



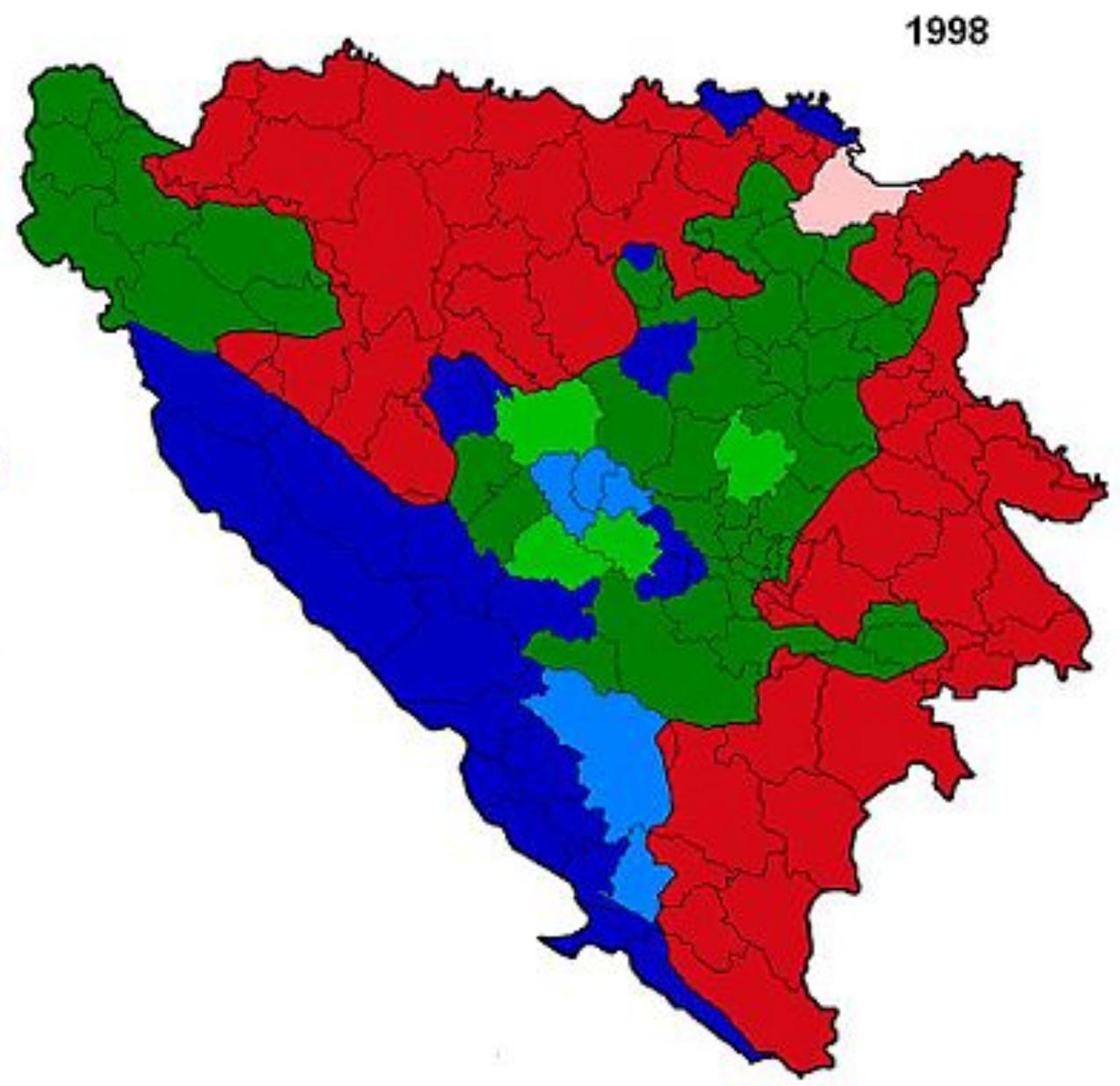
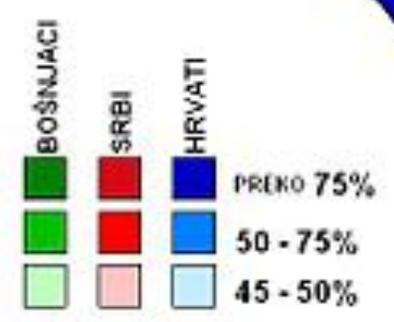
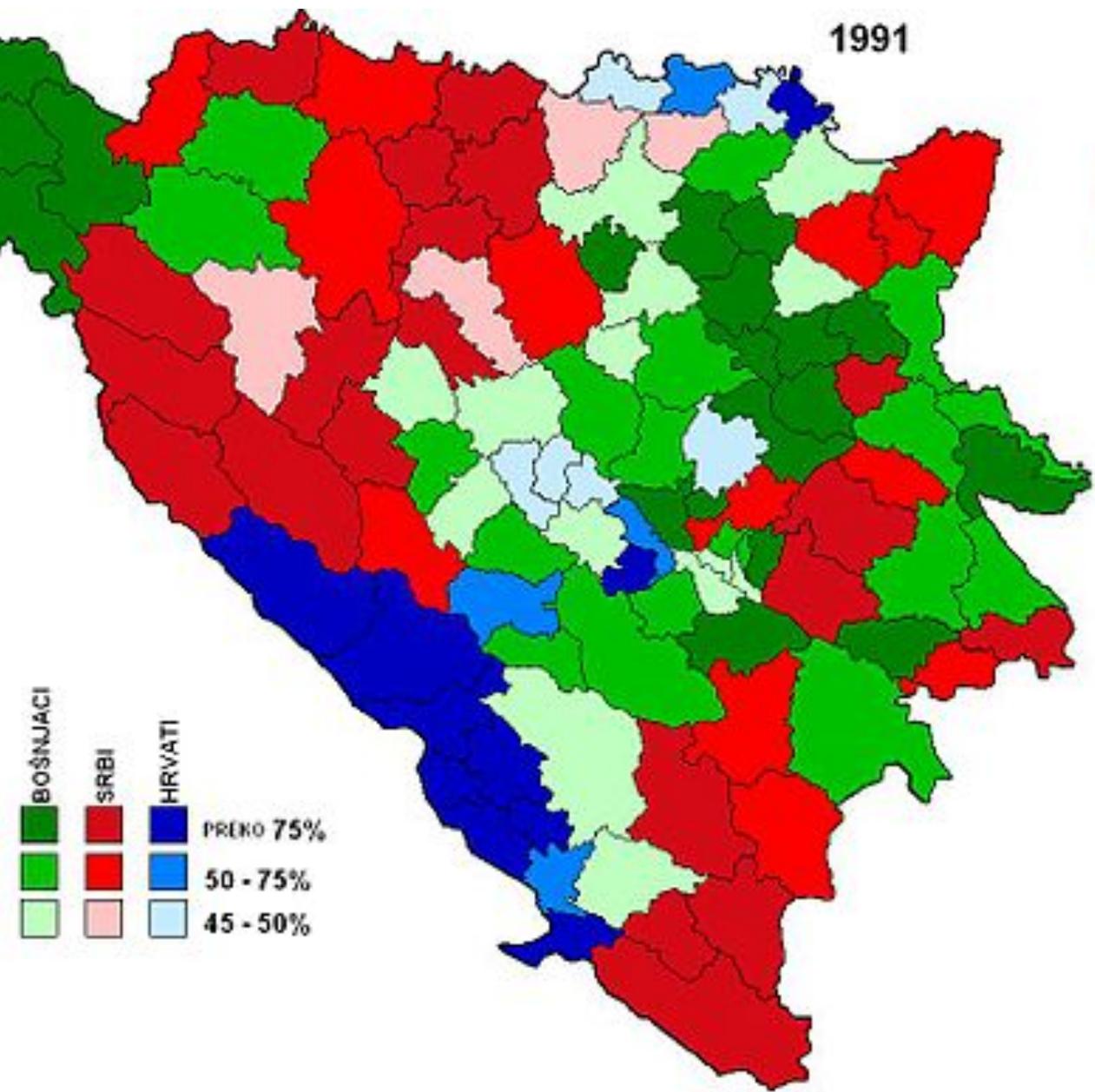
GRESHAM
COLLEGE

Srebrenica: the New Evidence

Professor Sir Geoffrey Nice QC

29 September 2020, 6:00PM - 7:00PM







UN
Northern
Zone

UN
Southern
Zone

(autonomous
province)

K
R
A
J
I
N
A

Bihac

Prijedor

Banja
Luka

Sanski
Most

Doboj

Tesanj

Maglaj

Brcko

Bijeljina

Tuzla

Jajce

Zenica

Ribnica

Donji
Vakuf

Vitez

Olovo

Srebrenica

Kupres

Kiseljak

Zepa

Prozor

Konjic

★ SARAJEVO

Gorazde

UN-patrolled
area

Mostar

Gacko

Serbia

Adriatic

Sea

◆ Republika Srpska





Killed July 1995; Buried 11TH JULY 2020

1. **Sead** (father's name Huso) **Hasanović** DOB 1971. place of birth Krivače, Han Pijesak Municipality (23/24)
2. **Alija** (Bekto) **Suljić** DOB 1969. Poznanovići, Srebrenica Municipality (25/26)
3. **Hasan** (Alija) **Pezić**, DOB 1925. Pustoše (69/70)
4. **Hasib** (Šaban) **Hasanović** DOB 1970. place of birth Slatina, Srebrenica Municipality (24/25)
5. **Zuhdija** (Suljo) **Avdagić**, DOB 1947. Nova Kasaba, Vlasenica Municipality (47/48)
6. **Bajro** (Ramo) **Salihović**, DOB 1943. Voljavica, Bratunac Municipality (51/52)
7. **Ibrahim** (Hamid) **Zukanović**, DOB 1941. godine u Sase, Srebrenica Municipality (53/54)
8. **Salko** (Ahmo) **Ibišević**, DOB 1972. place of birth Ljubovija, Serbia (22/23)
9. **Kemal** (Husein) **Musić**, DOB 1968. Glogova, Bratunac Municipality.



The intention required to be proved for
genocide

‘.....with the intention to destroy, in
whole or part, a national, ethnical, racial
or religious group as such’

Excerpts from the July 2015 conference into International Decision Making in the Age of Genocide'

Rupert Smith: Quoted in opening the Conference from Rupert Smith's *'The Utility of Force: 'the seeds for the Srebrenica disaster were "sown with the decisions made in the spring of 1993: decisions to threaten with no intention to act, to deploy forces with no intention to employ their force, decisions made in no political context except fear of the consequences of action to the force."* there was no strategic direction, no achievable military goals, no military campaign, no theater level military objectives, only incoherence.

JENONNE WALKER: President Clinton's major advisers were deeply divided. Chairman of the Joint Chiefs of Staff]Colin Powell, who spoke with great authority, did not want us engaged at all. None of us fully appreciated the importance of President Clinton's draft evasion. Colin would have told some favorite reporter that this draft-dodging President was rashly risking American lives.

ANDRÉ ERDÖS..... In January 1993, we received information from US sources, ...that the US was ready for more radical steps, including a more active military role. It seems they were unable to take these steps because of opposition from the United Kingdom, France and Russia. This shows that, quite apart from all the internal Yugoslav problems, such as nationalism and so on, a major problem involved relations between western countries. This was one of the reasons why the war dragged on until 1995.

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DAVID HARLAND reported President Izetbegović saying "We have a choice, sometimes, between a territory and the people. Of course, both are important, but we will not allow the Bosniak people to be put into ghettos." In other words, the policy was: human shields. The policy was to physically block people from trying to escape embattled areas and therefore make it harder for the enemy to attack without inflicting civilian casualties.

General Michael Rose's book 'Fighting for Peace' at page 46, refers to a "UK Eyes Only" paper in February 1994 "reiterating the dangers of abandoning peacekeeping for war-fighting." He writes that this paper finally convinced UK defense secretary Malcolm Rifkind to "stand firm against the Americans."

Shashi Tharoor What was going on was that the member states wanted to keep us in Bosnia as a fig leaf or a band aid or both while they were unable to make up their mind as to what they really wanted. They wanted both: the fig leaf/band aid on the one hand and the appearance of belligerence/muscular air power on the other. UNPROFOR ended up bearing the worst of the burden.

RUPERT SMITH: My solution was to ring up the capitals of the troop contributing nations and say, "I am doing this. There is a risk of hostages. Are you okay with that?" They said, "Yes, yes, go ahead and bomb." Two bombings later, they were not ok. That's why I called it "breaking the machine."

How Naser Orić left Srebrenica and why



29 May 1995 Quiet agreement and humanitarian nightmare



29 May 1995 Quiet agreement and humanitarian nightmare



By June 1995 'Swap' of territories accepted by Sandy Vershbow



Transcripts of intercepts 17 June – 29 June 1995; Andreas Zumach evidence

The scripts I saw, starting from the date of June 17th, are very clear, they are absolutely clear about the intention, the preparation for, and the type of attack in order to conquer the enclaves. they were listening to the communication between Mladić and... General Perišić The chief of staff. The earliest one I saw was on June 17th. So there might have been earlier ones, but I can only claim that at least three weeks before very very clear ..they had an attack force. Credible force. Talking in detail about what was needed, how many troops, how many weapons for this attack. I saw later, later in June... There can be no doubt about what the intention was and that it was imminent in the sense it would happen in the next few weeks. Absolutely.

On 12 August 1995 Newsday article

“Intelligence officials from two western countries and from Bosnia said that the commander of the Yugoslav army, Gen. Momcilo Perišić, was on a mountain tip across the boarder in Yugoslavia, sending instructions and counsel to Gen. Ratko Mladić, the commander of the Bosnian Serb military forces. The radio conversations, intercepted by intelligence agencies, took place before during and after the battle for the enclave captured by Serbs on July 11. “Mladić and Perišić conferred constantly about their strategy and what they were doing”, said one of the western officials, who like all of the intelligence officers interviewed asked to remain unidentified. The officers said they were still analyzing intercepts, but “Mladić is always asking Perišić about what he should be doing. This didn’t surprise us, because they are the same rank, but Perišić was clearly in command and had the upper hand.”

3rd August 1995 NIOD entry

“The existence of these intercepts was confirmed by a western diplomat. During a meeting at the White House between Gore and Bildt, the Swedish negotiator tried to convince the American vice-president that he should not form an excessively black-and-white image of President Milosevic. Gore responded to these statements by reading from American intercepts which showed that Milošević had consulted with Mladić about the attack on Srebrenica. Gore then reportedly said to Bildt: “Forget about this. Milošević is absolutely not the friend of the West.””

3rd August NIOD original record

“A very interesting meeting in the context was a meeting between Bildt, X (my source) and Gore. Bildt tried to convince the American Vice President that he should not have black and white views regarding Milošević. Gore responded to these remarks by starting to read from secret Sigint intercepts from which transpired that Milošević had given direct orders to Mladić in the case of Srebrenica. Gore told Bildt and X: “Forget about this. Milošević is absolutely not the friend of the West.”

Mid-July 1995 Sandy Berger



Washington

17 juli 1995

Six days after the fall of the enclave...

Mid-July 1995 Sandy Berger



Surely you can let the Serbs have them?

From August 1995 meeting of the Supreme Defence Council

Supreme Defence Council in August 1995:

“Momo remembers well my conversation with Mladić on the occasion of attack on Žepa and Srebrenica. [so sometime close to 20 July probably] On that occasion I said: “Ratko, you are now measuring the military price of that success. The military price is six persons killed, 20 wounded, one vehicle destroyed, etc. This is very inexpensive; the political price could be million times higher because there might be a concern for the interests of 12 million people!”

Email to UK Netherlands Embassy Legal Attaché

[REDACTED].....yesterday's telephone conversation. You raised the issue of the OTP's litigation under Rule 54bis against [REDACTED] having been stopped by pressure from the [REDACTED]you made observations, requests or demands that I should give you "straight answers" about what the OTP had or had not done in the course of this litigation..... I observed yesterday, as I have before, that you do not have, and do not seem to understand, the necessary and appropriate instincts to be expected of a trial lawyer charged with ensuring due process in court, something achieved by conscientious application of independent judgement to available material . I observed yesterday, and repeat, that interference by any third party to litigation pursued by an independent prosecutor may be a matter of grave concern likely to reflect adversely on all involved. It is also something that may have to be disclosed to the court at some stage. You hinted at demarches to be made and generally pressed to the limit the suggestion that the OTP should not have pursued matters in the way it did *against* [REDACTED] This is quite unacceptable and seemed like a further attempt to put pressure on me or the OTP in the conduct of the prosecution I lead. Geoffrey

Statements by Ambassador Holbrooke 10 years after Dayton was agreed - 2005



Conclusions

There is no way we who have not suffered can know whether the unstoppable grief of which I spoke at the start can be reduced by more and better truths. But we can be quite sure the reverse – keeping truth from survivors and bereaved may harm by not giving them the *chance* to achieve a timely personal, internal resolution if that is in fact possible.

The issue of the start date of genocide – a few days in July 1995 or years earlier in 1993 – having been raised must be properly answered. The only way that can be done is by Bosnia completing the process begun at the ICJ case and left incomplete. In the interests of survivors and bereaved the Bosnian state - the Federation if it can't be the whole state that encompasses RS – must write the evidence-based history and might do so in an application to the ICJ for extensions of time limits to allow the Revision to be considered.

By such an effort and application all will also get to know what was the real role of the Greater Serbia project and of whether it is still in place and a danger.

Serbia, The USA, Great Britain, France, probably German and and even the Bosnian Government have one thing in common: they have not provided documents that would tell the truth and help survivors and bereaved spend the remainder of their natural lives in whatever peace they may achieve. They probably also share something else: the motivation for not providing documents - for hiding them: they have something to hide or some objective to serve that they would prefer not to reveal. And that takes precedence over the mere interests of victims

Nation states attending Potočari memorials or wanting to be seen as ever mindful of the Srebrenica tragedy, should remind themselves of how they could do so much more good by opening up the record of their own actions and failings. But they won't, I fear. Victims have always counted for little – at the hands of Serbs of Republika Srpska and Serbia and, in this case, they count for little as shown by the actions of those others who let them down.