

Srebrenica Genocide Trial

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Judges subject Krstic to two-day grilling.

Judges in the trial of General Radislav Krstic, accused of genocide for his alleged role in the Srebrenica massacres of July 1995, cross-examined the defendant for two days last week.

Judge Fouad Riad asked Krstic if, having issued an order on July 13, 1995 for Bosnian Serb Army, VRS, units to "comb the area" for remaining Bosnia-Herzegovina, BiH, Army personnel, he envisaged the fate of any men captured during the operation.

Krstic said he had "thought about that" at the time, but was pre-occupied with his duties as commander of the VRS Drina corps attack on Zepa, another United Nations "protected area". The general said he did not have information on what was happening with his order to comb the area around Srebrenica or on whether any BiH soldiers had been captured.

Krstic said he would have expected any prisoners to be treated in accordance with the Geneva Convention, because that had always been the case with units under his command. He said he only learned later what had befallen the captives.

Krstic does not dispute prosecution claims that at least 7,500 Muslim men and boys were murdered in the days following the fall of the Srebrenica enclave to Bosnian Serb forces.

The general said that with hindsight it was "no accident" General Ratko Mladic, commander of the VRS headquarters, had sent him to lead the offensive on Zepa. Krstic said had he remained in Srebrenica the massacres would never have happened.

Judge Patricia Wald asked Krstic what he would have done had he been at an execution site when Mladic issued an order for prisoners to be killed. Krstic said Mladic would never have issued such an order in front of him because he was also a general.

Wald then asked if Krstic, based on VRS military regulations and international law, could have done something in just such a hypothetical situation. The general said, "perhaps I could do something...and if not I would leave the area regardless of the consequences to myself."

The judges then asked Krstic if, in August and September 1995, he was aware of the efforts to exhume mass graves and remove the bodies to other, more inaccessible locations. Krstic said the re-digging operation had been conducted in the utmost secrecy, more so even than the original executions, and he was therefore unaware of it.

Judge Almiro Rodrigues then asked Krstic if the VRS attacks on the UN protected areas in Srebrenica in 1993 and 1995 and Goradze in 1994 were connected. Krstic insisted there was no connection between the three offensives.

The attacks on Srebrenica were "limited" and aimed at stopping the "subversive, terrorist actions" of the BiH Army's 28th division, cutting the corridor between Srebrenica and Zepa and narrowing the borders of

the UN protected areas.

Rodrigues then homed in on a speech by Radovan Karadzic, president of Republika Srpska and supreme commander of VRS forces at the time, where he commended Krstic as a "great commander" and the soldier responsible for "planning and implementing the VRS Srebrenica operation."

Krstic dismissed Karadzic's compliments, and said the comments owed more to the strained relations between the president and Mladic, than to his actual role in the offensive.

The judge asked Krstic to elaborate, but the general replied, "It is difficult to talk about that, but I think it was about who would be the 'leader' of the Serbian people in Bosnia-Herzegovina." Krstic stressed "leader" should be in parenthesis.

Rodrigues asked why Krstic had never publicly renounced Karadzic's comments.

"That speech and its mentioning of my merits is indeed absurd - I neither planned that operation nor reported to Karadzic about it," Krstic said. "That small operation was approved by the commander of the [VRS] general headquarters [Mladic] and not by the president of the republic as supreme commander [Karadzic]."

Asked why he accepted compliments, which he had not earned, Krstic said, "I neither accepted them, nor reject them. I did not have an opportunity to reject them, but, I also did not dare do to so, because it was about the supreme commander.

"The background to all this is the relationship between the two of them [Mladic and Karadzic]. President Karadzic did not mention General Mladic once in that speech even though he commanded the Srebrenica operation."

Protected witness DC - who took part in the Srebrenica offensive as an officer responsible for "morals, information and religious issues" - told the court last week that Mladic had taken over command of the Srebrenica operation on July 10, 1995.

DC said she had overheard the commander of her brigade, Colonel Mirko Trivic, say, "until July 10 we received orders from General Krstic, and after that from General Mladic."

Prosecutor Mark Harmon, however, produced a statement from Trivic given in August 2000 to Srebrenica chief investigator Jean Renne Ruez, where the colonel says he only received a direct order from Mladic once throughout the Srebrenica operation.

Nevertheless DC persisted in her claims that orders to VRS units came from Mladic.

The witness went on to describe what she had seen on a trip between Bratunac and Milici on July 13, 1995. DC said she saw soldiers from the BiH 28th division come down a hillside and open fire on VRS troops and buses carrying Muslim civilian evacuees from Srebrenica.

The prosecution then presented a film made by Belgrade journalist Zoran Petrovic, shot along the same

road also on July 13, 1995. The film shows VRS armoured vehicles equipped with anti-aircraft guns firing on the hillside forests.

VRS soldiers then call on the Muslim men hiding in the forest to surrender. One soldier is overheard saying, "Three or four thousand have surrendered since this morning". A line of Muslim civilians can then be seen coming out of the forest and surrendering to VRS troops.

DC said she had seen none of this on her journey. The prosecutor then presented an aerial photograph also taken on July 13, which showed several hundred men crowded onto a football pitch near the road through Nova Kasaba. DC said she could not see the football pitch when she passed through the town.

The defence in fact announced last week it plans to summon only two more defence witnesses and one expert witness, bringing the total number of witnesses appearing on Krstic's behalf to only ten. The defence should complete their presentation during the week beginning December 4.

Location: Bosnia and Herzegovina

Focus: International Criminal Tribunal for the former Yugoslavia

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