

Six Sources of the Srebrenica Legend

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Introductory statement:

Under pressure from the ICTY tribunal in The Hague and the European Union, Serbia's President Boris Tadic is preparing to submit a resolution to the parliament in Belgrade, asking that the Serbian parliament acknowledge "guilt" for the Bosnian Civil War's "Srebrenica massacre" and declare that this "massacre" constitutes "genocide."

Subsequently, in an appeal (<http://inicijativagis.wordpress.com/?s=appel>) addressed to the Serbian president and parliament, intellectuals from EU nations, the USA and Canada called on President Tadic and the Serbian parliament not to pass this resolution. But the intellectual's appeal regrettably overlooks two basic facts: 1) It is not for Serbs of Serbia to take on guilt for actions that they themselves have not committed or to declare Bosnian Serbs "guilty". 2) Evidence, that a mass-execution of up to 8,000 Muslims following the takeover by Bosnian Serb forces in Srebrenica had ever taken place, has never materialized.

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The debate around President Boris Tadic's resolution on Srebrenica has again focused the spotlight on this Bosnian town in the Drina Valley. Inspired by the ad hoc tribunal set up in The Hague to punish (Serb) war crimes during the Bosnian Civil War, the resolution is causing dissention about whether Serbia should plead mea culpa and beg forgiveness for the crime supposedly committed nearly fifteen years ago.

There are many aspects to this debate. Whereas Rasim Ljajic, Serbia's Labor Minister and President of the National Council for Cooperation with the Hague Tribunal, says that he believes it is "important that the resolution on Srebrenica is adopted for moral and political reason(s),"¹ other parties insist that there be a resolution condemning also the war crimes committed against Serbs.

An appeal to Serbian President Boris Tadic, signed by Serbian and foreign intellectuals, soon to be published, demands that the president reconsider his efforts to put through a parliamentary resolution that "would treat the Srebrenica massacre of July 1995 as a paradigmatic event of the war in Bosnia-Herzegovina and doing so with language that could be interpreted as Serbia's acceptance of responsibility for 'genocide'."

The resolution of the Serbian government would have wide-ranging negative effects, not only on Serbia. But the appeal of the intellectuals currently in circulation inadvertently also makes a historical mistake.

It has been nearly fifteen years since Srebrenica was handed over to Bosnian Serb forces to make way for a ceasefire accord.² Those were 15 years of heavy propaganda about an alleged execution of 7,000 to 8,000 Muslims.

¹ "Parliament preparing two texts on war crimes," Blic, Jan. 12, 2010,

<http://english.blic.rs/News/5827/Parliament-preparing-two-texts-on-war-crimes>

² In fact the takeover of Srebrenica was part of a territorial/population exchange to be able to reach a peace agreement before the US elections in 1996. Bosnian Serb forces were to receive Srebrenica, Zepa, and Gorazda while Bosnian Muslim forces were to be handed Serb areas of Sarajevo and Bosanska Krajina. This had been the plan. See Interview with Mihailo Markovic, Nordland, Rod, "Dayton: The Inside Story" Newsweek, February 5, 1996.

Though the appeal strongly confronts – with very good arguments – the Tadic kowtow, it makes the mistake of opening the backdoor for a similar kowtow later. To date, all those who have claimed that a mass execution had taken place, have been unable to prove it. Yet the appeal gratuitously admits that the alleged mass execution had happened, even seeking – if not to justify – at least to relativize the importance of what they assume to have taken place. The second paragraph of the appeal reads in part:

"The execution of Moslem prisoners in July of 1995, after Bosnian Serb forces took over Srebrenica, was a war crime, but it is by no means a paradigmatic event. The informed public in Western countries knows that, at that time, Serbian forces executed in three days approximately as many Moslems as Moslem forces, raiding surrounding Serbian villages out of Srebrenica, had murdered during the preceding three years."

Fifteen years ago, there was such a deluge of propaganda that only very few attempted to go back upstream to examine the evidence of a mass execution at the story's source.

If one looks back into the history of the legend of Srebrenica, one will find that a "Srebrenica Massacre" has at least six sources of origin.

1. Hakija Meholjic, former president of the (Muslim) Social Democratic Party in Srebrenica, who served as police chief, was one of Srebrenica's delegates in September 1993 to his party's congress in Sarajevo. After the war, in an interview to the journal Dani, he recounted what Alia Izetbegovic had told his delegation before the congress began: "You know, I [Izetbegovic] was offered by [US President Bill] Clinton in April 1993 (...) that [if] the Chetnik forces enter Srebrenica, carry out a slaughter of 5,000 Muslims, (...) there will be a [NATO-US] military intervention." ³

Though the Srebrenica delegates turned down the offer, this provides an indication of what was needed to sway Western public opinion into accepting a NATO intervention in the Bosnian Civil War on the Muslim/Croat side against the Serbs. The Clinton and Izetbegovic governments had already the idea of a "Srebrenica massacre," even before Serb forces had marched into Srebrenica, to lock Bosnian Serbs into a strategic position where they could only accept terms dictated by the West.

2. August 10, 1995, in the midst of the Croat "Operation Storm" against the Krajina Serb population – the largest ethnic cleansing operation of the period carried out with US official and mercenary assistance – US Ambassador to the United Nations, Madeleine Albright, hijacked a closed session of the UN Security Council, which was about to open a discussion on Croatia's "Operation Storm." Albright showed aerial surveillance photos purporting to show that Bosnian Serb troops "committed wide-scale atrocities against Muslim civilians" in the aftermath of the July 12 takeover of Srebrenica. She was not more precise than to say "wide-scale atrocities against Muslim civilians." When the NY Times, the following day, reported on Albright's peep-show, the journal noted: "Ms. Albright's presentation today came as thousands of Serbian refugees fled their homes after a Croatian military offensive, carried out with tacit American approval, overran an area of Croatia previously held by rebel Serbs."⁴

While making her presentation to the Security Council, Albright was already preparing

³ Meholjic, Hakija; 5,000 Muslim Lives for Military Intervention; Interview by Hasan Hadzic in "Dani", June 22, 1998. (<http://www.ex-yupress.com/dani/dani2.html>) also mentioned in §115 of the Srebrenica Report of the UN Secretary General pursuant to General Assembly resolution 53/35 (1998)

⁴ Crossette, Barbara; U.S. Seeks to Prove Mass Killings; NY Times, Aug 11, 1995. Contrary to the NY Times article, the Krajina was not an area "held by rebel Serbs" but a region where Serbs had been at home for several centuries, in fact longer than Europeans had settled North America.

political and public opinion for the fact that there would be no evidence to back up her claims. She warned: "We will keep watching to see if the Bosnian Serbs try to erase the evidence of what they have done."⁵ The question today is, where is all that evidence that Albright was keeping her eye on?

3. August 18, 1995 – also during "Operation Storm" – the Christian Science Monitor published an exclusive "eyewitness" account by David Rohde, their young ambitious correspondent working out of Zagreb. He claimed to have been to Srebrenica – "without the permission of rebel Bosnian Serbs, look[ing] into charges by American officials that hundreds, perhaps thousands, of Muslims were killed by the Serbs after they overran two UN-protected 'safe areas.' (...) The visit by this reporter was the first by a western journalist to the sites of alleged atrocities near the former safe areas of Srebrenica and Zepa," alleges the journal. In other words, he claims to have gone to Bosnia to confirm what Madeleine Albright had alleged, when she hijacked the Security Council meeting on "Operation Storm."

Journalist and author Peter Brock had long since exposed the methods of work used by western war propagandists, in his excellently researched trail-blazing "Dateline Yugoslavia"⁶ report on the degeneration of the news media to become a party to the Bosnian Civil War. In 1993, he wrote: "Reporters tended to foxhole in Sarajevo, Zagreb or Belgrade and depend on their networks of 'stringers' and outlying contacts. Most arriving correspondents spoke no Serbo-Croatian, and interpreters were often domestic journalists or 'stringers' with established allegiances as well as keen intuitions about what post communist censors in the 'new democracies' in Zagreb and Sarajevo preferred. Reporters began to rely on aggressive government spokespeople - the government Information Ministry in Zagreb soon acquired scores of English-fluent publicists, and the Bosnian government also mobilized scores of handlers for the Western media."⁷

In Rohde's "eyewitness" account there was nothing that indicates that the author had actually been in Srebrenica. The article is illustrated with archive photos. There were no photographs of the things he claimed to have seen. Had Rohde written the article in a hotel room or a bar in Zagreb?

After winning the (politicized) Pulitzer Prize for his "Srebrenica reporting", David Rohde inadvertently admitted in an interview with Newsweek magazine (April 23, 1996) that he had not taken a camera on, what he claims to have been, his first trip to Srebrenica. The ambitious journalist, seeking his big scoop, traveled all the way from Zagreb to Srebrenica to gather proof of mass executions, without a camera?

Two months later, in October 1995, Rohde did go to Srebrenica and was obviously acting so suspiciously that he was arrested by Serb military personnel, who, according to Rohde, thought he may have been working for the CIA. The Bosnian Serb authorities seemed more than anxious to send him back west.

In his, above mentioned, Newsweek interview, he answers that his "biggest

⁵ Weiner, Tim; U.S. Says Serbs May Have Tried To Destroy Massacre Evidence; NY Times, Oct. 30, 1995

⁶ Brock, Peter, Dateline Yugoslavia: The Partisan Press, Foreign Policy, Number 93, Winter 1993 – 94 pgs. 152 – 172.

⁷ Ibid pg. 156 – 157

disappointment" about his October trip to Srebrenica was the fact that he was captured. "I was very frustrated because the Serbs ended up getting the film I had of these graves, which were the first on-the-ground pictures, pictures of the bones, pictures of the canes taken from old men." He takes a camera to Srebrenica in October and, from what he reports in the interview, acted in a way that would get him arrested. This allowed him to claim that they took his film "evidence".

In his Srebrenica "eyewitness" reports in August and in October 1995 Rohde writes of "evidence" of large scale executions, e.g. empty ammunition crates, piles of canes etc all meant to obviously create an image of systematic mass slaughter reminiscent of Auschwitz.

Given the fact that the ongoing exhumations were not producing evidence that could come anywhere close to the original claims of mass executions of between 7,000 and 8,000, Rohde too began to cover his tracks by using imprecise "ambushes," "massacres" and "series of ambushes". In his NY Times article (Jul. 25, 1998) he began referring to "ambushes and massacres" and 2 years later (NY Times July 9, 2000) he writes of "a series of ambushes and mass executions." He gives no indication of how many were supposedly killed in warfare – "ambushes" – which is no war crime. The term "massacre" is merely an emotionally charged term that says nothing about the circumstances.

Whereas David Rohde claimed to have found mass graves, other journalists, who set out on similar expeditions had different results. Mira Beham, a media analyst mentioned in her book, "Kriegstrommeln" (War Drums) that,

"During the months following the fall of Srebrenica, 24 international journalists, among them Mike Wallace of CBS, a BBC team and several CNN journalists attempted to follow the indications derived from the known US satellite photos and all on-the-spot information about known mass graves – to no avail. The results of their fruitless search were not made public."⁸

Although based in Zagreb during the largest ethnic cleansing operation of the Yugoslav civil wars, David Rohde never published an article on Croatia's "Operation Storm," while it was going on.

4. Srebrenica was handed over July 12, 1995. Two months later, September 13, the International Committee of the Red Cross issued a press statement which affirmed: "The ICRC's head of operations for Western Europe, Angelo Gnaedinger, visited Pale and Belgrade from 2 to 7 September to obtain information from the Bosnian Serb authorities about the 3,000 persons from Srebrenica, whom witnesses say, were arrested by Bosnian Serb forces. The ICRC has asked for access as soon as possible to all those arrested (so far it has been able to visit only about 200 detainees) and for details of any deaths. The ICRC has also approached the Bosnia-Herzegovina [Muslim] authorities seeking information on some 5,000 individuals who fled Srebrenica, some of whom reached [Muslim controlled] central Bosnia."⁹

On September 15, when the NY Times reported on this ICRC press release, one finds

⁸ Beham, Mira, Kriegstrommeln, Medien, Krieg und Politik; Deutsche Taschenbuch Verlag, Munich (1996) pg. 228

⁹ Former Yugoslavia: Srebrenica: help for families still awaiting news; ICRC News 37

a very different count: "About 8,000 Muslims are missing from Srebrenica, the first of two United Nations-designated 'safe areas' overrun by Bosnian Serb troops in July, the Red Cross said today. (...) Among the missing were 3,000, mostly men, who were seen being arrested by Serbs. After the collapse of Srebrenica, the Red Cross collected 10,000 names of missing people, said Jessica Barry, a spokeswoman. In addition to those arrested, about 5,000 'have simply disappeared,' she said."¹⁰

Aside from adding the 3,000 Muslim men arrested in Srebrenica upon arrival of the Bosnian-Serb military to the 5,000 Muslim men, reported to have left Srebrenica BEFORE the arrival of Bosnian Serb forces – this NY Times report makes no mention of the fact that a sizable portion of the 5,000 group had already reached Muslim territory and that the Red Cross was asking the Bosnia-Herzegovina [Muslim] authorities for information about these 5,000.

The NY Times, on September 15, had not only distorted the statement of the Red Cross, it had also disregarded what it had printed in its own pages two months earlier. A few days after the takeover of Srebrenica, the NY Times (July 18, 1995) reported: "some 3,000 to 4,000 Bosnian Muslims, who were considered by UN officials to be missing after the fall of Srebrenica, have made their way through enemy lines to Bosnian government territory."¹¹ Similarly the Times of London also reported on August 2, 1995, that "thousands of the 'missing' Bosnian Muslim soldiers from Srebrenica, who have been at the centre of reports of possible mass executions by the Serbs, are believed to be safe to the northeast of Tuzla. (...) For the first time yesterday, however, the Red Cross in Geneva said it had heard from sources in Bosnia that up to 2,000 Bosnian Government troops were in an area north of Tuzla. They had made their way there from Srebrenica 'without their families being informed', a spokesman said, adding that it had not been possible to verify the reports because the Bosnian Government refused to allow the Red Cross into the area."¹²

The NY Times' distortion of the Red Cross' statement combining the 5,000 of the one group and the 3,000 of the other is still today – 15 years later – the official count of 8,000 "missing and therefore presumed dead."

5. Soon after Bosnian Serb forces took over Srebrenica, the Hague Tribunal brought new charges of "crimes against humanity" and "genocide" against the Bosnian Serb leadership, based on the false information spread in the UN Security Council and by the media. For the US government, the main objective was to block these Serb leaders from participating in the peace negotiations in preparation at that time and to pressure them to leave active politics in Bosnia Herzegovina.

Though the ground was soon to thaw in the spring allowing exhumations, the prosecution in The Hague was apparently not anxious to exhume the suspected graves, knowing these would not contain enough evidence for "genocide." They needed other trial-worthy evidence of mass executions to make their indictment of the

¹⁰ AP; Conflict in the Balkans; 8,000 Muslims Missing; New York Times; Sep 15, 1995; p. 8.

¹¹ Chris Hedges; Conflict in the Balkans: In Bosnia; Muslim Refugees Slip Across Serb Lines; New York Times; July 18, 1995, p. 7. The same day, the Washington Post reported the number closer to the upper estimate: "About 4,000 Bosnian army soldiers trudged for five days through Serb-held territory to escape from Srebrenica and reach a safe haven in Medjedja" (Pomfret, John; Bosnian Soldiers Evade Serbs in Trudge to Safety; Washington Post, Jul 18, 1995)

¹² Evans, Michael and Kallenbach, Michael; Missing' enclave troops found; The Times; 02 August 1995 p. 9.

Serb leadership plausible. They were happy to have the "eyewitness" testimony of Dragan Erdemovic, a Croat, who served in a Bosnian Serb military unit comprised almost exclusively of non-Serb mercenaries.

In early March 1996, Erdemovic, who had fled to Serbia, made contact to correspondents of the (US) ABC-TV station, claiming to have participated in mass executions in the vicinity of Srebrenica as a soldier in the Republika Srpska Army, and asked them to help him "escape to The Hague."¹³ He explained that he had participated in the execution of 1,200 Muslim civilians. The journalists then introduced him to the correspondent of the (French daily) Le Figaro, which is credited with breaking this story.

In early March 1996, Erdemovic was arrested in Serbia on charges of having participated in mass executions, but, by the end of the same month, was transferred to the Hague Tribunal. At the time, the media had reported that he had made a deal with the Tribunal prosecution. In exchange for his valuable testimony against the Serb leadership, he was offered the benefit of the "witness for the prosecution" regulation, to be freed from prosecution and have a guarantee of a new life abroad.¹⁴ Of course, the tribunal denied these reports. Even though Erdemovic arrived in The Hague as a witness, the tribunal soon charged him with crimes against humanity, for his role in the executions he had described. He was convicted (November 29, 1996) sentenced to 10 years, which were later reduced to 5 and subsequently freed to live under a new identity in a North Western European country.

Since his conviction, the number 1,200 is officially recorded as the number of civilians executed at the Branjevo farm near Pilica (July 16, 1995). Erdemovic has repeated this number in one trial after another: July 5, 1996 during the public hearing in The Hague of Pres. Radovan Karadzic and Gen. Ratko Mladic – in absentia, again November 19 – 20, 1996 in his own trial, once more on May 22, 2000 in the trial against Gen. Radislav Krstic and again August 25, 2003 as a prosecution's witness in the trial against Pres. Slobodan Milosevic.

Erdemovic claimed that the 1,200 were killed within a period of 5 hours. He claimed they were taken from busses in groups of 10, walked 100 – 200 meters and executed by firing squad. But a simple calculation would have shown that, to have executed 1,200 people, as Erdemovic claims, it would have taken 20 hours if the entire procedure would have lasted but a record 10 minutes for each group. For Erdemovic's version to be true, it had to have taken but 2.5 minutes per group of ten. Neither the prosecutor nor the judge was interested in this calculation. What's more, according to Erdemovic's own testimony, the corpses were buried at the scene of the execution. At the Branjevo farm, there were 153 bodies exhumed. This would constitute a serious war crime, but it would not suffice for charging the Serb leadership with "genocide".

A long-standing observer at the tribunal, Germinal Civikov, provides insight into Erdemovic's real role. Erdemovic gave the tribunal the names of nine others, who, he implied, had participated in the executions or commanded the operation. Also based on his testimony, the prosecution built their case accusing the Serb leadership – not just in

¹³ Klarin, Mirko; *Defendant for the Prosecution: To the Prosecutors, Erdemovic is above all a valued witness; The Institute of War and Peace Reporting 1996*

¹⁴ *cd sg Bosnien/UN/Jugoslawien; Tribunal verlangt in Belgrad Auslieferung von Srebrenica-Zeugen, dpa 12.03.1996 - 12:57*

Bosnia but also in Serbia of having ordered the massacre of Srebrenica as part of a campaign of "genocide".

The Erdemovic trial was the result of a "plea-bargain," an official practice of blackmail used in more than 90 percent of court cases in the United States, with a growing application in European nations as well. The major part of the proceedings takes place before one enters the courtroom: in exchange for pleading guilty to a certain number of (lesser) charges, one is promised leniency. This saves the prosecution from having to prove that a crime had been committed and that the defendant was personally involved in committing it. But on the other hand, if the defendant, insisting on his/her innocence to all of the charges, asserts his/her right to a fair trial, if convicted he or she will receive the highest sentence possible, because of not having "saved the state the costs of a full trial."

As one author observed, the Erdemovic conviction was being "heralded as a great 'first' in establishment of global justice. [The Erdemovic] case is considered of great importance to the Tribunal since his confession of taking part in executing over a thousand Muslims after the Serb capture of Srebrenica is considered prime evidence in the Tribunal's 'main event', the future trial of Bosnian Serb leader Radovan Karadzic and General Ratko Mladic."¹⁵

But there is a catch: "(...) inasmuch as he confessed to his crimes, there was no formal trial and no presentation of material evidence to corroborate his story. In any case, since he had turned 'state's evidence', there would have been no rigorous cross-examination from either a contented prosecution or a complaisant defense regarding the discrepancy between the number of Muslims he testified having helped execute at a farm near Pilica -- 1,200 -- and the number of bodies actually found there by the Tribunal's forensic team: about 150 to 200."¹⁶

Of the nine other alleged accomplices in the massacre, not a single one has been indicted or even sought. Not having any indication that other indictments were to follow for the mass executions, the presiding judge, Claude Jorda, expressed his astonishment during the first session of Erdemovic's (plea-bargain) trial (November 19, 1996) that the prosecution was not going to call other witnesses to the stand, nor seek the extradition of the other alleged members of the execution commando, whose names they already had. Are there any indictments against anyone except Erdemovic? asked Claude Jorda. Marc Harmon, the prosecutor, responded solomonically that the court must "see it perspectively." In any case, they do intend to bring charges against more suspects in this case – but the indictments are not to be publicly announced.¹⁷

On the contrary, the alleged commander of the commando, Milorad Pelemis, lives apparently carefree in Belgrade and occasionally gives interviews to Serbian or US journals. Another of the alleged accomplices, Marko Boskic, was discovered to be an immigrant near Boston, Massachusetts in the USA. He was arrested and indicted in early August 2004, for having given false information to obtain entry into the United States. By August 23, 2004, the tribunal had already informed the USA that they were

¹⁵ Johnstone, Diana; *Selective Justice in The Hague: The War Crimes Tribunal on Former Yugoslavia is a Mockery of Evidentiary Rule*; *The Nation*, 22.9.97

¹⁶ Johnstone, Diana; *Ibid*

¹⁷ Civikov, Germinal, Kalaschnikow auf Einzelfeuer: Der Fall Dražan Erdemovic, "Freitag," 16.09.2005
<http://www.freitag.de/2005/37/05370801.php>

not interested in achieving his extradition to The Hague. "We only have a limited mandate and limited resources," explained Chief Prosecutor Carla Del Ponte's advisor Anton Nikiforov. "Boskic will not be indicted; the concentration must be on the leaders."¹⁸ A strange reasoning for a case that is considered the largest and most horrendous crime in Europe since World War II. Could it be that the tribunal was afraid of having to sort out contradicting testimonies, since Boskic, during his interrogation by the FBI, had contradicted Erdemovic in a key point: the number of people executed on the day in question?

"Apart from the admission about the massacre, the key point about Erdemović's testimony is that he alleges that his unit acted on orders from the Bosnian Serb leadership. Yet as Čivikov shows¹⁹ with excruciating attention to detail, Erdemović's own statements about the command structure in his little platoon are self-contradictory and untrue."²⁰ But the prosecution and judges have sought to maintain Erdemovic's version as the sole official account of what took place at the Branjevo farm, to insinuate that this sort of operation was not isolated but widespread.

It was during cross-examination in the Milosevic trial that things became a bit clearer. "As Milosevic said during his own gripping cross-examination of Erdemović – gripping because, whenever he [Milosevic] started to get close to the truth, Judge Richard May intervened to prevent him from pursuing his line of questioning – there were reports in Serbia of a rogue French secret service unit operating on the territory of the former Yugoslavia and later involved in a plot to overthrow him, known as "Operation Spider". There had also been reports that these people had been present at Srebrenica. The West, it is implied, 'needed' a big atrocity at Srebrenica, and it was indeed immediately following the fall of that town - and thanks largely to pressure exerted by the French president, Jacques Chirac, who took the lead on the matter – that NATO intervened and brought an end to the Bosnian war."²¹ (See source number one.)

6. The last origin of the legend of a mass execution is the conviction of Bosnian Serb General Radislav Krstic in August 2001, six years after Bosnian Serb troops marched into Srebrenica, and five years after the ICTY began digging up every molehill in the area to look for bodies. According to the NY Times (August 3, 2001) Gen. Krstic was convicted "of genocide (...) for his role in the massacre of more than 7,000 Muslims by Bosnian Serbs at the town of Srebrenica in July 1995. It was the first ruling of genocide in Europe handed down by an international tribunal." The NY Times failed to inform its readers that Gen. Krstic was not even present in Srebrenica at the time in question. But the article does give important information about the evidentiary basis of the Bosnian Serb general's conviction. The article indicates that "Tribunal investigators have exhumed 2,028 bodies from mass graves in the region. An additional 2,500 bodies have been located."²²

This means that at the time of the verdict, the tribunal had no evidence that the crime Gen. Krstic was convicted of – the summary execution of "more than 7,000 people" – had ever been committed. In a region where a civil war had raged for years, the media

¹⁸ ibid

¹⁹ See Civikov, Germinal, "Srebrenica. Der Kronzeuge" Promedia, Vienna, 2009

²⁰ Laughland, John, "The Crown Witness at The Hague", The Brussels Journal, <http://www.brusselsjournal.com/node/3894>

²¹ Laughland op cit

²² Simons, Marlise, Genocide Verdict for Ex-General, International Herald Tribune (N.Y. Times), August 3, 2001

and the tribunal parted from the thesis that Serbs were doing all the shooting and Muslims all the dying. During the process of exhumation, the tribunal showed neither interest in the identity of the bodies, nor in the times and causes of death. The tribunal did not even have evidence that more than 2,028 people were dead – regardless of when or under what circumstances they had died. How then could they convict him of the deaths of "more than 7,000" people?

Gen. Krstic was sentenced to 46 years in prison, 4.6 times the sentence of Adolf Hitler's successor, Admiral Karl Doenitz (10 yrs.) and 2.3 times the sentence of Albert Speer (20 yrs.), the Nazi's head architect.

There is a second legal aspect closely connected to both the Tadic resolution and the appeal of the intellectuals. The starting point of both is the affirmation that "the massacre" had taken place. Neither Yugoslavia nor Serbia was implicated in what was supposed to have happened in Srebrenica, Bosnia. What rights do they, President Tadic, the Serbian Parliament, or North American and European intellectuals have to declare for Bosnian Serbs that they should be guilty?

In September 2002, the Documentation Centre of Bosnia's Srpska Republic published its "Report About Case Srebrenica (The First Part)." This report was the result of years of research and investigations. Its conclusions were differentiated in spite of the intense pressure on Bosnian Serbs from the US/West European colonial administration represented, at the time, by Jeremy "Paddy" Ashdown. Under pressure of the colonial administration, the report was withdrawn from circulation, because it did not confirm what the ICTY, the EU and the USA had been claiming. Some copies had already made it into circulation. Both the Tadic resolution and the appeal of the intellectuals have ignored the results of Republika Srpska's research and investigative work.

From the very beginning of the civil wars that broke up Yugoslavia, it became clear that these were all anti-Serb wars. At any given stage in the breakup of Yugoslavia, local Serbs were being targeted as Serbs and because they were Serbs, be they Krajina Serbs in Croatia, Bosnian Serbs in Bosnia-Herzegovina or Serbian Serbs in the province of Kosovo or throughout the rest of Serbia. For anti-Serbs "a Serb is a Serb is a Serb ..." regardless of what he does, how he thinks, how deeply he bows to the west or how tall and proud he stands as part of the human race. To anti-Serbs it makes little difference if it is Radovan or Marko Karadzic.

Srebrenica was important for involving Serbia in the Dayton negotiations, representing the Srpska Republic. With the accusation of mass executions in Srebrenica and an international arrest warrant for Bosnian leaders, Karadzic and Mladic, President Milosevic negotiated on their behalf. Remember "a Serb is a Serb is a Serb...".

History will judge whether this was a political mistake leading to the linkage of Bosnian Serb affairs – and fate – to Serbia. In any case, in public opinion it helped strengthen the strategic design of implicating all Serbs in whatever (wrong) any Serb does.

Over the past 15 years, the ICTY has been trying to pin a mass execution on Serb defendants with little or no success. Therefore they are putting the government of Serbia under pressure to admit to a war crime, it had nothing to do with. "A Serb is a Serb is a Serb...".

There are political forces, particularly in the German-speaking realm, who have sworn vengeance on "the Serbs" not only for having resisted Teutonic conquest throughout history, for being among the victorious in both the First and Second World Wars, but also because it was basically Serb initiatives and interests that united the Southern Slavs

across religious lines to create a Yugo–Slavia.

West Germany could only shake off its stigmata as ex-Nazi, if it creates for public opinion a new group to be stigmatized as "worse than the Nazis". Over the past 15 years, some of these forces, particularly in media and politics, have sought to make Serbs "untouchables", not just Bosnian Serbs or Serbs of Serbia, but Serbs in general. A Serb "guilt" is supposed to replace "German guilt" left in public memory by the Second World War.

This can only be accomplished in trivializing German war crimes. Serbs are being accused of having executed up to 8,000 people. German politicians compared this to Auschwitz. In May (1999) a German court convicted the Gestapo helper Alfons Götzfrid to 10 years – suspended sentence – for "complicity in the murder" of 17,000 Jews, while, in the same month the German Supreme Court upheld the conviction and sentencing of Bosnian Serb, Nikola Jorgic to 13 years (his sentence was not suspended) for "genocide" carried out on 30 Bosnian Muslims. Why is there no outcry at this historical revisionism? Why is the Serbian government participating in it?

The anti-Serb propaganda used to create this image, though widespread in the USA, did not originate in the United States and served no strategic purpose for US interests. In this case US-Americans were duped as much as West Europeans. Most US-Americans have no idea who the Chetniks, Handschars, Ustashi or Skandebegs were.

The German "Blut und Boden" ethnic concept of nation and national entity runs counter to multi-ethnic republics. During the post-war period (1945 – 1990), West Germany appeared cosmopolitan, in foreign policy it was discrete. With the annexation of the German Democratic Republic, some in the German leadership saw a chance for Germany to regain the old status as a leading European power, and therefore also as a world power, dictating its own conditions and rules. German European policy includes "Germandom" policy, a consolidation of German-speaking regions throughout Europe, while fomenting ethnic dissention, even secessionist strivings, among the ethnic minorities of other nations.

At the 6th Fürstenfeldbrucker Symposium for the Leadership of the German Military and Business, held September 23 – 24, 1991, the former CDU Minister of Defense, Rupert Scholz (who is an expert in constitutional law and was the spokesperson for the legal policy section of the right-wing Christian Democratic Party) explained why Germany should promote the breakup of Yugoslavia by recognizing the Slovenian and Croat secessionist Yugoslav republics. He explains:

"(...) the Yugoslav conflict undeniably is of fundamental pan-European significance. (...) We believe that we have overcome and dealt with the principle sequels (...) of the Second World War.[By this he is referring mainly to the annexation of the GDR, the German "unification" and regaining full sovereignty from the victorious WW II powers.] But in other areas we are today still confronted with overcoming the consequences of the First World War. Yugoslavia is, as a consequence of the First World War, a very artificial construction, having nothing to do with the right of self-determination. (...) In my opinion, Slovenia and Croatia must be immediately recognized internationally. (...) When this recognition has taken place, the Yugoslavian conflict will no longer be a domestic Yugoslav problem, where no international intervention can be permitted."²³

When one looks in the direction of The Hague, one can easily understand why the President of the National Council for Cooperation with the Hague Tribunal, Rasim Ljajic, is so supportive of the government's resolution.

²³ From the Protocol of the Bildungswerk der Bayerischen Wirtschaft "BBW-Dokumentationsreihe Nr. 20, 1991 pp 20 - 21

The Hague Tribunal has built its entire reputation on the thesis that Serbs – it doesn't matter which Serbs – committed genocide in Bosnia. Srebrenica is their "proof". Now that the ICTY is about to expire, they would like to "go out with a bang." That possibility was handed them on a silver platter when Dr. Radovan Karadzic was abducted to The Hague. Throughout the 15 years since Srebrenica, the ICTY has not assembled enough evidence to support either a charge of genocide – under the UN Convention for the Prevention and Punishment of the Crime of Genocide – nor one that summary executions of up to 8,000 people had occurred in Srebrenica, so they have put pressure on the Serbian government to make an official public mea culpa declaration. In exchange for its "cooperation," the Serbian government will be "taken into consideration" for eventual membership in the EU and/or NATO. But there is only one hitch: once the declaration is made, one cannot take it back and the nebulous promises being given the government in Belgrade are just that: promises and nothing concrete.

This all leads to a last very unfortunate aspect of the intellectual's appeal. Many of those who have already signed, are long-term activists for justice in the Balkans; some are among the few who have continued to criticize the travesty taking place in the inquisitions at the ad hoc tribunals both in The Hague and in Arusha. Some are authors, who have come under heavy attack and been slandered by the anti-Serb camp because they have placed the official Srebrenica version into question.

It is easily understandable that they would be among the first to recognize the multiple long-term dangers posed by the Tadic resolution. Unfortunately they overlooked that the second paragraph of the appeal is also a historical error. Signing their names to a document that unequivocally claims that mass executions had taken place in Srebrenica is a setback to the years of work that they individually have invested.

The appeal also points to existing skepticism in one of its later paragraphs, which reads in part: "More importantly, the issue is still not settled what really happened in Srebrenica in July of 1995, why, and who was behind it. The accepted version of events, shaped mainly by war propaganda and hyperbolic media reports, is becoming increasingly obsolete because it is being vigorously questioned and reassessed by critical thinkers in the Western world. Much reliable information on these events is still unavailable and needs to be researched, but without it responsible conclusions on the nature and scope of the Srebrenica massacre cannot be drawn."

The appeal should have maintained this skepticism throughout.

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