminent.

Janvier returned to Zagreb on 29 August and was startled when he saw the list of targets; after Srebrenica this gave Admiral Smith another occasion to tell Janvier that ‘there are things you have to learn about air power’. Janvier would not stand for that: he refused permission for a number of targets and told Admiral Smith he would be writing a letter to say he had overstepped the mark. Things were patched up, however, after it had been explained to Janvier that bombing a barracks did not entail destroying the buildings but only the fleet of vehicles.²⁹⁵⁷

The subsequent Operation Deliberate Force had been conceived without political input. The planning had actually started at the beginning of the summer under the name Dead Eye. The initial objective had been to destroy the air defences and command structure of the Bosnian Serbs. All military targets relevant to this objective were identified. During the London Conference of 21 July there had already been indications that such a plan existed and this had also been briefed to Secretary-General Claes and SACEUR General Joulwan on 2 August.

Admiral Smith’s idea was to split Bosnia into two parts. If the Bosnian Serbs attacked Gorazde, he wanted to attack all targets in the east of Bosnia. If the Bosnian Serbs attacked near Banja Luka, he intended to attack all targets in the west. But Janvier did not approve this plan, pointing out that the Total Exclusion Zone only had a 20 km radius. Deadlock ensued.

Janvier spoke about this with NATO in Brussels and – again – was apprehensive about overly overt NATO aggression as proposed by Admiral Smith. A new map was made, on which a triangle around the Posavina corridor near Brcko in North Bosnia was excluded from attacks. It was also agreed that the list of targets had to be approved by Janvier; Janvier agreed to thirteen targets. What NATO had omitted to say, however, was that these targets each consisted of a large number of separate targets. For Smith, this was yet further proof that Janvier understood little about the deployment of air power.²⁹⁵⁸

On 29 August Janvier informed New York that he had turned the key. The mortar attack constituted a clear threat to a Safe Area as perceived by NATO. General Smith pointed out that the situation was not essentially different to the attack in February 1994 which had also caused a large number of casualties. NATO then set an ultimatum for the withdrawal of heavy weapons. The warring factions were warned. Smith had initially considered deploying the artillery of the Rapid Reaction Force, but then opted for the impact that an air strike could have, also on the assumption that this would effectively deter retaliatory action from the Bosnian Serbs. While Mladic denied all involvement in the

²⁹⁵⁵ UNNY, DPKO, UNPF, Code Cable Janvier to Annan, 28/08/95, No. UNPF HQ-Z-1524.

²⁹⁵⁶ Confidential information (26).

²⁹⁵⁷ Interview Leighton Smith, 06/06/00.

²⁹⁵⁸ Interview Leighton Smith, 06/06/00.

mortar attack on the Markale market, Smith remained convinced that the Bosnian Serbs were guilty.²⁹⁵⁹ Janvier informed Mladic that the UN had established that it was the Bosnian Serbs who had fired the shell. The British had also left Gorazde in the meantime, thus substantially reducing the Bosnian Serbs' opportunities to take hostages in a bid to prevent air strikes.²⁹⁶⁰

Operation Deliberate Force thus got under way on 30 August 1995. After Srebrenica, it was to prove a new turning point in the Bosnian war. Aircraft attacked the Air Defence system of the Bosnian Serbs, the Rapid Reaction Force attacked artillery and mortar positions.²⁹⁶¹ Mladic was required to remove all his heavy weapons from the Heavy Weapon Exclusion Zone with a 20 kilometre radius around Sarajevo. When New York found out that the Rapid Reaction Force was also taking part, it had to be withdrawn as it was exclusively supposed to operate as a defensive force. Admiral Smith termed this stance 'stupid'.²⁹⁶²

On 1 September there was a pause in the bombing to give Janvier an opportunity to meet Mladic and enable the Bosnian Serbs to withdraw the weapons. Admiral Smith later admitted it was a mistake to permit that pause. His NATO superiors were not happy about it. But the UN standpoint was that Janvier would recommend that the air strikes be suspended as soon as Mladic agreed not to threaten any further attacks on Safe Areas.²⁹⁶³ Mladic was prepared to withdraw the heavy weapons around Sarajevo on condition that this would not affect the military balance of power and that the parties would receive equal treatment. At the same time Mladic wanted to see another older wish fulfilled: an immediate ceasefire. Getting the Bosnian Muslims to agree to this would be a virtually impossible task for the UN. Janvier therefore dismissed this as unacceptable and required Mladic to immediately start withdrawing the heavy weapons from the Exclusion Zone and to refrain from further attacks on Safe Areas. Unless substantial progress had been made by 4 September, the bombing would be resumed.²⁹⁶⁴

After a fruitless meeting with Mladic lasting thirteen hours, and after consultation with the UN and NATO, Janvier stepped up his demands. UNPROFOR's freedom of movement was to be restored, as was the unimpeded use of the Sarajevo airfield. If Mladic failed to meet these demands, then the bombings would recommence. This was the case on 5 September.²⁹⁶⁵

Janvier and Admiral Smith established that the Bosnian Serbs had not fulfilled the demands. New York was dismayed to learn that a UNPROFOR spokesman had said that the objective of the resumption of the bombings was 'to cripple the BSA [Bosnian Serb Army] war machine and render its capabilities so devalued that General Mladic is forced to negotiate': according to New York the mandate went no further than ensuring the safety of the Safe Areas. Boutros-Ghali had always insisted that the UN was not at war with the Bosnian Serbs and even his NATO counterpart Claes had not claimed that the objective was to bomb the Bosnian Serbs to the negotiating table. Bosnia negotiator Holbrooke had also emphasized that this was not the intention. Janvier reiterated that his strategic objective was to achieve an end to the attacks on the Safe Areas, withdrawal of the heavy weapons, Freedom of Movement and an unhindered use of the airport of Sarajevo. He would subsequently be prepared to support any peace process that could provide a solution to the conflict. Janvier had agreed with Admiral Smith when he wanted to resume the bombings and had been 'very supportive' but Janvier 'got beaten up by the UN', according to Smith.

²⁹⁵⁹ Confidential information (42).

²⁹⁶⁰ UNNY, DPKO, UNPF. Code Cable Janvier to Annan, 30/08/95, No. Z-1541.

²⁹⁶¹ UNNY, DPKO, UNPF. Code Cables Janvier to Annan, 30 August 1995, No. Z-1541 and Z-1549.

²⁹⁶² Interview Leighton Smith, 06/06/00.

²⁹⁶³ Interview Leighton Smith, 06/06/00.

²⁹⁶⁴ UNNY, UNPROFOR, Box 87295, File Office of the FC, 30 Oct 94 - 25 Dec 95. Fax FC's Office to UNMO Pale, with Letter Janvier to Mladic, 03/09/95; Interview Admiral Leighton Smith, 06/06/00.

²⁹⁶⁵ UNGE, UNPROFOR, Box 119, File Civil Affairs SNE, BHC Weekly Sitreps 17 Jun-21 Sep 95. UNPROFOR HQ Sarajevo, Weekly Situation Report, No. 133, 28 August - 3 September 1995.

Smith had wanted to escalate further and transfer F-117 Stealth aircraft to Italy in order to target radar systems but Italy withheld permission in a bid to lend force to its efforts to become a member of the Contact Group. Smith was allowed to launch thirteen Tomahawks (Sea-Launched Cruise Missiles) from ships in the Adriatic Sea. This enraged the Russians in the Security Council as Resolution 836 exclusively permitted the use of air power and not sea power. According to Admiral Smith the Tomahawks had mainly had a political impact in Belgrade. It had reportedly prompted Milosevic to urge Mladic to exercise restraint in relation to the Rapid Reaction Force and air operations.

After Karadzic and Mladic had signed an agreement on 14 September for the withdrawal of the heavy weapons, NATO suspended its operations and Holbrooke was able to start negotiating a peace settlement on 15 September. Holbrooke had already been in the region for some time, though he was still on the sidelines when the bombing started. The American UN ambassador Albright had expressed concerns as to whether UNPF had been keeping him sufficiently informed of developments after the air strikes started.²⁹⁶⁶ Holbrooke himself said however that the air strikes were to be effected without taking any account of the negotiation process.²⁹⁶⁷ In the first days of the fighting around Srebrenica this had been different, when the UN headquarters in Sarajevo had been wary of providing Close Air Support because of the mission of EU negotiator Bildt (see Chapter 7 of Part III).

The air strikes had a considerable impact on the Bosnian Serb Air Defences but left the ground forces largely unaffected because the Bosnian Serbs had taken protective measures.²⁹⁶⁸ The results that NATO achieved with the bombings were initially meagre: less than 50% of the targets were hit. The Bosnian Serbs managed to restore their communications system fairly quickly and the Integrated Air Defence System remained in operation. It was only towards the end of the campaign that no activity was detected on the Bosnian Serb target indication radars and substantial damage had been inflicted on the Air Defence and communication system. The Bosnian Serbs, incidentally, did succeed in bringing down a French Mirage.²⁹⁶⁹ The Netherlands played a sizeable part in the NATO actions, contributing 18 F-16s which conducted 5.6% of all sorties. The Dutch contribution thus came directly behind the efforts of the United Kingdom (9.3% of the sorties) and France (8.1%). The Americans accounted for the lion's share, with 65.9%.²⁹⁷⁰ The Dutch F-16s gave Close Air Support to the Rapid Reaction Force, carried out an air strike against a munitions factory and flew damage assessment missions. In addition, the mortar company of the Royal Netherlands Marine Corps fired at Bosnian Serb artillery and mortar positions around Sarajevo.²⁹⁷¹

16. The Croatian Operation 'storm'

Even before the air strikes had commenced late in August, the Bosnian Serbs had already suffered severe setbacks. On 4 August the Croats had launched their Operation 'storm', bringing the Republika Srpska Krajina to an end within a matter of days. The Bosnian Serbs also lost five per cent of their

²⁹⁶⁶ Interview Leighton Smith, 06/06/00; UNNY, DPKO, UNPF. Code Cables Annan to Akashi, 31/08/95, No. 2894; Janvier to Annan, 02/09/95, No. Z-1561; Akashi to Annan, 03/09/95, No. Z-1580; Janvier to Annan, 05/09/95, No. Z-1593; Annan to Akashi, 05/09/95, No. 2922; Janvier to Annan, 06/09/95, No. Z-1607; Janvier to Annan, 07/09/95, No. Z-1619; Annan to Akashi, 11/09/95, No. MSC-2967.

²⁹⁶⁷ ABZ, DAV 999.241. Memorandum Visit Minister Solana to M[inister], 05/09/95. Holbrooke made his statement on 02/09/95 in the North Atlantic Council.

²⁹⁶⁸ UNNY, DPKO, UNPF. Code Cable Janvier to Annan, 13/08/95, No. Z-1658.

²⁹⁶⁹ Confidential information (159).

²⁹⁷⁰ DCBC 1524. Fax NLLO AFSOUTH Naples to OCHKKlu, DCBC, 07/11/95 with AFSOUTH Fact Sheet Operation Deliberate Force, undated.

²⁹⁷¹ ABZ, DAV 999.241. Memorandum Visit Minister Solana to M[inister], 05/09/95. See also Tim Ripley, *Operation Deliberate Force: The UN and NATO Campaign in Bosnia 1995*, Lancaster: Centre for Defence and International Security Studies, 1999; Wim Lutgert and Rolf de Winter, *Check the Horizon: De Koninklijke Luchtmacht en het conflict in voormalig Joegoslavië, 1991-1995*, The Hague: Sdu Uitgevers, 2001; M.C. Vogels and H. Pijning, eds., *Fire-Mission: Herinneringsboek KM-Detachment Bosnië 1, juli 1995-januari 1996*, Leeuwarden: Eisma, 2001.

territory as a result of the Croatian actions. Operation Storm sparked a massive flight of Croatian Serbs to the Republika Srpska and Serbia. It also aggravated the differences between Karadzic and Mladic. Karadzic took over the command of the Bosnian Serb Army from Mladic as supreme commander, with Mladic acting as his 'special adviser'. However, opposition from the General Staff meant that Mladic's position effectively remained intact.²⁹⁷²

The collapse of the army of the Republika Srpska Krajina, the Armija Republike Srpska Krajina (ARSK), also affected the Bosnian Serb Army. The undermanned Bosnian Serb Army was beginning to tire of the struggle and morale was sinking. Though the Bosnian Muslim efforts to break the siege of Sarajevo had failed, severe damage had been inflicted on the Bosnian Serbs. The large number of wounded totally disrupted the medical-logistical system. Bosnian Serbs who had fled to Serbia to evade conscription in the Republika Srpska were now forced to fulfil their military service after all and these newcomers hardly boosted the overall morale of the Bosnian Serb Army. UNPROFOR even thought that Bosnian Serb morale was so low that parts of the front would crumble if the Bosnian Croats and Muslims were to launch a concerted attack.²⁹⁷³

These were signs that change was in the air; the balance of power between Belgrade and Zagreb was shifting. The Serbs were no longer perceived to be invincible. The defeat of the Croatian Krajina Serbs and the fact that Milosevic did not lend them assistance, and possibly never would if the Bosnian Serbs found themselves with their backs to the wall, opened up fresh hopes of successful peace negotiations. Dialogue was also necessary to dampen the risk of a war between Croatia and Yugoslavia. The danger was that a Croatian invasion of Serb-inhabited Eastern Slavonia, which was located on the border with Serbia, would draw Yugoslavia into the war. This area had been captured from the Croats in 1991 after the bloody battle for Vukovar.²⁹⁷⁴

Milosevic was the crucial factor. Though his most important objective was the suspension of sanctions against Yugoslavia, he was not the kind of man to operate without a strategy for the longer term. What that strategy was remained unknown to the UN. For the short term, however, the UN foresaw no great change in Bosnia. It was true that 30–40,000 soldiers of the Armija Republike Srpska Krajina had entered Bosnia with their weapons and would probably soon be pressed into Bosnian Serb service, but defeat had strongly diminished their usefulness as a fighting force.²⁹⁷⁵

The situation in Croatia had been settled following the Croatian victory in Krajina, but a solution for the conflict in Bosnia was still a remote prospect. While the UN were struggling to map out a course in former Yugoslavia without directing – unwarranted – criticism at the Security Council, the Americans took the lead with the 'Lake initiative' to establish whether the altered landscape presented opportunities for restarting the peace process. In this connection National Security Advisor Anthony Lake went on a tour of Europe to gauge the level of support for his proposals. The core of his proposal consisted of mutual recognition between Croatia, the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnia; a ceasefire; suspension of sanctions against Yugoslavia in exchange for the willingness to sit down at the negotiating table; a solution for Eastern Slavonia on the basis of the existing 'Z-4 plan' in which the UN would take the administration of Eastern Slavonia upon itself for a five-year period, after which the area would be handed over to Zagreb. As for a peace settlement in Bosnia, the Lake initiative provided for a modification of the map of the Contact Group. This was not only an old wish of the Bosnian Serbs but, after the loss of Srebrenica and Zepa, had also

²⁹⁷² UNNY, Box 88040, File 1-2-2, Jan-Dec 95. Memo Banbury to SRSG, 05/08/95, with attached Press Release from the Office of Dr Radovan Karadzic and Interview with the Bosnian Serb Television, 04/08/95.

²⁹⁷³ UNGE, UNPROFOR, Box 434, File UNMO HQ UNPROFOR, Special Reports/4. UNMO HQ Sector North East to UNMO BH Comd/Zagreb, 17/08/95, No. MIO/POL.001, Conf.

²⁹⁷⁴ AZ, No. 95moo6020. Memorandum H.A.F.M.O. van Mierlo to W. Kok, 16/08/95, without number with attachment '*Voormalig Joegoslavië, een evaluatie van recente gebeurtenissen (m.u.v. de gebeurtenissen in Srebrenica)*' (Former Yugoslavia, an evaluation of recent events (save the events in Srebrenica)).

²⁹⁷⁵ NIOD, Coll. Theunens. Note Tomiko Ichakawa to Zeid Raad to Yasushi Akashi, 'Fall of the Krajina - a possible explanation and prospect for the near future', 09/08/95.

become a sensitive issue for the Muslim-Croatian Federation. Gorazde could no longer be negotiated or bartered away by the international community.²⁹⁷⁶

Thus on 28 August, even before the bombardments around Sarajevo began, the Americans were already engaged in intense efforts to get the derailed peace process back on track. ‘With a blitz of shuttle diplomacy which appears to have swept all adversaries onto the bandwagon of the peace process’, Assistant Secretary of State Richard Holbrooke had embarked on a new mission. Even the formerly intransigent Bosnian Serbs were now prepared to take steps on the road to peace. They agreed to the proposal to form a joint negotiating team of Bosnian Serbs and Serbs under the direction of Milosevic and agreed in principle to the US initiative. Milosevic’s voice would be decisive during the negotiations. The participation of Milosevic had also been a demand of the Bosnian government.

Milosevic felt the time had come that the Serbs could achieve more at the negotiating table than on the battlefield. This augured well for the US efforts. The Foreign Ministers of Croatia, Bosnia and Yugoslavia also met each other for the first time in a long time. According to UNPROFOR, thanks to the US initiative and – after the loss of Srebrenica and Zepa – the strong resolve of the international community, an atmosphere conducive to peace talks was beginning to emerge.²⁹⁷⁷

The Bosnians, for their part, raised objections to the US proposals. Both President Izetbegovic and Bosnian Muslim Commander Rasim Delic levelled criticism at the proposals. Evidently the Bosnian Muslims still felt that precisely at this juncture they stood to gain more by fighting on than by sitting down at the negotiating table.²⁹⁷⁸ The Bosnian Serbs, by contrast, saw negotiations as the best way to keep the Bosnian Muslims at bay and were therefore keen to stop the hostilities.²⁹⁷⁹

On 29 August the Contact Group chaired by Holbrooke discussed the US ‘Lake initiative’ which, incidentally, dated from before the bombardments. The Netherlands was miffed at being refused a place at the table, particularly as Canada, Spain and Italy were allowed to take part. Only these three countries were admitted to the talks, however.²⁹⁸⁰

The negotiations hardly got off to a propitious start. The warring factions would not budge from their irreconcilable standpoints. The Bosnian government wanted an undivided Bosnia with a strong central government and as little autonomy as possible for the Bosnian Serbs. The Bosnian Serbs wanted as few political ties as possible with the Bosnian Muslims and Bosnian Croats. They demanded equal status for the Republika Srpska and the Federation and the right to maintain their own international contacts. The Bosnian Muslims regarded this as hardly realistic. Attitudes hardened as the real negotiations drew nearer.²⁹⁸¹ As an additional condition for a peace agreement, President Izetbegovic demanded that NATO troops would be stationed on the entire territory of Bosnia as a further safeguard against the separation envisioned by the Bosnian Serbs.²⁹⁸² The only really tangible result to date was a the ceasefire commenced on 12 October, which was reasonably well observed.²⁹⁸³

²⁹⁷⁶ AZ, No. 95moo6020. Memorandum H.A.F.M.O. van Mierlo to W. Kok, 16/08/95, without number, with attachment ‘Voormalig Joegoslavië, een evaluatie van recente gebeurtenissen (m.u.v. de gebeurtenissen in Srebrenica) (‘Former Yugoslavia, an evaluation of recent events (save the events in Srebrenica)’).

²⁹⁷⁷ NIOD, Coll. Theunens. UNPROFOR HQ Sarajevo, Weekly Situation Report, No. 133, 28 August - 3 September 1995.

²⁹⁷⁸ MID/CO. Ontwikkelingen in de voormalige Joegoslavische Federatie (‘Developments in the former Yugoslavian Federation’), No. 44/95, ended 311400B Aug 1995. Stg Confi.

²⁹⁷⁹ UNNY, DPKO, UNPF, Code Cable Akashi to Annan, 05/09/95, No. Z-1595.

²⁹⁸⁰ DCBC, No. 1107. Code Van Houtem 543, 26/08/95.

²⁹⁸¹ UNNY, DPKO, UNPF, Outgoing Facsimile Pedauye, UNPROFOR HQ, Sarajevo to Akashi, UNPF-HQ, Zagreb, 30/10/95, No. Z 2018, Weekly Report, 23-29 October 1995.

²⁹⁸² MID/CO. Ontwikkelingen in de voormalige Joegoslavische Federatie (‘Developments in the former Yugoslavian Federation’), No. 49/95, ended 031200B Oct 1995. Stg Confi.

²⁹⁸³ UNNY, DPKO, UNPF, Outgoing Facsimile Pedauye, UNPROFOR HQ, Sarajevo to Akashi, UNPF-HQ, Zagreb, 30/10/95, No. Z-2018, Weekly Report, 23-29 October 1995.

17. Dayton

On 1 November 1995 peace negotiations started at Dayton under the auspices of the United States. The parties remained entrenched with little indication of willingness to compromise. The Bosnian Serbs were sharply divided. The star of Mladic and the Bosnian Serb Army had lost its lustre; he had not flinched during the NATO bombardments, but now the political leaders were ready to make concessions. The infrastructure of the Bosnian Serb Army had been heavily damaged. Hopes that Karadzic and Mladic would disappear from the political stage did not materialize.²⁹⁸⁴

Assertions by the Bosnian Muslim Commander Delic that a failure of Dayton would reignite the hostilities and open up prospects for him to capture more territory suggested that the Bosnian Muslims still preferred to continue fighting. Progress could be achieved by strengthening the Muslim-Croatian Federation through more cooperation and a joint military structure. It also meant the end of Herceg-Bosna as a Croatian entity in Bosnia.²⁹⁸⁵

The fall of Srebrenica and the subsequent mass murder also dogged the Dayton negotiations. The Bosnian Foreign Minister, Sacirbey, accused Milosevic of complicity and argued he should therefore not be invited to Dayton. Holbrooke doused the flames with the words: 'you cannot sign peace with your friends. Milosevic is one of the key people in achieving peace and all the others agree that [he] should take part in the talks in Dayton'.²⁹⁸⁶

Srebrenica and Zepa played a very modest role in the negotiations. President Izetbegovic realized that these places could no longer be returned, but demanded suitable compensation.²⁹⁸⁷ An agreement was reached in Dayton on 21 November.²⁹⁸⁸

The Mission Chief of UNPROFOR in Sarajevo, the Spanish diplomat Antonio Pedauye, studied the map of Bosnia after the Dayton agreement. He concluded that though the Bosnian government had been allocated less territory than in earlier peace plans, they had been granted the whole of Sarajevo – the jewel in the crown – and a corridor to Gorazde. For the rest, the confrontation lines that existed on 12 October when the ceasefire started had been maintained as the lines of demarcation between the entities. The biggest change compared to the plan of the Contact Group was that Srebrenica and Zepa had been retrospectively 'exchanged' for parts of Sarajevo. In this way a settlement was reached which had been prevented earlier in the war by resistance from what Pedauye termed local hardliners.²⁹⁸⁹

After comparing the Dayton agreement and the Vance-Owen Plan, former EU negotiator Lord Owen expressed disappointment over the results that came out of Dayton: Dayton gave 6% more land to the Bosnian Serbs and was only achieved at the cost of two more years of war and many more dead.²⁹⁹⁰

18. Conclusion

The fall of Srebrenica, the loss of Zepa and the threat of losing Gorazde did not herald the end of UNPROFOR, but did painfully highlight the weakness of the UN mandate for the Safe Areas. Their

²⁹⁸⁴ UNNY, DPKO, UNPF, Outgoing Code Cable Pedauye to Annan, 05/11/95, No. Z-2050.

²⁹⁸⁵ MID/CO. *Ontwikkelingen in de voormalige Joegoslavische Federatie* ('Developments in the former Yugoslavian Federation'), No. 57/95, ended 141000A Nov 1995. Stg Confi.

²⁹⁸⁶ UNNY, DPKO, UNPF, Outgoing Code Cable Pedauye to Annan, 05/11/95, No. Z-2050.

²⁹⁸⁷ Holbrooke, *To End a War*, pp. 272-3, 294, 303.

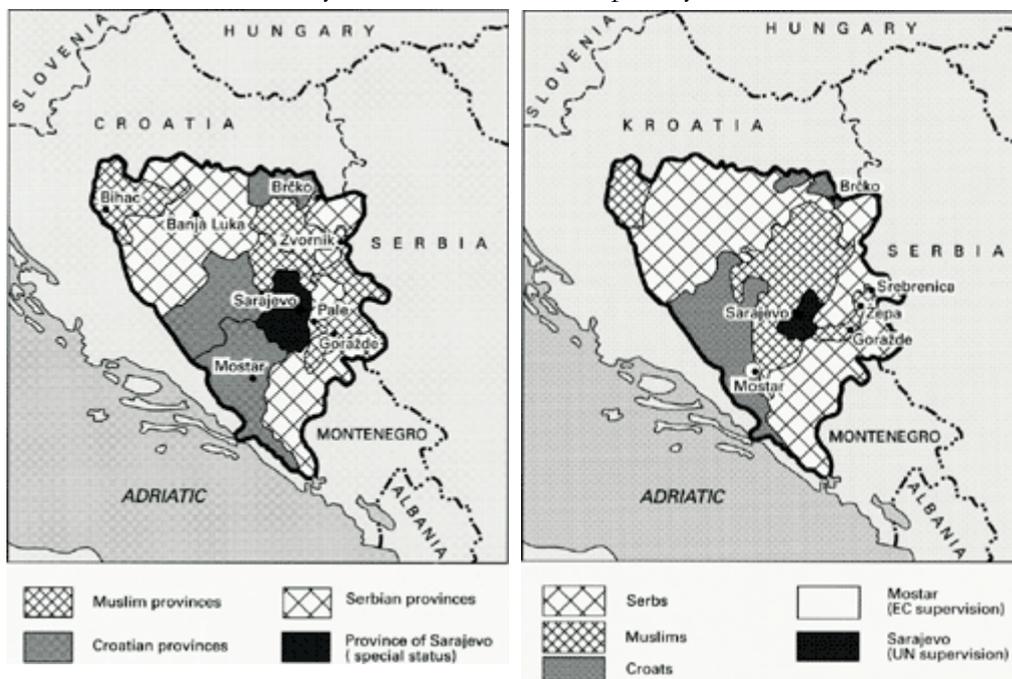
²⁹⁸⁸ Richard Holbrooke, *To End a War*, New York: Random House, 1998; Ivo H. Daalder, *Getting to Dayton: The Making of America's Bosnia Policy*, Brookings Institution Press, 1999; Bildt, Carl, *Peace Journey: The Struggle for Peace in Bosnia* [originally publ. in Swedish under the title *Uppdrag Fred* in 1997]. - London: Weidenfeld and Nicolson, 1998; Elizabeth M. Cousens & Charles K. Cater, *Toward Peace in Bosnia: Implementing the Dayton Accords*, International Peace Academy Occasional Paper Series, Boulder & London: Lynne Rienner Publishers, 2001.

²⁹⁸⁹ UNNY, DPKO, UNPF, Outgoing Code Cable Pedauye to Annan, 23/11/95, No. Z-2168.

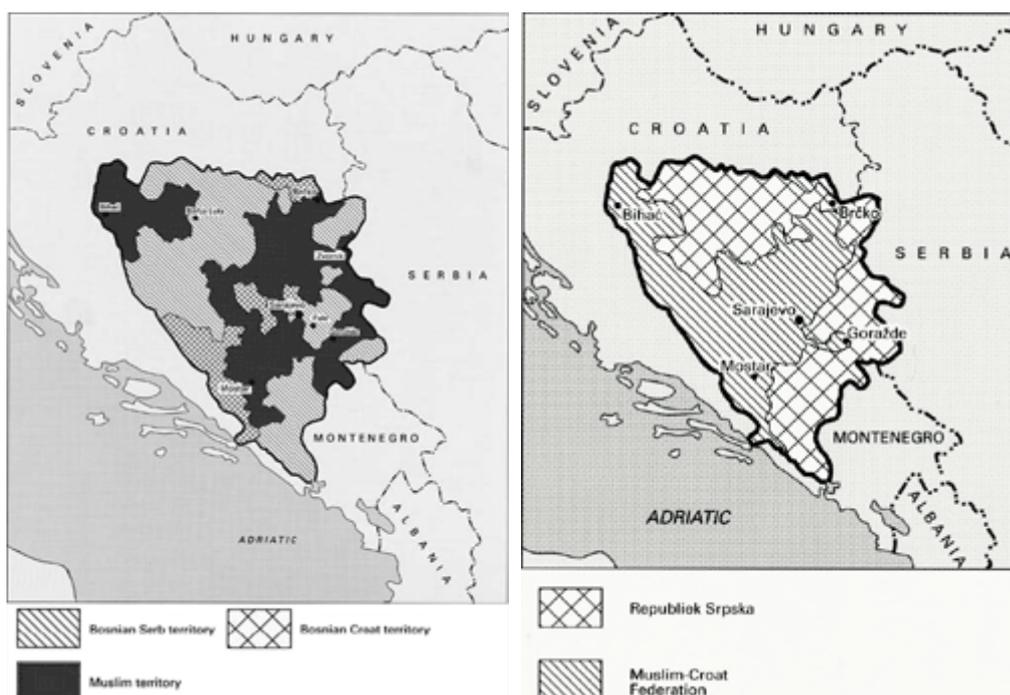
²⁹⁹⁰ Interview Lord Owen, 21/10/99.

impact, however, was not sufficient to make the troop-contributing nations and the permanent members of the Security Council consider the time ripe to withdraw UNPROFOR. Nor did the fall of Srebrenica bring the end of the war any nearer. The enclave was simply too insignificant in the Bosnian theatre of war to have such repercussions. Nor did the changes in Eastern Bosnia alter the strategic objectives of the warring factions or the military balance of power. Srebrenica and Zepa did show that the warring factions no longer respected Security Council resolutions or threats from NATO and the UN admonishing them to stop fighting. These instruments had been brandished so often that their value was hardly more than symbolic.

Air power had lost its magic. The UNPROFOR agenda was increasingly being driven by public opinion on the home front in the participating countries and the Bosnian government gratefully exploited every chance to accuse the international community of doing too little too late. Differences within the international community also gave the Bosnian government an opportunity to pin blame on UNPROFOR. The refugees packed together at Tuzla Air Base presented an excellent opportunity to remind the world of the ineffectuality of the UN and the depravity of the Bosnian Serbs.²⁹⁹¹



²⁹⁹¹ UNNY, UNPROFOR, Box 87717, File 7-8-1, Srebrenica, 11/07/09-31/07/95. [Memorandum] Mark Baskin, Marie-Janine Calic to SRSB through HAAU, 'How is the Fall of Srebrenica a Turning Point for the Mission?', 14/07/95.



The mass murder committed by the Bosnian Serbs after the fall of Srebrenica created a new situation, however. Their brazenness and total disregard of what the world would think made it possible for the Security Council, the United States and the UN to resort to force at a later stage. The massacre rocked institutions such as NATO and the UN to their very foundations. The bankruptcy of existing methods of crisis control had been exposed with stark and startling clarity. The executions in the wake of the fall of Srebrenica were, in the words of the American UN ambassador Albright, a clearly identifiable ‘trigger’ in the change in US policy.²⁹⁹² US Foreign Secretary Warren Christopher expressed himself in similar terms: “The overrunning of Srebrenica and Zepa created a circumstance that in some ways tragically enough makes the shape of the peace simpler than it would have been in the past.”²⁹⁹³

Without these murders, so General Smith said with hindsight, Mladic might have got away with the capture of Srebrenica.²⁹⁹⁴ But Mladic had miscalculated the reaction of the international community. According to General Morillon, Mladic had thought his attack on Srebrenica would accelerate the withdrawal of UN troops; this, so Morillon claimed, had always been his objective. (See Chapter 1 of Part III.) Mladic’s expectation that UNPROFOR would withdraw had apparently been strengthened by the reports he read in the international media and the continuous announcements of the US Congress that the arms embargo was to be lifted.

What Mladic had not bargained on, however, was the vehement public outrage over the manner in which Bosnian Serbs had treated the population of Srebrenica like animals. Mladic, so Morillon believed, was not aware that he had crossed a line in the sand that would ultimately enable President Clinton to overcome the resistance of Congress and authorize the deployment of US ground troops.²⁹⁹⁵

This was not achieved overnight however. For the time being the line in the sand was drawn at Gorazde. This was the unanimous signal that the international community gave the Bosnian Serbs at the London Conference: Gorazde was the line. The concrete military implications were not filled in at the conference, but these soon followed. The most important thing was that the UN Secretariat understood that the status quo could no longer be maintained and that the UN, faced with the prospect

²⁹⁹² Confidential interview (14) and interview M. Albright, 28/09/01.

²⁹⁹³ Lee Michael Katz, ‘Peace hope for Bosnia: Use of force’, *USA Today*, 19/09/95.

²⁹⁹⁴ Interview R.A. Smith, 12/01/00.

²⁹⁹⁵ Morillon, *Mon credo*, p. 150.

of imminent disaster at Gorazde, had to abandon the strict neutrality of UNPROFOR that it had maintained for so long.

Peacekeepers would be unable to defend Gorazde, their supplies would not be allowed through and it would be impossible for them to do their job. Both warring factions could take the UN contingent hostage there. This, incidentally, was a lesson that the UN had been slow to learn from Srebrenica. Its initial intention had been to send fresh troops to Gorazde to replace the British, but not a single NATO country was prepared to dispatch a Tactical Air Control Party to Gorazde. As a result, the UN was forced to restrict itself to sending UN observers. This idea was not new either and had been advocated earlier by Generals Smith and Janvier and later Boutros-Ghali. UN observers lived among the population and were therefore less vulnerable to supply problems and hostage-taking.

The Netherlands, under the direction of Minister Voorhoeve, had drawn the lesson from Srebrenica that no more troops were to be sent to an enclave. Pressure on The Hague from the UN Secretariat and its own mission in New York to send Dutch troops to Gorazde were resisted. It was unusual for the Netherlands not to make the UN an offer when requested for support. A few weeks later Minister Van Mierlo was again planning to make an offer in conjunction with the General Assembly of the UN. This consisted of two infantry companies which could be ready to be sent to Gorazde from 1 November after being equipped with tracked APC armoured cars with 25 mm cannons and which had earlier been earmarked to relieve Dutchbat in Srebrenica (see Chapter 4 of Part III). Defence was not keen, however: UNPROFOR was already in the process of not replacing units in order to increase efficiency and reduce vulnerability. Moreover if the US peace initiative was successful, a NATO-led implementation force would be deployed and UNPROFOR would cease to exist.²⁹⁹⁶ As things turned out, no Dutch troops went to Gorazde.

Gorazde received no military reinforcements; this enclave simply could not be defended by reinforcing the local international garrison. NATO therefore took the lead to revive the idea of deterrence. It was aided in this endeavour by an international stance that was much clearer than at the time of the Bosnian Serb attack on Srebrenica: if a Safe Area was fired upon, this was sufficient reason to deploy air power. UNPROFOR now no longer required a demonstrable need for self-defence to call in air support. In addition, even initial indications of preparations for an attack could trigger air strikes: a 'smoking gun' was no longer necessary. Earlier, UNPROFOR had been restricted to adopting a wait-and-see attitude and merely responding to Bosnian Serb actions. From now onwards, it could act pro-actively. This was a world of difference compared to the situation at Srebrenica barely six weeks earlier. In the previous situation, an undermanned battalion had been considered a sufficient deterrent to keep the Bosnian Serbs in check.

Another important change was that the dual key for authorizing air strikes had been placed back in the hands of the military. What is more, Janvier largely overcame his earlier qualms about deploying air power. When shells hit the Markale market on 28 August, the military responded swiftly and used their new powers to implement the measures devised for Gorazde. After the fall of Srebrenica, the mass murders and the Croatian advance, this was another decisive turning point in the Bosnian conflict.

The UN was now in a position to turn the screws on the Bosnian Serbs and did this vigorously in cooperation with NATO. NATO was thus handed an opportunity to suppress the Bosnian Serb Air Defences. By virtue of powerful military activity, both from the air and ground, the safety of the remaining Safe Areas was finally secured and a credible deterrent against the Bosnian Serbs was put in place. This also helped to create the right climate for peace negotiations. As SACEUR General Joulwan said: 'Mladic was a good tactician but as a strategist he misjudged NATO.'²⁹⁹⁷

²⁹⁹⁶ DCBC No. 1149. Memorandum DAB to the Minister, 21/09/95, No. D95/480.

²⁹⁹⁷ Interview George Joulwan, 08/06/00.