

Srebrenica Officer's Low Profile

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Former Bosnian Serb soldiers suggest their commander was distanced from events leading up to the fall of Srebrenica.

The trial of former Bosnian Serb commanders Vidoje Blagojevic and Dragan Jokic continued this week with a string of former soldiers testifying about the former's actions in the days before and after the fall of Srebrenica on July 11, 1995.

Blagojevic and Jokic are being tried together for their alleged role in the Srebrenica massacre of more than 7,000 Muslim males in the days after the United Nations enclave fell.

This part of the defence has focused primarily on Blagojevic, who commanded the Bosnian Serb army's Bratunac brigade at the time.

Prosecutors have charged Blagojevic with command responsibility for the crimes of his subordinates, and for complicity to commit genocide. They initially charged him with personal responsibility for crimes committed at Srebrenica as well, but the court threw out those counts last month. The prosecution has since filed an appeal on that point, and will also be submitting a request to amend its indictment with respect to the genocide charges on May 14.

To prove command responsibility, the prosecution must show that Blagojevic knew or had reason to know that troops under his command were about to commit crimes or had done so – and also that Blagojevic did not take steps to prevent the crimes or punish his subordinates.

To counter this charge, American lawyer Michael Karnavas has been portraying his client as the nominal leader of a chaotic and poorly organised brigade, an officer who was frequently out of touch with events or absent from the locus of activity, and whose own subordinates sometimes could not find him and did not bother to try.

This week's witnesses – all of whom were members of the Bratunac brigade – fitted right in with that strategy.

One witness, Milan Radic, testified on May 11 that because his job was to oversee communications between Blagojevic and others, he had been by his superior's side from July 6, 1995, the day the Srebrenica operation began, to July 11, the day the enclave fell. With a radio at the ready, Radic said he stayed near Blagojevic in case the commander wanted to make a call or someone wanted to reach him. The two men even shared a room in Pribicevac, near Kula.

According to Radic's account, those days before the fall of Srebrenica were marked by a manifest lack of activity. Asked what the two men did on July 6, for example, the witness recalled, "We spent time in [our] room. There was a mist or a fog. We'd take a walk to Kula and see the soldiers there... played cards... [and] slept."

Throughout those days, Blagojevic neither placed nor received any calls, Radic said, nor did he have any meetings with superior officers. Instead, Radic testified that Blagojevic spent time looking at a map and acquainting himself with the area.

A similar account was given by Milan Drakula, another Bratunac brigade member who earlier the same day told the tribunal how in the days before Srebrenica fell, he saw his commander Blagojevic in Kula looking at maps in an apparent attempt to get his bearings.

Both men noted that things changed after General Ratko Mladic, the commander of the Bosnian Serb army, arrived on July 11, 1995.

"We didn't get any orders until Mladic arrived" said Drakula.

Radic said, "You could see [Mladic] coming toward Kula, yelling something.... Blagojevic said to me we should go to another trench... away from General Mladic."

Asked why, Radic said, "I had the impression [Blagojevic] would like us to get further away from [Mladic] because he was shouting."

Soon after this, Radic said he and Blagojevic passed by soldiers from the Bratunac brigade who explained they had been ordered to go to Srebrenica. "We didn't know what was happening," he said.

When Milos Loncarevic took the stand for the defence on May 12, he, too, told the tribunal that in the days before Srebrenica fell, life was quiet. "We played cards, drank a drop or two of brandy, had coffee, and so on," he said.

But like those before him, he noted that on July 11, things changed. When, on that day, instructions came in from the duty officer to send out a truck with grenade launchers, Loncarevic - who was part of a rocket unit - said he did not even bother to contact Blagojevic to ask whether he should carry out these orders.

The next witness was Milomir Tanasijevic, who gave testimony on May 13. On July 8 or 9, 1995, the witness said, he became concerned when he saw troops moving toward the lines held by the Bratunac brigade's third battalion.

He approached General Radislav Krstic - one of the highest-ranking officers involved in the Srebrenica massacre, sentenced by the tribunal last month to 35 years imprisonment for genocide, among other things - to inquire what should be done.

Asked why he did not seek out Blagojevic instead, Tanasijevic said simply, "I never saw him in Pribicevac."

Before leaving, Karnavas gave Tanasijevic a chance to explain why he had come to speak before the tribunal.

Tanasijevic responded that he wanted to redeem himself after being identified in a video in his armoured personnel carrier. "I wanted this tribunal to know the truth about this transporter [vehicle]...which absolutely did not take part in any combat operations."

He told the court that since the video had been circulated, his Muslim neighbours "no longer greet me, they ignore me, on the 10th or 11th day of every month they visit their memorial center, and as they pass

by they point their finger at me.”

The week’s final witness was Cvijetin Stevic. He, too, said he first knew something was happening only on July 11. On that day, he said, “I saw troops passing by in the direction of Srebrenica, but I didn’t know what was going on.”

As the week progressed, it became clear that relations between defence and prosecution lawyers had become strained. Such tensions were displayed for all to see as hearings drew to a close on May 13, and presiding judge Liu Daqun noted that the prosecution would be filing a motion the next day to amend their indictment.

Prosecutors have explained that they want to amend the indictment to take into account the tribunal’s recent ruling that genocide was committed in Srebrenica, a finding the appeals chamber made in the case against Krstic.

According to the tribunal’s Rules of Procedure and Evidence, the prosecution may amend its indictment if, after hearing from both sides, judges determine that it is appropriate. After prosecutors submit their request, the defence has 14 days in which to submit its response, although the tribunal has requested this be done more quickly.

Defence lawyer Karnevas was quick to criticise his opponent’s strategy. “I find it comforting to know of the fairness with which the prosecution is working,” he said sarcastically, pointing out this change was being requested “in midstream of the defence case”.

“I’ll try to bite my tongue,” said a visibly exasperated prosecution attorney Peter McCloskey in response, explaining that the prosecution simply wanted to amend its indictment “to conform to the way genocide law has developed in this tribunal”.

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