

Sarajevo Shelling Not "Disproportionate"

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Mladic defence witness says Bosnian Muslim fighters deliberately hid among civilians during siege.

A defence witness in the trial of Ratko Mladic has denied that Bosnian Serb forces besieging Sarajevo engaged in disproportionate shelling.

Savo Simic served as artillery chief of the 1st Sarajevo Mechanised Brigade from May 1992. His responsibilities included overseeing the use of artillery, as well as informing the brigade commander about logistical support issues. In court last week, Simic confirmed that "regular combat reports were sent... during the course of the day".

As commander of the Bosnian Serb army, Mladic is charged with planning and overseeing the 44-month siege of Sarajevo that ravaged the Bosnian capital and left nearly 12,000 people dead. His army is accused of deliberately sniping at and shelling the city's civilian population in order to "spread terror" among them.

The prosecution argues that the bombardment was disproportionate, and was carried out on the orders of Bosnian Serb army commanders.

Prosecutor Adam Weber asked Simic to explain how different types of artillery were used.

"You agree that type of weapons used depends on type of target, the military advantage there sought and the proximity of civilians and civilian structures, correct?" he asked.

"I agree, generally speaking," the witness replied. "It depends on the target, on the fortification, on how well it's covered, on the distance from civilian buildings and civilians. It had to be carefully selected. I always selected the artillery piece that was the best suited for neutralising military targets."

"In urban areas densely populated with civilians, the use of highly destructive weapons would carry a huge risk to civilians, right?" Weber continued.

"Certainly," Simic replied. "Civilian casualties were not avoidable, regardless of the weapons used, considering that the firing positions of the weapons used by the other side were located in such a way that they directly endangered civilians."

"If a commander seeks to destroy a command post, a communications centre or a police station in a fortified brick or cement building, artillery units would fire multiple rounds in order to destroy the building if that's what their task was, right?" Weber asked.

"Certainly," Simic said. "If it's a fortified position then you have to choose your weapons adequately. There's no point in using a weak weapon, because then you won't inflict any damage on the target. If it's a military target you have to pick the right weapons to destroy it."

"If the task was to destroy a target, rounds should be fired until that target is destroyed, right?" Weber continued.

"Not a single target can be completely destroyed. It can be neutralised to some degree and that is how we fired. We couldn't do otherwise," Simic replied. "A huge amount of ammunition is needed to completely destroy a target."

He went on to explain that the amount of ammunition needed depended on the degree of "neutralisation" required.

Weber asked why Simic chose to describe his missions as "using the category of least force".

"I am saying this to you because enormous quantities of ammunition are needed to destroy a target... that is why we could not have destruction as our objective," he said, adding, "Vast quantities of ammunition were needed and we didn't have that ammunition".

"Firing at inhabited settlements which are not part of any combat action - you'd agree with me that that is improper, right?" the prosecutor said.

"Certainly, if there was no firing from that area, then it is inappropriate," the witness agreed.

"It is also the responsibility of the commander to know whether fire is being directed into a civilian settlement or an area where civilians may be present, right?" Weber said.

“He would have to know and he would have to take care of that; that is to say, if there are no military targets close to civilian buildings and faculties,” the witness replied.

Weber then turned to evidence which Simic gave as a defence witness in the trial of former Bosnian Serb president Radovan Karadzic, where he also discussed the legality of firing on civilian areas.

The prosecutor read out an excerpt from Simic’s testimony which said, “Firing upon a city without a specific target – that would be inflicting terror on the civilians, on the citizens of Sarajevo. I myself never did that. I myself never received an order to that effect.”

Simic told Weber that he stood by that testimony.

To illustrate conditions in the Bosnian capital, Weber turned to a situation report for the week beginning May 8, 1995 issued by the United Nations peacekeeping force UNPROFOR.

“On May 12, 2,211 firing incidents were recorded in the whole of Bosnia & Herzegovina. Sarajevo accounted for 72 per cent of these firing incidents. In brazen violation of the Sarajevo total exclusion zone which bans heavy weapons from 20 kilometres of the centre of Sarajevo, Serbs have moved tanks and heavy weapons within the zone and boldly fired mortars into the heart of the city,” he read, adding that fire had been “stepped up on supply routes, the confrontation line, the downtown area”.

Simic responded that “firing at the enemy who is located next to civilian positions is not unlawful in my eyes”.

The prosecutor read out further evidence from the Karadzic trial, including reports issued by General Dragomir Milosevic, wartime commander of the Sarajevo-Romanija Corps.

Milosevic was convicted of war crimes and sentenced to 29 years in prison.

In one document from July 19, 1995, the general complains of the difficulty of manufacturing ammunition at a time when “we very often fire at inhabited settlements and specific buildings when there are no combat activities whatsoever”.

Milosevic went on to add that “it is inexplicable that some brigades spend much less ammunition in repelling two or three attacks during the day than others who fire at inhabited settlements when there are no combat actions”.

Weber argued that such documents prove that the Bosnian Serb army was intentionally firing at civilian areas.

Simic said that he did not know which brigades his commander had been referring to, and that he had no information about such matters.

Weber went on to read out a combat order which Stanislav Galic, Milosevic’s predecessor as commander of the Sarajevo-Romanija Corps, issued for Sarajevo on September 14, 1992. He also read from a statement by UN commission of experts that noted locations including the city centre, a school, apartment blocks and the parliament building, all of which were hit by shelling in the course of that day.

“Thousands of residents strolling to work and outside their homes enjoying sunshine were caught by intense, daylong salvos of tank, cannon, mortar and rocket fire, some of which set blazes in homes less than 200 metres from UN headquarters,” he read, adding that by noon that day, at least 20 people had been killed and 60 wounded.

“This attack appears to have begun shortly after the order from General Galic that same day. This is how General Galic’s order was implemented,” he said.

Following the conflict, Galic was convicted of war crimes and is currently serving a life sentence.

“The orders of superior commands were implemented to the letter,” the witness responded. “When Muslim forces skilfully provoked attacks on their firing positions close to these facilities mentioned in the document, that is when we considered the truce to have been violated and instances of disobeying orders occurred. General Milosevic and other officers were informed of it, and such fire needed to be responded to. I don’t think anyone would have opened fire at these targets had it not been for the fire coming from their vicinity.”

Weber went on to look at a number of other combat orders issued by Galic, linking them to instances of massive fire and civilian casualties in and around Sarajevo.

Simic denied that orders were issued to shell urban areas.

“It doesn’t mean the attacks had not been provoked,” he continued. “This is on account of the Muslim propaganda coming through their media, very skilfully. They would open fire and then target civilian

facilities. They did so countless times during the war. I have no other answer.”

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