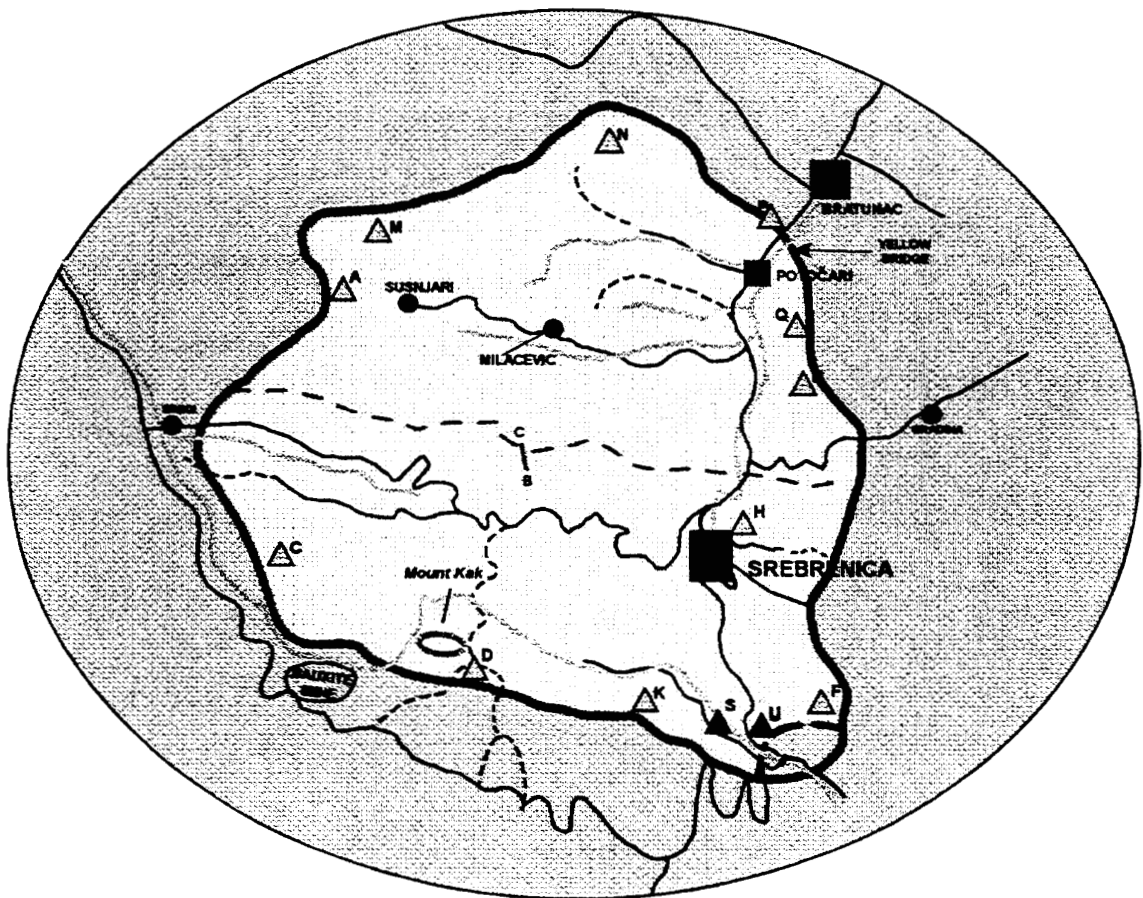


REPORT
BASED ON THE
DEBRIEFING
ON
S R E B R E N I C A



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Assen, 4 October 1995

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Chapter 1 - Mission and Account

Mission

1.1. On 3 August 1995 the Minister of Defence notified the Lower House of parliament of the forthcoming full debriefing of the Dutch military personnel who had been present in the Srebrenica enclave, declared a safe area by the UN, in the period from 6 up to and including 21 July 1995. The Minister of Defence ordered the Commander in Chief of the Royal Netherlands Army to conduct the debriefing. The Commander in Chief subsequently assigned Brigadier General O. van der Wind to lead the debriefing. At the request of the aforementioned Minister, Messrs. J. de Ruyter (former Minister of Justice and of Defence) and General (retd.) G.L.J. Huyser (former Chief of the Netherlands Defence Staff) were appointed to act as external, independent advisors. Furthermore, Brigadier General K.C. Roos of the Royal Marechaussee (military police) was appointed as an advisor at the request of the Commander in Chief of the Royal Netherlands Army.

1.2. The most important purpose of the debriefing was to obtain as much factual, relevant information as possible from the persons involved in order to arrive at the most accurate possible account of the events. This was not a matter of questioning (in the sense of criminal law), nor were the persons involved brought face to face with each other (or confronted with each other's statements). This was in keeping with the other purpose of the debriefing, namely to process the impressions and experiences of the personnel involved.

1.3. The main subject of the debriefing constituted possible violations of the law of war, humanitarian aspects, the operational performance and other relevant aspects with respect to the fall of the enclave.

1.4. Initially, the debriefing was to exclude personnel who had been involved in the fall of the enclave, but who in the aforementioned period had not been present in the enclave but in, for instance, Tuzla, Zagreb, Sarajevo, The Hague or New York. However, at a later stage during the debriefing process the Dutch military personnel who formed part of the UN staffs in Sarajevo, Tuzla and Zagreb at the time of the fall of the enclave did take part in the debriefing.

1.5. The number of military personnel identified on the basis of the above conditions amounted to 490. Six people could not be reached during the debriefing period. It appeared in retrospect that 24 people had not been in the enclave in the period concerned. Most of the 460 people debriefed were from Dutchbat-3 (Dutchbat-3 was a composite unit; in addition to personnel from the 13th Airmobile Infantry Battalion, it also consisted of personnel from some fifty other units).

1.6. It was a known fact that before 4 September 1995 virtually no Dutchbat personnel (or other personnel) would be

accessible to the debriefing team. One stipulation of the original assignment was that the report was to be ready before the end of September. A large number of military personnel therefore had to be carefully debriefed in an extremely short time, and furthermore, taking into account the two purposes of the debriefing, it was impossible to estimate in advance how long each individual interview was to take. In practice, the length of a debriefing interview turned out to be some four hours, with interviews lasting eight to ten hours in exceptional cases. Several individuals were interviewed more than once.

Plan of approach

1.7. From the very outset the process was to involve twenty composite debriefing teams. Taking into account the nature of the activities, for the composition of the teams experienced officers and non-commissioned officers were chosen from the Royal Netherlands Army (from its intelligence and security organisation) and equally experienced officials from the Royal Marechaussee. It should be pointed out that the Royal Marechaussee personnel were not permitted to act as criminal investigators in a legal sense, nor did they do so; partly for this reason the debriefing personnel wore civilian clothes as opposed to uniforms during the interviews. All of the aforementioned personnel were personally chosen by the leader of the debriefing and the advisor from the Royal Marechaussee respectively. The teams were subsequently composed from a mixture of these personnel, with three persons in each team. A separate team was composed, consisting solely of female officials.

1.8. Three analysis teams were composed in addition to the debriefing teams. The analysis teams dealt with the following subjects: operational performance, humanitarian aspects with regard to the law of war and the role of Dutchbat in escorting the refugees and the wounded, as well as the subject of 'other relevant aspects'. These teams were also made up of carefully-selected specialists.

1.9. A technical processing centre (administrative centre) was also set up in order to structure the incoming information. The centre's personnel were selected entirely from the Royal Marechaussee. Another important factor was the setting up of a counselling team, permanently stationed at the location of the debriefing, consisting of officers from the Military Psychological and Sociological Service (including clinical psychologists) and personnel from the Defence Social Service. An account of the counselling is provided as an annex to this report.

1.10. The strength of the 'core staff' of the debriefing team amounted to approximately forty personnel, while at the time the team was fully operational its strength amounted to 118 personnel. A temporarily vacant building in Assen (NL) belonging to the Defence organisation was used. Numerous

essential technical preparations took place in anticipation of the approval of the plan of approach (on 16 August 1995).

Account of work methods

1.11. Prior to the debriefing, an announcement was sent to the individuals to be debriefed, describing the purpose of the action. The announcement emphasised the confidential nature of the interviews, with a view to obtaining as much information as possible. Immediately before each individual interview, the confidentiality was repeated both in writing and verbally. The text containing this assurance is provided as an annex to this report. It was also stated that any reports of observations or indications of violations of the law of war would be separately recorded and relayed to the ICTY in The Hague.

1.12. The debriefing interviews took place on the basis of questionnaires compiled in advance, which were also submitted to the external advisors. The purpose of the questionnaires was to ensure that a number of important points were raised. The points in question were not restrictive. An objective account was drawn up of each interview, and subsequently signed by the debriefing personnel and the interviewee. Each account was subsequently analysed and processed by the analysis teams. In a number of cases this led to an adjustment of the questions. The analysis teams were furthermore able to organise the process into distinct stages. In order to prevent the debriefing teams being influenced too greatly by the results of other debriefing teams, a compartmentalised approach was chosen with regard to managing the teams. The disadvantage of this approach was that the teams had to do without a complete overview of the situation. However, the disadvantage was vastly outweighed by the advantage of the absence of prior assumptions. Where unavoidable, the analysis teams gave feedback to the debriefing teams. Finally, using key words and codes, all reports were drawn up in a general account.

1.13. The advisors approached by the Minister had access to all statements, and to all documents at the debriefing location. Furthermore, they attended a number of debriefing interviews in person. Their advice also contributed to the general manner in which the debriefings were structured and led.

1.14. In order to properly understand the complete situation, it was necessary to use a certain amount of basic information, such as (parts of) UN resolutions, the UN mandate (and the Directive derived from the mandate), as well as Dutchbat-3's assignment. The team also examined documents from UNPF and UNPROFOR relating to the role of Dutchbat.

1.15. In order to gain insight into the way in which the interviewees experienced the debriefing, shortly after the interviews were held the interviewees were presented with a number of questions in written form. The response to the

questions showed that in general the interviewees responded very positively to the debriefing.

1.16. The rapporteur concludes - as do many others - that a human tragedy took place in Srebrenica, the main victims of which were the population. During the debriefing it was established that during their stay in and after their departure from the enclave, many Dutchbat personnel had been subjected to emotional experiences. As a result, therefore, during the interviews a great deal of information was revealed by the interviewees, in an emotional condition, reliving their experiences. Where applicable, the emotional aspects were withheld during the processing of the information, albeit without detracting from the facts. Although the rapporteur has therefore established that these emotions were indeed present, the decision has nevertheless been made not to include these aspects in the description of the facts, as this side of the matter - although it constitutes an important and integral part of the debriefing - must not prejudice the factual representation of events as described in the ensuing chapters.

Chapter 2 - Background and chronology

Introduction

2.17. This chapter will discuss the military-political situation, as it was before the fall of the Srebrenica enclave. Light will also be shed on the background against which Dutchbat was to operate in this period.

2.18. A chronological description of the developments will be given which is necessary for a clear understanding of the events which took place from 6 July 1995 onwards.

Background

Summary

2.19. Dutchbat was operating within the UN concept of the Safe Area. On the basis of this concept, in Srebrenica Dutchbat was committed to help create sufficiently stable circumstances (including disarming the BIH) to enable the provision of humanitarian aid, the evacuation of wounded and the improvement of the living conditions of the population. Observation posts were set up to that end, patrols took place along and within the boundaries of the safe area, medical care was provided, the infrastructure improved and contact was established with the civil and military authorities of the various parties in the region. In this way, an attempt was made to relieve the most urgent humanitarian needs and wherever possible to prevent hostilities by promoting contacts with and between the parties. The manner in which the concept of the safe area was ultimately implemented by the UN did not allow for its enforcement by UNPROFOR, and thus by Dutchbat, using military force. The UN's threat to deploy NATO air power if necessary was in fact the only means of deterrence. As a consequence of a total blockade by the BSA (Bosnian-Serb forces), Dutchbat was faced with vast shortages and therefore ultimately could scarcely be regarded as operationally deployable.

Mandate

2.20. In April 1993, when the Srebrenica enclave was under threat of capture by the BSA, an agreement was reached as a result of personal intervention by the then UN commander in Bosnia-Herzegovina, General Morillon, involving the commanders of the conflicting parties, General Mladic (BSA) and General Halilovic (BIH - Bosnian government forces). The most important aspect of this agreement was the demilitarisation of the Srebrenica and Zepa enclaves. It was intended that all military or paramilitary units would either withdraw from the demilitarised zone, or surrender all their arms and all ammunition, mines and explosives to UNPROFOR. Furthermore, UNPROFOR would now be authorised to confiscate arms and ammunition in the possession of civilians. UNPROFOR would also be given complete freedom of movement to and from the enclave.

The temporary ceasefire in Srebrenica, agreed upon as a result of General Morillon's presence, was tacitly more or less upheld.

2.21. The aforementioned crisis situation in Srebrenica led virtually simultaneously to decisions being made within the UN Security Council. On 16 April 1993 the UN Security Council passed Resolution 819, designating Srebrenica as a safe area. On 6 May 1993, by virtue of Resolution 824 the UN Security Council designated another five areas as safe areas in addition to Srebrenica, namely Sarajevo, Tuzla, Bihac, Gorazde and Zepa. Resolution 836 followed on 4 June 1993, in which, with reference to Chapter 7 of the UN Charter (Peace-enforcing), it was stated that the mandate of the UN troops was to be extended for the safe areas. The literal text of the relevant passage reads as follows:

"The UN ... authorizes UNPROFOR to take the necessary measures, including the use of force, in self-defence, in reply to bombardments or armed incursions into the safe areas ..."

2.22. After analysing the situation, UNPROFOR indicated that an additional force of some 34,000 personnel was needed in order to enforce the safe area. However, such a force was not available. A minimum option was consequently developed, for which the required strength was some 7,600 personnel. The option provided for a battalion for the Srebrenica safe area. With regard to the minimum option, the UN Secretary-General made the following statement:

"... this option cannot ... completely guarantee the defence of the safe areas, it relies on the threat of air action ..." and "... it assumes the consent and cooperation of the parties ..."

In the course of 1994 UNPROFOR did indeed receive reinforcements in order to implement the minimum option.

2.23. The tasks assigned to Dutchbat were as follows, derived from the aforementioned ceasefire and resolutions:

- a. to monitor compliance with the ceasefire,
- b. to disarm the BIH,
- c. to support the provision of humanitarian aid.

Air support procedure

2.24. In order to support UN operations in Bosnia-Herzegovina, it was possible for NATO air support to be deployed at the request of the UN for one of the following reasons:

- a. UN military personnel under direct threat,
- b. an attack on a safe area,
- c. to enforce an Exclusion Zone (EZ).

The EZ (an area in which heavy arms are prohibited) applied only to Sarajevo and Gorazde.

In the first case it was possible to provide Close Air Support (CAS), and in both other cases air strikes took place. Initially, UNPROFOR used CAS only. The first air strike was not carried out near Sarajevo until the end of May 1995.

2.25. The deployment of air support in Bosnia-Herzegovina was based on what is known as the dual key principle. Deployment was only possible if both the UN and NATO gave their consent. Within the UN, the authority to do so was delegated to the Special Representative of the Secretary-General, Mr Akashi, and within NATO to CINCSOUTH.

2.26. Dutchbat was able to submit a request for air support to Sector North East in Tuzla. In such cases Sector North East would assess the request, and after approval the request would be forwarded to UNPROFOR in Sarajevo. It was also necessary for UNPROFOR to give its approval, in which case UNPROFOR would forward the request to UNPF in Zagreb. If the UNPF commander also approved, the request was submitted to the SRSG, Mr Akashi. If Mr Akashi gave his consent, this was relayed to UNPF, upon which NATO was notified, and would then launch the prepared air operation. In the case of CAS, when the aircraft were over the area in question they would establish contact with Dutchbat. The aircraft would subsequently attack, at least if the weather conditions and the situation on the ground so permitted. In general, the total procedure took several hours. The procedure described above was rendered less complex after the fall of Srebrenica, at what is known as the London conference.

2.27. In the event of a request for air support, Dutchbat was to pass on target information to UNPROFOR's headquarters in Sarajevo, where the request was tested in accordance with a number of criteria before the target was accepted. The most important criterion was that an air strike may not cause collateral damage among the population. While the approval procedure was on its way to UNPF, the target information was relayed to the NATO air forces in Italy, where the air strike was worked out and prepared in further detail. From this moment onwards, permission for deployment had to be awaited. Forward Air Controllers (FACs) had been assigned to Dutchbat in order for specific target information to be properly relayed to the pilots. The FACs had been provided with secure communications equipment. An FAC would take up a position giving him a view of the target, and would orally guide the aircraft to the target.

Chains of command

2.28. Dutchbat-3 had an internal chain of command to four companies: A, B and C companies, as well as the headquarters, headquarters and support company. B-Company was stationed in Srebrenica, with the southern part of the enclave as its area

of operations. C-Company was in Potocari, with the northern part of the enclave as its area of operations. The headquarters, headquarters and support company was also stationed in Potocari. A-Company was not stationed in the enclave but in Simin Han, with the so-called 'Sapna thumb' as its area of operations. This company did not play a part in the events in Srebrenica, and will not be discussed any further. As a result of the dispersion, Dutchbat's deputy battalion commander was permanently stationed with A-Company at Simin Han, on behalf of the battalion commander. The S-4, the logistics staff officer, was acting as deputy battalion commander in the enclave. He will henceforth be referred to as the deputy battalion commander. This officer was responsible for internal coordination. The battalion commander himself maintained contacts in the UN and national lines, and contacts with the local civil and military authorities. The battalion commander held daily consultations with his deputy and his subordinate commanders.

2.29. In an operational sense, the battalion was led by the UN. In the UN chain of command, the battalion commander (BC) maintained direct contact with both Sector North East, officially the next level up, and with UNPROFOR in Sarajevo, officially the level above Sector North East. UNPROFOR itself regularly took the initiative to make contact. Furthermore, the battalion had a national, administrative (personnel and logistics) line with the RNLA Crisis Staff. Information was regularly exchanged (including situation reports) with both the Defence Crisis Management Centre (DCBC) and the RNLA Crisis Staff.

Mission of Dutchbat-3

2.30. The military task was to maintain the status quo: as a result of the UN presence, the BSA was to be deterred from launching an offensive on the enclave, and the BIH was to respect the demilitarised status of the enclave. Several heavy weapons and a large number of hand-held weapons surrendered by BIH personnel were held in the Weapon Collection Point (WCP) controlled by Dutchbat, located at the compound in Srebrenica. Dutchbat implemented its military task by setting up observation posts (OPs) near to the boundary of the enclave, by patrolling between the OPs and inside the enclave and by negotiating with the conflicting parties. In order to carry out its tasks, Dutchbat was deployed in two large locations in the enclave (the compounds in Srebrenica and Potocari), and at a total of twelve observation posts. The latter were positioned along the boundary of the enclave, which was approximately fifty kilometres long. The main task of the posts was to observe the conflicting parties in the boundary area of the enclave. The boundary area itself was the subject of dispute: the UN, BIH and BSA had different points of view in this matter. For instance, the BSA argued that the southeastern corner of the enclave did not form part of the safe area.

2.31. One aspect of the humanitarian task was to improve the living conditions of the inhabitants of the enclave, and to support the UNHCR and the non-governmental organisations (NGOs). In consultation with the civil authorities, roads were repaired, the supply of water and electricity was improved and schools were given support in the form of equipment and personnel. Medical aid stations were set up, which held clinics for the population; the local hospital was also given support.

2.32. In order to carry out the aforementioned tasks, Dutchbat had B and C companies at its disposal within the enclave. These companies were responsible for manning the observation posts and for carrying out patrols. In addition, the battalion had at its disposal a reconnaissance platoon, with commando personnel, two security platoons, an engineer platoon, a detachment from the Explosive Ordnance Disposal Command, a Royal Marechaussee detachment and two FAC teams. The reconnaissance platoon was also capable of carrying out the FAC task. The headquarters, headquarters and support company was responsible for general support, and attached to this company was a field dressing station with surgical capacity. Some of the field dressing station's personnel came from the Dutch Armed Forces Hospital Organisation (abbreviated to KHO in Dutch).

Population and parties

2.33. At the beginning of July, the population in the enclave amounted to approximately 40,000 people, of whom the majority (80%) consisted of refugees. The refugees were concentrated in the two larger towns in the enclave, Srebrenica and Potocari. The overpopulation of these two towns created an extremely problematic situation in terms of administration. The overloading of the existing infrastructure, which was only intended for the original number of inhabitants, meant that the living conditions of the population were less than minimal. The administration was organised into a presidential council and an executive council with a great number of departments, particularly in the areas of protection and aid. The most important medium was the radio. Newspapers were not published regularly, and were used by the authorities chiefly for propaganda purposes and for disseminating military information.

2.34. The BIH forces in the enclave were organised into four brigades with a combined strength of 3,000 to 4,000 men. Their weapons consisted almost exclusively of light arms, supplemented by, among others, a limited number of heavy machine guns, anti-tank weapons and mortars. Despite the fact that Dutchbat, in accordance with its mission, did everything to disarm the BIH, the battalion was only partly successful. The regular BIH units were reinforced by local militia. Operations were relatively unpredictable, because the units were barely trained and rather undisciplined. The BIH forces

carried out systematic actions from within the enclave, and subsequently withdrew to UN-protected territory.

2.35. Up to and including June, the BSA had between three and four battalions belonging to three brigades of the Drina Corps positioned around the enclave. The average strength of the battalions was 250 men. The units were well-equipped and had tanks, tracked armoured vehicles, artillery and mortars. The units were manned chiefly by Bosnian-Serb refugees who had formerly lived in the enclave. It should not be precluded that the regular BSA units were reinforced by (radical) militia. The area along the southern boundary of the enclave was not occupied by the BSA, but was guarded by means of combat patrol. The through-road in the area was sealed off by mines. A structural shortage of infantry meant that the BSA launched what amounted to minor offensives on foot. The BSA's strength lay in its use of heavy weapons. Operations by the BSA's troops around the enclave were geared to maintaining the status quo and protecting the Bosnian-Serb population in the enclave from offensives by BIH from within the enclave.

2.36. The terrain in the enclave is extremely hilly and forested, rendering it difficult to survey. Away from the roads and paths, the use of vehicles is virtually impossible. For the defence of such an area a high level of infantry, artillery and air support would be necessary to have any chance of successfully holding ground.

2.37. Four humanitarian aid organisations were working within the enclave: the UNHCR, MSF (Médecins Sans Frontières), ICRC (the International Committee of the Red Cross) and the Swedish Shelter Project (SSP, a project supported by the Swedish government for sheltering refugees). In addition, UNCIVPOL was supporting the local police.

Chronological overview

2.38. In February 1994, the Netherlands took over the UN task in the Srebrenica enclave from Canada. The enclave, designated a safe area, was surrounded by Bosnian-Serb troops. These troops were equipped with heavy weapons and occupied strategic positions along the valley in which the main towns of Srebrenica and Potocari are located. Dutchbat took up observation posts along the line of confrontation. The observation posts were positioned on high hills, clearly visible from a great distance and flying the UN flag. From a military point of view, such positions are extremely vulnerable. The operational-tactical interest was thus made secondary to the UN's requirement of a 'clearly visible presence'. Furthermore, the local population was disarmed wherever possible. A problem for Dutchbat personnel in this respect was that if during patrols they came across armed BIH personnel or civilians, they were not authorised to use force in disarming them, nor were they authorised to enter houses without consent. Furthermore, attempts were made to avoid the Dutchbat patrols as much as possible. Cooperation from the

local authorities (local civil police force) was therefore of vital importance with regard to disarming.

2.39. Dutchbat provided humanitarian aid, in keeping with the general mandate of the UN in Bosnia-Herzegovina. Dutchbat also took over the WCP. In this period the required cooperation of the parties was sufficient - the threat of NATO air power was still highly credible. However, over the next eighteen months these two important issues, namely the cooperation of the parties to the conflict and the credibility of the UN, were to gradually dwindle. The reduced cooperation from the local authorities in the enclave was to make the disarming of the local population increasingly difficult. The UN was unable to eliminate the threat of the BSA. During Dutchbat-2's tour of duty, little or nothing changed with regard to the situation.

2.40. On 18 January 1995 Dutchbat-3 took over the task of Dutchbat-2. On 21 January the BIH announced restrictions in the UN's freedom of movement in what is known as the 'Bandera' triangle, after the BSA had taken up positions directly on the enclave boundary. The battalion decided to ignore the restriction and on 27 January entered the prohibited area with three patrols. This resulted in a response from the BIH, who held approximately one hundred Dutchbat personnel hostage between 27 and 31 January. After this incident the battalion no longer patrolled in the 'Bandera' triangle.

2.41. In February a member of Dutchbat stepped onto an anti-personnel mine, as a result of which he lost his left leg. Another soldier drove a wheeled vehicle over an anti-tank mine. In this case the damage was only material. With effect from 18 February the BSA withheld its permission to transport fuel supplies to the enclave.

2.42. In March the fuel supplies were so low that the battalion was forced to draw on locally-available UNHCR supplies. By then fresh food was no longer available. Moreover, at the end of March the first convoy of personnel on leave was initially refused permission to leave the enclave.

2.43. In accordance with the safe area concept, Dutchbat tried to increase the confidence of the conflicting parties' (BIH and BSA) in the UN operations, by means of formal and informal contacts. However, the BSA appeared to become increasingly unwilling to take part in formal contacts; the BSA regularly accused Dutchbat of failing to prevent the BIH's military actions undertaken from within the enclave. However, because of its size Dutchbat was not at all able to prevent such actions, apart from urging the local BIH leaders to desist. In April, too, applications for supply convoys were systematically hindered and at the end of April the BSA - in response to incessant sorties by the BIH - went so far as to hermetically seal the enclave, as a result of which it was impossible to provide supplies. This also meant that personnel could no longer go on leave, and personnel on leave at the time could no longer return. The majority of the battalion was

therefore forced to stay in the enclave permanently from the beginning of January to 21 July. Dutchbat determined that the relations with the local Muslim authorities were strained. The BIH continued to demand assurance from the commander of Dutchbat that the enclave (boundary) would be defended using every available means, a guarantee that could not be given.

2.44. Practically from the beginning, the commander of Dutchbat, both in the UN and in the national line, repeatedly pointed out the poor logistic and consequently operational problems in the enclave. In May the commander of Dutchbat stated that, as a result of the aforementioned blockade, the battalion could no longer be regarded as operationally deployable, and that the absence of supplies could even lead to the OPs having to be abandoned.

2.45. On 25 and 26 May NATO carried out air strikes in an attempt to enforce the prohibition of heavy weapons around Sarajevo. The attempt was unsuccessful and led to hundreds of UN personnel being taken hostage. Influenced by these events, the deployment of air power was reconsidered within the UN. Against this background the commander of UNPROFOR, General Smith, issued his Directive 2/95 to his subordinate commanders on 29 May, in which he stated that:

"... the execution of the mandate is secondary to the security of UN personnel..." and "... using force is necessary including CAS and Air Strikes as a last resort ..."

This directive was reconfirmed on 2 June in a letter from the commander of UNPF, General Janvier, to General Smith, in which Janvier indicated that the use of force was to be avoided.

2.46. In the light of the above, and the concern on the part of the UN with regard to the risk that the BSA, as they had in Gorazde, would take UNPROFOR personnel hostage in Zepa and Srebrenica, the staff of UNPROFOR insisted that the OPs be abandoned. After consultation, the decision was made to maintain the OPs, but at the same time to prepare for a rapid departure. The BSA responded fiercely to a sortie from the BIH from within the Srebrenica enclave, during which seven Bosnian Serbs were reportedly murdered.

2.47. On 1 June the BSA demanded that the battalion move OP-E, enabling unrestricted use of an important road in the area of the OP. When the battalion refused to meet the demand, on 3 June OP-E was attacked by the BSA, using hand-held weapons, mortars and anti-tank weapons. OP-E was surrendered and two new OPs (OP-S and OP-U) were immediately set up to take over the task of OP-E. From then onwards Dutchbat was no longer able to disarm BIH soldiers, as there was ultimately no cooperation whatsoever from the local authorities (including the local civil police).

2.48. When, on 3 June, OP-E fell into the hands of the Bosnian Serbs, the response consisted of written and oral protest at a high military and diplomatic level. Other options (air support) were scarcely conceivable, because of the hostage crisis taking place at the time. The BIH in the enclave gave little or no response in a military sense. The observation post crew were not hindered by the BIH when falling back to the Srebrenica compound. However, the commander of Dutchbat assumed that the BIH, in the event of a large-scale BSA offensive, would try - when Dutchbat left the observation posts - to confiscate weapons and vehicles, with the use of force if necessary. He expressly requested the BIH in the enclave, after the aforementioned loss of the observation post, for sufficient freedom of movement to implement Dutchbat's operation plan in the event of a BSA offensive. The plan consisted of falling back to blocking positions, which were to seal off the access roads to the towns of Srebrenica and Potocari. These blocking positions incidentally were only able to 'discourage' the BSA and had scarcely any military import, as the white YPRs (infantry fighting vehicles) stood virtually in the middle of the road, without any other form of protection. Apart from an arrangement that the BIH would occupy positions between the OPs, no coordination took place between Dutchbat and the BIH regarding the response in the event of an offensive by the BSA. The aforesaid arrangement was to prevent the BIH from taking up a position immediately in front of or behind an OP, thus attracting BSA fire and endangering the OP.

2.49. Dutchbat did not expect the BSA to attempt to seize the entire enclave in the near future, but did not preclude an attempt by the BSA to occupy the southern flank of the enclave. This was reported in the UN and the national lines. The military developments after the fall of the observation post on 3 June appeared to corroborate this assessment. From 4 June to 6 July, despite the increased tension, from a military point of view the enclave was relatively quiet. Although the number of BSA movements outside the enclave appeared to increase, there were no reports of conspicuous troop movements by either the BSA or the BIH. However, various observation posts reported close-range shooting incidents, although it was impossible to establish a fixed pattern as yet in this respect. It should be pointed out that the UN did not have an extensive intelligence system deployed in the area, and that the UNMOs present regularly had their freedom of movement restricted, making it impossible for them to obtain additional detailed information.

2.50. On 27 June the commander of UNPF stated with regard to the eastern enclaves that, despite UNPROFOR's difficult and even frustrating situation, and however 'challenging' the situation may have been, the use of force was only permitted for purposes of self-defence. In his view, sustaining the peacekeeping mission was the best way of gaining the time required for the ongoing process of peace negotiations. When the fighting broke out around the enclave at the beginning of

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July, the use of force was therefore, as a result of the directives, restrictive.

2.51. Because of the poor general situation with regard to the population within the enclave and the aggressive attitude of the Bosnian Serbs, the situation became more threatening. An extremely precarious food situation arose as the UNHCR convoys were no longer able to reach the enclave. A great many agricultural crops were lost and many emergency power supplies broke down as a result of the recent bad weather. Water supplies were poor, with tap water often unavailable. As a result of a shortage of doctors and medicine, Srebrenica hospital was barely able to help the population. MSF and the field dressing station attached to the battalion were also virtually unable to offer help due to a shortage of supplies. Because the BSA was controlling the southern route in the enclave, it was no longer possible to use the smuggling routes from and to Zepa, along which, for instance, weapons were brought into the enclave for the BIH. This also resulted in fewer goods being available. The BSA, with its surplus of heavy weapons, was clearly at an advantage compared to the BIH. It transpired later that shortly before the offensive, better-equipped troops were provided, who ultimately conducted the offensive. When the enclave was attacked, the BIH looked upon Dutchbat to protect them from the BSA. The BIH not only wanted to defend the enclave from positions between Dutchbat's observation posts, but also from directly behind the OPs. As a result, Dutchbat became a reluctant participant in the combat.

2.52. At the beginning of July, Dutchbat was still in a disadvantageous position in a number of respects. A large group of some 150 personnel on leave was unable to return to the enclave as a result of the BSA blockade, and the supply situation was extremely poor. Although this unfavourable situation was reported several times, the higher levels were unable to make any improvement. The situation was so critical that the UN seriously considered flying in essential supplies without the consent of the BSA. However, this plan was never implemented. The fuel supplies were practically exhausted, and only 16% of the operational requirement for ammunition was available. Owing to the ammunition shortages, there could be no firing exercises. It was not possible to test the TOW or Dragon missile-launching systems as the required equipment had not been available since early 1994. Since the presence of Dutchbat-1, the Bosnian-Serb authorities had systematically blocked the transportation of all goods connected with anti-tank systems. Without the prescribed periodical tests, the missile-launching systems were unreliable. Several types of ammunition were in poor condition, particularly the TOW and Dragon anti-tank missiles, the smoke shells and mortar ammunition. Because of the poor possibilities for storage this ammunition had been affected by moisture and was consequently unserviceable. Large quantities of small-calibre ammunition were virtually unserviceable as a result of constant loading and unloading, as well as climatic influences. The ammunition and arms situation led to a loss of faith in Dutchbat's own

assets. The supply of spare parts was virtually exhausted, resulting in an inability to repair faulty items of equipment. There was no longer any material available for improving the protection of the OPs and the compound. The same applied to material for repairing roads and all manner of other necessary tasks. In addition, a number of general necessities of life such as heating, lighting, hot water and laundry facilities had been absent since February. Many daily, organic tasks of the engineer platoon, the logistic platoon and the field dressing station were no longer taking place. Owing to the lack of fresh food, the personnel had been eating only combat rations for a month. This had resulted in various physical complaints, thus hindering performance. The drinking water supply was limited to 12 days when the diesel for the water purification installation ran out. This situation led to Dutchbat being able to carry out its tasks to a limited extent only, and to the personnel gradually adopting the belief that their situation was hopeless.

2.53. At the beginning of July Dutchbat had thirteen observation posts along the line of confrontation, manned by an average of seven personnel. The posts were led by a sergeant and had at their disposal hand-held weapons, a .50 heavy machine gun and short-range anti-tank weapons. Moreover, several of the posts had an 81 mm mortar and long or medium-range anti-tank weapon (TOW and Dragon). The observation posts were set up at points enabling effective observation. However, from a military point of view, as mentioned earlier, these were extremely vulnerable positions, from which it was impossible to conduct regular defence. By day, the OPs were recognisable by a large blue UN flag. During hours of darkness the OPs were illuminated, in accordance with UN regulations. The distance between the OPs always amounted to at least several kilometres. The hilly and forested terrain, with a great deal of blind spots (where observation was impossible owing to the indentations and dense vegetation) meant that it was at all times possible for the parties to the conflict to pass an OP or to come extremely close without being observed.

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Chapter 3 - Operational performance

Introduction

3.1. This chapter deals with the fall of the southern observation posts, the fall of Srebrenica, the reception and evacuation of the refugees, the evacuation of the wounded and the departure of Dutchbat from the enclave. The purpose is to clarify Dutchbat's operational performance in the period in question. Before providing a detailed description, the operations will be explained briefly in paragraphs 3.2 up to and including 3.9. Two maps have been included as annexes by way of reference.

Summary

Phase 1: The fall of the southern observation posts

3.2. In this phase, the BSA began the offensive on 6 July. The fighting was concentrated in the south east of the enclave. The battalion lost five observation posts on the southern boundary of the enclave. When the BSA forced the first observation post to be abandoned, a Dutchbat soldier was killed by the BIH. The OP crews knew that their retreat routes were under threat from the BIH. This meant that withdrawing to the compound in Srebrenica was not always possible, and some of the OP personnel fell into the hands of the BSA. They reported that they were being treated well. Despite direct attacks on UN posts, after consultation with UNPROFOR air support was not requested. The battalion estimated that the BSA was only concerned with the southern part of the enclave. Because of its lack of infantry capacity, the BSA was not yet deemed capable of capturing the entire enclave in the short term. On 9 July UNPROFOR presented the BSA with an ultimatum: the BSA must withdraw. Dutchbat was to take up blocking positions to the south of the town of Srebrenica. If the positions were attacked, air support would be deployed. Throughout the entire period, skirmishes were taking place in the south between the BSA and BIH.

Phase 2: Fall of Srebrenica

3.3. B-Company set up a blocking position to the south of Srebrenica, with six armoured vehicles. The assignment was to prevent the further advance of BSA to the town, using all available means. Air support had been promised in order to support the assignment. From early in the morning of 10 July, the BIH and BSA were fighting in the southern part of the enclave. The BSA did not approach the town and thus the blocking position until early evening. The UN did not release air support all day. The BSA troops to the west of the town were under fire from the blocking position; the BSA retreated after a while. By now Srebrenica was inundated with refugees. That night, the BSA indicated that they would take up positions on the flanks of Dutchbat.

3.4. That morning, namely 11 July, the battalion was counting on massive air support by way of compensation for the lack of fighting power. However, air support had still not been released. When the BSA continued the offensive, air support was requested at around 10.30 hrs. Then, despite all its promises, the UN still failed to release air power. This was to take another two hours, and four hours until the deployment of two Dutch F-16s, at around 14.30 hrs. However, this had no influence on the attack which developed that morning. In the early afternoon the BSA forced the BIH from positions to the south of Srebrenica. The blocking position was moved back to the edge of the town. By now thousands of refugees had started to move towards Potocari. When, after the air strike, the BSA threatened to kill the Dutch personnel they had captured and bombard Srebrenica and Potocari with heavy artillery, a decision was made against the deployment of further air support. At around 16.00 hrs, when all refugees had left Srebrenica, B-Company released the blocking positions and attempted to the best of their ability to escort the stream of refugees moving towards Potocari.

3.5. The battalion received the thousands of refugees as well as they could. The battalion had now been forced back to the area of Potocari. It was impossible to carry out the orders received from UNPROFOR to conduct defence from here. Each case of the use of force would lead to firing from the BSA, which would have disastrous consequences for the thousands of unprotected refugees. The battalion began talks with the BSA and, using the limited assets available, concentrated on providing aid to the refugees. In the morning of 12 July the BSA surrounded the compound at Potocari.

Other observation posts

3.6. Of the seven remaining OPs, on or after 12 July six were captured by the BSA. The crew of one OP were able to withdraw independently to Potocari. The OPs were manned by an average of six personnel, led by a sergeant. These small groups were outnumbered by the BSA soldiers. When the OPs were taken over, the Dutch personnel were systematically robbed of their weapons, their vehicles and items of their equipment. Finally, a group of 55 Dutchbat personnel was held in Bratunac, where they were treated reasonably and on 15 July were evacuated separately via Serbia to the Netherlands.

Phase 3: Evacuation of the refugees

3.7. The battalion received orders from UNPROFOR to protect the refugees and escort them to safer areas. However, the BSA ordered the evacuation of the refugees to Kladanj. During the evacuation, all men of fighting age were separated from the remaining refugees by the BSA. The convoys of buses were escorted by vehicles belonging to the battalion. During the evacuation, the BSA confiscated as many vehicles as possible, as a result of which the escort was perforce limited to four stationary posts. On 13 July at the end of the day all

refugees, with the exception of a number of wounded, were evacuated.

Phase 4: Evacuation of wounded and departure of Dutchbat

3.8. Some of the refugees were so seriously wounded or ill that they had to be transported separately. Some of this group were brought by Dutchbat in a medical convoy to the line of confrontation at Kladanj. A list was drawn up by MSF of the wounded left behind at Potocari. The evacuation of the wounded is discussed in greater detail in chapter 5. The UN negotiated with regard to the departure of the battalion. These negotiations were ultimately concluded with an agreement between General Mladic and General Smith. It was also agreed that locally-employed staff would accompany the battalion to Zagreb. The battalion departed for Zagreb on 21 July.

Attack on the Srebrenica enclave

Phase 1: Fall of the southern observation posts

3.9. At around 03.15 hrs in the night of Wednesday 5 to Thursday 6 July, the town of Srebrenica came under fire from six missiles. Shortly after 04.00 hrs that morning, fighting broke out in the south east of the enclave. The observation posts in that area (D, K, S, U and F) reported fire from hand-held weapons, machine guns, mortars, artillery and tanks. That morning Dutchbat informed the BIH that, if the BSA crossed the enclave boundary, the arms in the WCP in Srebrenica would be released. Later, when this situation did indeed occur, the BIH did not avail themselves of this opportunity.

3.10. From a military point of view, the south east of the enclave is significant. There are two important roads in the area, namely the only surfaced road from the south to the town of Srebrenica and secondly the road between the enclaves of Zepa and Srebrenica, disputed since the beginning of the conflict. The observation posts in the south east were grouped as follows:

- a. OP-F was located on a hill affording a clear view of the BSA positions on the south east perimeter of the enclave. More importantly, it was possible to observe the important roads entering the enclave from the east and the south.
- b. OP-U was located on the road to Srebrenica, at 800 metres from OP-E, taken over by the BSA in June.
- c. OP-S was located low in the valley, on the road through the Jadar valley to the SSP. This OP was situated here because of the refugees accommodated in the SSP.
- d. OP-K and OP-D were located along the southern boundary of the enclave, three and six kilometres respectively to the west of OPs U and S.

3.11. In the early afternoon, at around 13.00 hrs, two artillery shells exploded near to OP-F. Shortly afterwards, the OP came under direct fire from two BSA tanks. The tower of the OP, upon which the TOW anti-tank weapon was mounted, was damaged. Through a liaison, the battalion requested an explanation from the BSA. However, the BSA required a written report of the incident, probably as a stalling tactic.

The battalion commander discussed the possibilities of air support for OP-F with UNPROFOR. He was given to understand that, bearing in mind the negotiations being conducted by the EU negotiator, Mr Bildt, and taking into account instructions concerning the restrictive use of force, he should not count on air support in this case.

3.12. That afternoon, the weather deteriorated. Owing to heavy rain, visibility decreased. The intensity of the fighting also

decreased and in the night of Thursday 6 to Friday 7 July it remained relatively quiet as a result of the poor weather conditions. On Friday 7 July, activities were confined to exchanges of fire between the BIH and the BSA. That morning, gunfire was heard in the enclave and 27 shell bursts were heard. At the end of the afternoon, towards 18.00 hrs, sixteen artillery shells fell in the built-up area of Srebrenica and in the immediate vicinity of the B-Company compound. In the night of Friday 7 to Saturday 8 July, 275 artillery and mortar rounds were heard.

3.13. The battalion commander gave the following assessment:

The BSA activities of 6 and 7 July were regarded as attempts to provoke responses and intimidate the BIH and Dutchbat. The taking over of OPs and/or parts of the enclave was not expected. No additional orders were therefore given. He did, however, inform UNPROFOR through Sector NE that in the long term the BSA would attempt to neutralise the BIH within the enclave. Owing to the lack of infantry capacity, he estimated that the BSA would not be able to secure the enclave in the short term.

The higher UN staffs, UNPROFOR and UNPF, arrived at the same conclusions.

3.14. On the morning of Saturday 8 July, the weather conditions were misty. There was only sporadic firing. At around 12.30 hrs the crew of OP-F reported that they were under fire; shells were exploding at a short distance from the OP. At 13.45 hrs the OP received a direct hit from a tank, and the right front side of the protective wall collapsed. A few minutes later, the wall received two more direct hits.

3.15. OP-F was manned by an infantry group consisting of seven men, led by a sergeant, and had access to an armoured vehicle. After the direct hits, the OP commander requested permission to leave the OP. The company was given permission to do so by the battalion, provided the departure was safe. The exchanges of fire between the BSA and BIH, however, made it impossible to leave. In the meantime the BSA had approached the OP to within a hundred metres with an infantry group and a tank. At around 14.30 hrs the BSA established contact with the OP. A group of ten BSA soldiers disarmed the Dutchbat personnel and wanted them to move to BSA territory. After a certain amount of negotiation, permission was nevertheless obtained to move back to the town of Srebrenica. At 14.40 hrs the armoured vehicle departed. When the vehicle arrived at the foot of the hill, it was stopped by a BIH soldier with three civilians, who were erecting a road block. The company commander was notified of the situation. He decided, after he had heard that no anti-tank weapons had been sighted, that they were to drive on. The group commander indicated that everyone should do so inside the vehicle. When the vehicle moved on, a dull blast was heard. Private 1st Class Van Renssen, who was still trying

to get inside the vehicle, collapsed. He had sustained a serious head wound. The vehicle drove on quickly, while medical aid was requested by radio. The company immediately sent an armoured vehicle for medical transport purposes. After Private 1st Class Van Renssen was put into the medical transport vehicle, life-saving first aid was carried out during the trip to the field dressing station in Potocari. The medical situation was relayed by radio to the field dressing station. When the medical transport arrived, the operating theatre was ready. However, this was to no avail. The death of Private 1st Class Van Renssen was recorded at 16.27 hrs.

3.16. The death of Private 1st Class Van Renssen:

This incident was a shock at all levels in the battalion. It was now clear that the OPs were at risk from two sides: not only from the attacking BSA, but also from the BIH, who did not wish to accept withdrawal of the observation posts.

3.17. The posts in the immediate vicinity of OP-F, OP-S and OP-U also reported firing between the BSA and the BIH and artillery and mortar shell explosions. At around 14.00 hrs shells fell immediately behind OP-S and three explosions were detected at the SSP. The areas of OP-K and OP-D were also fired at on this particular day; OP-K had a clear view of the explosions at OP-F.

3.18. After OP-F had been abandoned, the fighting was concentrated at OP-S and OP-U. An exchange of fire took place for more than three hours between the BIH, on the hills behind OP-U, and the BSA on the other side of the valley. Artillery and mortar shells exploded in the vicinity of OP-U on several occasions. At the first bend on their retreat route, the OP crew saw from their position five BIH soldiers, all of whom were in possession of anti-tank weapons. At around 18.30 hrs that evening the BSA infantry occupied the hill crest behind OP-U. Shortly afterwards, twenty to thirty BSA soldiers took over the OP. The personnel were forced to surrender all equipment, and were given a choice between returning to Srebrenica or accompanying the BSA personnel to Bosnian-Serb territory. Faced with the threat of BIH personnel with anti-tank weapons on their retreat route and with the incidents involving the crew of OP-F fresh in their minds, the OP crew left for BSA territory.

As mentioned earlier, the hilly and forested terrain made it possible for the conflicting parties to approach an OP to within a very short distance. Partly for this reason, the OPs were not defensible.

3.19. OP-S was at a lower position in the valley. Most of the exchanges of fire on 8 July took place over the heads of the OP's crew. Fewer shells exploded here than at OP-U, probably because this OP was at a greater distance from the BIH

positions. In the early evening, when the BSA infantry had occupied the northern hill crest at OP-U, BIH soldiers were seen to disengage and run in a northerly direction.

3.20. On 8 July at 20.00 hrs, the crew of OP-U, who had in the meantime been captured by the BSA, relayed a message from the BSA to B-Company and to OP-S: 'OP-S had better remain in position, it is too dangerous to move as not all BIH personnel have left'. That night, the BSA forced the OP-U crew to move to Bratunac. They reported that they were to be accommodated in a hotel overnight, and that the Bosnian Serbs would permit them to leave for the Netherlands. All other B-Company OPs received this message on their vehicle radios.

3.21. The commander of B-Company had two armoured vehicles at his disposal, by way of reserves. In the evening of 8 July the reserves were deployed at two positions a few kilometres to the south of the town of Srebrenica. One of the positions turned out to be unsuitable, as the BIH was threatening to block the retreat route using a wrecked vehicle. After a great many problems - a hand grenade was even thrown after the vehicle - this part of the reserve capacity returned to Srebrenica, where it took up a new position. Later that evening, this position was reinforced by another armoured vehicle.

3.22. The assessment of the situation by the battalion commander:

The attacks on OP-F and OP-U were regarded as part of an attempt to seize the Jadar valley. The fact that no attacks were being carried out on the rest of the enclave boundary reinforced this view. The firing was regarded as a diversion and an attempt at intimidation. He did not issue any further directives. In his plans, the battalion commander had always assumed that if they met with any problems the OPs would fall back in the direction of the compounds. Now that a Dutchbat soldier had been killed by the BIH, this would no longer be adhered to. In the course of the events, the battalion commander was to give the OP commanders general freedom of action when surrendering the OPs. The only directive was that their own safety was the main priority.

The above directive conformed fully to the orders of the UNPROFOR commander of 29 May 1995 and the letter by the commander of UNPF of 27 June 1995 (see paragraphs 2.29 and 2.34).

3.23. The situation regarding OP-S on 9 June was unclear. When the group commander had given orders to reconnoitre in order to ascertain whether the BIH positions in the area were still occupied, some twenty BSA soldiers approached the OP from two sides. The atmosphere was threatening. The BSA disarmed the

Dutchbat personnel. At around 9.15 hrs the crew of OP-S were forced to drive to Bratunac. On the way, they observed that most of the hills on the eastern side of the enclave were occupied by artillery positions. They were able to report this to their company. At around 13.00 hrs the crew of OP-S arrived in Bratunac. From this location they relayed the message by vehicle radio to the effect that the BSA had told them that they would be evacuated to the Netherlands.

3.24. In a letter to UNPROFOR, the battalion commander indicated on 9 July:

that he still expected that the BSA intended to take over the Jadar valley. If the attack continued, OP-K and OP-D would also be taken by the BSA. He also indicated that a possible consequence, although not in the short term, could be the seizure of the entire enclave. He did not yet deem air support in the form of CAS to be feasible. He expected that in such a case the BSA would respond with the large-scale shelling of Srebrenica, the compounds and the OPs. This could only be prevented by the simultaneous neutralisation of all of the BSA's heavy weapons around the enclave.

3.25. In response to the departure from OP-S, the battalion ordered B-Company to set up a new post at the SSP. An armoured vehicle was to carry out this task. The vehicle arrived at the SSP after 11.00 hrs. On the way, its personnel had come across hundreds of refugees. The SSP was virtually empty. At a certain distance away, exchanges of fire were taking place and explosions could be seen. Towards 13.30 hrs the vehicle was caught unawares by a group of between fifteen and twenty BSA soldiers. The Dutch personnel were disarmed and - initially on foot - were evacuated to Bosnian-Serb territory. At 16.00 and 17.00 hrs the group commander was able to pass on reports of his position. He finally reported that they were on the way to Bratunac and that according to the BSA personnel they would leave for the Netherlands the next day, via Belgrade.

3.26. OP-K and OP-D afforded a view of the fighting in the south east of the enclave. Explosions were also reported at the SSP and on the hills in their immediate vicinity. Shortly after 14.00 hrs, OP-K observed a BIH platoon close to its position. The platoon was moving away from the line of confrontation to the north west and thus back into the enclave. Towards 15.00 hrs OP-K came under artillery fire. The shells were exploding at a distance of 100 metres from the OP. A BIH bunker on the hill suffered a direct hit, after which the situation became quiet. At around 16.30 hrs OP-D observed a BSA infantry group moving northwards, towards Mount Kak to the rear of the OP. At 16.15 hrs OP-D also came under fire.

3.27. In response to reports of the situation that had arisen, at 16.30 hrs the deputy battalion commander gave permission to B-Company to release OP-K and OP-D. However, the company

commander was of the opinion that the OPs had already been cut off. Between 17.00 and 18.00 hrs exchanges of fire took place between the BIH and the BSA in the vicinity of OP-K. Again, shells fell near to the OP. At 18.15 hrs the OP was approached from the rear by fifteen BSA soldiers. When he reported to the company, the group commander was ordered to abandon the OP and drive away. By now a large group of BSA soldiers were already at the location of the OP. This OP's crew were also given the choice of either returning to Srebrenica or accompanying the Bosnian Serbs. After consultation with the company commander, the group commander decided to go with the BSA to Milici.

3.28. At around 17.00 hrs exchanges of fire also broke out at OP-D, in which a tank was also involved. At around 18.00 hrs the group commander heard voices, and suspected that BSA soldiers were in the vicinity. In order to prevent outflanking, he was given permission to withdraw. The BIH was unable to stop the armoured vehicle, which moved a few kilometres northwards in order to take up a new position. Towards 19.00 hrs they were held by a group of 40 BIH soldiers at a crossing near Kutuzero, and were not allowed to leave on the night of Sunday 9 to Monday 10 July. There were many BIH soldiers in the vicinity, and explosions could be heard occasionally. Throughout Sunday 9 July, positions B1 and B4 were occupied. These positions controlled the roads to the built-up area of Srebrenica, and lay approximately four kilometres to the north of OP-F. From these positions personnel had a clear view of the fighting between the BIH and the BSA around the road to the enclave. At around noon the settlement of Pustumlici, three kilometres to the south of Srebrenica, was on fire. At around 16.30 hrs BSA tanks were observed on the road to Srebrenica, near Pustumlici. At 17.00 hrs an exchange of fire took place to the south of B4, which later moved further north, to a position on the rear quarter of B4. At around 19.30 hrs that evening, the situation became quiet once more. The BSA had approached in the south to within two kilometres of the town of Srebrenica. The crest of the hill to the west of B4 had already been seized by the BSA, the hill crest to the east was still in the possession of the BIH. After nightfall it remained relatively quiet.

At the same time, exchanges of fire were also taking place at the other OPs in the north, east and west of the enclave, but no actual attack ensued. The events at these OPs will therefore be dealt with later in the paragraph entitled 'other observation posts'.

Phase 2: The fall of Srebrenica

3.29. In response to the BSA offensive, UNPROFOR presented the BSA with the following ultimatum in the evening of 9 July:

UNPROFOR condemned the BSA's operations and demanded that the offensive be stopped. Furthermore, UNPROFOR demanded that the BSA withdraw to the enclave

boundary, as agreed with General Morillon on 8 May 1993. The immediate release of all Dutch personnel and their equipment was also demanded. It was indicated that Dutchbat had taken up blocking positions to the south of Srebrenica. The SRSG, Mr Akashi, and the commander of UNPF, General Janvier, decided that, if these positions were attacked, NATO CAS would be deployed.

No consequences were attached to the failure to meet the other requirements, namely the withdrawal and the release of the Dutch personnel. In the afternoon the battalion submitted a list of targets for air support, containing fifteen targets: BSA tanks, artillery and mortars. This list reached the NATO air forces in Italy through the UN channels. The plan for the air support on 10 July was based on providing air support with effect from 06.00 hrs.

3.30. Fully in keeping with the ultimatum, the battalion received the following assignment from UNPROFOR at around 22.00 hrs on 9 July:

"You must take up blocking positions using all means available to you in order to prevent the further penetration and advance of BSA units in the direction of Srebrenica. Every possible measure must be taken to reinforce these positions, including measures relating to weapons."

It was also indicated that in the event of attacks on the blocking position, the battalion could count on CAS with effect from 10 July. For this reason, it was determined that Dutchbat's vehicles should be recognisable from the air by attaching the orange identification panels intended for this purpose.

3.31. In order to carry out this assignment, the deputy battalion commander issued written orders to B-Company. B-Company was ordered to take up positions to the south of the town in the morning of Monday 10 July, in order to prevent, using all available means, the penetration of the BSA into the town. The assignment was designated a 'green' assignment. 'Green' military assignments are understood to mean entering into combat with the BSA if necessary. For the implementation of the assignment, B-Company was given command of the battalion reserve of four armoured vehicles. The positions were to be occupied by Monday morning 05.00 hrs and marked in accordance with the air support promised. The battalion placed the deputy commander of B-Company in command.

BLOCKING POSITIONS

In the night of 9 to 10 July, Dutchbat was ordered to take up a blocking position to the south of Srebrenica, in order to prevent the further penetration and advance of Bosnian-Serb units

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towards Srebrenica. The wording indicated that they were intended to stop the BSA to the south of Srebrenica. If an adversary, operating with a combination of tanks and infantry, is to be stopped, a cohesive defence must be established. This cohesion must at any rate consist of a combination of infantry (in entrenched, covered and camouflaged positions with light and heavy machine guns and sufficient anti-tank weapons), fire support (such as artillery, mortars and air support) and obstacles (mines, barbed wire, etc.). If one of these elements is lacking, defence is doomed to failure. On 10 July the blocking position was only one of the many elements needed for defence, namely infantry with light and heavy machine guns. The anti-tank weapons were unreliable, there was no artillery capacity, only one small-calibre mortar was available and there were no mines or barbed wire whatsoever; this was not counting the time needed to prepare such a position. The vehicles were white and were in full view of the BSA, who had taken up their positions on the surrounding hills. The presence of Dutchbat to the south of Srebrenica therefore took on the character of a symbolic road block, rather than defence in order to stop the BSA.

3.32. The commander of B-Company eventually provided six armoured vehicles with .50 heavy machine guns and approximately 50 men for the blocking positions. Two 'Dragon' medium-range anti-tank weapons and 'AT4' short-range anti-tank weapons were available as additional weapons. An 81 mm mortar was available at the compound. The commander's plan was to occupy positions B1, B2, B3 and B4. B1 and B4 were to be occupied by two armoured vehicles, and the other positions by one vehicle. FAC personnel would be present at B1 and at OP-H in order to guide the air support. He decided that direct firing was not permissible at first, but rather firing next to, over or under the targets in order to prevent immediate escalation of the fighting. However, in the event of a direct attack on the vehicles or personnel, direct firing was to take place immediately. The order was given at 03.30 hrs.

ANTI-TANK WEAPONS

Although the company had anti-tank weapons at its disposal, they were not used, owing to a combination of the following factors:

- Aimed firing was only permissible from the blocking position if the BSA also directed fire at this position. However, the BSA did not do so.
- There was no certainty whatsoever among the senior ranks with regard to the reliability of the anti-tank systems. Because of the BSA's blockade, which had lasted for months,

insufficient quantities of spare parts had been supplied and the tool kits were incomplete. This meant that the firing installations could not be tested, casting doubt upon the reliability of the systems. The missiles were unserviceable as a result of moisture damage.

- *The range of the AT4 anti-tank missiles is too short, as a result of which they were not deployed.*

3.33. By radio, the groups already present at B1 and B4, as well as OP-H, were ordered to stop the BSA by firing if they attempted to penetrate through towards the town of Srebrenica. Positions B1, B3 and B4 were indeed occupied at 05.00 hrs. The route to B2 proved impassable, and the decision was made to take up another position, B1A. En route the armoured vehicle came under tank fire from a long distance, beyond the range of the AT4. When the vehicle was reversed as a result of the tank fire, the armoured vehicle ran off the road, and could not be salvaged. The crew joined B4; B2 therefore remained unmanned.

3.34. Early in the morning of Monday 10 July, hostilities resumed. More artillery and mortar shells fell around the town of Srebrenica than had hitherto been the case. Bullets were fired close to the vehicle in position B4. The air support promised the preceding evening did not appear. At around 09.00 hrs Dutchbat once again requested air support from Sector NE. Again, no deployment took place. Later that evening, the intensity weakened considerably, although there was still persistent fighting near the settlement of Pusmulici, but this was more than a kilometre to the south of the blocking position. All of the firing resulted in a movement of refugees in the direction of the town. The groups of refugees met on and around the market square in Srebrenica.

3.35. During the Monday afternoon, the exchanges of fire continued in the south, near Pusmulici. As well as the refugees, BIH personnel had now also been seen moving towards the town, away from the fighting. At around 18.00 hrs a group of 80 BIH soldiers moved northwards. At B4 they said that the battle in the town was to be continued. At 17.00 hrs the commander of B-Company stated in his report to the battalion that the BSA was consolidated at more than a kilometre to the south of the blocking position.

3.36. Air support had not been deployed until now. This was linked to the text of the UNPROFOR ultimatum to the BSA, which stated:

"... if this blocking position is attacked by BSA forces, NATO Close Air Support will be employed ..."

Despite all the fighting, the blocking position was not attacked and UNPROFOR had not started the procedure for consenting to the employment of air support. However, at the request of UNPROFOR aircraft were airborne between

approximately 10.30 and 14.00 hrs, after which they returned to their bases as a result of poor weather conditions.

3.37. At around 18.30 hrs the stream of refugees grew considerably and shortly thereafter it transpired that the BSA had continued the offensive. The commander of B-Company now gave the command to fire overhead, and for illuminating mortar shells to be fired. B1, B3 and B4 were now under threat of being outflanked, and thus fell back to the southern perimeter of the town. Towards 19.00 hrs the commander of the blocking position was standing on the market square at the edge of the town. He ordered his men to fire on the BSA troops in the hills to the west of the town. B4 was now also firing on the BSA to the west of the town. In order to gain a better view of the BSA, the commander of the blocking position wanted to improve his position. To this end, he wanted to move backwards to the school area. However, the BSA soldiers would not permit such a movement, and made threats with anti-tank weapons. Attempts to explain that the movement was necessary in order to deliver aimed fire were fruitless. The blocking position now had to take into account the fact that BIH personnel had assumed a threatening stance with their anti-tank weapons and were standing behind the vehicles. The mayor of Srebrenica also supported this form of action by the BIH.

3.38. B-Company's compound was by now flooded with hundreds of refugees. After consultation with the battalion, it was decided that the refugees would be transported to Potocari. However, it transpired that the BIH wanted to keep the refugees in Srebrenica. Refugees who were already on the way to Potocari were sent back as a result of intervention by the mayor of Srebrenica and BIH soldiers. The expected stream of refugees to Potocari did not, therefore, take place that night.

3.39. The BSA clearly ignored the ultimatum, which was the reason for a request for air support at around 19.00 hrs. The battalion was again relying on extensive air support, and indicated three priority target areas: south of the blocking position, north of OP-P and the high crest to the south east of Srebrenica. At around 19.30 hrs it appeared that the BSA was withdrawing in a westerly direction. The area to the south of the blocking position no longer constituted a target for air support. The commander of the blocking position ordered the firing to be stopped. At this moment, six armoured vehicles had taken up positions on the edge of the town near the market square. At around 20.00 hrs it became clear that the BSA was retreating in a southerly direction. Sporadic firing was still taking place. As late as 21.00 hrs a shell exploded a few metres away from the parked vehicles on B-Company's compound. Again, there was no air support. UNPROFOR treated the request as a normal CAS request in accordance with UN procedures: only a position firing on a UN position may be attacked from the air. At UNPF, meetings lasting for hours were held on the subject of the request, and towards 22.00 hrs air strikes were suspended for the evening

as a result of growing darkness at that time. The decision to deploy was sustained.

3.40. The BSA attempted to bring pressure to bear on Dutchbat by means of various ultimatums. In this way, at around 21.00 hrs a message came in on the vehicle radio through one of the group commanders held by the BSA in Bratunac:

From 06.00 hrs the next morning Dutchbat was to be given 48 hours to leave the enclave, together with the local population. The BSA guaranteed that they would not be harmed during their retreat.

At around midnight the deputy battalion commander informed the companies that the response to the message was as follows:

"The BSA must withdraw starting from 06.00 hrs; failure to do so will result in large-scale air strikes".

3.41. The refugees began leaving B-Company's compound from 22.00 hrs onwards. Towards midnight, the battalion commander met with local authorities, where he informed them that he was convinced that NATO would launch large-scale air strikes on the BSA positions in the morning of 11 July. The BIH indicated that positions would be taken up on the flanks of B-Company's positions. That night only intermittent fire was observed, gunfire as well as artillery and mortar fire. Large groups of refugees, some of whom were armed, were also moving in a northerly direction. A group of some 300 BIH personnel disappeared at night, moving in a westerly direction.

3.42. OP-H afforded a clear view of the southern and eastern parts of the enclave. An FAC official was more or less permanently present at this OP. With effect from the evening of Saturday 8 July, skirmishes took place in the vicinity of OP-H between the BSA and BIH. In the afternoon of Sunday 9 July, the crew of OP-H observed fighting on the hill in the north east. Shortly afterwards, the OP came under direct fire; a number of shells exploded at a distance of 100 metres. In the evening of Monday 10 July, OP-H reported at around 19.30 hrs that the BIH soldiers were leaving the hill in the north east. They departed in the direction of the town. Shortly afterwards, BSA personnel were observed at a short distance from the OP.

3.43. The battalion commander made the following assessment:

After the continuation of the BSA offensive in the early evening of 10 July, it was now clear that the BSA intended to seize the entire enclave. All deployable armoured vehicles had now (evening of 10 July) been deployed. Air support would have to compensate for the shortage of fighting power at the blocking position. The BIH had indicated that

positions were to be taken up on the flanks of the blocking position.

Later, on 19 July, General Mladic was to inform General Smith that the reason for wanting to fully conquer the enclave was a sortie by BIH soldiers in the night of 10 to 11 July. General Mladic also declared that he had opened up a corridor in the direction of Tuzla, through which some 6,000 BIH soldiers had apparently escaped.

3.44. That night, from 10 to 11 July, exchanges of fire took place in the immediate vicinity of OP-H. At 04.30 hrs the OP commander was given permission to leave the post; the BIH ordered him to leave the YPR behind. He joined his group at the position near the market square. That morning, the crew of OP-D, who had been held by the BIH since Sunday evening, also returned to Srebrenica.

3.45. The ultimatum presented to the BSA was still in force in the morning of Tuesday 11 July. The orders to defend the town also still applied. That morning, the battalion was again relying on extensive air support. At around 05.00 hrs contact was established by telephone with Sector North East, in which an Air Strike towards 07.00 hrs was discussed, as well as the target list, which had since been adjusted. At around 06.00 hrs that morning, positions B1 and B3 were taken up again. An FAC official was present at both positions. The situation was relatively quiet. There was ground fog reaching to the top of the hills, and air support was impossible in the early hours of the morning. At around 08.00 hrs, when the fog had cleared and the FACs had resumed their positions, the battalion requested air support once again. UNPROFOR was not to comply with this request. While Dutchbat was assuming that they would receive extensive air support, UNPROFOR was thinking in terms of CAS for purposes of self-defence, for which a UN position must be in acute danger, which was not yet the case that morning.

3.46. At 08.15 hrs the battalion gave the order for OP-H to be manned once again. After consultation with the battalion, the commander of B-Company allowed such a move to depend on the situation to the south of the town, to prevent the post from being cut off. At around 09.30 hrs the commander of the blocking position carried out a vehicle patrol in a southerly direction in order to determine the position of the BSA. He passed position B4 and at the hairpin bend observed a tank and a number of trucks in the vicinity of the radio tower there. At 10.15 hrs B-Company decided to reinforce position B4 with two armoured vehicles.

3.47. At around 10.00 hrs Dutchbat requested air support directed at BSA tanks to the south of the town of Srebrenica. They expected the targets to be attacked immediately. However, the SRSB had not yet given permission, and there was no air strike. The document granting permission for CAS was not to be signed until 12.30 hrs. At around 11.00 hrs, fighting broke

out again. The position of the FAC official, near to the BIH positions from where firing was taking place, was shot at by a T-55 type tank. It then became clear that the BSA was unaffected by the ultimatum. The deputy battalion commander gave the company commander permission to open fire as he saw fit. At around 11.30 hrs shells again exploded near B-Company's compound. Also around this time, the first BSA soldiers were observed on the hill crest to the west of the town. From B3 firing could now be observed in the hills to the east of the town. Towards 12.00 hrs, B1 repeatedly came under direct fire from tanks. When B1 changed its position, a tank shell exploded 5 metres away from the vehicle. A Dutchbat soldier was consequently slightly wounded by fragments in the arm and neck. The BIH soldiers outside the town began to leave their positions. The commander of B-Company then decided to release B3 and B4 and to have the vehicles resume positions near the market square on the edge of the town.

3.48. At around 12.30 hrs the deserted OP-H came under mortar fire. The BIH appeared to have taken up positions there. Towards 13.00 hrs the town was under fire from both the south and the east. The commander of B-Company anticipated that the BIH would only be able to hold back the BSA for another half hour. By now the refugees had started to move en masse in a northerly direction, towards Potocari. At 13.30 hrs the BIH soldiers on the southern edge of the town also left their positions. A short time later two shells exploded inside B-Company's compound, wounding refugees. The battalion ordered B-Company to fall back to the compound in Srebrenica. At 13.45 hrs B1 was ordered to return. B1 reported that this was difficult, as the two tanks were in a position to fire on the retreat route. At 14.00 hrs between 4,000 and 5,000 refugees were on or near B-Company's compound. At 14.30 hrs the first trucks carrying refugees left for Potocari. Vast numbers of refugees were also climbing into the Dutch trucks which were standing by for the evacuation of the hospital in Srebrenica. Having had to improvise, Dutchbat finally managed to evacuate the hospital.

3.49. From 14.00 hrs the town also came under fire from the western hills. At around 14.30 hrs two Dutch F-16s provided CAS. The tanks at the radio tower came under attack. Two American F-16s subsequently tried to carry out an air strike. They did not succeed in locating the targets, and consequently left the air space above the enclave.

Deployment of FAC

The FAC team was incomplete; as a result of the blockade, the commander was unable to return from leave. The two remaining FAC officials were ultimately unable to withstand the pressure of the circumstances. One of the FAC officials succumbed to stress after his position came under fire; on the day of the air support the second FAC official was unable to carry out his duties and remained at the

Potocari compound. The FAC task was then taken over by specially-trained personnel of the commando troops reconnaissance platoon.

3.50. Shortly after this attack, the BSA demanded UNPROFOR to stop the air strikes immediately, or the Dutchbat personnel held by the BSA would be killed, and the battalion and refugees would come under heavy fire. The BSA's threat also came in over the telephone at OP-P from one of the vehicle commanders in Bratunac. The Dutchbat soldiers held captive in Bratunac were informed of the threat to their lives by means of an interpreter. UNPROFOR decided to cease the CAS.

AIR SUPPORT

Upon receipt of the orders to take up blocking positions to the south of Srebrenica, the battalion was assured by UNPROFOR that air support would be assigned in order to implement this task.

As early as 1993, it was indicated that the defence of the enclave with such a limited number of troops was dependent on air support. It was clear to the battalion that the blocking positions would only be successful if air power were deployed.

The battalion personnel were firmly convinced that the air support would consist of the large-scale deployment of aircraft, namely air strikes. All of the BSA troops that had penetrated the enclave or were firing at the enclave would then be attacked, particularly those with heavy weapons such as tanks and artillery. In the event of an air strike, permission to deploy is given well in advance; aircraft can attack targets within a very short time.

However, when the BSA mounted the attack there was no rapid deployment of air support. UNPROFOR and UNPF were still working on the principle of normal, time-consuming UN procedures. Deployment is only permitted if it is 100% certain that a UN position is under direct fire, and the location of the enemy fire can be determined. In the case of a dynamic attack this procedure is unworkable; precise target acquisition is a problem, and it is impossible to maintain a target under observation for the hours it takes to complete the application procedure. Furthermore, by the time permission is granted, it is likely that an attack will have already succeeded.

Both the battalion staff and the rest of Dutchbat are convinced that the fall of the enclave can be attributed to the distinct lack of support from the air; the limited CAS did not arrive until the battle

was actually over. The NATO air forces cannot be blamed for the lack of air support; they were bound by the decisions of the UN, which determine how and when air support is to be provided (air strikes or CAS).

3.51. By now, the exodus of the refugees from the town of Srebrenica was fully under way. B-Company tried to escort the refugees as well as possible. Towards 16.00 hrs the population and the BIH soldiers had left the town. Under pressure from the BSA, the commander of B-Company decided to leave the blocking position and concentrate on escorting and protecting the refugees. The armoured vehicles formed a screen behind the refugees on the way to Potocari. Again the BIH had not by then collected weapons from the WCP.

3.52. Upon arrival in the Potocari area, B-Company was ordered to take up positions facing the south and west. This took place using four armoured vehicles. The rest of the company remained in the vicinity of the positions. The headquarters company had a number of armoured vehicles in position on the northern side of the compound. The area containing the refugees was cordoned off.

3.53. In the early evening of 11 July the battalion received orders from UNPROFOR to negotiate a ceasefire with the BSA, not to surrender any weapons, to protect the refugees to the best of their ability, to provide medical care and to defend themselves using all available means. The battalion had by now been forced back into a very small area, and was inundated by refugees.

The battalion commander considered the order to defend to be unfeasible. Any form of armed resistance would have led to fire from the BSA and thus to many victims among the refugees. Sector North East sent a comprehensive message to UNPROFOR supporting the view of the battalion commander.

As a result of this situation, the battalion had virtually no military options remaining. Observation was also more or less limited to the immediate vicinity of the Potocari compound.

Other observation posts

3.54. At the other OPs to the north, east and west of the enclave, no real attack developed. The events that took place at these OPs are covered in the following paragraphs.

3.55. In the vicinity of OP-A, it was fairly quiet. The fighting could be heard at a distance. In the night of Saturday 8 to Sunday 9 July, shots were fired in the area. At 02.15 hrs on Sunday morning, several rifle shots struck at a distance of 10 meters from the OP. Sunday remained quiet. In the afternoon of Monday 10 July, tank and mortar fire was observed. On Tuesday 11 July, all was quiet at OP-A. During

the night from Tuesday to Wednesday, one or two shells fell every hour in the vicinity of the OP. On Friday 14 July, the commander of C-Company made arrangements with the BSA for the withdrawal from OP-A to Potocari. Towards 20.00 hrs that evening, the crew departed in one vehicle. Before departing, they put the TOW and another (already defective) armoured vehicle out of action. The route was extremely rough and they got stuck that night. The following day, they were disarmed by the BSA and taken back to Potocari via Milici and Bratunac, from where the other Dutch personnel had already departed. They arrived in Potocari in the morning of Sunday 16 July.

3.56. OP-C was disarmed by BIH soldiers on Monday 11 July. The OP crew had received orders from the company to remain in position for their own safety. The battalion had had experience of the aggressive local BIH commander and was sure that any withdrawal would create problems. On Wednesday 12 July, the commander of OP-K, which was by then already in the hands of the BSA, contacted OP-C. He reported that the BSA wanted the crew of OP-C to surrender the OP that night. The OP commander refused. He was then told to say that the BSA would return the following day. Early in the evening on Thursday 13 July, the OP crew were taken to Milici by the BSA. On Saturday 15 July, they joined the other Dutch soldiers being held by the BSA in Bratunac.

3.57. Various incidents occurred at OP-M between 6 and 9 July. There were several outbreaks of firing during the course of which bullets flew low over the OP. A mortar shell also detonated at a distance of 30 metres. In the afternoon of Thursday 9 July at approximately 15.15 hrs the OP came under mortar fire. The shots fell close. It was made clear by the shouts of a number of BSA soldiers that the OP was to be abandoned. The crew of OP-M were ordered by their company commander to organise a position 200 metres to the south, just to the north of the village of Jaglici. They occupied the new position at 16.30 hrs. The BIH attempted to disarm them, but the OP commander managed to prevent this by means of a pointblank refusal, which was accepted by the BIH soldiers. The BIH did, however, insist that they remained in position, and in order to enforce this two BIH soldiers with anti-tank weapons remained near their vehicle from that moment onwards.

3.58. On Monday 10 July, the commander of OP-M received orders from the C-Company commander to coordinate with the BIH. That evening, fighting broke out among the BIH soldiers resulting in dead and wounded. At around noon on Tuesday 11 July, a number of shells struck the area near the armoured vehicle. The abandoned OP was also shelled. Chaos prevailed among the BIH. Internal fighting broke out once again. That evening, the OP crew were permitted to leave because they were willing to take the wife and children of a local BIH leader with them. When the two BIH soldiers with the anti-tank weapons attempted to prevent their departure, they were shot in the head by the BIH leader. This led once again to fighting between the BIH soldiers. On the route to Potocari, they picked up many

refugees. They came under fire on two more occasions. At 01.30 hrs on Wednesday 12 July, they arrived in Potocari where they joined the B-Company positions to the south of the compound.

3.59. On Friday 7 July, OP-N was shelled by mortar fire. One shell struck the entrance to the OP, one the protective wall. On Saturday 8 July, the intensity of the shelling increased. That day, 15 mortar shells struck at a short distance from the OP. Sunday 9 July was relatively quiet, but there was an incident at around 10.00 hrs: a shot fired from a tank struck at a distance of 100 metres from the OP. On Monday 10 July, a number of BIH soldiers came to the OP. They wanted the OP to be cleared. After some discussion, also between the BIH soldiers themselves, the group commander managed to prevent this. On Tuesday 11 July, OP-N remained reasonably clear of the firing. The crew received orders from their company commander to remain in position in the event of a BSA offensive. By then Srebrenica had fallen and the battalion had no further military options. The group commander decided not to engage in combat with the BSA. On Wednesday 12 July at approximately 14.30 hrs, the OP was shelled by artillery and mortars for 10 minutes. The shots fell just next to the OP. Three anti-tank missiles then struck the OP. Immediately afterwards, a group of BSA soldiers ran up the hill firing their weapons. In the end there were some 60 BSA soldiers in the OP. Dutchbat personnel were disarmed and the vehicle was plundered. At the end of the afternoon, they arrived in Bratunac under BSA escort.

3.60.

3.61. OP-P could see the shelling around Potocari from a distance. This OP had had a telephone line with a lower-ranking local BSA commander since 1994. This telephone line was used repeatedly. On Tuesday 11 July, three BSA tanks took up positions just to the north of the OP. On the Wednesday morning, a number of artillery and mortar shells fell in the area. At 08.00 hrs, OP-P was telephoned by the BSA and informed that tanks and artillery were advancing. They would not be harmed provided they did not offer any resistance. At about 09.30 hrs, BSA soldiers entered the OP. The crew were disarmed. At approximately 10.30 hrs, a large number of BSA soldiers and several tanks passed the OP in the direction of Potocari. Later that afternoon, the crew returned to the Potocari compound.

3.62. OP-Q remained more or less outside the conflict. It was not until the morning of Wednesday 12 July that there were regular exchanges of fire in the area between the BIH and the BSA. The BIH withdrew from their positions that morning. At 09.30 hrs, a group of approximately one hundred BSA soldiers approached the OP from the south. This was the planned retreat route which could then no longer be used. The BSA disarmed the crew and took them to Bratunac.

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3.63. In the case of OP-R too, fighting did not take place until later. Shelling took place in the area on Tuesday 11 July at approximately 22.00 hrs. Subsequently the OP crew saw BSA soldiers in the area and behind the OP. Retreat had been cut off. In the morning of Wednesday 12 July at 06.00 hrs, the OP was indeed approached by a group of 15 BSA soldiers. The OP crew were disarmed and evacuated initially on foot. Later they were able to pick up their armoured vehicle and move to Bratunac that morning.

Phase 3: Reception and evacuation of the local population

3.64. From Monday 10 July, the battalion waited for the arrival of a large group of refugees from the south. The staff company commander ordered the preparation of a "covered route" with an alternative entrance through a hole in the fence to allow access to the compound out of sight of the BSA. Initially, reception teams comprising 20 men in all were formed on the compound. However, some fifty personnel were later involved in the reception and supervision activities. However, the expected refugees did not arrive that night. They had been held by the BIH in Srebrenica.

3.65. In the afternoon of Tuesday 11 July, the flow of refugees started to move. Reception teams were on standby from 14.00 hrs. Various measures had been taken for their reception, such as putting stretchers ready in a hall, organising lighting in the hall, setting up medical aid stations and installing water supply points. A separate corridor was reserved for receiving wounded. MSF was to care for the wounded, with the support of the battalion's medical personnel. An operating theatre had been set up in the bunker for treating Dutch personnel. The refugees who arrived on the compound consisted largely of women, children and elderly people. After a while, when the compound became overcrowded, the hole in the fence was closed. The remaining refugees assembled in the factories to the south of the compound.

3.66. By this time, there were already thousands of refugees in the relatively small space of the Potocari compound. Such a large number could not even be provided with the most basic necessities. Provisions in terms of water, toilets and food were completely inadequate because of the large number of people. Dutchbat was faced with a humanitarian catastrophe without any possibility of making any real improvement in the situation.

3.67. That evening, 11 July, consultations took place twice between the battalion commander and General Mladic. At around 23.15 hrs, the latter announced a ceasefire until 10.00 hrs the following morning. General Mladic demanded of a representative of the refugees that BIH troops surrender their weapons. He would then allow them to withdraw unhindered. During the next meeting on 12 July, Mladic set out his conditions for the evacuation of the refugees:

- a. the evacuation to Kladanj was to start at 13.00 hrs under BSA escort. The battalion commander protested and insisted that Dutchbat carry out the escort;
- b. groups were to be formed: wounded, sick and weak, women and children, others. Able-bodied men were to be screened for possible involvement in war crimes. The battalion commander objected to the screening, also to no avail;
- c. diesel was to be provided for the refugee transports. (Dutchbat had no diesel at that time. The BSA was to "advance" the diesel.)

3.68. Upon the approach of the Bosnian Serbs on Wednesday 12 July towards the end of the morning, the battalion ordered its personnel to form a "human shield" around the refugees, visibly and without provoking the BSA. Weapons were unloaded and carried over the shoulder and the heavy machine guns on the armoured vehicles were turned away from the BSA.

3.69. The battalion was surprised by the speed with which the BSA commenced the evacuation of the refugees. In a surprisingly short space of time, the BSA appeared to have large numbers of buses and trucks. Mladic ignored protests by the battalion commander. UNPROFOR's orders to Dutchbat were to offer as much protection as possible to the refugees and to provide optimal support in transferring the population to safer locations. In order to prevent excesses with regard to the transport, the battalion commander decided to cooperate in the evacuation. When the first buses arrived, they were stormed by a large number of refugees who wanted to board as quickly as possible. Dutchbat personnel then formed an orderly pathway to the buses.

3.70. With regard to the escort, the battalion initially assumed that there would be one escort per bus. This was not permitted by Mladic. The escort was thus carried out using two vehicles per convoy of buses. When too many vehicles had been taken in the course of the evacuation, the escort was limited to 4 stationary posts from Thursday 13 July (see Chapter 5). The BSA soldiers disarmed some of the Dutchbat personnel in the vicinity of the compound. For this reason, it was decided that individual Dutchbat soldiers would no longer carry weapons outside the compound.

3.71. The transports were resumed at 06.30 hrs on Thursday 13 July. The "human cordon" of Dutchbat personnel was improved that morning by the additional use of two armoured vehicles to guide the flow of refugees and to avoid people being trampled underfoot. That day a list of men of fighting age was drawn up on the initiative of the deputy battalion commander. This was done partly on the compound itself. Approximately sixty men refused to give their names. Ultimately, there were 239 names on the list. At approximately 19.30 hrs on 13 July, the last refugees left Potocari, with the exception of a small group which stayed behind (see Chapters 5 and 6).

Phase 4: Evacuation of wounded and departure of Dutchbat

3.72. Among the refugees, there were still more than a hundred people whose state of health or injuries were such that they were unable to make use of the transport. On 12 July, permission was granted to take approximately half of this group to Kladanj in a medical convoy of seven Dutch trucks bearing a red cross and under a Dutchbat escort. The route passed via Bratunac, Milici and Vlasenica. BSA soldiers caused some delay and took from Dutchbat personnel such items as bulletproof vests. At around midnight, they arrived at the debarkation point near Kladanj (see paragraph 5.28).

3.73. The entire battalion felt that the events which occurred from 6 to 13 July were particularly hectic, confusing and disorganised. During the period from 13 to 21 July, following the evacuation of the refugees, the battalion undertook the following activities:

- a. establishing internal order;
- b. making arrangements for the forthcoming departure;
- c. preparing for departure;
- d. transfer to Zagreb on 21 July.

3.74. The actual situation with regard to personnel and equipment could now be assessed. The exact location of each member of the battalion's personnel was established. This applied to the personnel still with the battalion as well as to those personnel who had been evacuated by the BSA. The battalion was also responsible for the remaining wounded and for the local employees assigned to the battalion.

3.75. On 13 July, the battalion received guidelines from UNPROFOR for departure from the enclave:

- a. personnel were to take all major items of equipment with them (combat vehicles, arms and communications equipment);
- b. personnel were also to take all personal property with them;
- c. military clothing (personal equipment) had low priority, with the exception of blue helmets, blue berets and bulletproof vests;
- d. UN and infrastructural equipment could be relinquished;
- e. instructions about the route;
- f. local employees in UN service should be taken along.

These guidelines were also intended for the negotiations between the battalion commander and Mladic.

3.76. On 15 July, the 55 Dutch soldiers who had been held in Bratunac departed for the Netherlands via Serbia and Croatia.

3.77. As regards the local employees assigned to the battalion, it was agreed after consultations with the Bosnian-Serb authorities that these personnel could be transferred to Zagreb with Dutchbat. This was also reported by Dutchbat in

the national line with the request that preparations be made to receive the locally-employed personnel in Zagreb.

3.78. With regard to equipment, counts revealed which equipment had been lost as a result of combat actions, theft by the BSA or as a result of being put out of action on the approach of the BSA. The most important equipment, of which an unknown quantity could no longer be used, comprised 14 armoured vehicles, 18 Mercedes Benz all-terrain vehicles, one truck, 6 81mm mortars, 6 TOW ground installations, 18 machine guns and a large number of hand-held weapons. The bulk of this equipment was appropriated by the BSA when they occupied the OPs, while the Mercedes Benz all-terrain vehicles were confiscated during the evacuation of the refugees.

3.79. On or around 14 July, a logistics convoy finally arrived in the enclave. After distribution, Dutchbat transferred 30,000 litres of fuel to the BSA in accordance with Mladic's demands. Twenty Dutchbat soldiers left the enclave with the convoy on 15 July.

3.80. On 17 July, the deputy battalion commander was asked by the Bosnian-Serb authorities to sign a declaration stating that the evacuation of the refugees had proceeded "correctly". He signed the declaration after having made a handwritten addition stating that this applied only to the convoys which had actually been escorted by UN personnel. The main reason for signing this document stemmed from the responsibility for getting those wounded, refugees and local employees that were still there safely out of the area, for which BSA cooperation was essential (see paragraph 6.24).

3.81. On 17 July, the last group of wounded was transferred to the ICRC. The BSA designated a further seven men as prisoners of war. This group was evacuated separately to the outpatients clinic in Bratunac (see Chapter 5).

3.82. In the evening of 19 July, the battalion commander received a copy of an agreement between General Smith and General Mladic which stated that the transfer of Dutchbat would start on 21 July at 12.00 hrs (see paragraph 6.38). Prior to departure on 21 July, the UNPROFOR Chief of Staff consulted with General Mladic in Bratunac. Mladic refused to talk about the return of the equipment stolen by the BSA. The transfer from the enclave did indeed commence around noon on 21 July. Dutchbat was accompanied by all locally-employed staff. In the morning of the following day, 22 July, the battalion arrived in Zagreb.

Lines of command and communication

3.83. In the period from 6 to 21 July, Dutchbat was steered by both UNPROFOR and Sector North East. In the UN line of command, Sector North East was regularly omitted. Contact with the warring parties was maintained by Dutchbat as well as by UNPF and UNPROFOR. Daily contact was maintained with the RNLA

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Crisis Staff. This concerned the regular exchange of information and functional contact with regard to personnel and equipment. There was no further direct contact with Dutchbat from The Hague, apart from one direct telephone conversation between the Minister of Defence and the battalion commander. The Minister thereby assured Dutchbat of the support and close involvement of the government. During the period in question, further direct communication took place by or on behalf of the Minister of Defence with the SRSG, Mr Akashi, with the commander of UNPF, the Chief of Staff of UNPROFOR and the acting commander of Sector North East.

Chapter 4

Humanitarian aspects with regard to the law of war

Introduction

4.1. This chapter describes as chronologically as possible the humanitarian aspects with regard to the law of war in and around the Srebrenica enclave. Examples are included where relevant (in italics).

4.2. On the subject of combat actions in the enclave, consideration will be given to the extent to which unauthorised methods of combat were used by both warring parties, misuse of UN uniforms, use of prohibited weapons by the parties during combat and incidences of looting during and after the combat actions. Lastly, in the context of this subject, details will be given of which irregular forces are alleged to have been in and around the enclave.

4.3. Attention will then be given to the incidents described by Dutchbat personnel in connection with the refugee movements to Potocari. During this hectic and sometimes chaotic period, thousands of frightened, in some cases wounded refugees gathered on and around the compound in Potocari. The reports of Dutchbat personnel relating to alleged executions and cases of rape are also given.

4.4. Finally, attention will be given to the sightings by Dutchbat personnel of corpses along the route from Bratunac to Kladanj, and the possible existence of mass graves will be dealt with briefly.

Combat actions in the enclave

Unauthorised methods of combat

4.5. The occupation of the enclave was accompanied by shelling by artillery, mortars, tanks and by the use of hand-held weapons by the BSA. During these shellings, not only BIH units were hit, but also houses, groups of refugees, a number of observation posts and the Dutchbat compounds. During the attack on the enclave, the homes of local inhabitants were deliberately targeted. Dwellings in, for example, Srebrenica, Potocari, Krmaruse, Budak, Bojna, Bucje and Dogazi were thus hit.

4.6. The BIH also fired mortar shells. One shell probably hit the compound in Srebrenica. It also transpired that a BIH soldier fired mortar shells on BSA positions from among a group of refugees.

4.7. During the BSA attacks in the south of the enclave, the crew of OP-F were forced to withdraw on 8 July. In the course of this retreat, one Dutchbat soldier was fatally wounded.

4.8. During the implementation of a blocking position to the south of Srebrenica, a Dutchbat soldier was wounded when a BSA shell struck at a distance of ten metres from a YPR.

4.9. The preparatory fire was followed by the penetration of the enclave by the BSA. Fighting then broke out between BIH and BSA soldiers. It is likely that local civilians were also caught up in these skirmishes.

4.10. During the attack on and following the fall of the enclave, the BSA held 55 Dutchbat personnel in Bratunac. General Mladic threatened to kill these personnel if the air attacks on the BSA were not halted. Some of the refugee convoy escorts were also held by the BSA for a shorter period. Virtually all the Dutchbat personnel held by the BSA have, incidentally, stated that they were well treated by the BSA.

Misuse of uniforms

4.11. Both BSA and BIH soldiers have worn UN uniforms, or at least uniforms bearing a strong resemblance to these. The BSA has also used UN vehicles. The UN uniforms and vehicles were surrendered under coercion or came into the possession of one of the warring parties through theft or otherwise (see paragraph 6.28). During the fighting in the enclave, during the enforced stay of a number of Dutchbat personnel in Bratunac and Milici and during the escort of the convoys, and also in the area surrounding Potocari, Dutchbat personnel saw BSA soldiers in UN uniforms. In Bratunac, a great many UN vehicles were seen in which BSA soldiers were sitting, dressed in UN uniforms. While their convoy was held up for several hours in Zvornik, Dutch military personnel saw BSA soldiers in UN uniforms there. It was reported that there were a number of Bosnian-Serb soldiers in BIH uniform in Bratunac. When asked, the Bosnian Serbs informed a Dutchbat soldier that they this was partly for their own protection.

4.12. In the vicinity of the three-forked junction to the north of Begova Kuca between Nova Kasaba and Bratunac, various BSA soldiers were seen in UN clothing, as a result of which they could be mistaken from a distance for UN soldiers. These BSA soldiers were walking on the road or were in UN vehicles (YPR or Mercedes Benz all-terrain vehicle). BSA soldiers were also seen in tanks near Milici, wearing full (Dutch) UN uniform.

4.13. BIH soldiers, complete with blue caps or blue hats, came within a distance of 15 metres from one of the observation posts. Resembling UN personnel, they opened fire from this position in the direction of the BSA front line, so that it seemed as if the UN had opened fire. In this way, they attempted to draw fire from the BSA on the OP and thus involve Dutchbat in the combat actions.

4.14. It also transpired that the BIH soldiers were not always recognisable as military personnel. Men who had previously

been seen in uniform fighting in the southern section of the enclave were recognised by Dutchbat personnel when the former had mingled, in civilian clothing, among the refugees moving from Srebrenica to Potocari or when they were on the compound in Potocari. Local women, known to be members of the BIH, were also seen later in civilian clothing.

Prohibited weapons

4.15. It is extremely likely that prohibited weapons were used by both the BIH and the BSA. Both BIH and BSA soldiers (including the so-called "Arkan fighters") were seen with knives, daggers and bayonets with serrated blades. It is also possible that dum-dum bullets were used.

The statement by a Dutchbat medic confirmed the alleged use of dum-dum bullets. He stated that a BIH soldier reported to an OP on 11 July. The Dutchbat soldier observed a gunshot wound to the forearm of the wounded BIH soldier. The forearm was largely blown away. On the basis of his training in the Netherlands, the Dutchbat soldier recognised the wound as one caused by the use of dum-dum bullets.

4.16. Although there were allegations among the local population that flamethrowers had been used during the ethnic cleansing of Musici and that gas may have been used on Mount Kak, no further indication emerged during the debriefing to confirm the use of flamethrowers and/or gas. The use of either of these (prohibited) weapons would therefore seem highly improbable.

Looting and vandalism

4.17. During and after the fall of the enclave, looting and vandalism took place on a large scale. Many houses were set alight by the Bosnian Serbs. It is not known whether any people were still in the houses. When the local inhabitants had left the enclave, a pattern in the looting became apparent. Bosnian-Serb civilians arrived in the enclave from the direction of Bratunac with empty cars, trailers and carts and left the enclave some time later, heading from Bratunac, with household effects, livestock and equipment from the OPs.

Types of combatant in and around the enclave

4.18. Besides BSA soldiers, the following (para)military units were observed in and around the enclave: Drina Wolves, Seselj Militia, Specialna Policia, White Eagles, Arkan Tigers and Krajina Serbs (volunteers from the parts of Croatia inhabited by Serbs). Military personnel of other nationalities were seen in Bratunac, for instance one person of German nationality (dressed in Serb uniform), one Russian, one Austrian and eight Greeks. The latter were dressed in Serb uniforms bearing the Greek flag.

Incidents

Mistreatment of refugees

4.19. In Potocari, several Dutchbat soldiers witnessed the mistreatment of refugees, or saw refugees with signs of having been mistreated. Every time the BSA soldiers realised that their actions were being observed by Dutchbat personnel, the BSA soldiers stopped what they were doing.

4.20. While the refugees were in Potocari, the BSA fired shots above the heads of the refugees near the bus station. The intention was obviously to intimidate the refugees and thus discourage them from leaving the area.

One soldier stated that, when this apparently did not have the desired effect, targeted shots were fired whereby refugees were wounded in the legs or upper body. This soldier then helped to take these wounded to MSF.

4.21. On 11 or 12 July, a number of male refugees were singled out by the BSA and taken to two houses near to the compound. It is suspected that interrogations took place in these houses. Shots were heard regularly in the vicinity of these houses. However, no victims were found there. What was observed was that the personal effects of these men were taken from them and, after having been searched, were burned.

Two Dutchbat soldiers, who were positioned near one of these houses in order to report any excesses and if possible to prevent them, stated that they did not see anyone being shot dead, nor did they have any reason to suspect that people were being shot dead in the house. One Dutchbat soldier did, however, state that BSA soldiers shouted, pushed and made it impossible for the prisoners to pray. Personal effects were confiscated.

On 13 July, two Dutchbat soldiers entered one of the houses to give water to the refugees. One of the two soldiers said that the refugees present were obviously terrified. He took photographs of the refugees in the house. The roll of film - also alleged to contain photographs of nine dead bodies seen elsewhere (see paragraph 4.22) - was later rendered useless when it was developed.

Alleged executions

4.22. During the period in which the refugees were in Potocari, it seems highly probable that a number of them were executed. It is highly likely that nine Bosnian men were executed, as well as two male refugees who tried to escape the clutches of the BSA, and that two executions took place near the entrance to the compound. In addition, there is also a possibility that one inhabitant of the enclave was executed.

Lastly, a BIH soldier was executed by another BIH soldier outside Potocari.

On 12 July, a number of Dutchbat personnel watched a group of at least five Bosnian men being forced into a large factory opposite the compound in Potocari. Shortly afterwards, they heard five or six shots. After a while, they saw a BSA soldier armed with a pistol come outside. The Dutchbat soldiers were not at that time able to go and see whether an execution had taken place. They were unable to confirm their suspicions later.

It is extremely probable that nine Bosnian men were executed in Potocari during the night of 12-13 July. In the early evening of 12 July, a member of Dutchbat saw about ten people, led by two armed Bosnian Serbs, turn in a westerly direction onto a dirt track. The witness heard later from local civilians that shots had been heard in the area. Several members of Dutchbat went to the scene on 13 July and observed that nine men had been killed near a stream. All of them had gunshot wounds to the back at the level of the heart. It has remained uncertain whether the Bosnian Serbs referred to earlier should be seen as the perpetrators, because a Dutchbat soldier heard from a local inhabitant that the execution occurred as result of an argument between local civilians. Dutchbat was not given permission to remove the bodies. Photographs of the nine bodies were taken by two Dutchbat soldiers. One roll of film - also alleged to contain photographs of the house referred to earlier - was later rendered useless during development. The quality of the photographs on the other roll of film is not sufficient to be able to see the bodies clearly.

A Dutchbat soldier observed that at about 16.00 hrs on 13 July, approximately 200 metres from the Potocari compound, one local resident was taken from a group of refugees by four regular BSA soldiers and killed by one of them with a single shot to the neck or to the back of the head.

Near the main entrance of the Potocari compound, a Dutchbat soldier witnessed the (possible) execution of two refugees picked up by the BSA. The Dutchbat soldier stated that he had seen five male refugees disembark from a BSA minibus. Two of these men tried to flee, but ran straight into the hands of BSA soldiers. The Dutchbat soldier then heard shots and saw both men fall to the ground.

It was also reported that in Potocari on 14 July, a number of BSA soldiers were walking towards another group of Bosnian Serbs. The latter were grouped around someone either sitting or kneeling. Shortly afterwards, this person was dragged struggling behind the house by the BSA soldiers. Screams and a shot were then heard. The group

of BSA soldiers came back alone and left, after shaking hands with the other group of Bosnian Serbs, in the direction of Bratunac. It was not possible to establish later whether an execution had actually taken place.

A Dutchbat soldier stated that he had seen a Bosnian Serb get into an argument with a local civilian in Potocari. At that moment a bus drew up and stopped very near one of the houses where the male refugees were probably interrogated. The Bosnian Serb and the local resident were then behind the bus and thus out of sight. Shortly afterwards, the Dutchbat soldier heard a "dull thud". After the bus had left, he could no longer see the local resident. He thus suspected that the man had been shot dead behind the bus. No victim of this alleged execution has been found.

A Dutchbat soldier from an OP stated that a group of BIH soldiers under the command of a BIH captain offered the OP crew protection against attack by other local soldiers. At one point, this BIH captain saw that a BIH soldier with a portable anti-tank weapon was about to fire directly at the Dutch YPR. The captain, who was standing at a distance of two to three metres, killed the BIH soldier with several shots. One soldier reported that BIH soldiers subsequently opened fire on each other in the area and that there were fatalities.

4.23. On 11 July, two trucks, each carrying approximately forty to fifty male refugees, were seen travelling in the direction of Bratunac. Shortly after these trucks had passed the bend at Yellow Bridge, several rounds were heard, approximately 100 shots in all. No Dutchbat soldiers saw or heard what actually happened just beyond Yellow Bridge on 11 July.

4.24. After all the refugees and wounded had been evacuated, a tractor with two trailers was seen early in the morning of 17 or 18 July, coming from the direction of Srebrenica. On the trailers lay an estimated one hundred bodies.

Alleged cases of rape

4.25. A number of Dutchbat personnel have stated that the allegations in the press, such as that of a Dutchbat soldier having participated in the rape of a young woman from the enclave, cannot possibly be true. The area of the compound which was apparently referred to in the press report was, according to the statements, monitored 24 hours a day by members of Dutchbat. In any event, the refugees had already left the compound by 15 July (the date mentioned in the press). The statements did, however, include reports of a number of possible incidents of rape. Four or five local women told a member of Dutchbat that local women had been raped by Bosnian Serbs. This was alleged by the women to have taken place on both factory sites outside the Potocari compound. BSA

soldiers were indeed seen occasionally in this area, wearing uniforms resembling those of the UN.

4.26. There are indications that, in the initial phase of the fighting, BSA soldiers may have raped several women from the enclave and then murdered them.

4.27. Ten members of MSF who came from the enclave travelled with the transport of refugees from the enclave from Potocari to Kladanj on 12 July. During the transport, a woman may have been raped on 12 or 13 July by BSA soldiers who were escorting the convoy. It is alleged that the woman was the wife of a member of MSF and was allegedly seen later on the compound. There is no confirmation of this alleged incident.

Sightings of corpses

4.28. On the route to and from Kladanj, many corpses and captive refugees were seen. Along the side of the road were also the burnt remains of what are thought to have been the personal effects belonging to these refugees.

On 12 and 13 July, a number of corpses were seen on the road to Kladanj. It is suspected that some were the bodies of people who had been on the overcrowded buses.

A Dutchbat soldier, who had escorted a convoy to Kladanj, stated that the convoy had halted on Thursday 13 July on the road between Bratunac and the three-forked junction to the north of Begova Kuca. Shortly afterwards, he saw that refugees approaching this road from a southerly direction were being taken prisoner. The group of refugees was separated into able-bodied men and "vulnerable" people (women, children and elderly men). The latter group was ordered onto the buses and the group of men remained behind.

Another member of Dutchbat who had escorted a similar convoy reported that, about five minutes after passing Bratunac, he saw approximately one hundred BIH soldiers in a field. This field was on the northern side of the road. Of these hundred men, approximately forty were divided throughout the convoy. On 15 July, many shoes and articles of clothing were observed on a football pitch in the same area. A number of Dutchbat soldiers were refused permission to travel any further on the evening of 13 July and had to spend the night in Nova Kasaba "for their own safety". At 02.30 hrs that night, continuous shots from hand-held weapons were heard coming from the direction of the football pitch. The shooting lasted for three-quarters of an hour to one hour. The Bosnian Serbs told Dutchbat personnel that they had been lying in wait for the BIH soldiers who were trying to escape from the enclave.

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Two Dutchbat soldiers reported that they had seen between 500 and 700 bodies on the way back from Nova Kasaba to Bratunac on 14 July. However, two other members of Dutchbat who were in the same vehicle reported seeing only a few corpses. It is therefore not clear how many bodies were lying on or alongside the road from Nova Kasaba to Bratunac. On 15 July, however, military personnel observed approximately 30 bodies on this road. They also saw "clean-up teams" (these people were wearing rubber gloves) as well as tipper trucks and lorries carrying corpses.

BIH soldiers were seen squatting on the ground in the football stadium to the north of Nova Kasaba. It was estimated that they numbered approximately 1000 in all. In the evening of 13 July, a great deal of shooting with hand-held weapons was heard coming from a northerly direction. At the same time, a prisoner was brought into the BSA barracks in Nova Kasaba. A BSA lieutenant reported that some of the members of a group of fleeing Muslims had wanted to give themselves up, while others in the group had not wished to do so; this conflict had subsequently led to fighting within the group. The lieutenant went on to say that the fleeing Muslims had ultimately decided to proceed along the Bosnian-Serb lines in small groups of two to four people. In some cases, the refugees are alleged to have committed suicide by blowing themselves up with explosives while close to BSA soldiers.

On 13 July, three BIH soldiers who had obviously been mistreated were seen in Nova Kasaba. The passengers of an ICRC vehicle which happened to be passing (two men and two women) were alerted to the presence of some twenty prisoners. They said they had come from Pale (near Sarajevo) and asked whether it was safe to travel to Belgrade. They then turned and drove back to Pale without giving any further thought to the prisoners. On 14 July, four prisoners were taken into a house in Nova Kasaba. Four shots were subsequently heard. Approximately thirty prisoners had been seen in the house, but no bodies of prisoners were found.

Mass graves

4.29. No information was forthcoming during the debriefings to suggest the possible existence of mass graves. A summary with a map is included as an annex, indicating the suspected locations of mass graves. This information comes from the satellite pictures released by the UN, partly at the request of the Netherlands.

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Chapter 5 - Refugees, wounded and the role of Dutchbat

Introduction

5.1. This chapter describes the conditions with which Dutchbat was confronted when the flow of refugees from Srebrenica to Potocari started to move. Attention is also given to the refugees' stay on the compound in Potocari and the departure of the refugees from the enclave. The role of Dutchbat is also examined in this respect, as well as the restrictions and dilemmas with which the battalion was faced.

Flow of refugees via Srebrenica to Potocari

5.2. The shelling of villages in the enclave which accompanied the BSA attack caused a flow of refugees towards the town of Srebrenica. These refugees massed at and near the market and B-Company's compound in Srebrenica. Following consultations between the B-Company commander and the battalion, a decision was made to transport the refugees to Potocari. It turned out, however, that the BIH wanted to keep the refugees in Srebrenica. Groups of refugees already on the way to Potocari were turned back by the Mayor of Srebrenica and BIH soldiers. Thus the refugees expected to arrive in Potocari in the night of 10-11 July did not appear.

5.3. On 11 July, the BSA continued the offensive on the southern perimeter of the town of Srebrenica. There was virtually no more BIH presence in the town. At about 13.30 hrs, two shells exploded in the middle of the B-Company compound. Some of the refugees there were wounded and were treated by B-Company personnel. At 14.00 hrs, an estimated 4000 to 5000 refugees were on or around the compound. The first refugees departed for Potocari on fully-laden Dutchbat trucks at 14.30 hrs, after it became clear that the BSA would continue their drive in a northerly direction. Hordes of refugees climbed into the Dutchbat trucks that were standing ready for the evacuation of the hospital in Srebrenica. With the necessary improvisation, however, Dutchbat finally managed to carry out the evacuation of the hospital.

5.4. At approximately 16.00 hrs, a decision was made to abandon the blocking position to the south of Srebrenica. B-Company then concentrated its efforts on escorting and protecting the refugees. On the narrow road to Potocari, the armoured vehicles formed a screen behind the refugees. Shots were fired with hand-held weapons over the refugee column from the BSA lines, thus giving the impression that shots were only fired to keep the refugees moving in the direction of Potocari and not to cause casualties. In some instances, an estimated one hundred people were transported by each four-tonner (normal capacity: 20 persons). Because refugees were even hanging on to the (tracked) vehicles, some people fell from Dutchbat vehicles (see paragraph 6.34).

5.5. During the flight from Srebrenica to Potocari, women thrust babies into the arms of Dutchbat personnel assuming that they would be safe in their hands. It was also noticeable that younger Muslims abandoned the older, weaker people to their fate and only after repeated insistence by Dutchbat soldiers were they prepared to help. Refugees who had difficulty in walking were transported in wheelbarrows.

Reception of refugees in Potocari

5.6. From Monday 10 July, the battalion was standing by for the arrival of a large group of refugees from the south. The commander of the headquarters, headquarters and support company ordered the preparation of a "covered route" with an alternative entrance through a hole in the fence providing access to the compound out of sight of the BSA. On the compound, reception teams were formed consisting initially of twenty men in all (when the refugees finally arrived this increased to approximately 50 personnel). However, the expected refugees did not, as has been mentioned previously, arrive that night.

5.7. In the afternoon of Tuesday 11 July, the flow of refugees began to move. The reception teams were on standby from 14.00 hrs. Various measures were taken for reception, such as placing stretchers ready and organising lighting in the factory hall on the compound. Medical aid stations were also set up and water supply points installed. Soup was made for the refugees from the food parcels/emergency rations still available. A separate corridor in the factory was reserved to receive wounded refugees. MSF were to treat the wounded with the support of the battalion's medical personnel. The refugees that arrived on the compound were predominantly women, children and elderly people. Two to three thousand refugees were accommodated on the compound. When the compound became overcrowded, the hole in the fence was closed and only the most distressing cases were admitted to the compound. The rest of the refugees were directed to the factories to the south of the compound or to the nearby bus station.

5.8. From a group of five BIH soldiers whose escape attempt to Tuzla failed and who wanted to hide on the Potocari compound, one soldier was treated for a minor head wound. This group was subsequently sent off the compound. Several shots were heard after they had left. It is not certain whether or not the group was fired upon. No dead or wounded were found later in this area.

5.9. From 11 July onwards, many thousands of refugees thus poured into the already overcrowded village of Potocari, consisting of several factory complexes and a few houses. Many of the refugees were wounded or, because of a lack of food, were emaciated and ill. Dutchbat's facilities and supplies were inadequate for the reception of such large numbers of refugees. There was thus a shortage of food, water and shelter. The sanitary facilities were woefully inadequate.

There was rubbish and human excreta everywhere. Partly as a result of the high temperatures (over 35°C), a terrible stench soon filled the area. Dutchbat was faced with a humanitarian catastrophe without the possibility of making any real improvement in the situation. The situation concerning the refugees on and around the compound had a profound impact on the Dutchbat personnel.

5.10. Great efforts were made within the battalion to provide assistance with the resources available. Wherever possible, food aid, drinking water and medical care were provided for the refugees. Dutchbat provided accommodation for MSF on the compound in Potocari. The battalion also offered assistance to the hospital in Srebrenica. Dutchbat's engineers also set up a water purification system in the vicinity of the Potocari compound. During the shelling of Srebrenica, the battalion command visited the field dressing station to see whether assistance could be given to the refugees in Srebrenica. Although Dutchbat's assistance to the wounded sometimes got off to a slow start during the shelling, they did in fact help the wounded. A difference of opinion arose between MSF and the doctors on the compound as to who was responsible for the evacuation of the wounded from the hospital in Srebrenica. MSF assisted initially in the evacuation, but when the refugee movement got into its stride, it was mainly Dutchbat who took care of the evacuation of the wounded.

A Dutchbat soldier reported that Dutchbat had decided to depart for Potocari with the refugees in Srebrenica. Since MSF personnel were in the bunker at that time, a decision was made to take as many of the wounded as possible in Dutchbat vehicles.

5.11. On 11 July at around 14.30 hrs, two Dutch F-16s provided air support. Shortly after this attack, the BSA demanded that UNPROFOR stop the air attacks forthwith, otherwise the Dutchbat soldiers being held by the BSA in Bratunac would be killed and the compound and surrounding areas subjected to heavy shelling. Shelling of this sort would have claimed many victims among the refugees who were largely unprotected out in the open. UNPROFOR therefore decided not to carry out any new CAS missions.

5.12. In the early evening of 11 July, the battalion received orders from UNPROFOR to negotiate a ceasefire with the BSA, not to surrender any weapons, to offer the best possible protection for the refugees, to provide medical assistance and to defend themselves with all possible resources.

5.13. Later that evening, consultations took place twice between the battalion commander and General Mladic. At around 23.15 hrs, the latter announced a ceasefire until 10.00 hrs the following morning. General Mladic demanded of a representative of the refugees that BIH troops surrender their weapons. He would then allow them to withdraw unhindered. During the next meeting on 12 July, however, Mladic set out

his conditions for the evacuation of the refugees, including the segregation of able-bodied men from the rest of the refugees. The battalion commander objected to this condition, but to no avail.

5.14. On 11 July, the SRSG, Mr Akashi, sent a telegram to the UN in New York containing his proposals relating to the refugee situation in Srebrenica. Having reached agreement on this with the most senior military and political advisers of UNPF, he proposed the following: attempts must be made to reach agreement with the BSA on allowing the entire population of the enclave, including all men, to depart for Tuzla. With the support of the UNHCR, UNPROFOR would try to agree with the BSA that all convoys to Tuzla should be escorted by UN personnel. If the BSA were to make this impossible, attempts would have to be made to stay with the refugees until as near as possible to the time of departure. The SRSG was well aware that the BSA would undoubtedly try to separate the able-bodied men from the others and that UNPROFOR would be able to do little to prevent this. Contact took place that day between the Minister of Defence and UNPROFOR's Chief of Staff. The Minister proposed a plan to evacuate Dutchbat as quickly as possible from the enclave and thereby ensure their safety. UNPROFOR's Chief of Staff, by this time aware of the SRSG's proposals, advised the Minister to have Dutchbat provide maximum assistance in the evacuation of the refugees. The Minister approved this plan and said that the proposal could be conveyed to the Dutchbat commander. This was done immediately.

5.15. The battalion was, however, surprised by the speed with which the BSA commenced the evacuation of the refugees from Potocari to Kladanj. Unexpectedly, it turned out that the BSA already had large numbers of buses and trucks. These appeared in front of the compound on 12 July at around 13.00 hrs. Mladic again ignored protests by the battalion commander. When the first buses arrived, they were stormed by a large number of refugees who wanted to board as quickly as possible. In order to prevent excesses, the battalion commander decided from then on to attempt to maintain order in the evacuation and escort the refugees.

5.16. On the compound, three refugees acted as representatives of the others. On 13 July, at the request of the battalion command, they drew up a list of 239 men of "fighting age" present on the compound, with the intention of submitting this later to the ICRC. The battalion command hoped that the ICRC would then be able to monitor these people and, if possible, offer them some protection. At least sixty people refused to be registered. An attempt to make a similar list of refugees outside the compound failed, as both the refugee representatives and the interpreters were threatened (verbally). Chapter 6 (paragraph 6.25) gives the statements concerning the transmission of this list by the battalion command to Sector North East and The Hague. At approximately 19.30 hrs on 13 July, the last refugees left Potocari, with

the exception of a small group consisting mainly of wounded refugees who stayed behind for the time being.

5.17. On 17 July, the deputy battalion commander had to sign a declaration drawn up by the BSA, indicating that the evacuation of the refugees had proceeded "correctly". The declaration was signed only after the deputy battalion commander had made a handwritten addition stating that this applied only to the convoys which had actually been escorted by UN personnel. The main reason for his signing this document stemmed from his responsibility for getting the wounded, refugees and local employees that were still there safely out of the BSA-controlled area, for which BSA cooperation was absolutely essential (see paragraph 6.24).

5.18. After the fall of the enclave on 12 July, five BSA soldiers carried out a brief, superficial check among the refugees on the compound to see whether there were any BIH soldiers there. To guarantee their own safety, the BSA soldiers wanted three blue helmets outside the fence. Three Dutchbat volunteers complied with this request. After the inspection, the five BSA soldiers left the compound and the three Dutchbat soldiers were able to return. During the time in which only the wounded were on the compound, the BSA soldiers had again checked for the presence of male refugees of fighting age.

5.19. There were a number of incidences of suicide, or attempted suicide, in Potocari.

Several Dutchbat soldiers reported having seen that a man of approximately 45 years of age had hanged himself in a factory complex opposite the compound on 12 July. This man was later buried in a vegetable garden at the request of his family. There was another report of a hanging. Also reported was an attempt by a female refugee to commit suicide. She was taken to the field dressing station for treatment immediately after the incident. Another man was in such a state of confusion that he was hitting his head with a stone. This man was also treated by Dutchbat personnel.

Organisation and escort of refugee convoys

Organisation of evacuation of refugees

5.20. On 12 July, an estimated 40-60 buses and trucks suddenly appeared in front of the compound and the BSA started to evacuate the refugees. The speed with which the Bosnian Serbs were able to start the evacuation of refugees aroused the suspicion in the minds of a number of Dutchbat soldiers that this had all be planned long in advance. Dutchbat tried to prevent as many excesses as possible during the evacuation. Whenever there was direct supervision by Dutchbat, the loading of the buses proceeded under mild coercion by the BSA and no violence occurred.

A Dutchbat soldier reported that he had heard from one of the Bosnian Serbs that the military action could have been carried out a week earlier, but that they had waited until there was sufficient transport capacity (buses/trucks) to evacuate the refugees.

5.21. The men of fighting age were segregated from the women, children and the elderly. They were taken to a house opposite the compound for interrogation or were lined up in a ditch beside the road and then evacuated separately. They were forced to leave their personal possessions behind. These were thrown onto a heap and burned. Dutchbat escort of the male refugee transports was prohibited, or was made impossible during the transport by the confiscation of the escorting UN vehicles.

5.22. On Thursday 13 July, the transports were resumed at 06.30 hrs. It is possible that there were no BSA soldiers present until 08.30 hrs. The refugees desperately wanted to leave, so Dutchbat took over the organisation and is said to have also given the men the opportunity to make use of the buses to Kladanj together with their families. The "human cordon" of Dutchbat soldiers was improved later that morning with the additional use of two armoured vehicles to guide the flow of refugees. The risk that people would be trampled underfoot was thus prevented.

5.23. The original plan to allow one Dutchbat soldier to travel with each vehicle was rejected by General Mladic. In order to ensure some sort of supervision, the battalion staff decided to have each convoy escorted by two Dutchbat vehicles.

Convoy escorts

5.24. It proved in practice to be virtually impossible to provide proper escorts for the convoys. Not only vehicles, but also weapons, helmets and bulletproof vests belonging to Dutchbat personnel were confiscated. The convoys were so large that it was impossible for the escorts to keep sight of all the vehicles on the way. Buses were probably diverted from the route whereupon the escorts lost sight of them. When in the course of the evacuation some thirteen Dutchbat vehicles had been taken by the BSA, escorts were limited from Thursday 13 July to four stationary posts, spread over the distance between Potocari and the debarkation point near Kladanj (approximately 70 kilometres), and attempts were made to count the vehicles in each convoy in order to ascertain whether all the vehicles actually arrived in the Kladanj area. Attempts were made to send separate escorts with a few buses which departed carrying men only. When such escorts reached Bratunac, further escort was made impossible by the BSA. The buses turned back after three-quarters of an hour to one hour to evacuate the next group of male refugees. During the night of 13-14 July, various buses and trucks (estimates range between five and forty) possibly carrying refugees passed Zvornik. The convoys departed from Zvornik in a northerly

direction and returned empty after one-and-a-half to two hours, travelling towards the enclave. What ultimately happened to the large numbers of male refugees of fighting age after they had left the enclave is not known.

5.25. During the escort of one of the convoys, two Dutchbat soldiers were taken by the Bosnian Serbs to the Konjevici area. Here, the soldiers found two Dutchbat YPRs and approximately eight Bosnian Serbs dressed in UN uniforms. When they arrived, both Dutchbat soldiers were ordered to go and sit on top of a YPR. They were given hand-held weapons with the advice that, for their own safety, they would do well to shoot any BIH soldiers on sight. After a while, the Dutchbat soldiers turned back without a shot having been fired and without having seen any BIH soldiers.

5.26. On 14 July, there were a number of buses in Bratunac containing male refugees sitting with their heads between their knees and giving the impression that they were very frightened. There was a great deal of shooting in Bratunac, for example from the direction of the so-called stadium (a football pitch surrounded by a fence). Dutchbat soldiers did not, however, find any victims. Also in Bratunac, a number of refugees alighted from the bus, whereupon they were greeted like friends by the local residents.

Reception, treatment and evacuation of wounded

5.27. MSF were primarily responsible for the treatment of wounded refugees on the compound. Dutchbat had made a separate (temporary) treatment site available to MSF and provided them with assistance on request and when necessary.

Convoy of wounded on 12 July

5.28 After the capture of the enclave, agreements were made with the BSA concerning the evacuation of the sick and wounded. On 12 July, permission was finally granted to evacuate some of the wounded. At around 18.00 hrs, 54 wounded and ten MSF employees (divided among seven vehicles) departed for Kladanj. They reached the debarkation point in the Kladanj area at around midnight. The BSA soldiers there were initially very friendly, until they discovered some twenty men of fighting age among the wounded. Members of Dutchbat had seen some of these wounded men earlier in uniform on the line of confrontation. The BSA soldiers then dragged the refugees aggressively out of the convoy. The refugees were to walk from the debarkation point over a distance of 1500 metres, according to the BSA, but which in reality turned out to be a distance of approximately six to seven kilometres. Dutchbat proposed that the wounded be carried over this distance. Some 120 bearers were needed for this. Before the battalion staff could take action, however, those wounded still capable of some form of forward movement had been sent by the BSA in the direction of Kladanj. Because it was dark, the Dutchbat soldiers lost sight of these people. Some of the wounded, if

they had wanted to make it to Kladanj, could only have covered such a distance by crawling. Under the threat of weapons, Dutchbat personnel were forbidden by the BSA to help the wounded. It is highly probably that of the ten MSF employees in the convoy, who were local residents of the enclave, two or three women were taken by the BSA. It is not known what became of them. The other MSF employees also left the convoy at this point and presumably proceeded to Kladanj on foot. The convoy was forced to make a U-turn, leaving one vehicle behind. The return trip was begun with 34 wounded who had not been able to cover the distance to Kladanj unaided and some of whom were in need of urgent medical attention. However, the convoy was refused permission to pass the enclave boundary and stood at Yellow Bridge until the next morning. General Mladic then had orders given to evacuate the wounded to Bratunac. He also gave the assurance that the wounded would be transported to Kladanj once they had recovered. On 13 July at 08.00 hrs, the convoy was directed to Bratunac, where one Dutch doctor had received permission, after insisting at length, to stay behind with the wounded. One of the wounded had died by this time. His body was later buried on the compound in Potocari.

5.29. The Dutch doctor monitored all the wounded as far as possible in the outpatients clinic in Bratunac. Initially, he was confronted by BSA soldiers who adopted a hostile attitude towards the wounded and indicated that they wanted to provide a permanent solution to the problem of the wounded. Together with local nursing personnel and two local security guards, he managed to prevent the use of violence towards the wounded.

5.30. During the period in which the doctor was in Bratunac, the wounded were interrogated by the BSA on more than one occasion. The doctor was given the opportunity to be present at these interrogations. The BSA told him that the wounded may have witnessed war crimes alleged to have been committed by the BIH. The Dutch doctor was present at many of these interrogations, but did not observe any incorrect conduct. In the meantime, the doctor was advised that there were more wounded in another building. To his surprise, he found there a number of the wounded who had stayed behind at the debarkation point in the Kladanj area on 12 July.

5.31. Dutchbat personnel who had escorted the convoy from Potocari observed that the BSA had positioned armed soldiers, equipped with blankets or sleeping bags, every ten to twenty metres along the road from Bratunac to Nova Kasaba and from Nova Kasaba to Milici. Groups of prisoners were also seen along this route. Some of these prisoners, a group of women, children and elderly people, still had to board the buses which were at that time carrying other refugees to Kladanj.

Potocari

5.32. An authority wishing to take people or equipment out of or into the enclave, had to ask permission of the BSA to do so. If such a request was made, all sorts of information had

to be presented to the BSA. If the BSA gave permission, a so-called 'clearance' was issued. If the convoy's actual load did not correspond with the data on the clearance, this led to equipment being seized, personnel arrested, long delays and/or to the convoy being sent back. MSF had drawn up a list, probably after a meeting with the BSA, ICRC and Dutchbat, with the following data of the 59 remaining wounded in Potocari (in actual fact there were 54 wounded and five non-injured elderly people): name, date of birth, place of birth, father's name and the nature of the injury. Copies of this list were presented to ICRC and Dutchbat. It appears from one statement that a list of names was presented to the BSA. This statement cannot, however, be confirmed. When asked, an official of the battalion staff declared that he no longer possessed a copy of this list. It is unclear whether ICRC filed a request for clearance with the BSA on the basis of the list made by MSF.

A Dutchbat serviceman declared that he was ordered, probably on Friday 14 July at dusk, by an official of the battalion staff, to compile a list of the wounded refugees still remaining in the Potocari compound. The Dutchbat serviceman declared that he was also ordered to make copies of the list quickly and to take these to the compound's main gate. Together with a member of MSF, the list of the 59 wounded was drawn up on the spot and photocopied. When the Dutch serviceman arrived at the main gate with the copy, he saw the battalion leaders, a local BSA leader, a BSA serviceman and an interpreter in civilian clothes. After having handed over the copy, the Dutchbat serviceman declared that he saw one of the officials of the battalion command hand over the list to the above-mentioned BSA leader.

An official of the battalion staff declared that the list of the 59 wounded for the convoy on 17 July had to be presented to the BSA (in order to obtain clearance). The serviceman concerned declared that he had not himself handed over the list, nor had he asked for this to be done and indicated that it was unclear to him whether the list was presented by MSF or ICRC personnel.

5.33. Around 15 July, at which time there were only wounded in the compound, BSA servicemen carried out another check for the presence of male refugees of fighting age. On this occasion the BSA took photographs and made video recordings of the wounded males of fighting age. On the day of departure, 17 July, after MSF had handed over the 59 wounded to ICRC, a BSA serviceman spoke briefly to this group of wounded. Afterwards a group of seven were selected whom he designated as POWs. The BSA told a Dutchbat soldier that these had been selected, because they were suspected of having taken part in sorties from the enclave at night. The ICRC officials promised an official of the battalion staff that they would continue to monitor the seven wounded. Due to a lack of ICRC transport capacity, the group of seven wounded was transported to the outpatients' clinic in Bratunac in a Dutchbat four-tonner,

escorted by a Dutch UNMO and a Dutchbat doctor. Owing to ICRC's lack of capacity, another ten wounded remained behind in Bratunac, where wounded were also collected, in addition to the seven who had been designated as POWs by the BSA. The other wounded from Bratunac were evacuated, using ICRC transport assets which had been left behind in Bratunac, as part of the convoy to Potocari.

Evacuation of sick and wounded from 17 July onwards

5.34. On 17 July an ICRC convoy arrived in Bratunac. The Dutch doctor staying in Bratunac joined the section of the ICRC convoy that was heading towards Potocari to collect the remaining 59 wounded (including the five elderly people). The ICRC staff were in a hurry and wanted to have left the area before dark. Dutchbat personnel made sure that, despite their great haste, the ICRC did not leave behind any wounded. Because of an ICRC capacity problem, a battalion official offered ICRC a four-tonner. In the evening the Dutch doctor joined the ICRC convoy of wounded people in the back of the Dutchbat four-tonner back to Bratunac. In this four-tonner were the seven wounded who had been selected by the BSA, a Dutch UNMO and a Dutchbat serviceman, who drove the four-tonner. The Dutch UNMO had been instructed to join this vehicle in order to observe any irregularities. Upon arrival in Bratunac, it appeared that the ICRC there too had insufficient capacity to transport all wounded. Since the ICRC wanted to have left the area as soon as possible because of the darkness, there was no consultation about the way in which the remaining wounded were to be evacuated. As a result of this, ten wounded stayed behind in Bratunac. The seven wounded who had been designated by the BSA as POWs had to get off in Bratunac and were accommodated separately from the other wounded. After the wounded had been handed over to the senior medical officer of the Bratunac outpatients' clinic, the UNMO and the Dutchbat serviceman driving the four-tonner returned to Potocari with the four-tonner.

5.35. Around 18 July the BSA asked the Dutch doctor whether he would have any objections if the wounded, who were all in need of further medical treatment, were taken to the military hospital in Zvornik. The doctor let it be known that he did not object to this, if adequate possibilities to sit and lie down were arranged. Thereupon the BSA drove up a large truck, in which the group of ten wounded was transported in the direction of Zvornik. It is not known whether they actually arrived there. That same day the Dutch doctor was enticed away with what was probably a pretext (an invitation for lunch). Upon his return (approximately an hour later) the other seven wounded had disappeared. When he asked where the seven had gone, he was told that such questions were bad for his health. What happened to the seven is not known. The doctor was then taken to Potocari by the local senior medical officer.

Refugee movements on foot to Tuzla

5.36. In addition to the stream of refugees heading for Potocari, a second stream of refugees developed, consisting of BIH soldiers, able-bodied men and possibly women. These refugees probably tried to leave the enclave in a northwesterly direction in order to reach Tuzla. It is estimated that 10,000-15,000 refugees were involved. Local civilians and BIH soldiers said that the refugees wanted to reach central Bosnia (Tuzla) via the northwest of the enclave and subsequently via the area roughly between Kravica and Nova Kasaba.

5.37. After the fight for the enclave Mladic let it be known that a corridor had been opened to enable refugees to escape in the direction of Tuzla. According to Mladic, approximately 6,000 refugees made use of this possibility. He also said that incidents may have occurred where refugees went beyond the corridor.

5.38. It appears from UN sources that 35,632 refugees had reached Tuzla by 4 August 1995. Of these refugees approximately 17,500 people had reached Tuzla by bus. Among the refugees there may have been 800-1,000 BIH soldiers.

Departure of Dutchbat

5.39. In respect of the local personnel assigned to the battalion it was agreed after consultation between the battalion leaders and the Bosnian-Serb authorities, that these personnel would relocate with Dutchbat to Zagreb. The battalion also reported this in the national line, requesting arrangements to be made in preparation for the reception of the local staff. The movement from the enclave started on 21 July, around noon. Dutchbat did indeed take all local staff, as well as the remaining MSF personnel, with them to Zagreb, where they arrived in the morning of the following day, 22 July.

'Iron rations'

5.40. On several occasions the BSA denied convoys with medicine and dressing materials access to the enclave. Supplies were therefore minimal and insufficient to provide all the wounded from the enclave with sufficient medication. Owing to the lack of medicine, a young girl, for example, died of diabetes.

5.41. In view of the above, Dutchbat-3, in consultation with the RNLA Crisis Staff in the Netherlands, kept supplies of medicine and dressing materials to allow intensive treatment of approximately 30 people. These supplies appeared to be reserved for the treatment of Dutchbat personnel in an emergency. The opinion with regard to the use of these

supplies led to discussions among the medical staff when treating wounded from the local population. It is unclear whether maintaining such 'iron rations' caused the death of refugees requiring medical care.

A number of Dutchbat personnel declared that the 'iron rations' were, if required, used for seriously wounded members of the local population and that no member of the local population died on account of the fact that the 'iron rations' could not be used. The declaration of a Dutchbat serviceman that doctors did not operate on a wounded inhabitant of the enclave because they were unwilling to start using these 'iron rations' was therefore denied. A Dutchbat serviceman stated that in the case of one patient further medical treatment was abandoned for medical reasons, i.e. not because the doctors did not want to use the 'iron rations'. According to this Dutchbat serviceman, this patient died some time afterwards.

Another Dutchbat serviceman, assigned to the medical unit, declared that a start had already been made on the 'iron rations'. Dutchbat had nursed a local woman for seven weeks. As a result, such items as plasma, antibiotics, glucose solution and some of the dressing materials had already been depleted.

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Chapter 6 - Other relevant aspects

Introduction

6.1. In this chapter a summary will be given of the statements that have been made with regard to possible factors of influence on the performance of Dutchbat-3 (as distinct from military-political), such as internal relations, conduct towards and contact with the local population. In this chapter the presence of information carriers (such as photographs, audio tapes, etc.) will be looked at, as well as the manner and place of contacts between Dutchbat personnel and the media. Furthermore, testimonies will be considered as to whether Dutchbat personnel were involved in drawing up, or signing statements pertaining to developments that took place in and around the Srebrenica enclave during the period concerned. Finally, attention will be paid to the (forced) surrender/leaving behind/destruction of equipment and documents of the Dutch contingent, accidents and other significant matters.

Performance of Dutchbat-3

The performance of Dutchbat-3 could have been influenced by the following aspects: composition of the battalion, atmosphere/morale, relations between superiors/subordinates, attitude towards women within the unit, use of alcohol/drugs among the warring parties, use of alcohol/drugs within the Dutch unit.

Composition of Dutchbat-3

As mentioned above, Dutchbat actually consisted of a (large) component of 13 Airmobile Infantry Battalion and another (large) component which had been added for support and consisted of a large number of other units. It appears from a multitude of statements made by personnel of the latter component that they did not feel fully accepted by their colleagues from the airmobile part.

Atmosphere/morale

6.4. The relations between the battalion leaders and (a number of) staff of the Dutch Armed Forces Hospital Organisation (KHO) were very tense. Various statements have been made by both groups to this effect. The tension can be traced back to, amongst others, the following circumstances:

- a. the rotation from KHO-5 to KHO-6 at the end of May was impossible. After a long delay KHO-6 finally arrived in the enclave at the end of June. However, it was impossible at that time for KHO-5 to leave

the enclave. When rotation later became possible the battalion command gave priority to another rotation. The personnel of KHO-5 was thus confronted with another delay;

- b. the medical personnel experienced the coordination between the battalion leaders and KHO as below par. Orders for the medical personnel therefore came as a surprise. There was a feeling that the battalion command "showed no sign of respect for the medical personnel";
- c. the presentation by KHO medical personnel of a satirical radio programme in which, in a number of instances, people were ridiculed;
- d. the medical leaders purportedly did not observe a number of general regulations (reaction: "They should not complain so much");
- e. a difference of opinion on whether or not MSF should be supported in the hospital in Srebrenica.

During the crisis at the time of the fall of Srebrenica a number of orders from the commander of the field dressing station were not carried out. Some used arguments such as "...that was too dangerous for me..." and "...they are firing there...". Performance on behalf of Dutchbat's service personnel in the enclave always remained at a reliable level, according to the judgement of Dutchbat personnel.

6.5. Apart from one or two exceptions, the atmosphere and the morale of the service personnel assigned to the OPs was characterised as good. Although in general the atmosphere in the compounds was experienced as good, a few comments must be made with regard to the atmosphere in one of the compounds. It appeared that in one or two instances undesirable statements were made of an extremist, right-wing nature in a particular unit.

Attitude towards women within the unit

6.6. Although the atmosphere was thus generally considered to be good and despite a mainly neutral or positive attitude with regard to the presence and deployment of female service personnel, complaints were nevertheless made to their military superiors by a number of women assigned to the battalion. The complaints pertained to the conduct and attitude of some of the male service personnel towards them. The way in which these were dealt with was partly good and partly less satisfactory, according to the women.

6.7. In these conditions too, the contact between men and women also led to a number of relationships whether or not of a temporary nature. The statements made on this subject are mainly restricted to information at second hand; apart from one or two cases, no discoveries of indiscrete conduct were established. Both responsible officials and others stated that

the unit's operational deployment had not been influenced in a negative sense as a result of such relationships.

Use of alcohol/drugs among the warring parties

6.8. No statements have been made from which it appears that any of the warring parties (BSA, BIH, population) were affected to such an extent by alcohol and/or drugs that their action was influenced in a negative sense as a result.

Use of alcohol/drugs within the Dutch unit

6.9. No statements have been made from which it appears that Dutchbat-3 was influenced to such an extent by alcohol and/or drugs that their action was influenced in a negative sense as a result.

Contact with/attitude towards the local population, the BIH and the BSA

Local population

6.10. It was reported in a number of statements that the local population in Potocari and the town of Srebrenica were given first-aid lessons by Dutchbat personnel (medical personnel).

6.11. After the fall of OP-E (3 June) a shift was noticed from the mainly positive attitude of the enclave's population towards Dutchbat until then to a negative one. On the other hand, personnel assigned to an OP reported a pleasant atmosphere and good relations with the population. Some of the personnel stationed in either of the compounds, in their turn, expressed negative judgements of the population. At the time of the movement of refugees from Srebrenica to Potocari Dutchbat personnel were struck by the fact that young, male inhabitants left the women/ children/ elderly to their fate. This was considered to be "cowardly".

6.12. The extent to which contacts with the local population were entered into remained limited. There were circumstances, particularly in the various OPs, in which the crew had the local population do their laundry (for a remuneration), fetch water or provide bread. It is possible that two Dutchbat personnel entered into a relationship with someone from the local population.

6.13. Servicemen stated a number of times that they knew (or thought they knew) that some inhabitants of the town of Srebrenica and the hamlet of Pale, which was also situated in the enclave, could be referred to as criminals with links to,

amongst others, the Zepa enclave. The expression 'the Pale mafia' was used on several occasions in this respect.

BIH

6.14. A number of Dutchbat personnel felt that BIH soldiers were not to be trusted. Ten Dutchbat servicemen expressed these feelings in their statements.

Some statements: "the leaders were not in control; they gave a disorganised impression", "the Muslims wanted to involve them in the fighting by hiding under NL vehicles and then firing at the Bosnian Serbs", "agreements that had been reached with senior commanders were not kept", "broke into OPs".

After the death of Pte 1st Class Van Renssen the confidence in the BIH appeared to have declined even further ('the protected had attacked the protector'). When the OPs were abandoned, this manifested itself in a withdrawal, insofar as there was a choice, in the direction of BSA-controlled territory, instead of a withdrawal to either of the compounds.

6.15. There is a statement that X-rays were made at the field dressing station of a senior BIH soldier for the benefit of a second opinion. It was reported in the statement that such treatment constituted a departure from statutory regulations and that it was not in accordance with established priorities. It was reported in another statement that this BIH serviceman had left the enclave with Dutchbat.

BSA

The BSA was ascribed better discipline and a better-organised performance than the BIH. In addition to this, however, a negative impression also existed. The BSA was after all responsible for obstructing the convoys, as a result of which leave rotations and supplies were impossible.

Special contact with the local population

6.17. There were many requests from the local population for assistance in the transport of mail from the enclave to the Netherlands and vice versa. There were a number of instances in which the personnel indicated that they had agreed to do this. It can furthermore be established that, due to the inability to rotate during the last three months of the presence of Dutchbat-3 in the enclave, it was in effect impossible for Dutchbat personnel to transport mail to/ from the enclave.

6.18. There are statements in which it was indicated that the personnel were approached to transport money to the enclave.

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The services were to be paid for by a certain percentage of the amount to be transported. In several cases relatives of service personnel were directly approached for these courier services by relatives of the enclave's inhabitants staying in the Netherlands (or elsewhere in Europe). It is known that in one case, in which money was sent in tins, the request seems to have been complied with. The matter was already under investigation by the Royal Marechaussee.

6.19. Female inhabitants of the enclave, whether or not accompanied by males, had purportedly offered themselves to Dutchbat personnel for money. There were no statements confirming that such offers had been accepted; there were, however, statements in which it was indicated that such offers had been accepted by (an)other(s). It was incidentally established in one instance that this had led to a negative reaction on the part of the population towards the woman concerned.

Evidence

Information carriers

6.20. Many of the Dutchbat-3 personnel who were debriefed made audio tapes, photographs, video tapes, diaries and other types of information carrier, which belonged to them personally, available for the purposes of the debriefing. In a (small) number of cases these sources provided good, supplementary information, while the material was otherwise important in forming a picture and empathising by those involved. The photographic and film material which became available did not contain indications that might point to war crimes. As late as 21 July a meeting took place between UNPROFOR's Chief of Staff and general Mladic in Bratunac. During this conversation general Mladic demanded that prior to the departure of Dutchbat, the photographic and video material be destroyed. This was complied with for appearance's sake, because many took as much photographic and video material with them ('about their persons') as possible, as was advised by the battalion leaders. A number of servicemen stated that, as a precaution, they had destroyed information carriers in order to avoid any problems with the BSA in the event of discovery. Finally, there is a statement by the battalion command that no order was issued to destroy information carriers.

Gathering information from Dutchbat personnel

6.21. It has been established in a number of cases that the warring parties had attempted, by means of direct contact with Dutchbat personnel, to gain an understanding of the (operational) management, as well as the intentions of Dutchbat-3. As far as can be established, and partly in view of a certain openness with regard to their role, Dutchbat

personnel paid due attention to the questions that were asked and reacted to them in an appropriate manner.

Loss or theft of information carriers

6.22. There are no statements from which it can be concluded that information carriers have, as a result of loss or theft, unintentionally fallen into the hands of third parties.

Documents/lists

Document concerning Private 1st Class Van Renssen

6.23. A declaration was drawn up and signed by a Dutchbat soldier in Bratunac after consultation with the other Dutchbat personnel who were present there. The declaration states that the death of Pte 1st Class Van Renssen was caused by an action by the local population. The declaration was drawn up "at the urgent request" of the BSA.

Statement relating to the evacuation

6.24. On 17 July the deputy battalion commander was requested by the BSA to sign a declaration from which it would appear that the evacuation of the refugees was carried out "correctly". This declaration was signed after a hand-written addition, "*as far as it concerns convoys actually escorted by UN forces*", was added. Two objectives were pursued by signing the document and making the addition:

- a. not to "rub the BSA up the wrong way", because the return of Dutchbat and others remaining in Potocari still had to be negotiated;
- b. to put the document clearly into perspective.

Another Dutchbat serviceman stated that he took an unsigned copy of the declaration without the addition. After the meeting was over he added the Dutch translation of the addition. As far as is currently known, he took this document with him for internal use only. Therefore the document only formed part of the battalion's administration.

"List of 239 names"

6.25. The "list of 239 names" which Dutchbat had compiled was intended to ascertain at a later stage what had happened to these men. Moreover the existence of the list might possibly have given those whose name was on the list some protection. There were a number of statements regarding the way in which the list was sent, which do not fully correspond with each other. It was indicated in one statement that the list was faxed page by page to the Communications Centre of the RNLA

Crisis Staff (Comcen Utrecht (NL)). Oral confirmation was given that the message had been received in good order. According to another statement, the list was faxed to the Defence Crisis Management Centre and the RNLA Crisis Staff. Here too it was stated that its receipt was confirmed orally. A third statement indicates that the list had to be faxed by secure fax to the RNLA Crisis Staff and Sector North East in Tuzla. The list had not arrived in The Hague, because the operator was unable to receive the message. A telephone call was made from Tuzla to confirm that the list had arrived. It has also been established that an official from the battalion command delivered the list in the Ops room of the UN in Zagreb. On 23 July, during the operational debriefing of Dutchbat-3 which was carried out at the time, a Dutch officer working at HQ UNPF in Zagreb found the list of 239 names between various documents that had been handed in. Copies of this list were provided by him to the leaders of the Airmobile Brigade, Civil Affairs (UN), and the Human Rights Commission (UN). Subsequently, the list was faxed on 29 August and 5 September to the RNLA Crisis Staff and the Defence Crisis Management Centre respectively. The original was included in the administration of HQ UNPF in Zagreb.

"Srebrenica school list"

6.26. After the return of Dutchbat-3 a winding-up detachment found a list of names in Zagreb, which according to the heading either belonged to the administration of the school in Srebrenica, or to MSF in Srebrenica. The list was dated on 14 November 1994, drawn up/authorised by the director of the school in Srebrenica and intended for MSF in Srebrenica; its subject was a "list of pupils with eye defects" (translation). There are no declarations which indicate any knowledge of this list or reasons why Dutchbat should (still) have had this list in its possession in July 1995.

"List of support personnel"

6.27. The Bosnian Serbs checked people and goods entering and leaving the enclave, such as personnel on leave and supplies. In order to obtain clearance, the number of people and/or goods always had to be stated, to enable the Bosnian Serbs to establish on the basis of lists, whether the number of persons and/or goods did not exceed the numbers agreed. In the case of the departure of Dutchbat from the enclave this concerned 17 MSF personnel, 3 UNMOs and 9 local staff. They left Potocari with the first convoy.

Arms, equipment and documents

Forced surrender of arms, bulletproof vests, helmets, vehicles and other equipment

6.28. In one instance, near Potocari, arms were placed on the road next to a YPR after the YPR crew had consulted among each other, because it was thought that in this way the BSA would refrain from entering the vehicles. This took place after the next higher commander had agreed to surrender these arms to the BSA, since the personnel felt as if they were POWs of the BSA. There is a large number of statements with regard to the forced surrender of vehicles (YPRs and Mercedes Benz all-terrain vehicles), arms, helmets and bulletproof vests. This took place particularly in the period when the OPs were being captured by the BSA and when the convoys of refugees were escorted. In one or two cases the surrender already took place prior to a possibly aggressive approach by the BSA. The BSA usually demanded immediate compliance with requests for surrender in order to prevent the use of force and in a number of instances automatic weapons were held at the throats of Dutchbat personnel.

6.29. There is a statement that when arms were taken by a number of inhabitants of the enclave explanations first had to be given of the way in which the arms actually worked. At one of the OPs a number of Dutch soldiers explained to some BIH personnel how the arms functioned, because in the event that the OP had to be abandoned rapidly, the arms could (possibly) fall into the hands of the BIH and could then be used by them. Some Dutchbat personnel, after having abandoned an OP, were also made to give "explanations of driving YPRs" to some Bosnian Serbs during their forced stay outside the enclave.

Purchase of and trade in arms, personal equipment and/or other goods, or attempts to do so

6.30. Constant attempts were made on the part of the local population, often youths, to obtain arms and (items of) personal equipment by exchange or sale. As far as arms were concerned these attempts were successful on one or two occasions. However, with regard to clothes/shoes this happened several times. There is a statement in which a Dutchbat serviceman was said to have an ongoing trade in clothing. Furthermore, a number of personnel stated that they had lost parts of their uniforms on account of theft (often after clothes had been handed in to be cleaned).

Media

Approach to media on the personnel's own initiative

6.31. Only in a very small number of instances did it appear that Dutchbat-3 personnel approached the media on their own initiative to give interviews, etc. It was stated that they did this, amongst others, because they were annoyed at the negative reports on Dutchbat-3. In a number of instances relatives too actively prepared interviews that were held on the return of the servicemen. This mainly concerned interviews for the local press.

Approach by media

Many have been approached by the media to report their experiences; in some cases relatives were approached. This concerned the local, regional, national and even international press, as well as radio and television. The majority of those who were approached complied with the requests, while a number of personnel for private reasons did not feel the need to do so. Some were still considering a request for two television programmes.

Attitude towards media

6.33. A considerable number of debriefed personnel experienced the huge interest by the media as exaggerated (they were annoyed), or felt that in view of the circumstances it was somewhat inappropriate. In a number of instances it was established by those concerned that their words were twisted, put in the wrong context, or even that they were quoted without ever having given an interview.

Other matters

Accidents

6.34. During the hectic movements of refugees from Srebrenica to the compound in Potocari on 11 July many Dutchbat military vehicles took the same route. By all appearances it is possible that refugees (dead and/or alive) were run over; there are a number of statements to the effect that this must not be excluded. There are, however, several explanations in which it was indicated that this had not been noticed, such as by a Dutchbat serviceman, who was one of the last to take this route and stated that no casualties had been found on the road.

6.35. On 10 July, during the withdrawal from the blocking position south of Srebrenica to the market square in Srebrenica, the driver of one of the YPRs was completely taken by surprise by a BIH serviceman on the road. Due to the YPR's relatively high speed and the fact that, owing to the firing, its personnel were inside, the driver was unable to avoid the man in the blind hairpin bend. One of his legs was run over. Due to the firing the YPR was unable to stop. The accident did not, however, lead to problems with the BIH.

Undamaged/useable equipment/documents left behind

6.36. Upon the departure from the Srebrenica compound insufficient time had been available for personnel to take their equipment with them. Many items of personal equipment

and personal belongings had perforce been left behind. Many statements were made to this effect. It has been established that in any case a large quantity of medical material, which had arrived in the enclave on 14 or 20 July, had been left behind. It has also been stated that an ultrasound machine had been left behind in an outpatients' clinic in Bratunac.

6.37. Before leaving the OPs and the compounds in Srebrenica and Potocari, a great deal of equipment, insofar as this had not (yet) been forcibly surrendered, had been made unsuitable for use by third parties. According to statements, furthermore, when vehicles were (had to be) abandoned in Bratunac attempts were made on departure to render (some of) these vehicles unusable by destroying vital parts. Documents too were destroyed on a large scale, including a great deal of (private) visual material.

Smith/Mladic agreement

6.38. In the evening of 19 July the Military Assistant of UNPROFOR's Chief of Staff sent a fax message to the Dutchbat commander, which contained a copy of the agreement between general Smith and general Mladic, concluded in writing earlier that day. In fact this agreement had been concluded during UN consultations in Belgrade on 15 July. Officially only senior UN officials in the former Yugoslavia took part in these discussions, but they were probably also attended by the Serb President Milosevic and general Mladic. Further details of the agreement were to be worked out at a later stage (this was done on 19 July).

6.39. This agreement did not only cover matters which (also) pertained to the rounding off of the UN presence in Srebrenica, but also to a number of other points. One of these was carried out immediately, namely the departure of the Dutchbat personnel staying in Bratunac, who were allowed to leave "on" 15 (!) July, whilst taking personal belongings and hand-held weapons with them. (In the printed text of 19 July the word "on" was added by hand to replace the word "today"). It was also agreed that ICRC personnel were to be granted access to the "reception points" (intended for BIH soldiers designated as POWs) before the end of 20 July. Moreover, positive decisions would be taken in response to requests by UNPROFOR for access on behalf of humanitarian and logistic convoys to Potocari, Srebrenica, Zepa, Gorazde and Sarajevo. Furthermore, UN units in Sarajevo and Gorazde were to be rotated. Dutchbat was allowed to leave Potocari with all its equipment (arms, vehicles, supplies and other equipment), as well as all military and civilian personnel and a maximum of 30 local staff before "the end of the week". Wounded Muslims from Potocari and the hospital in Bratunac, women, children and elderly (insofar as they wished to leave) and finally UNPROFOR would be allowed in that order to leave from 12 July, 12.00 hrs. Finally, it was stated with emphasis that local personnel employed by UNPROFOR would receive fair and impartial treatment. In view of the date on which it was

actually carried out (as early as 12 and 13 July), the regulation with regard to the evacuation of the population was only a subsequent confirmation of the dictate on this matter that was forced upon the commander of Dutchbat.

Supply of fuel

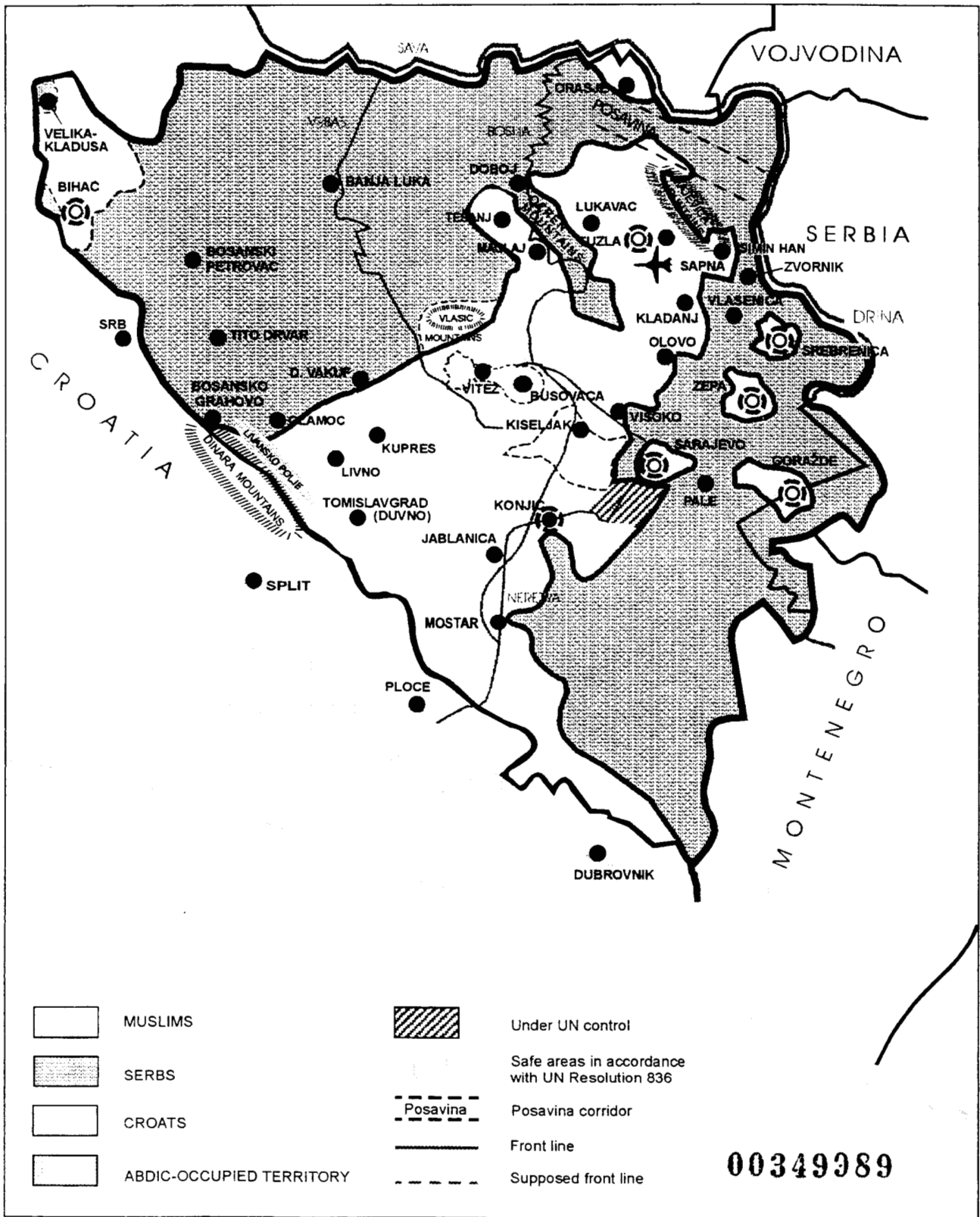
6.40. To enable the refugees to be evacuated the BSA supplied the fuel required for this, since it was no longer available to Dutchbat at that time. The BSA unilaterally imposed that the fuel be "reimbursed". After UNPROFOR approval the fuel was delivered in Bratunac after the arrival of a logistic convoy.

Environment

6.41. In some statements the presence of asbestos in a former brake shoe factory just outside the Potocari compound was reported. Although the incident took place outside the period covered by the report, several servicemen gave their opinion and it was considered necessary to make a comment here. In summary, it amounted to the following: In April what was assumed to be chrysotile asbestos was discovered more or less by chance in the above-mentioned factory, partly in bags, partly dumped in loose piles. The nature of the substance was, reportedly, confirmed by the director of the factory. This situation was reported in what is known as a commander's notification. Following a heavy shower of rain shortly afterwards, mud flowed from the factory premises to the compound and it was suspected that asbestos particles had spread over the site. The mud was removed by Dutchbat personnel and an enquiry was instigated by the Royal Marechaussee, during which samples were taken. One of the unions had purportedly been notified. Blood samples were taken from those involved. From the samples tested, it appears that the (small amounts) did not constitute any direct or real danger to public health.

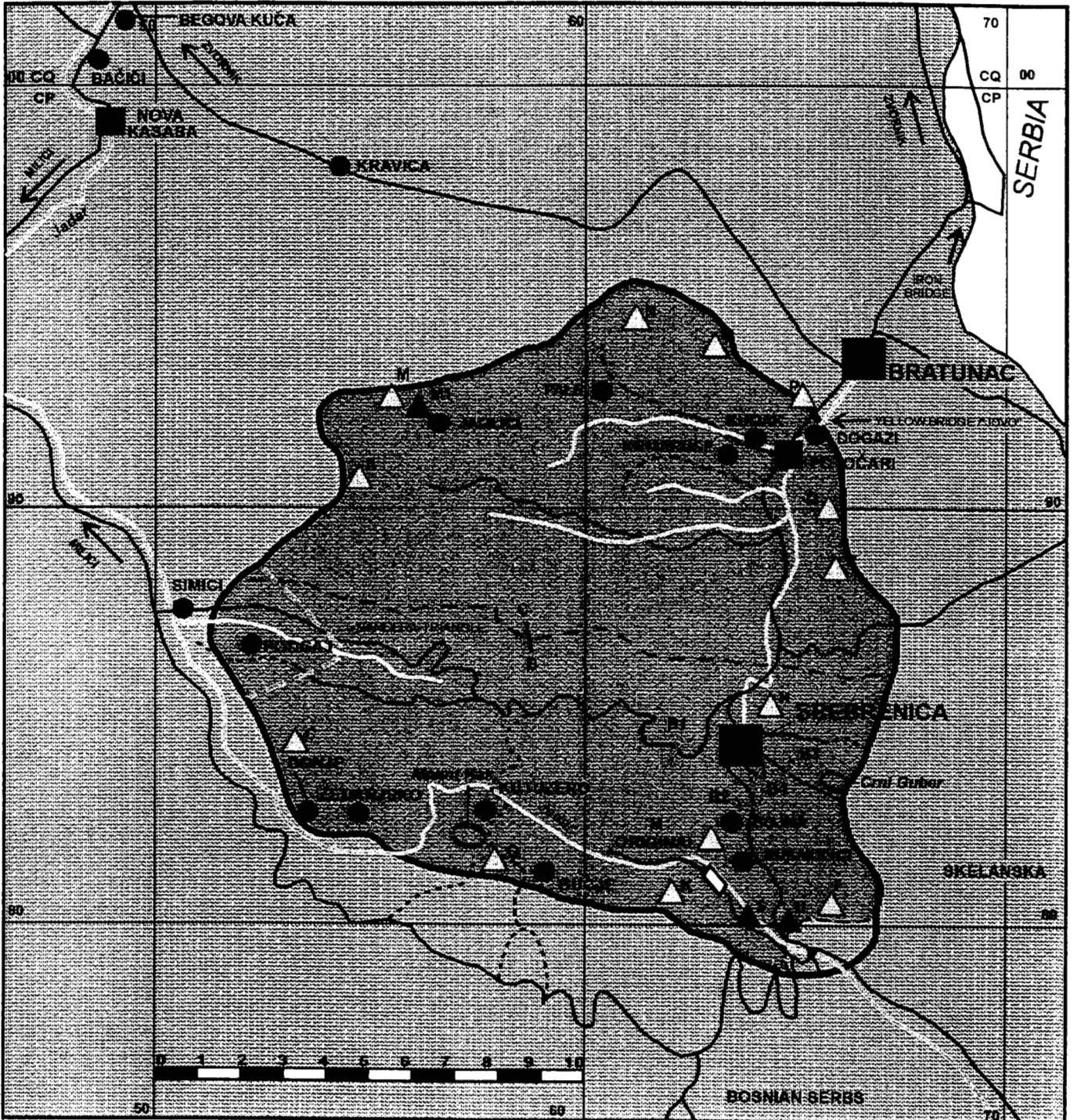
00349388









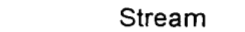

MILITARY SITUATION IN BOSNIA-HERCEGOVINA, JULY 1995



00349989

SREBRENICA ENCLAVE



- | | | | | | |
|---|-------------------------------------|---|-------------------------------|---|----------------|
|  | Bosnian-Serb territory |  | Enclave boundary |  | Main road |
|  | Muslim territory |  | SSP (Swedish Shelter Project) |  | Secondary road |
|  | Dutchbat observation post |  | "Blocking position" |  | Stream |
|  | Temporary Dutchbat observation post | | | | |

00349390

Annex 3

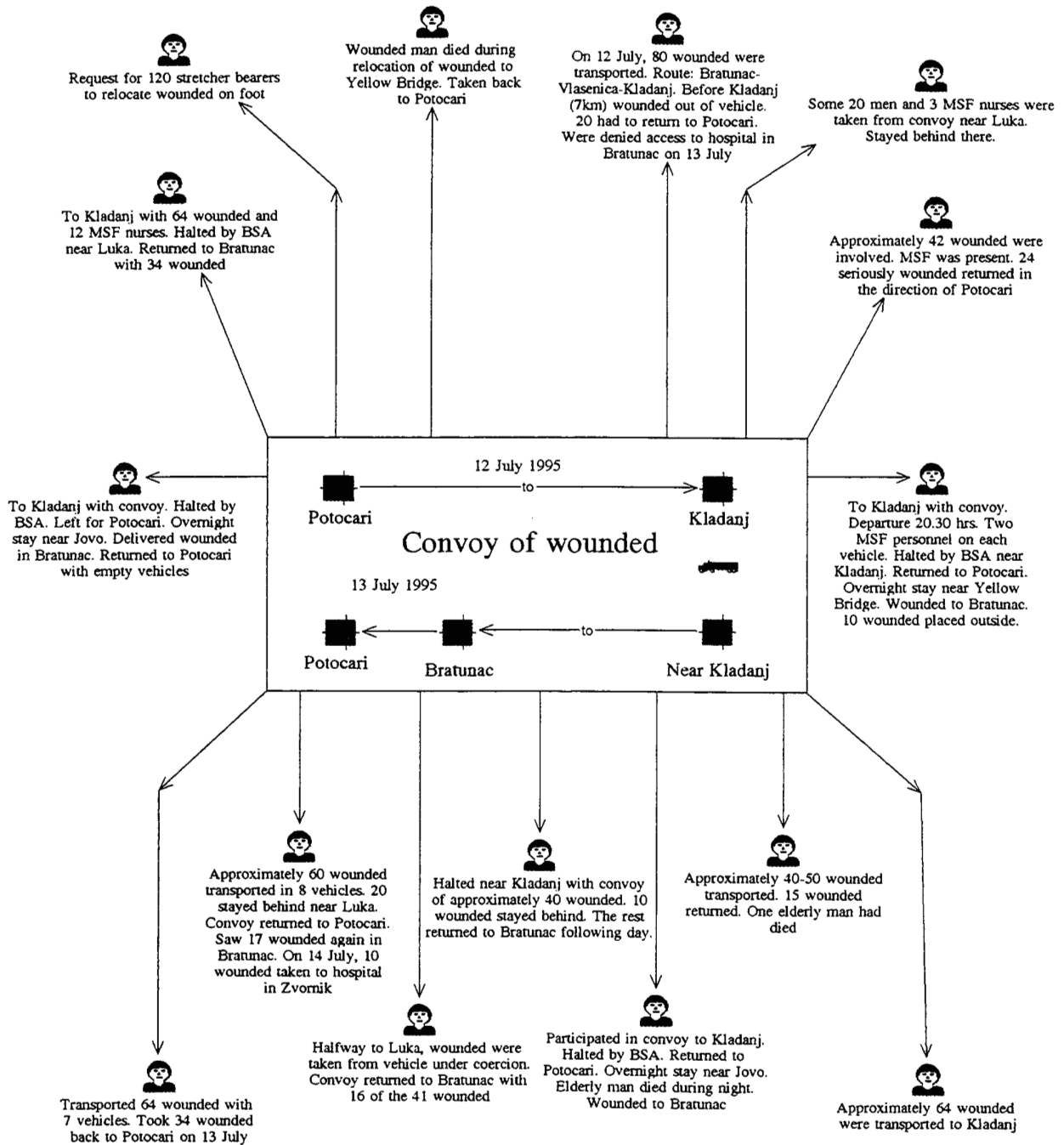
Convoys of wounded on 12 and 17 July

1. The following figures illustrate what Dutchbat personnel have stated with regard to, amongst others, two convoys of wounded. It can be concluded from this that in many cases the numbers mentioned by the debriefed soldiers often do not correspond with each other. It is therefore difficult in certain cases to give exact numbers in the report.

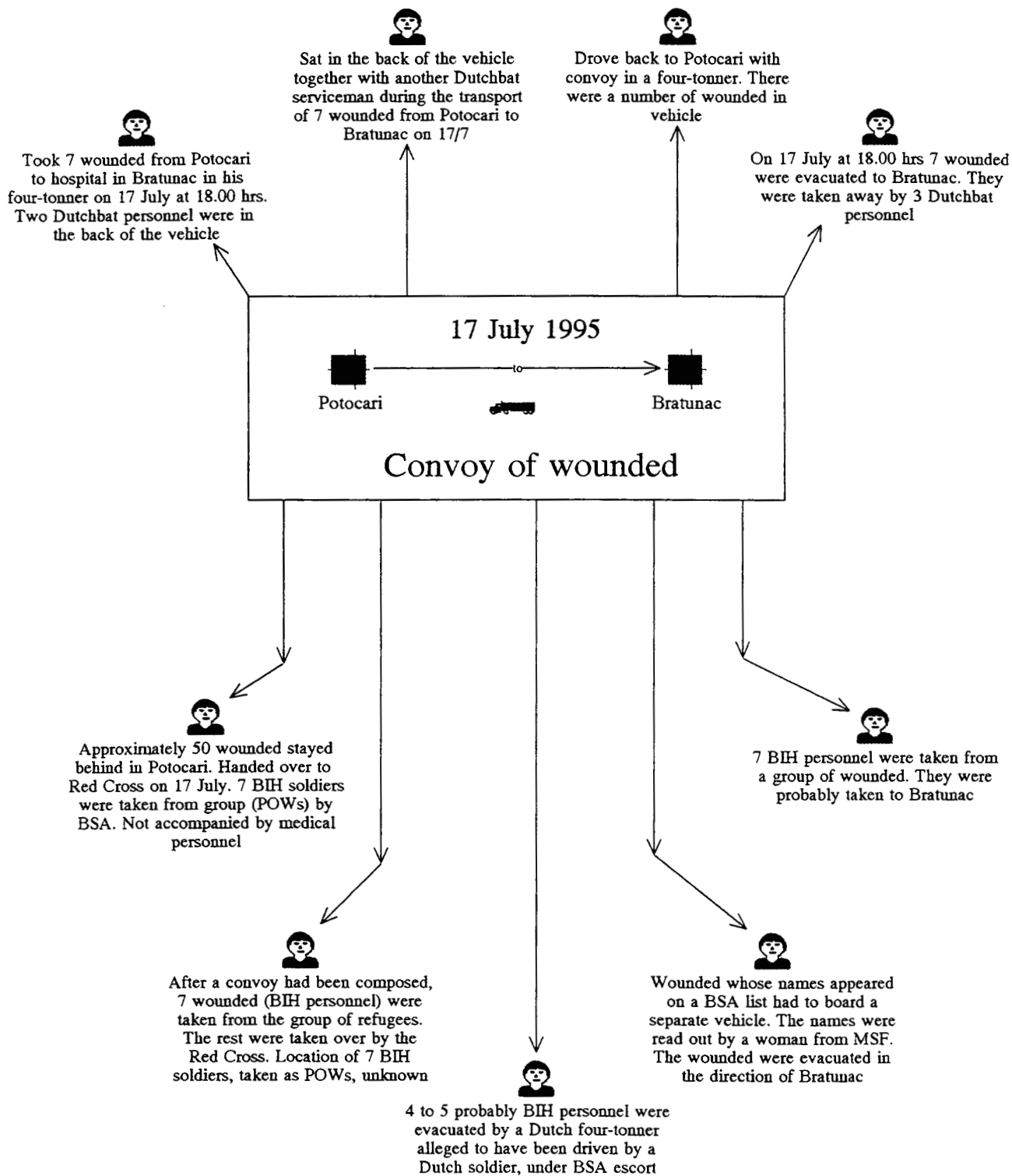
2. It has been established on the basis of the information provided by the convoy commander that, in addition to the Dutchbat personnel, there were another 64 people, including 10 female MSF personnel, in the convoy of 12 July. In the end the convoy arrived in Bratunac, after having been sent back near Kladanj, with 33 wounded (one elderly man had died on the way).

3. The convoy of wounded of 17 July consisted of 59 people (including five non-injured elderly). Due to a lack of capacity of ICRC seven wounded who had been designated by BSA as POWs were transported to Bratunac, using Dutchbat transport assets. The Dutchbat doctor stated that after the departure of ICRC 17 wounded remained behind, of whom the BSA had purportedly transported ten to Zvornik and seven of whom were "lost".

00349991



00349992



00349993

Annex 4

Summary of refugee movements

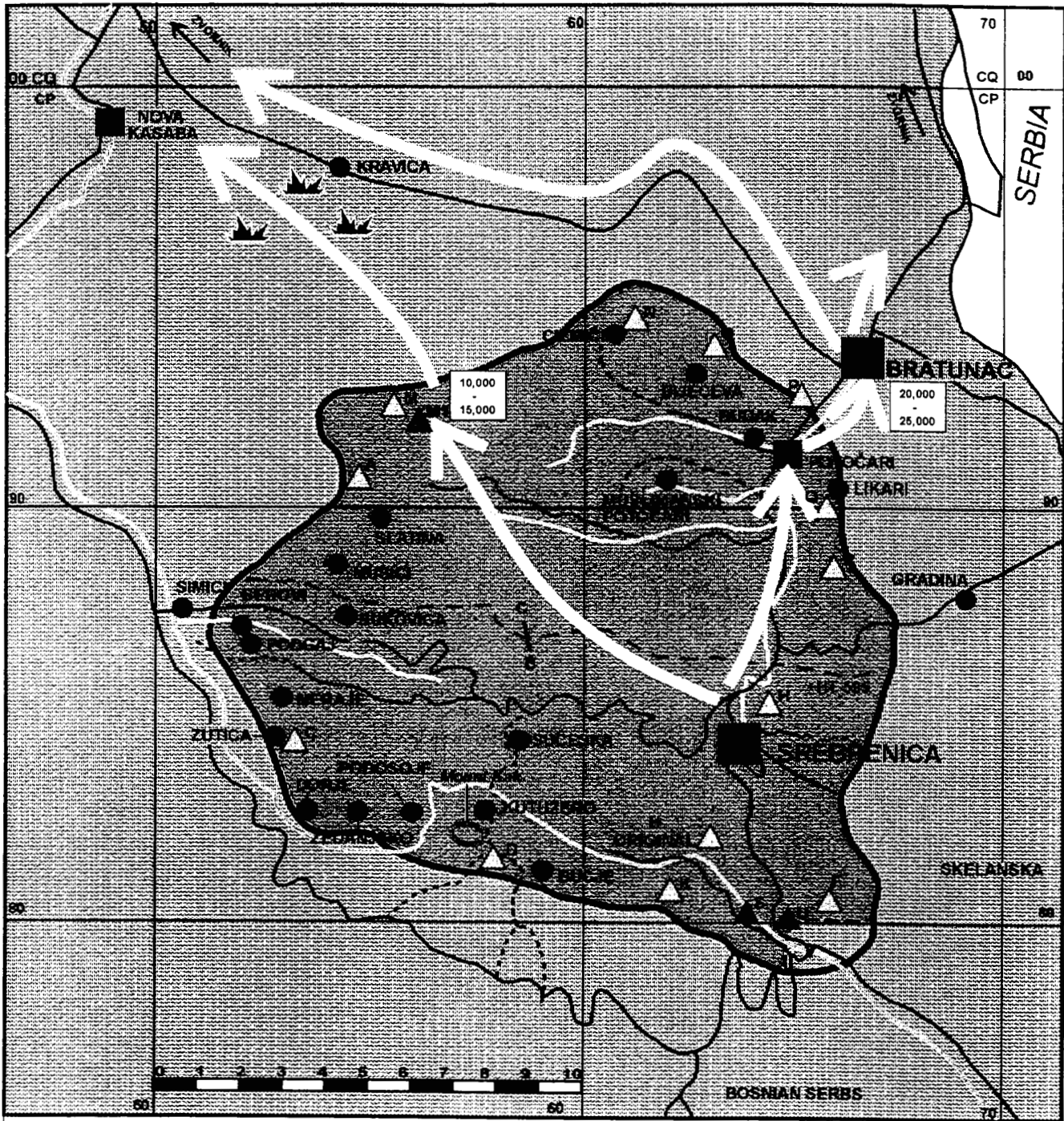
1. On the following map two main streams of refugees from Srebrenica have been indicated. From 11 July the largest group of refugees started to move and reached Potocari. Many of the men of fighting age were separated from the other refugees. Via Bratunac, Nova Kasaba, and Kladanj the sick, wounded, women, children and elderly reached the intermediate destination of Tuzla. The 'able-bodied' men were taken to another destination via Bratunac.











2. Another stream of refugees left Srebrenica on foot in an attempt to leave the enclave from the north west in the direction of Tuzla.

Statements by Dutchbat indicated fights between the BSA and BIH to the south of the Bratunac-Konjevici road, and to the east of Konjevici-Milici road.

00349394

REFUGEE MOVEMENTS



- | | | | | | |
|---|-------------------------------------|---|------------------|---|----------------|
|  | Bosnian-Serb territory |  | Enclave boundary |  | Main road |
|  | Muslim territory |  | Refugee Movement |  | Secondary road |
|  | Dutchbat observation post |  | Fighting |  | Stream |
|  | Temporary Dutchbat observation post | | | | |

00349995

Annex 5

Report in diagrammatic form of discoveries of corpses

1. The following pages contain diagrammatic reports of a number of incidents. These are respectively: the discovery of a number of bodies at or near one of the OPs, the discovery of bodies in Srebrenica, the discovery of bodies during the evacuation from Srebrenica to Potocari, events in and around Potocari, the discovery of bodies during the escorting of the various convoys and the execution of three people in Potocari.
2. The diagrams show the location and the time of the incident concerned. Statements relating to the incident are also represented in summary.
3. The top right-hand corner of each of the diagrams indicates the corresponding number on the map.
4. The locations of the supposed mass graves are based on data from satellite photographs released by the USA.

00349996

Location: OP-M 10 and 11 July 1995

Discovery of a number
of bodies at or near OP-M.
Dates: 10 and 11 July 1995



On 10 July, saw that BIH personnel were fighting among each other. A number of people were killed, including the driver of a tractor.

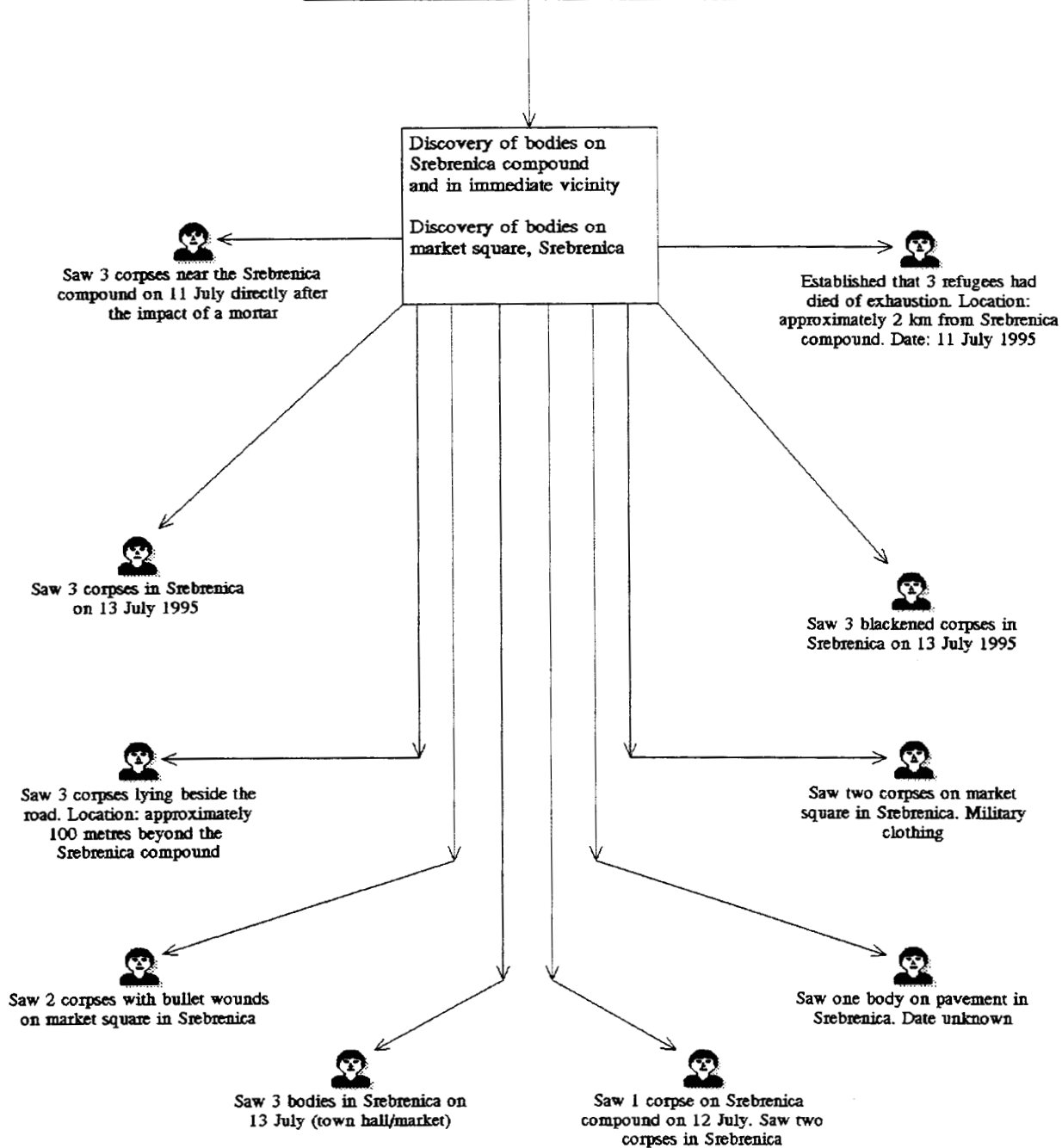
Saw on 11 July that OP-M had been captured by the Serbs. A BIH soldier killed another who was aiming a light antitank weapon at a YPR to prevent it from being driven away.



Saw in Jaglici that a BIH serviceman was killed by a BIH captain

00349397

Location: Srebrenica compound on 11-13 July 1995



Location: Road from Srebrenica
to Potocari
11 July 1995

Sighting of 4-5 corpses
during evacuation from
Srebrenica to Potocari



During evacuation from Srebrenica to Potocari, saw the body of a man lying on the road. Reported that the vehicle in which he was travelling drove over the body



During evacuation from Srebrenica to Potocari, saw 4 or 5 Muslim women lying dead on the road. Middle-aged, wearing civilian clothing



Saw one corpse on the road from Srebrenica to Potocari. Vehicle probably drove over this corpse. Did not see whether the victim was already lying on the road or whether he was knocked down by the vehicle



Saw several corpses on 11 July 1995 while travelling to Potocari

00349999

Location: Road from Srebrenica
to Potocari on 11 July 1995 and
near bus station in Potocari
(date unknown)

Sighting of corpses
en route and near
Potocari bus station



Saw a number of corpses on a
cart near the bus station in
Potocari. Bodies were covered.
Transferred to compound

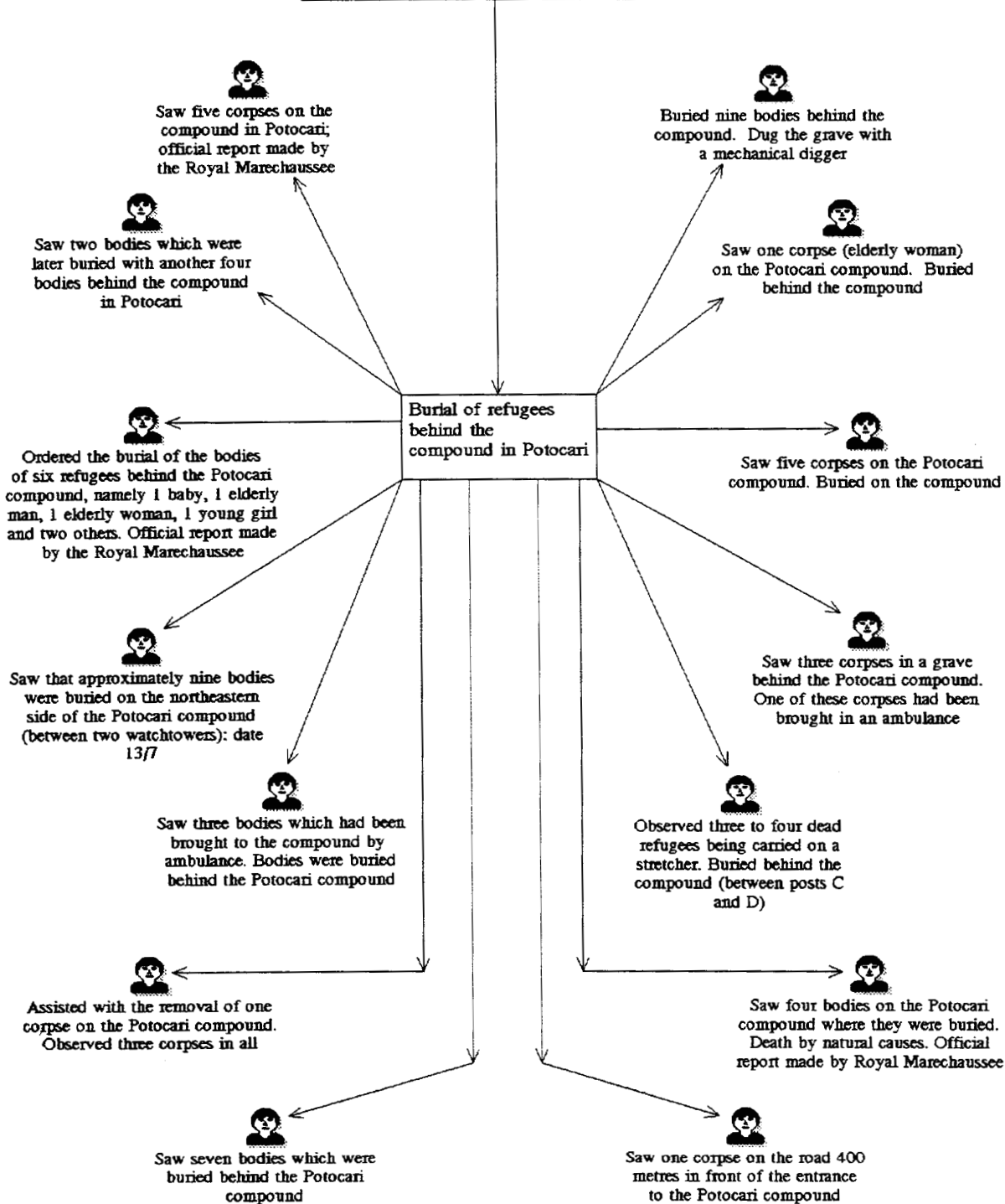


During the evacuation, saw
that 7 people were crushed,
as a result of which they died.
Bodies were taken to the
compound in Potocari

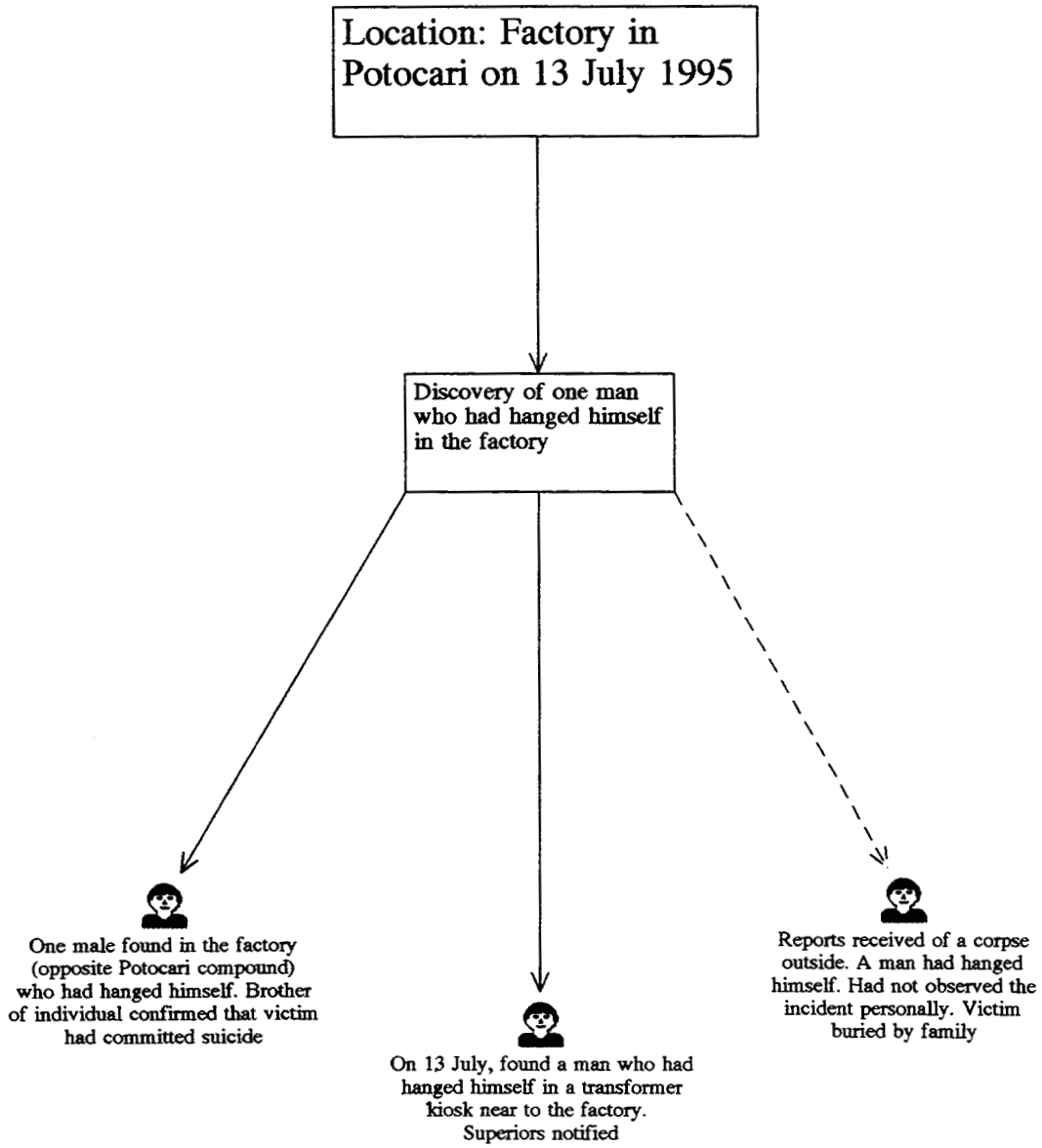
00350000

For location, see no. 4 on enclosed map

Location: Potocari compound on or around 13 July 1995



00350001



00350002

For Location, see nos.
5 and 6 on enclosed map

Location: small stream near
Potocari compound on 13 July 1995

Discovery of 9 corpses
in a stream near Potocari
compound on 13 July 1995



Nine bodies found near a transformer
kiosk. All had gunshot wounds to the
back



Saw nine bodies lying in a
stream approximately 300
metres to the left of a path.
All nine had gunshot wounds
to the back at the level of
the heart



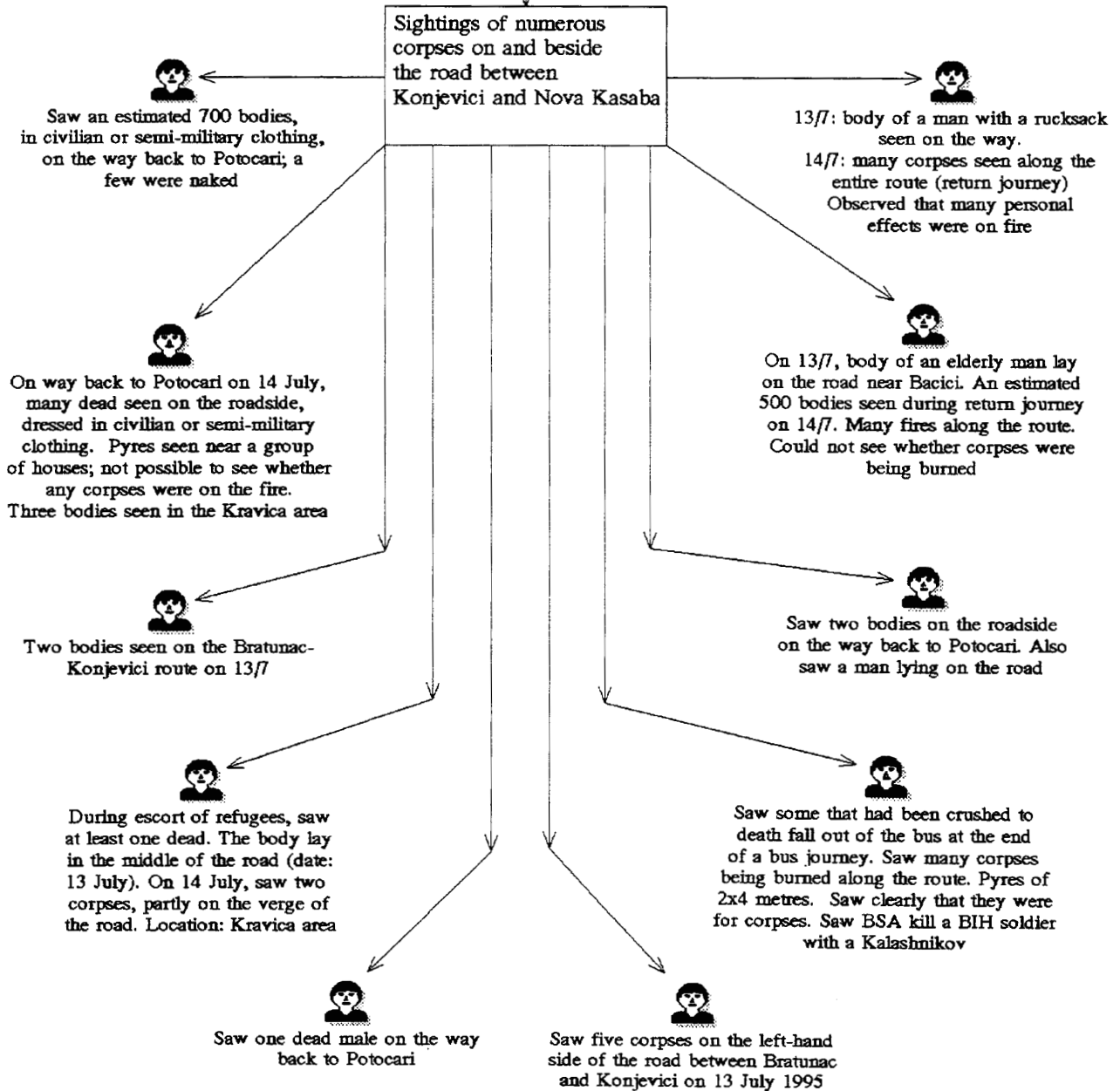
Nine bodies found in a field near
a stream. All had bullet wounds
to the back. All bodies lay face down



Nine or ten bodies in civilian
clothing found approximately
700 metres from Potocari compound
in the bushes near a stream. All bodies
lay face down. Photographs taken

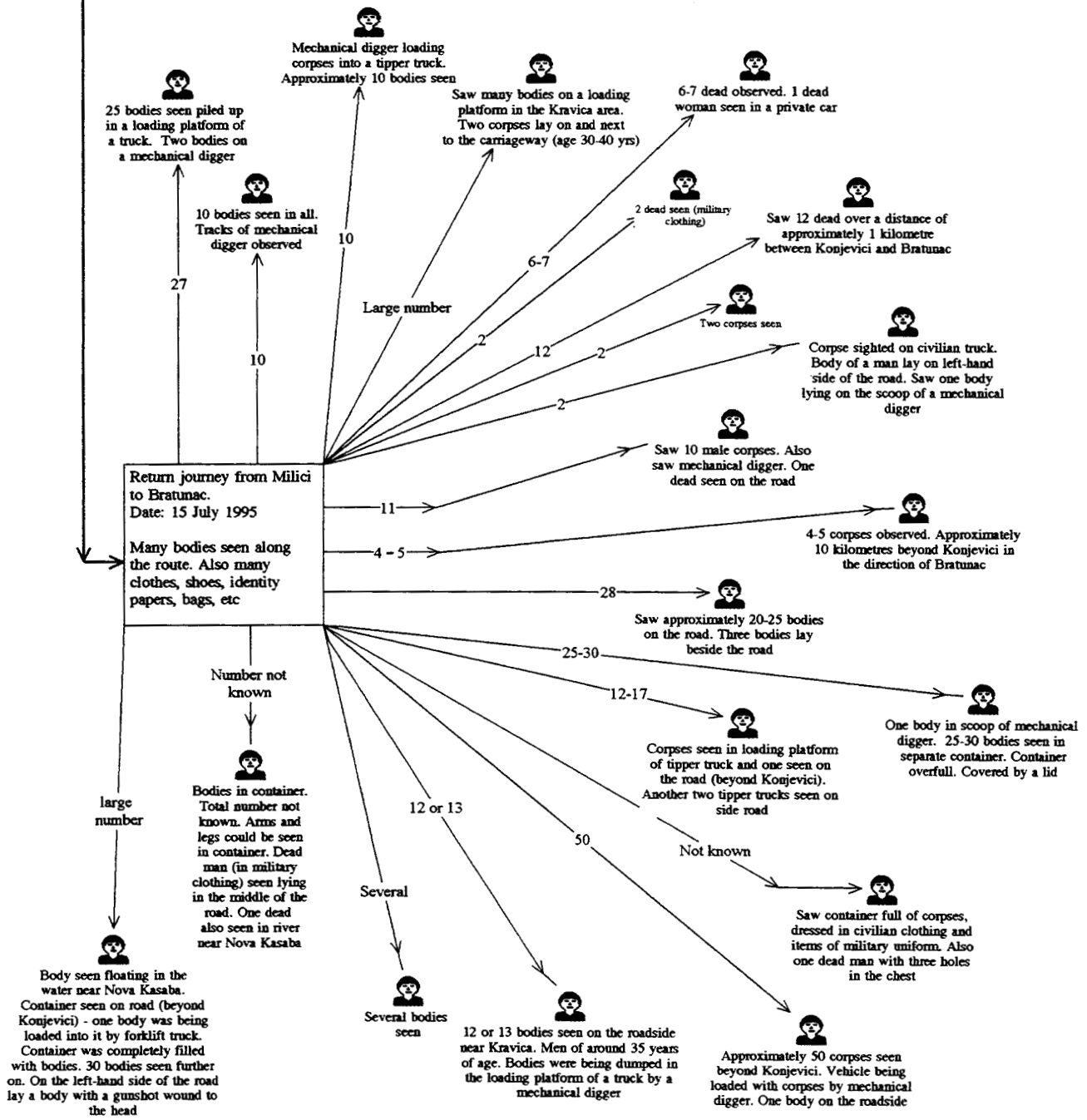
00350003

Location: Road from Bratunac via
Konjevici to Nova Kasaba and vice
versa: 13 and 14 July 1995



00350004

Location: Road from Milici to Bratunac via Konjevici on 15 July 1995 (between Konjevici and Kravica)





00350005


For location, see nos. 5 and 6 on enclosed map


Location: Road from Milici to Bratunac
16 July 1995


Sighting of a number of bodies in the Begova Kuca area and between Konjevici and Bratunac (return journey to Potocari)

 Saw 20 bodies (Kravica area) on the way back from escorting the refugees

 7 bodies seen on the roadside immediately after Konjevici in the direction of Bratunac

 On 16/7 in Begova Kuca area, saw a body covered with a sheet. Three bodies seen between Konjevici and Bratunac

 Saw 1 corpse on 16/7. This was after driving for approximately 2 hours. The body was that of a man in civilian clothing. Immediately afterwards, a container was seen with corpses inside it. A mechanical digger was being used

 Saw four partially covered bodies on the roadside on the Simici-Bratunac route

00350006

For location, see no.7
on enclosed map

Location: Potocari in the direction
of Bratunac on 17 July 1995

Discovery of approximately 100
bodies on tractor with trailer



Saw a tractor with trailer driving
in the direction of Bratunac in the
morning of 17 July 1995. There
were approximately 100 corpses
on the trailer, which had been
fitted with raised sides of 30 cm

00350007

EXECUTION

Execution of 3 people at different
locations and on different dates



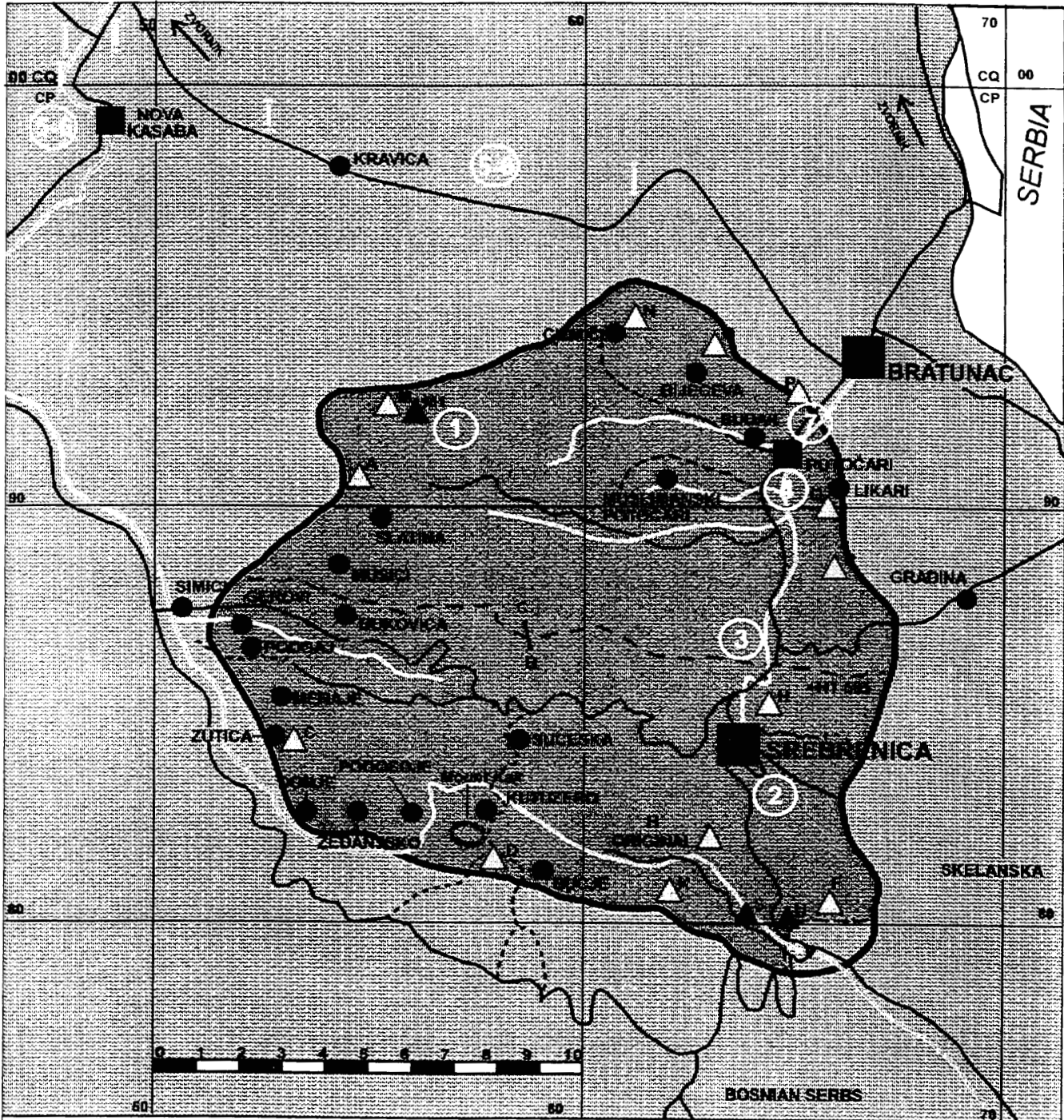
Witnessed an execution at a distance of
200 metres from the compound on 13 July
at approximately 16.00 hrs. Person involved
was taken from a group of refugees by 4 BSA
soldiers and was subsequently killed by a
shot in the neck













On 12/7 he saw 5 male prisoners getting
off a BSA minibus. After they got off they
tried to escape. Two were shot dead. The
other three stopped and were taken by the
BSA. Location 50-60 metres to the south of
the main gate of the Potocari compound

00350008

SIGHTING OF CORPSES



- | | | | | | |
|---|-------------------------------------|---|-----------------------|---|----------------|
|  | Bosnian-Serb territory |  | Enclave boundary |  | Main road |
|  | Muslim territory |  | Suspected mass grave |  | Secondary road |
|  | Dutchbat observation post |  | Sighting of corpse(s) |  | Stream |
|  | Temporary Dutchbat observation post | | | | |

00350009

Annex 6

Account of Counselling

1. GENERAL

At the request of those responsible for the Srebrenica debriefing, support was provided by the Psychotherapy Division RNLA (abbreviated to AIH in Dutch), the Defence Social Service (MDD) and the Spiritual Welfare Service (abbreviated to GV in Dutch).

The Head of AIH was responsible for the coordination of the counselling; the coordination was carried out by the Head of the Psychotherapy Section East (abbreviated to SIHO in Dutch).

Those involved in counselling acted as a team; refer to 3.a.

2. TASK

- a. Psycho-social counselling to personnel to be debriefed.
- b. Support to staff of debriefing teams.
- c. Advising Head of the debriefing team.

3. IMPLEMENTATION

a. Composition of counselling team

- (1) period 040995-070995
 - (a) 1 psychologist AIH
 - (b) 1 Defence social worker MDD
 - (c) 1 chaplain GV
- (2) period 080995-150995
 - (a) 2 psychologists AIH
 - (b) 1 Defence social worker MDD
 - (c) 1 chaplain GV
- (3) period 180995-220995
 - (a) 1 psychologist AIH
 - (b) 1 Defence social worker MDD or 1 chaplain GV

Total personnel: 7 psychologists
1 Defence social worker AIH
4 Defence social workers MDD
4 chaplains GV

b. Psycho-social counselling

- (1) Enrolment
 - (a) At the request of personnel to be debriefed
 - (b) At the request of debriefing team with consent of individual concerned
 - (c) On advice of counsellors after informal conversation with individual concerned
- (2) Information to personnel to be debriefed was given on 040995 and 110995. The process of coming to terms

00350010

with one's experiences and the (position of) the counselling organisation were discussed.

c. Support to debriefing team staff

- (1) Information Head AIH in Assen (NL) on 310895 with regard to:
 - (a) process of coming to terms
 - (b) possible reactions by personnel to be debriefed, e.g. decompensation
 - (c) secondary traumatisation/ victimisation
 - (d) pseudo-memories
- (2) Consultation at the request of debriefing teams with regard to:
 - (a) reactions of personnel to be debriefed
 - (b) friction within debriefing teams
 - (c) pseudo memories
 - (d) amnesia/ confusion in respect of time and place of events in Srebrenica
- (3) At the request of a debriefing team and with the consent of the serviceman to be debriefed a psychologist attended part of two debriefings in order to supervise the interaction.
- (4) A number of conversations were held with members of debriefing teams who relived their own traumas.

d. Advising Head of debriefing team

- (1) Daily evaluation Head of debriefing team and Head SIHO.
- (2) Advice relating to, amongst others:
 - (a) Time management;
 - (b) Tasking of psychologists/counsellors;
 - (c) Regression symptoms as a result of fatigue of the debriefing teams;
 - (d) Competition between debriefing teams.

e. Other contacts

- (1) Interviews with advisors of debriefing team and Head SIHO;
- (2) Daily meeting of Social Coordination Committee 13 Airmobile Infantry Battalion with psychologist AIH.

4. CONCLUSIONS

- a. Over 10% of the personnel to be debriefed has had interviews with counsellors; their questions varied greatly.
- b. It is noticeable that personnel of 13 Airmobile Infantry Battalion experience adjustment problems particularly upon return and that they want to forget the events in Srebrenica as soon as possible ("denial").
- c. Personnel assigned to 13 Airmobile Infantry Battalion experienced in particular problems in coping with events ("reliving").
- d. The involvement of counselling was experienced as useful and necessary by all organisations involved.

Annex 7

Information bulletin for personnel awaiting debriefing

WELCOME TO THE SREBRENICA DEBRIEFING TEAM

As you were informed by the Commander in Chief RNLA in his letter dated 25 August 1995, the personal debriefing referred to in this letter will take place here.

1. Objective of your debriefing in this manner

We aim to achieve three goals with your personal debriefing:

a. To enable you to talk confidentially about your experiences, positive or negative, during the period concerned. You can therefore unburden your heart of everything you wish to say about the events in all openness. This is the place to tell your story.

b. To compile a general and depersonalised (i.e. without the names of those involved) account on behalf of the Minister of Defence. Our Minister requires sufficient factual information about everything that took place in the period concerned. You may have gathered from the media that our Minister has been accused of a lack of factual knowledge. Your experiences will help to rectify this when he submits his final justification to parliament in October.

c. To learn lessons for the Defence organisation as a whole from the analysis of the debriefing reports as regards the actual course of events. Moreover the UN Tribunal in The Hague has requested the Minister of Defence to obtain all your observations with regard to possible violations of humanitarian law (of war).

2. What will happen to you here?

You will be collected shortly by a member of your debriefing team, who will take you to the team's interview room, where the other two members of the team are waiting. The team will consist of professional interviewers, all of whom are colleagues from the Royal Netherlands Army and the Royal Marechaussee. They have all had training and experience in listening carefully and they are capable of processing your experiences in a factual manner in a debriefing report. Moreover they studied the complex conditions you were in at the time; a number of them will normally be familiar with the local situation because of their own previous deployment. After you have introduced yourselves to each other, the interviewers will indicate the main lines of the interview. Some of your personal data will then be registered. You can then tell them your own story. If necessary you may make notes on a map of the area of operations and a time chart to indicate (roughly) when and where some of your experiences took place.

The interview will from time to time be interrupted for the facts to be committed to paper. The interviewers may also ask you specific questions in order to clarify your experiences. After your debriefing you will be shown out via the information desk, after which you may return to your unit.

3. What will happen to the reports of your experiences?

You will appreciate that the processing and analysis of over 400 reports into a readable and above all faithful account require a certain structure in terms of recording. Your experiences will therefore be recorded in a factual manner, using a word processor. You will be asked if the text represents a faithful account of your experiences. At the end of the debriefing you will be asked to place your signature to approve the method of registration.

A final report will be drawn up on the basis of all individual accounts. In the interest of privacy no names of Dutch service personnel will be given in the report. If your experiences are relevant to the Tribunal, you may be asked by the UN to give formal evidence as a witness at a later stage.

Your special attention is requested for the fact that:

- A. All information in the file with your personal experiences will be classified permanently as CONFIDENTIAL.
- B. None of your colleagues or your commanders will ever be granted access to your personal debriefing report.
- C. Only members of the debriefing organisation will know about your personal experiences.
As public servants, we are all obliged to observe secrecy.

4. How to get in touch with us afterwards

Should you wish to reconsider this debriefing, or if you think you still have essential information, you can contact us on 05920 - 58666 until 15 September 1995.

After 15 September contact the RNLA Crisis Staff's SITCEN in The Hague on 070 - 3168950.

00350013

Annex 8

List of abbreviations

BIH	Armija Bosna i Hercegovina (Bosnian government forces)
BSA	Bosnian Serb Army
CAS	Close Air Support
CINSOUTH	Commander in Chief Southern Europe
DCBD	Defence Crisis Management Centre
FAC	Forward Air Controller
ICRC	International Committee of the Red Cross
ICTY	International Criminal Tribunal for the former Yugoslavia
KHO	Dutch Armed Forces Hospital Organisation
MSF	Médicins sans Frontières
NGO	Non-Governmental Organisation
SSP	Swedish Shelter Project
EZ	Exclusion Zone
SRSB	Special Representative of the Secretary-General
UNCIVPOL	United Nations Civil Police
UNHCR	United Nations High Commissioner for Refugees
UNMO	United Nations Military Observer
UNPF	United Nations Peace Force
UNPROFOR	United Nations Protection Force
WCP	Weapon Collection Point

00350014