

**SUPPLEMENTARY SUBMISSION IN SUPPORT OF
THE APPLICATION OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA
INSTITUTING LEGAL PROCEEDINGS AGAINST YUGOSLAVIA (SERBIA
AND MONTENEGRO) ON THE BASIS OF THE 1948 GENOCIDE
CONVENTION AND IN THE SUPPORT OF
ITS REQUEST FOR AN INDICATION OF PROVISIONAL MEASURES OF
PROTECTION.**

23 March 1993

To His Excellency, the President, to the Judges of the International Court of Justice, the undersigned being duly authorized by the Republic of Bosnia and Herzegovina:

I have the honor to refer to the Application Instituting Proceedings that was submitted to the Court by the Republic of Bosnia and Herzegovina on 20 March 1993 against Yugoslavia (Serbia and Montenegro) on the basis of Article IX of the Genocide Convention of 9 December 1948 and the accompanying Request for the Indication of Provisional Measures of Protection that was also submitted to the Court on that date. In Section IV of that Application ("IV. Judgement Requested") Bosnia and Herzegovina reserved its "...right to revise, supplement or amend this Application." Since the Application was filed, additional evidence has come to the attention of the Agent for Bosnia and Herzegovina that he would like to draw to the attention of the Court and hereby submit in support of our Application and Request for Provisional Measures of Protection. This additional evidence is as follows below.

**APPLICATION INSTITUTING PROCEEDINGS
SUBMITTED BY
THE REPUBLIC OF BOSNIA AND HERZEGOVINA**

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I. STATEMENT OF FACTS

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I. SPECIFIC FACTUAL ALLEGATIONS RELATING TO THE CONDUCT OF THE FORMER YUGOSLAVIA AND/OR YUGOSLAVIA (SERBIA AND MONTENEGRO).

1. The following events are categorized chronologically. All cites refer to the same day edition of the New York Times unless otherwise noted.

MARCH 1992

2 March 1992: Bosnia and Herzegovina held a referendum approving independence and sovereignty on March 1. (New York Times, page 2)

3 March 1992: Rebel Serbian forces begin attacks on the Republic of Bosnia and Herzegovina, disrupting travel into and out of Bosnia. (Id., page 9)

28 March 1992: Leaders of Bosnia and Herzegovina appealed to the United Nations to deploy peacekeeping forces in the Republic with the hopes of stopping or slowing Serbian attacks. (Id., page 4)

APRIL 1992

7 April 1992: The European Community recognized the independence of Bosnia and Herzegovina on April 6. Serbian forces bombarded the historic Muslim quarter of Sarajevo. (Id., page 3)

8 April 1992: The United States recognized the independence of Bosnia-Herzegovina on April 7. (Id., page 10)

22 April 1992: Serbian guerrilla units intensify attacks on Sarajevo. Unlike other shellings to this point, there is a possibility that the former Yugoslav army did not participate. (Id., page 10)

MAY 1992

13 May 1992: The European Community and the United States removed their ambassadors from Belgrade. (Id., page 10)

17 May 1992: UN Peacekeeping Forces, originally placed to supervise a cease-fire between Serbia and Croatia, withdraw from Bosnia to Belgrade and Zagreb due to mortar and artillery attacks erupting around them. Only 120 troops remained in Sarajevo to help with food convoys and to seek a lasting cease-fire in Bosnia (Id., page 10)

21 May 1992: Serbian forces held 5,000 hostages fleeing the war in Bosnia until the government of Bosnia lifted blockades of the Yugoslav (Serbia and Montenegro) Army barracks. (Id., page 14)

22 May 1992: 5,000 hostages held by Serbian forces were released after the Bosnian government agreed to lift the blockade against Yugoslav (Serbia and Montenegro) Army barracks, and to supply the barracks with food and other supplies. (Id., page 13)

30 May 1992: Serbian forces unleashed a new attack on Sarajevo, the most severe attack on the Bosnian capital to date. (Id., page 1)

31 May 1992: The United Nations Security Council voted 13-0 to impose economic sanctions against the Yugoslav (Serbia and Montenegro) government in an effort to force Belgrade to bring peace to Bosnia and Herzegovina. (Id., page 1)

JUNE 1992

7 June 1992: Serbian forces attacked Sarajevo with the most sustained bombardment from artillery, mortar and rocket batteries since the siege of the Bosnian capital began. (Id., Page 16)

11 June 1992: A United Nations convoy was attacked on the outskirts of Sarajevo by Serbian guerrilla forces. The team was heading to Sarajevo in the hopes of opening the airport. (Id., page 6)

20 June 1992: Serbian fighters attacked the nearby suburb of Dobrinja with artillery, tanks and infantry. This attack dimmed hopes of opening the airport for airlifts for relief supplies. (Id., page 5)

21 June 1992: Statements are issued by survivors of a bus of refugees held hostage by Serbian forces outside of Sarajevo. Serbian gunmen opened fire on the bus with a bazooka and automatic weapons. As the dead and wounded lay in the bus, the attackers tossed hand grenades in the bus. Statements also issued by survivors of rape and torture at the hands of Serbian attackers. (Id., page 1)

27 June 1992: Sarajevo airport truce is shattered when Serbian forces used tanks and artillery to attack civilian buildings in an airport suburb. UN Security Council issues an ultimatum to Serbian forces to halt attacks and put their heavy guns under the United Nations' control. (Id., page 1)

28 June 1992: Despite an ultimatum from the UN Security Council, Serbian forces continued to shell Sarajevo with artillery fire. (Id., page 1)

30 June 1992: UN troops took control of Sarajevo airport and relief supplies began to arrive for the first time in 12 weeks. The UN planned to send 850 peace-keeping troops. (Id., page 1)

JULY 1992

12 July 1992: Serbian forces attack Bosnian city of Gozarde, a city with a population of 50,000 persons. (Id., page 1)

14 July 1992: Serbian nationalist forces continued their siege on Sarajevo by dynamiting four power-transmission lines that served the city, knocking out electricity to the 400,000 persons that remain in the city and idling the pumps that provide the residents with running water. (Id., page 1)

21 July 1992: Due to continued Serbian attacks in Sarajevo, an EC brokered treaty failed and the Sarajevo airport is closed. (Id., page 1)

29 July 1992: Reports published of Serbian forces force thousands of Muslims in western Bosnia to flee. Refugees described terror tactics and of being forced to sign away their property. (Id., page 4)

AUGUST 1992

3 August 1992: A bus carrying children from Bosnia to safety in Germany was attacked by Serbian artillery fire. A 14-month-old boy and a 3-year-old girl were killed. (Id., page 1)

4 August 1992: Initial reports begin to surface about the Serbian concentration camps. Survivors give detailed and consistent accounts of torture, rape and killings of Bosnian prisoners. (Id., page 1)

5 August 1992: A Sarajevo family burying a young girl killed during a Serbian attack, is attacked by Serbian sniper fire in the Sarajevo cemetery. (Id., page 1)

6 August 1992: Serbian forces pound Sarajevo with a massive artillery barrage into heavily populated civilian districts. Many independent and consistent reports from survivors of Serbian concentration camps describe horrific treatment of prisoners; comparisons to Nazi-style death camps are drawn by historians. (Id., pages 1,8)

8 August 1992: Nazi-style conditions of Serbian concentration camps are confirmed in part by British video of emaciated Bosnian prisoners in a Serbian camp. This video is broadcast throughout Europe and the United States. (Id., page 1)

9 August 1992: Serbian forces surround the northwest corner of Bosnia, cutting off 300,000 Bosnians from food deliveries and escape routes. (Id., page 10)

21 August 1992: Bosnian Serbs declare the formation of a new Republic (the Serbian Republic of Bosnia-Herzegovina) from territory seized from Bosnia. (International recognition does not follow). (Id., page 1).

22 August 1992: Radovan Karadzic, leader of the Serbian forces in Bosnia, pledged to close Serbian prison camps, return property his army had seized by force, and allow relief convoys free access to Sarajevo and other encircled towns. (Later, Karadzic would be shown to have failed to meet these promises). (Id., page 3)

25 August 1992: Fighting in Sarajevo intensified as Serbian forces shelled the center of the city and hit the Holiday Inn. The intensity of the attack forced suspension of relief flights. (Id., page 8)

26 August 1992: As peace talks convened in London, Serbian forces continued pounding Sarajevo with artillery fire, setting afire the city's main library. Serbian forces also continued their attack on Mostar, and Serbian planes bombed Novi Travnik. (Id., page 8)

27 August 1992: Serbs launch an artillery attack in Sarajevo, striking Muslim medieval buildings and the main library. (Id., page 10).

29 August 1992: Serbian leader Radovan Karadzic promised to halt sieges on 4 major Bosnian cities during the London peace talks. However, only hours after the conclusion of these talks, Sarajevo was bombed by fierce mortar and artillery barrages. At least 10 persons were killed, and Sarajevo's main hospital said it had treated 60 wounded people in a four-hour period. (Id., page 5)

29 August 1992: New reports by survivors of Serbian concentration camps describe the death and torture Bosnian prisoners face at the hands of their Serbian captors. (Id., page 1)

30 August 1992: Bosnian Serb leader Radovan Karadzic announces the lifting of the siege of the Bosnian town of Goradze, but the Bosnian government stated the fighting there continued. (Id p. 18).

31 August 1992: 15 Bosnians were killed and about 100 were wounded in a crowded Sarajevo market when an artillery shell launched by Serbian forces exploded in the middle of the market. (Id., page 6)

SEPTEMBER 1992

- 1 September 1992: A grenade was thrown into a cemetery during a Bosnian soldier's funeral, killing one person and wounding three. (Id., page 3)
- 4 September 1992: A UN plane carrying relief supplies to Sarajevo was shot down. President Bush of the United States criticized Serbian run camps, saying that prisoners face malnutrition, starvation, sexual abuse, beatings and executions. (Id., page 1)
- 9 September 1992: Serbian forces have returned to the siege of Goradze. Serbian militias under the command of Dusko Kornjaca began the assault which, by Kornjaca's own estimation, killed 50,000 men. (Id., page 1).
- 9 September 1992: Bosnian forces attempt to breakout of the Serbian stranglehold on Sarajevo. (This attack would fail to break the siege). (Id., page 10).
- 11 September 1992: A report from the Bush Administration states Serbian forces in Bosnia have been shadowing UN relief flights to Sarajevo as cover for air strikes against Bosnians. (Id., page 10).
- 13 September 1992: Serbs in areas of Bosnia and Herzegovina continued heavy shelling despite the fact that these weapons were to be turned over to UN supervision. (Id., page 2).
- 15 September 1992: Despite the presence of UN observers monitoring Serbian artillery positions in Sarajevo, Serbian forces began a new wave of shelling. (Id., page 3)
- 23 September 1992: A Bosnian Muslim details an account of how more than 200 civilians were massacred by Serbian forces after they were to be released from a Serbian concentration camp near Travnik; the prisoners were shot in the head and thrown into a ravine. (Id., page 14)
- 26 September 1992: The mass killings of 200 Bosnians near Travnik are confirmed by EC representative, Lord Owen, and UN envoy, Cyrus Vance. Also confirmed is a new wave of ethnic cleansing by the Serbians in the town of Banja Luka. (Id., page 2)
- 26 September 1992: United States officials report that as many as 3,000 Muslim men, women and children were killed in May and June at Serbian-run concentration camps near the Bosnian town of Brcko. A spokesman for the US State Department stated that the report included accounts of "willful killing, torture of prisoners, abuse of civilians in detention centers, deliberate attacks on non-combatants, wanton devastation and destruction of property, and others including mass, forcible expulsion and deportation of civilians." (Id., page 1)

27 September 1992: Attacks on Sarajevo intensify to become the worst week of shelling since April. 925 civilians were struck by sniper fire, 129 of them died. Sarajevo remained without electricity and running water. (Id., page 12)

27 September 1992: Bosnian Government declares that 11,000 persons are "known" to have died as a result of the Serbian invasion, with another 56,000 missing. Sarajevo. (Id., page 12).

OCTOBER 1992

2 October 1992: Over 500 residents of the city of Grbavica, a suburb of Sarajevo, were forced to leave their homes and belongings behind after their town was seized by Serbian forces. This was considered to be compelling evidence that the Serbs are reneging on their promise to end "ethnic cleansing." (Id., page 1)

3 October 1992: At least 150 Muslim women and teen-age girls were in advanced stages of pregnancy after being raped by Serbian nationalist fighters. They also said that they were imprisoned for months afterward in an attempt to keep them from having abortions. (Id., page 5)

6 October 1992: Serbian forces intensified their shelling of Sarajevo again, attacking several high-rise apartment buildings. Several of these buildings were set on fire causing the residents to throw their belongings over the balconies in a effort to save their property. (Id., page 10)

8 October 1992: Serbian attackers unleashed an artillery attack in the town of Hrasno. The Serbs used incendiary shells to turn the neighborhood into an inferno. (Id., page 14)

9 October 1992: Serbian forces resumed their offense in Northern Bosnia after consolidating their substantial earlier victories. (Id., page 32).

10 October 1992: A Serbian mortar shell exploded in a courtyard full of children. 3 were killed, 10 were wounded. Several of the children had limbs amputated. (Id., page 10)

11 October 1992: Less than 24 hours after the UN imposed a ban on military flights, Serbian fighter planes attacked the Bosnian town of Gradacac. At least 19 persons were killed, 34 were wounded. Other Bosnian towns in northern Bosnia near Brcko were also hit. (Id., page 10)

11 October 1992: Croatians are forced to flee after the Serbs conquer the Bosnian town of Bosanski Brod. (Id., page 1).

21 November 1992: Serbs begin heavy shelling against the Bosnian town of Travnik. Travnik is key to the Bosnian defense, as it controls one of the key access roads into Sarajevo. Reports are Bosnia sent 6000 men to defend the city. (Id., page 3).

22 November 1992: Travnik in Bosnia under attack by Serbian forces in an effort to open another road to Sarajevo. (Id., page 8).

24 November 1992: Heavy shelling by Serbian forces in Sarajevo is reported. In addition, Serbs step up attack on the Bosnian city of Travnik, whose population is predominately Muslim and Croatian. (Id., page 3).

27 November 1992: Special report published regarding Borislav Herak, a Serbian auxiliary soldier facing the death penalty for genocide. During an interview, Herak described crimes against Bosnian Muslims committed by Serbian forces. (Id., page 1).

29 November 1992: Serbs finally release UN relief convoy after preventing its entrance into Bosnia for 3 days. (Id., page 14).

30 November 1992: Croatian and Serbian forces clash in Bosnia and Herzegovina hours before cease fire was scheduled to take place. (Id., page 3).

DECEMBER 1992

1 December 1992: Serbs and Croats fought pitched battles across Bosnia-Herzegovina, one person is killed in Sarajevo. (Id., page 8).

2 December 1992: UN halts humanitarian flights to Sarajevo after US military aircraft is hit by small arms fire in defiance of supposed cease-fire. (Id., page 7).

2 December 1992: UN Human Rights Commission in Geneva condemns Bosnian Serbs as primarily responsible for atrocities committed during the invasion of Bosnia. (Id.).

6 December 1992: Serbian forces resumed the shelling of the center of Sarajevo and stepped up an armored attack on a nearby suburb. (Id., page 18).

6 December 1992: In Otes, a suburb 6 miles from Sarajevo, Serbian forces fight Bosnian forces for control of key approaches to the Sarajevo airport. (Id.).

7 December 1992: UN forces are prevented from reaching Otes and giving relief to civilians by Serbs, who have overrun most of Otes. Serbs shut down Sarajevo's telephone, water, and electricity systems. (Id., page 6).

9 December 1992: Serbs begin heavy shelling of Sarajevo's historic center. Heavy civilian casualties were reported. (Id., page 19).

9 December 1992: Serbs use tanks to seize airport road and block any relief aid to civilians trapped inside Sarajevo. Serbs fire on French UN troops, forcing French UN troops to leave the airport garrison. (Id., page 3).

27 December 1993: A Serbian tank gunner was interviewed, and described the ninth month of the siege of Sarajevo. He described how he had been ordered to fire on the apartment building where his parents lived. Serbian soldiers confirmed civilian areas were targeted. (Id., page 4).

JANUARY 1993

9 January 1993: European Community investigators estimated 20,000 Muslim women had been raped by Serbs as a part of the Serbian invasion of Bosnia. European Community leaders condemned the violence as "systematic". (Id., page 1).

20 January 1993: The final global human rights report submitted by the Bush Administration stated that Serbian forces in Bosnia and Herzegovina were conducting a campaign of "cruelty, brutality and killing" unrivaled since Nazi times. (Id., page 8).

24 January 1993: American intelligence reports that at least 135 of the concentration camps established by the Serbs at the outbreak of the war still remain, despite Serbian promises to shut them down. (Reference 22 August 1992 and Radovan Karadzic's promise to shut down the camps). (Id., page 1).

28 January 1993: Sarajevo came under fresh Serbian bombardment, killing at least 10 and wounding 70. In addition, Muslims at Trebinje were terrorized by Serbian forces. (Id., page 6).

FEBRUARY 1993

7 February 1993: 4000 Bosnians were forced out of their homes in the Bosnian town of Trebinje at gun point by Serbs. Serbian military forces reportedly settled other Serbian nationals in the homes. (Id., page 18).

8 February 1993: Serbs renewed their campaign of "ethnic cleansing" after a UN proposal was delivered on partitioning Bosnia into provinces. Bosnian refugees were forced to flee from Cerska, Kamernica, and other besieged Bosnian villages above the Drina River town of Zvornik in eastern Bosnia. The Serbs continued their campaign of heavy artillery bombardment. (Id., page 10).

17 February 1993: A UN relief convoy destined for the besieged city of Cerska was stopped by Serbian forces. (Id., page 8).

25 February 1993: Noble Peace Prize winner Elie Wiesel stated that he had been "betrayed" by the Serbs regarding some prisoners interviewed in the concentration camp of Manjanca. Wiesel noted that prisoners which he had interviewed were later singled out and punished by the Serbian commanders of the camps. (Id., page 19).

26 February 1993: Serbian forces allowed a relief convoy it had delayed for 12 days to reach Goradze, and isolated Muslim town in eastern Bosnia. (Id., page 1).

MARCH 1993

3 March 1993: Serbian forces began a dawn attack on the Bosnian enclave of Cerska. Most Bosnian resistance ended early amid the artillery shelling. This attack followed the pattern of "ethnic cleansing" practiced by the Serbs. The attack began with a vicious shelling barrage, and then terror tactics against local Muslim population in order to turn the survivors into refugees. (Id., page 1).

4 March 1993: Serbian forces continued the attack on the Bosnian enclave of Cerska. Bosnian resistance crumbled and Muslim civilians were shelled by Serbs. (Id., page 1).

5 March 1993: The Bosnian enclave at Cerska was defeated by the Serbian attack. Some 1500 Muslims were wounded. Refugees fled to the Muslim enclave of Srebrenica, Bosnia. (Id., page 8).

7 March 1993: The week-long destruction by Serbs of the Bosnian enclave of Cerska was recounted. The attack by the Serbs appeared to be in response to the American relief airdrop. Cerska was the first city to receive American airdropped food and supplies. (Id., page 3).

13 March 1993: Serbian shells killed 20 Muslim women and children in Vitez, Bosnia, when these people crowded around two British armored personnel carriers in the hopes of gaining safe passage out of the city. (Id., page 4).

14 March 1993: Serbian soldier Borislav Herak confessed to crimes committed in "ethnic cleansing" operations. Herak named Vojislav Seselj and Miro Vukovic as politicians and commanders who "played a major role" in the operations. (Id., page 10).

14 March 1993: Bosnian forces began an airlift of the critically ill from besieged enclaves in Srebrenica to hospitals in Tuzia, Bosnia. General Morillon, commander of the UN military forces in Bosnia, demanded a halt of the Serbian offensive in Srebrenica. A World Health Organization physician reported that fighting had

trapped some 60,000 people in Srebrenica and that 2000 persons had died due to disease, hunger, and exposure. (Id., page 10).

15 March 1993: Serbian forces backed by tanks overran the Bosnian city of Konjevic Polje, pushing Muslim civilians into the Bosnian city of Srebrenica. This account was confirmed by a UN British major. In addition, there were reports of Serbian shelling of the Muslim enclave. (Id., page 3).

19 March 1993: In Cerska, Bosnia, Bosnian soldiers confirmed short-wave radio operator accounts that after overrunning the village Serbs killed several civilians. (Id., page 10).

19 March 1993: Several persons died and several more were wounded in the Bosnian city of Srebrenica due to Serbian shelling. (Id., page 1).

19 March 1993: Serbia forces reneged on an agreement to allow a UN relief convoy, and Serbs launched another intense artillery barrage against Sarajevo. (Id.).

21 March 1993: Serbian planes were seen bombing two Muslim villages (Gladovici and Osatica) in violation of the resolution banning flights over Bosnia. (Id., page 6).

Evidence and Statements Implicating the Belgrade Government in Yugoslavia (Serbia and Montenegro) of Genocide

2. The following statements and evidence implicates the Belgrade government in Yugoslavia (Serbia and Montenegro) as a party to the acts of genocide committed by Serbs in the Republic of Bosnia and Herzegovina. All cites refer to the same day edition of the New York Times unless otherwise noted.

APRIL 1992

4 April 1992: Serbian irregular soldiers backed by the Yugoslav Army attacked Muslim and Croatian forces in Bosanski Brod and Kupres. Diplomats called the attacks a clear attempt to block European Community recognition of Bosnia-Herzegovina's independence. (New York Times page 3)

5 April 1992: Serbian irregular soldiers and the Yugoslav army continued their attack against the Bosnian towns of Bosanski Brod and Kupres. President Alija Izetbegovic was forced to announce the mobilization of National Guard and police reserve units. (Id., page 3)

7 April 1992: Sarejevo was attacked by heavy automatic weapons fire and grenade explosions after Bosnian President Izetbegovic

refused to rescind an order to mobilize National Guard forces. (Id., page 3)

8 April 1992: The Serbian-led Yugoslav Army ordered air strikes on the predominantly Croat towns of Siroki Brijeg and Citluk in Bosnia and Herzegovina. (Id., page 10)

9 April 1992: Serb units approaching from Serbia itself attacked Visegrad and Zvornik. Gun battles also reported in Mostar, Derventa and Foca. Yugoslav army warplanes bombed the towns of Siroki Brijeg and Citluk for the second straight day. (Id., page 9)

10 April 1992: As Yugoslav Army tanks stood idly by, a Serb-backed guerilla force captured the Bosnian town of Zvornik. (Id., page 14)

12 April 1992: The Yugoslav Army carved out new territory in Bosnia and Herzegovina. The army units invaded the town of Modrica before dawn. (Id., page 16)

14 April 1992: At the National Press Club, Dr. Haris Silajdzic, Foreign Minister of Bosnia and Herzegovina pleaded for assistance. He stated:

"Fresh [Serbian] irregular forces are being brought into Bosnia and Herzegovina from Serbia, Montenegro and the Croation town of Knin on Yugoslavian People's Army truck and helicopters." (Legislative Transcript ID: 821134).

15 April 1992: In an interview on CNN's "International Hour" Dr. Haris Silajdzic, the Foreign Minister of Bosnia and Herzegovina reemphasized that Serbian irregular forces were being brought into Bosnia by the Yugoslavian People's Army. Silajdzic also noted later in the interview that the Serbs were equipped by the Yugoslav army.

15 April 1992: Serbian and Yugoslav army forces broke an EC-brokered peace agreement. Serbian and army units overran several regions populated by Muslim Slavs. These Bosnian towns include Foca, Mostar, and Gzarde. (New York Times, page 6)

19 April 1992: Serbian guerrillas pounded central Sarajevo with mortar shells as an American official arrived with humanitarian aid for Bosnia. (Id., page 1)

20 April 1992: Yugoslav army bombarded Mostar. Shells fell for at least three hours in heavily populated neighborhoods and set fire to several apartments. (Id., page 3)

21 April 1992: At a White House Background Briefing, a Senior Administration Official noted that the Yugoslavian national army

was causing problems in Bosnia which made establishing a relationship with Belgrade difficult. (Legislate Transcript ID 821477)

22 April 1992: Yugoslav army jet fighters attacked the Bosnian towns of Siroki Brijeg, Citluk, Grude and Capljina. (New York Times., page 10)

23 April 1992: Backed by the Yugoslav Army, Serbian forces stepped up their attacks on Sarajevo as well as on other smaller Bosnian cities. (Id., page 10)

23 April 1992: During an interview on PBS' "MacNeil/Lehrer", United States Assistant Secretary of State Lawrence Eagleburger called the conduct of the Serbian government and the Yugoslavian National Army as "outrageous" and blamed them for the deteriorating situation in Bosnia. Eagleburger noted that the Yugoslavian National Army and the Serbian irregulars were more "active" than the other forces in the region.

30 April 1992: Across Bosnia, there was fighting in at least five different towns across the republic's northern, eastern, and southern regions as well as a battle in the center of Sarajevo. These attacks by Serbian forces and units of the Yugoslav Army featured artillery, mortar and rifle fire. Yugoslav Army units also continued to pour artillery, mortar and rocket fire into the Bosnian town of Mostar. (New York Times., page 13)

MAY 1992

3 May 1992: The heaviest attack to date in Sarajevo erupted when Serbian guerrillas and Yugoslav Army forces shelled the city's Muslim quarter with artillery and machine gun fire. The attack began soon after 1 p.m. and continued into the night. (Id., page 1)

6 May 1992: Yugoslav Army jets rocketed several targets in Sarajevo, and Serbian guerrilla forces continued attacks on the city. (Id., page 16)

13 May 1992: In an effort to ward off international sanctions, Yugoslavia (Serbia and Montenegro) announced that it was relinquishing control over Yugoslav army units in Bosnia and Herzegovina. (Id., page 1507)

19 May 1992: In a news conference, Dr. Haris Silajdzic, Foreign Minister of Bosnia-Herzegovina, stated that the war in Bosnia was not between Serbs, Muslims, or Croats, but was instead one of aggression by Yugoslavia (Serbia and Montenegro) against Bosnia-Herzegovina. (Legislate Transcript ID: 831298).

26 May 1992: In a State Department Daily Briefing, Richard Boucher stated that the United States did not believe the

disavowal by the Yugoslavian (Serbia and Montenegro) government in Belgrade. Boucher placed responsibility for the war in Bosnia on the Yugoslavian army and the Serbian government. (Legi-slate Transcript ID: 831755).

28 May 1992: The United States Ambassador to Yugoslavia (Serbia and Montenegro), Warren Zimmerman, when interviewed on NBC's "Today", stated that the United States saw the conflict not as an ethnic war but rather "as a war of aggression that's waged by Serbia and the Serbian president, Milosevic, against an independent republic." (Legi-slate Transcript ID: 831904).

JUNE 1992

3 June 1992: When asked at a State Department Regular Briefing whether the United States was "certain" Serbian leadership was in control of irregular Serbian groups inside Bosnia, U.S. State Department Spokesman Richard Boucher stated that the government of Belgrade, rather than withdrawing the Yugoslav army turned it over to the extremist Bosnian Serb leaders. He went on to say:

"The reality on the ground in Bosnia is that this is an independent state that is being ravaged by Serbian armed forces, both army units and irregulars, which were unleashed by Belgrade, which are inspired, equipped, and continue to be supported by Belgrade."

(Legi-slate Transcript ID: 840231).

9 June 1992: Bosnian government releases transcript of recording of Serbian military leaders, several of whom were officers of the Yugoslav Army, in which the commanding general ordered that all of the Bosnian residential districts should be shelled. His exact command was "Burn it all." (New York Times, page 10)

11 June 1992: Ralph Johnson, Deputy Secretary of State, during an Senate Subcommittee Hearing on European Affairs noted:

"Ostensibly, the [Yugoslavian] Army has been withdrawn, but they have remained behind in some cases -- many cases -- with equipment and have remained under the command of General Vladic. Now he, as far as we can see, is appointed and paid by Belgrade.

So, whether or not Belgrade has tactical control over the individual units, as far as we're concerned is really not particularly relevant. The issue is that Belgrade does have, in our view, enough influence that it can have a material effect on the fighting being done by these irregulars and that Belgrade needs to be held accountable for the fact that it set this process in motion...

We think that Mr. Milosevic does control the Yugoslav Army...we believe the evidence is very, very persuasive..."

(Legi-slate Transcript ID: 840866).

23 June 1992: Thomas Niles, Assistant Secretary of State, testifying at a House Europe and Middle East Subcommittee Hearing, in response to a question from Representative Solarz, stated"

"I would say the continuing shelling of the city of Sarajevo by the Serbian forces...are certainly subject to a very heavy influence, if not control, from Belgrade."

Niles also noted that he believed the President of Yugoslavia (Serbia and Montenegro), Slobodan Milosevic, was "deeply involved in what's going on in Bosnia-Herzegovina."
(Legi-slate Transcript ID: 841690).

26 June 1992: In a meeting with Britain's Lord Carrington, Serbian President Slobodan Milosevic refused to recognize the independent Republic of Bosnia and Herzegovina saying that its status must be determined by the leaders of federal Yugoslavia. However, after the independence of four of the old Yugoslavia's republics over the last year, only Serbia and Montenegro remain in the federation. (New York Times, page 8)

JULY 1992

10 July 1992: At a CSCE Conference, Secretary of State James Baker made reference to large amounts of heavy weaponry which had been transported into Bosnia from Serbia for use by the Serbian forces in Bosnia. (Legi-slate Transcript ID: 850551).

11 July 1992: Secretary of State James Baker told Milan Panic that the United States held the Serbian government in Belgrade responsible "for the humanitarian nightmare" caused by the Serbian invasion of Bosnia. (The Houston Chronicle pg 1. "Bush Urges Yugoslavian to End Ethnic Bloodshed.")

AUGUST 1992

4 August 1992: Thomas Niles, Assistant Secretary of State, testifying at the House Europe and Middle East Subcommittee Hearing told Representatives that the town of Vucovar was destroyed by forces "controlled by the government of Serbia". Later, Niles mentioned that the Serbian forces in Bosnia were "organized...conducted by the government in Belgrade, the Serbian government, attacking essentially unarmed people in Bosnia-Herzegovina". (Legi-slate Transcript ID: 860166).

6 August 1992: A list of 105 Serbian concentration camps was made public. 94 of them were in Bosnia and Herzegovina, 11 of them were in Serbia. (New York Times page 1)

9 August 1992: On an interview during ABC's "This Week With David Brinkley" Brent Scowcroft, the United States National Security Advisor, stated that the Serbs had the "monopoly on heavy arms" in the conflict, and this was due because the arms were handed over to them by the Yugoslav army. (Legislate Transcript ID: 860443).

12 August 1992: Morning Edition, interview with William Taylor, vice-President of International Security Programs at the Center for Strategic and International Studies.

"The solutions to [the problems in Bosnia] are...in Belgrade where Slobodan Milosevic, the president, and his high military command reside. They are the ones who either have control of Serbian regular military forces and Serbian militia forces...all of whom are committing these atrocities and killing a lot of people in Bosnia...There's one proposition which no one argues and that is that Milosevic and the high command do have control over the Yugoslavian National Army. That's about 30 divisions. In our estimates at CSIS --and we've been tracking for months-- there are still seven regular divisions in and around Bosnia. Serbia controls these forces, no question about it..."

SEPTEMBER 1992

11 September 1992: At a State Department Daily Briefing, U.S. State Department Spokesman Richard Boucher stated that the "Belgrade authorities were continuing to supply arms, ammunition, fuel, spare parts, and a variety of other things to the Bosnian Serbs". As such, Boucher declared that Belgrade "bears a certain responsibility".

28 September 1992: A report in The New York Times stated that Serbia is being used as a source of military weapons and troops which are used to fight in Bosnia. (New York Times page 5)

MARCH 1993

18 March 1993: The UPI reported that Yugoslavia (Serbia and Montenegro) violated the no-fly zone over Bosnia and conducted a military air strikes against besieged cities in eastern Bosnia.

CONCLUSION

The Republic of Bosnia and Hercegovina hereby respectfully requests the Court to consider this additional evidence during the course of these proceedings and in support of its request for an Indication of Provisional Measures of Protection.

**SUPPLEMENTARY SUBMISSION IN SUPPORT OF
THE APPLICATION OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA
INSTITUTING LEGAL PROCEEDINGS AGAINST YUGOSLAVIA (SERBIA
AND MONTENEGRO) ON THE BASIS OF THE 1948 GENOCIDE
CONVENTION AND IN THE SUPPORT OF
ITS REQUEST FOR AN INDICATION OF PROVISIONAL MEASURES OF
PROTECTION.**

25 March 1993

To His Excellency, the President, to the Judges of the International Court of Justice, the undersigned being duly authorized by the Republic of Bosnia and Herzegovina:

I have the honor to refer to the Application Instituting Proceedings that was submitted to the Court by the Republic of Bosnia and Herzegovina on 20 March 1993 against Yugoslavia (Serbia and Montenegro) on the basis of Article IX of the Genocide Convention of 9 December 1948 and the accompanying Request for the Indication of Provisional Measures of Protection that was also submitted to the Court on that date. In Section IV of that Application ("IV. Judgement Requested") Bosnia and Herzegovina reserved its "...right to revise, supplement or amend this Application..." Since the Application was filed, additional evidence has come to the attention of the Agent for Bosnia and Herzegovina that he would like to draw to the attention of the Court, and hereby submit in support of our Application and Request for the Indication of Provisional Measures of Protection. This additional evidence is as follows below.

**APPLICATION INSTITUTING PROCEEDINGS
SUBMITTED BY
THE REPUBLIC OF BOSNIA AND HERZEGOVINA**

I. STATEMENT OF FACTS

F. Specific Factual Allegations of Acts of Genocide.

Killing Members of a Group

1. Information Coordinator on War Crimes in Former Yugoslavia, a Canadian research group, compiled statements from a group of Bosnian Muslims who survived concentration camps run by various Serbian military and paramilitary forces in Bosnia-Herzegovina.

2. In one account, a Muslim woman identified as SN 011 described the atrocities committed against her and her family and prayed for the punishment of the Serbian forces for these genocidal acts.

a. I accuse them for burning down my home, destroying all of our property, for taking my husband and my father-in-law to a concentration camp and for torturing them. I accuse them for harassing and terrorizing my mother and my sister, threatening [them] with murder ... and expelling them from the town they lived in and telling them that all that they are doing to my mother and my sister is because they are Muslim and that all the Muslims are to be killed or expelled.

b. They should be punished for all those innocent friends, cousins, neighbors [and] acquaintances killed and tortured; for all the mothers, sisters [and] wives raped ...; for the parents slaughtered in front of their children; they should not escape justice because of all the suffering, torturing, starvation and terror that they made my [husband] and my father-in-law endure, together with hundreds and thousands of other innocent people

3. In another statement, a Muslim woman identified as AD 010, described an attack on her village by Serbian forces (Chetnicks).

a. On the 25 of May the Chetnicks attacked our village, which was a Muslim village, and by the 31 of May all the men from the village were taken to a concentration camp. In the first attack they shelled the village. The people out of fear were fleeing their homes. I saw many of them fall, their bodies and limbs flying into the air. Bodies of men, women, children, and all that just because they were Muslims. They killed en masse, pillaged and burnt our houses, detained women, elderly and children and burnt them alive. They took the young men from 20-30 years of age [and] brought them to a school to torture them One of my uncles was taken. He survived a firing squad. Two of his brothers and four of his nephews, together with 170 friends, cousins, neighbors. He laid hiding with three wounds. He managed

to escape because the Chetnicks thought everyone was dead. We took him in a forest after a few days, but he could not go home, knowing that they would be looking for him since he witnessed a genocide of 180 Muslims. He's been hiding for two months and finally they found him one day and since then we have not heard from him.

- b. They have been torturing us all in different manners. Every village had a Chetnick's headquarters where they spent most of the time. They would take our food, our gold and jewelry, [and] money. They took [my neighbor's] son away and they threaten[ed] to kill him unless she brings some money. She and her husband were collecting money through the village, ... and finally when they brought the money the Chetnicks let her son go, but they killed her husband. First they mutilated his body with knives, engraving a cross on his body, [leaving] him to bleed, and finally killing him only at night. In that same manner they killed another of my neighbors, it kept going on; and all this for one simple reason: They wanted to cleanse everything Muslim.
- c. They raped my neighbor, a 65 year old woman, and then killed her. They killed her husband as well, who was a totally handicapped and helpless person. When we got the permission to bury them, we found them mutilated. We had to pick up his head and the brain with a shovel.
- d. A friend of mine was kept in captivity because her husband was fighting on the Bihac front. They were threatening her with killing her and her three children if her husband [did] not come back and give himself up. After they took our husbands away we [did] not hear of them for almost two months. They sent us messages from the detention camps letting us know that they were alive. We women were at the mercy of the Chetnicks, being ourselves kept in some kind of a detention camp. The whole village was under their occupation and we were let to do only what they decided we could do. We lived in fear because everyday they could kill someone, and we were waiting for the same thing to happen to us.

(Information Coordinator on War Crimes in Former Yugoslavia, Statement of victim AD 010).

4. In another account, a Muslim civilian identified as 004 JF described his detention in several concentration camps.

- a. On the 30 May, 1992, I was forcibly detained in Prijedor SUP at 9 p.m. In SUP, [a] Serb soldier pierced my skull with the gun breech. We were all being mercilessly beaten; Serbs ordered us to face the wall so that we cannot see who was beating us. There were about one hundred Serb soldiers in the room "interrogating" and

beating us. They kept swearing at us saying "You f--- want a republic" "You f--- want a state," "You want a f--- Muslim state," and so on. Serb soldiers coming from the front were there and they were really wild, the worst. A Muslim, Hamzo (first name), was shot in the forehead and killed by a Serb soldier the moment we stepped in the SUP building. A Muslim, Nizret Trto when asked for his profession answered that he was a "dumpster" (dempsterista) and a Serb soldier said "Oh, a sniper" (snajperista), and shot him in the head dead on the spot. Curt Vesil (58 years) and his son Sead were beaten to death. All their bones were broken, Sead's nose was torn apart.

- b. From Prijedor SUP we were loaded into a bus, 150 of us crammed into the last third of the bus. Serb soldiers were driving the bus. Serb soldiers killed 2 or 3 Muslims in the bus. A normal road to Omarska is through Kozarac, but Serbs took us around through numerous Serb held posts or villages. At every such point, Serb villagers would enter the bus, Serb women, children, and they would hit us with wooden bars, stab us with knives, they would throw acid at us. Several people died, but we were not allowed to look. We reached the concentration camp Omarska at around 11 p.m. that night. When I was leaving the bus I saw that the bus was full of blood and many Muslims stayed on the floor, most of them dead.
- c. I was in Omarska extermination camp from 30 May 1992 [until] 6 Aug. 1992. I was beaten there daily for 3 to 4 hours. Going to the toilet meant being practically killed by Serb hordes (soldiers). Omarska is a mine and there was a lot of material from the mine lying around - wooden beams, cables, iron bars, metal supporters, etc. Serbs used all these materials when beating us. They were hitting me, as well as others, in the testicles, using metal hampers, metal bars, kicking with the boots. My testicles were swollen, the size of large oranges. The number of tortures varies, from one [or] two to twenty or more. They would gather around vans, drink or take drugs, swearing at us: "F--- your Muslim mother," "F--- your Turkish (Croatian) mother," "F--- you and your Republic" and so on. Serb torturers forced us to lie down on the floor with our hands on the head so that we cannot see who was torturing us. We were taken outside and underwent the cruelest tortures and beatings from 8-9 a.m. till 7 p.m. Very often Serbs would put metal cans over our heads during the severe beatings so we could not see the torturers. Serb torturers would beat us, step or jump on us until they tired out. They were deliberately aiming their beatings at our testicles saying "you'll never make Muslim children again."

- d. When a Serb from a near-by village got killed in the fighting, Serb guards would let the whole village come to the camp to vent their rage, which they would do by mutilating and killing us.
- e. Every day Serb torturers killed about 70 to 100 Muslims (some Croats as well). There was a building we called a "White House" where the Serb torturers performed the killings. They first killed all the doctors and intellectuals. They even killed a UN doctor, Sadikovic Esad, I think he was in Zimbabwe or somewhere else in Africa with the UN.
- f. Around 13 May 1992, I was lying among a yard full of corpses; I happened to be near a garbage container, a little bit out of reach. Serb forces kept firing at the corpses, but somehow, due to my position, the shots missed me, and I managed to sneak back into the barracks later.
- g. One day I was in the detail loading corpses into a 7-ton truck. We were throwing corpses in, until the truck was one meter high with corpses. I sneaked away from that "job", I could not take it. I saw Serbs using heavy machinery to excavate big holes, use trucks to dump the corpses into the hole, and use dump trucks and construction machinery to fill the holes and level the ground.
- h. Serb torturers used iron bars to beat Muslims (some Croats) to death. They would not spare any part of the body, breaking all the bones so that the beaten Muslims begged their torturers for a bullet, to be shot dead. Serb torturers stabbed my arms with knives. I saw Serb torturers stab others ..., twisting and turning the knives inside them. I saw how Muslims were forced to bite each other's testicles off, their mouth filled with testicles and blood, ripped blood vessels sticking out of their mouths. Daily Serb torturers forced Muslim prisoners to f--- each other, to perform oral sex on each other, forcing these bestialities especially among family members, between a father and son.
- i. In a small room filled with Muslims, Serbs would throw tires that were set on fire and Muslims would burn alive. We had to lie down on the runway, or road, with our heads down. I saw Muslims beside me being shot dead for moving their heads. While we were lying down Serbs would jump on us in their boots, jump on us from the steps, from garage roofs, breaking people's bones, they would drive cars, even heavy trucks over us, seriously injuring and to a large extent killing the unfortunates.

I would be lying down for 4-5 hours, being mercilessly beaten by five even ten Serbs at a time.

- j. Serbs were executing planned killings. Omarska extermination camp was a place where Serbs were executing so called "revenge" killings. Serbs would accuse doctors of choking to death Serb children, professors and teachers of being unfair to Serb students, and killed them immediately for these "crimes". I was lucky to have given an assumed name, for Serbs asked for me by name to kill me (my Serb neighbors could not recognize me, the tortures chang[ed] completely my features). (I learned later that Serbs searched to find me abusing my family, my father and my wife in the process).
- k. Omarska extermination camp had women prisoners as well. Daily Serb soldiers would take girls and bring 5-6 men per girl, Serb soldiers, prisoners to rape them. Sometimes I was among the men forced to rape the girl[s] They were raped constantly, non-stop every day. They raped older women, Croats, 60-65 years of age. One named Divis, was raped by 12 men. There were many young girls, around 16 years that were being raped daily
- l. Serbs would torture us by extinguishing their cigarettes on our bodies. However that was reserved mostly for Muslim women. Serbs would extinguish their cigarettes on the Muslim women's naked bodies, mostly their breasts and vaginas. Serbs would also shove bottles (mostly half-liter beer bottles) up the Muslim girls' vaginas Serbs would stick a bottle inside Muslim women's vagina and then break them inside them.
- m. In Omarska there was a shop where dump trucks were being repaired - we called it the "Red House." Serb torturers killed many prisoners in the Red House. That was the place where I saw the Serbs cut people's noses, ears, limbs. When I was cleaning the room in the Red House the floor was full of human body pieces, pieces of the skull, fingers, ears, noses. Outside on the road, skull pieces were scattered everywhere.
- n. On the 25 or 26 June Serbs forced me to drink 5 liters of used, dirty motor oil drained from a truck oil filter, with the intent to kill me in a terribly painful manner.
- o. I witnessed Serb guards shoving a fire hydrant hose into a man's sphincter (it was a man from a village Kozarac), letting the water run full force from the hydrant, until the man swelled and then died bursting to pieces.

- p. Serb torturers were constantly robbing Muslim prisoners of their belongings. Many of us prisoners had thousands of German Marks with us. Serbs would sell us food at exorbitant prices. Once we paid, Serbs would come, beat us and take the sold goods back Serbs were taking Muslim prisoners' watches, jewelry. At first Serbs cut people's fingers to get the rings off of them, later after a period of starvation, rings would come off easily. Serbs were knocking Muslim prisoners' teeth to get at the gold fillings
- q. Serbs were rounding up all non-Serb civilians, mostly Muslims, and bringing them to Omarska from near-by villages - Carakovo selo, Hambarina, Ljeskava, Ljubija, Ravska. It seems only one or two from each village would make it to the extermination camp Omarska. Carakovo selo had 4000 people, they were all rounded up, but only one made it to the extermination camp. From comparing testimonies of the surviving eyewitnesses, in Prijedor itself Serbs slaughtered 22,000 Muslims. Out of a population of 42,000 hardly 2,000 remained.
- r. Serb torturers were starving us in Omarska. For 40 days I was eating only bread. Serbs would ration bread, one loaf of less than 1 kg was cut into 47 slices, and one slice was the ration per prisoner with some dirty water. In order to get to the kitchen I as well as the others had to endure cruel beatings by Serbs. They were also beating us while we were eating. Serb torturers allowed us 1 minute to finish the meal. In the extermination camp Omarska there was water that was used to flush the ore from the mine, as well as the water used to wash the machinery. We were forced to drink that water to survive. I lost 39 kg in Omarska.
- s. On 25 May 1992 [a] Red Cross visit to the extermination camp Omarska was announced. Serb torturers hid immediately 150 Muslim prisoners, threw in some beds in the rooms with bed linen, and we were forced to tell the Red Cross that we were Muslim fighters, captured just prior to their (Red Cross's) arrival.
- t. On the 6 Aug 1992, we were driven away by Serb hordes to Manjaca concentration camp. There had been over four thousand Muslims (and Croats) that arrived to Omarska with me. Less than fourteen hundred of us were left to go to Manjaca. They moved us from the extermination camp Omarska, as Red Cross members told us, because the world has found out about us, news articles were being published about us. We were driven in the bus. Serb torturers were beating us all the time in the bus, forcing us to sing Chetnik songs, killing us. They slit throats of seven people right in front of my eyes. The trip of about 40 km took us 12 hours. The bus would

often stop, Serb civilians, soldiers, Chetniks with long beards and Chetnik insignia, women [and] children would enter to beat us mercilessly, with stones and anything else. Serbs did not give us anything to drink, it was hot and they forced us to swallow a handful of salt. I was perspiring profusely, and in order to survive I drained the perspiration from my sweatshirt into [my] hands and drank that.

- u. In Manjaca, Merhamet (Red Crescent) registered us. The Red Cross took over food deliveries. However most of the food was taken away by the Serb guards. We were supposed to receive some fish for breakfast (2-3 pieces), but Serbs were giving us one for two people, and even that not always. When the Red Cross truck arrived Serbs first collected, at the entrance to the storage depot, rations for their army. Later on, when the Red Cross left, Serbs would wheel away most of the fruits and vegetables. Muslim prisoners would be checked by Red Cross medical staff which would prescribe drugs. These drugs never reached any prisoners, they were all taken by Serb guards for their needs. The only thing we received were pills for strength, which Red Cross gave us right into our hands.
- v. In Manjaca Serb guards forced us to [do] all kinds of manual labour. We were forced by Serbs to cut wood in the forests, dig potatoes, cut the grass, load the hay, pick corn, graze sheep, cows, etc. Around one thousand people or more went out, working in the stables, in machine shops, sewing clothes, making wooden figurines, butts for rifles, and so on.
- w. In Manjaca concentration camp I witnessed Serbs taking 142 Croats for [a] prisoner exchange in Knin. As told to me by one of the Croats, Halupa Zdenko, it took them 5-6 days for the trip but the exchange was not executed, because Serbs demanded a Serb major in exchange. In Knin they were holding them in a tower. Serbs would let dogs [and] children ... come and abuse them. They broke bones of ... most of them. When they returned I watched from the kitchen how Serbs were beating them severely.

(Information Coordinator on War Crimes in Former Yugoslavia, Statement of victim 004 JF).

5. In another account, a young Muslim female identified as JK 001 reported the details of her expulsion by Serbian forces.

- a. Every day they entered houses in which there were only women and children remaining. They plundered, killed and raped even the 5 year old girls and old women. So our own house was a prison camp to us for they could come in and kill us at any time of day or night. When

they were searching my home we were taken into the backyard and made to stand in a row. They threatened to shoot us if they found weapons in the house. There were no weapons, they plundered the house and took the gold and told us they would come back again and kill us because we were Muslims

- b. I and my old mother together with our neighbors joined those people. We stayed in the houses that had been plundered and the owners of which had been killed or taken to camps. It was horrible. There were about fifty of us in one house, we slept on top of each other, and the odor of the dead bodies, which were in the garages [and] in the gardens, was everywhere. They killed the men and the women had to bury their husband, or son, or father with their own hands and to the best of their abilities. There was blood, blood of an innocent son, child, woman, or man on the walls of the house. We slept there and waited for our departure, and they were standing on guard outside, singing, drinking, and listening to the Tchetnik songs and even shooting the houses.
- c. After a few days 9 trailers and several buses came On [the way to] Vlasic, 160 men, old and young, were taken from that first convoy that had left before mine, and killed. That information frightened us, so we became upset and started to leave, but they made a circle around us and said that we would get what we deserved, and that was death, death to all Muslims or "Bulas" as they were calling us. They loaded us onto the trailers and we left, not knowing ourselves whether we were going to death or to freedom When we came to Vlasic they gave us three minutes to get off the trailer. We were falling down like sacks out of the trailer and it was hardest for the old women and children. When we got out they started to separate girls and women. Fortunately I had a scarf on my head and my aunt's child in my arms. They set apart about thirty girls. They separated an old woman from her two daughters; she protested, cried, went down on her knees and begged, but there was no mercy, she got a bullet in the head. The girls were taken to an unknown destination and even today it is not known. In a line, we started walking towards Travnik; the men went separately and the Tchetniks were shooting after them, and many of them got killed because they had been at the back of the line. They told us to follow the road and we would get to our "balijas" (derogatory word for Muslim), and to tell them they should be grateful that they did not kill us all. The journey was long and strenuous; many old women were carried in blankets or in wheelbarrows, and some sons carried their mothers on their backs until finally we reached Travnik, which was

hard to believe after so many dead bodies of our Muslims had been left lying on the road and everywhere where the Tschernik's foot was set. And the only reason for that all is that we are Muslim.

(Information Coordinator on War Crimes in Former Yugoslavia, Statement of victim JK 001).

6. In another statement, a concentration camp survivor identified as 003 NA described the conditions of his confinement.

- a. On May 27, 1992, ... Serbian forces kept announcing over the radio that people must gather at the practice field. Muslims and Croats started leaving their homes and Serb forces forced them to march to the practice field under mortar fire. I saw tens of people being wounded as well as a number of civilians being killed From there I observed Serbian Armed Forces [the official forces of the Serbian municipality of Sanski Most] looting the marked houses (with white sheets), burning them to the ground afterwards. A large number elderly stayed in their homes thinking that no harm [would] come to them because of their age. However, Serbian Armed Forces went around killing them
- b. During the abduction and in the confinement, I suffered constant beatings at the hands of the Serbian Armed Forces and Serb civilians. Serbian Armed Forces and Serb civilians were hitting me with bats, rifle butts, kicking me with boots. One Serb, a neighbor that went to the same school as I, attempted to murder me. He put a gun barrel into my mouth while another took my hand, pulled a knife and attempted to cut two fingers off my hand (this is to mimic the popular Serb three finger salute), but somehow they changed their minds I was beaten over the head with chair legs, kicked in the kidneys, in the back. My head was so swollen, twice the normal size, from the beatings that my father, who was also detained there, could not recognize me.
- c. During the confinement we were given some drenched oozi food, one tablespoon per meal, twice a day, sometimes not even that. Serb guards allowed us thirty to forty seconds for the "meal." While trying to get to the meal servers and during the meal, we were constantly beaten I lost there, in one month, fifteen kg.
- d. On 7 July 1992, we were driven away by the Serb hordes to Manjaca concentration camp in transport trucks. Serbs packed about 180 people into a half-ton truck, closed us in with the tent-cloth, which was held tightly in place with steel cables. On the way Serbs would stop the truck in a sunny spot and wait for the temperature to rise. People had no choice but to urinate and

defecate on themselves and people around them. In the truck I was in, eighteen Muslims died from thirst. After we arrived, we were first severely beaten by Serb hordes, they shaved our heads and then Serbs threw us into stables, where sheep and cows had been kept before. The stable swarmed with flies and the conditions were appallingly unsanitary. Some very prickly and sharp grass was strewn over the cement floor where we were sleeping. The stable was 40-60 meters long, its sides made of tin. There were six or more stables in the concentration camp, all surrounded by barbed wire, the ground around them mined with explosives, there were watch towers there with machine-gun positions. Serbs crammed about 700 people into one stable. We could only sleep lying on the side. While inside, Serbs forced us to keep silent, not a sound was allowed to be uttered. In the silence we could hear terrible screams. At first we thought the sounds were coming from some animals, but soon realized they were coming from people under extreme torture. Serb camp guards rationed our water, one glass of water a day [for] four people (it was summer!). If one in the group drank the whole glass the rest would get nothing. In the morning we were fed tea without sugar and with no bread. For dinner we would get exactly three beans in tepid water without any spices, seldom with bread, which was a thin slice or half a slice sometimes. We had to eat in the crouching position, holding our heads down. Dishes were unwashed, and often I would see feces swimming in my dish. On occasion we were fed meat from dead animals. Serbs enjoyed forcing pork on hojas (Muslim priests) and other Muslims. The starvation was so severe that I know cases of Muslims not having any bowel movements for two months.

- e. Serbs "interrogated" us daily - there would be up to twenty "interrogators" at a time shouting at me at the same time and hitting me. The "interrogation" was invariably accompanied with physical mistreatment, with severe beatings. Serb guards, soldiers, civilians, interrogators, most of them drunk or drugged most of the time, were incessantly humiliating us verbally, swearing: "F--- your mother," "F--- your Turkish mother and family," "F--- you and Alia - allusion to Alia Izetbrgovic, the democratic president of the [R]epublic of Bosnia and Herzegovina," "You f----- Turkish bastards, you want a state," and so on. The concentration camp's P.A. was constantly blaring Chetnik songs
- f. Every day Serb guards would take us out of the stables at 7 a.m., forced us to sit in the sun holding our heads down - we had to hold our heads down all the time - and our hands behind our backs. Serbs forced us to stay in this position till 3-4 p.m. Serbs - guards, soldiers,

civilians - would come and beat us with bats, pieces of wood, metal bars, hoses, wire cables, [and] would kick us; they would hit us in the kidneys, across the neck, over the head, across the back. We had to look straight down at all times. Fathers and sons would not know [of] each other although they may have actually been [within a] few meters of each other.

- g. Around 10 July 1992, Emir Mulalic, a policeman from Sanski Most was being beaten with the intent to kill, the beating being so savage. After he passed away, I heard Serbs order two camp prisoners to hold him. Serbs forced the two to hold the corpse for two hours. Then they called a doctor, who declared him dead from a burst vein in the brain.
- h. Often Serb civilians were let into the concentration camp including women and children. They would spit on us, stone us, beat us with anything they could lay their hands on. Some would even cut fingers of [f] prisoners' hands leaving only three fingers (Serb salute). Serbs forced us to do all kinds of manual labour, such as agricultural chores, digging potatoes, digging irrigation ditches, we had to worked as lumber-jacks carrying wood from the forests on our backs - Serbs forced the prisoners into the woods in their T-shirts in winter in bitterly cold weather. While working in the fields, I saw Muslims grazing grass from being starved until their stomachs swelled.

(Information Coordinator on War Crimes in Former Yugoslavia, Statement of victim 003 NA).

7. Although the incidents described above alone support the charge of genocide, they are only representative of the accounts by a group of Bosnian Muslim refugees in Canada, victims of the mass rapes, killings, and other tortures that have been committed by Serbian forces in Bosnia-Herzegovina.

8. In addition, Muslim victims are not the only witnesses to the genocidal acts committed by the Serbs. In the November 27, 1992 issue of The Globe and Mail, Borislav Herak, an imprisoned Serbian soldier described murders, rapes, and other tortures in which he participated or observed. (Burns, John, "Serb soldier finds killing of innocents easy," The Globe and Mail, Friday, November 27, 1992). Herak's story is the first account given by a perpetrator to outsiders of how the Serbian nationalist forces have carried out their plan of "ethnic cleansing".

9. With other Serbian soldiers, Herak emptied a 30-bullet magazine at a family he had found in the basement of a home at Ahatovici, a Muslim village. Four children under the age of twelve, two elderly women, and four men were killed. Herak

explained that Serbian commanders called the Serbian operation in the village ciscenje prostora, or the cleansing of the region, and had told the Serbian fighters to leave nobody alive. (Id.).

We were told that Ahatovici must be a cleansed Serbian territory, that it was a strategic place between Ilidza and Rajlovac, and that all the Muslims there must be killed. We were told that no one must escape, and that all the houses must be burned, so that if anybody did survive, they would have no where left to return to. It was an order, and I simply did what I was told.

(Id.).

10. In another incident, Herak used a hunting knife to cut the throats of three captured Muslim men who were Bosnian soldiers. (Id.).

11. In early June, Herak watched a Serbian unit called the "special investigation group" machine-gunning 120 men, women and children in a field outside Vogosca. Dump trucks were used to transport the bodies to scrub land beside a railway yard at Rajlovac, near Sarajevo, where the bodies were piled in an open pit, doused with gasoline and set afire. (Id.).

12. In another incident that occurred in July, Herak saw 30 men from Donja Bioca, a Muslim village five kilometers northwest of Vogosca, shot and incinerated in a furnace at a steel plant at Ilijas, a town north of Vogosca. He said some of the men were still alive when they were thrown into the furnace. (Id.).

13. Herak also described seeing the bodies of 60 Muslim men who he said had been used by Serbian forces as a "human shield" when Bosnian forces were trying in August to drive Serbian forces off Zuc Mountain, outside Vogosca. (Id.).

14. Regarding the use of rape as a weapon of war, Herak explained that he and his companions were encouraged to go to a motel by Serbian commanders who told them that raping Muslim women was "good for raising the fighter's morale". Herak stated that he went to the motel once every three or four days, and that although Serbian fighters routinely took the women they raped away and killed them, there were always more women arriving. (Id.).

Causing Serious Bodily or Mental Harm to Members of the Group

15. In early September of 1992, in Bosanski Petrovac, a group of Muslim villagers were approached by uniformed Serbian soldiers. A woman in her thirties gave a statement regarding the incident. The soldiers took her to a house, stripped her at knife-point, asked her to say whether her husband had weapons, threatening that they would kill her if she denied it, and raped her. Two teenage

girls were also raped by the soldiers. Two adult males were taken to a nearby forest, bound with chains, beat and burned with cigarettes by the Serbian soldiers. (Amnesty International, "Bosnia-Herzegovina - Rape and sexual abuse by armed forces," January 21, 1993, page 6).

16. A twenty-seven year old Muslim woman interviewed by Amnesty International described her abduction by Serbian soldiers. In late July she was taken by uniformed Serbs to a private house in the town of Kotor. Inside, the officer hit, bit and raped her, keeping an automatic weapon close at hand throughout. (Id., page 7).

17. On June 17, approximately 1,000 women and children were taken away by Serbian forces from their home village of Brezovo Polje by bus. Travelling without food or water, they arrived in the town of Caparde several days later. In the course of the journey some women and girls were taken by Serbian soldiers from the buses while they were parked in the village of Ban Brdo for several nights and were returned with blood stains and torn clothes. (Id., page 10).

18. At Caparde the older women were separated, reportedly by paramilitaries from the group controlled by Zeljko Raznatovic (commonly known as Arkan), and were taken by bus to the battle-lines which they then had to cross on foot. The younger women were held for several nights in a furniture warehouse in the town. Serbian soldiers selected and raped 40 of the women between the ages of 15 and 30 years. The young women rejoined the older women four days later after being forced to pass along a mined road. Doctors who received them in the Bosnian Government-controlled town of Tuzla following their release reportedly said that some of the girls were pregnant. (Id.).

19. In an interview with a Zagreb doctor a 17 year old Muslim girl from the village of Kalosevici near Teslic stated that Serbs in JNA (Yugoslav People's Army - Jugoslavenska Narodna Armija) uniforms took her and other women from the village in late April to an unknown location, apparently some sort of workers' huts, in woods near the town. She was held there for three months until released with twelve other women by a local Serb. Twenty-four women were held in her hut, although she believes she saw about 100 women in total as they were unloaded. She and others were beaten upon arrival and on later occasions. Twelve women, including the informant, who were held in her room were raped in the room in front of the other women on multiple occasions, sometimes by more than one man at a time. Other women who tried to defend her on one occasion were beaten and one of the perpetrators told her, "You will bear a Serbian child". (Id.).

20. In a hospital in Zagreb, seventeen year old Marianna described her confinement in a detention camp. For months she was raped as many as ten times a day by Serbian soldiers after she and

24 other women were taken from their Bosnian village, Tesanj, to a camp in a nearby forest. During the rapes, a Serbian guard told her, "Now you will have Serbian babies for the rest of your life." (Squitieri, Tom, "Weapons in Bosnia: Rape, degradation," USA Today, August 10, 1992, page 1).

Deliberately Inflicting on the Group Conditions of Life Calculated to Bring About its Physical Destruction in Whole or in Part

21. According to the Amnesty International Report, "A wound to the soul," between 50 and 70 civilians, mainly Muslims from Bosanski Petrovac, and 22 soldiers captured by Serbian forces after the fall of Kulen Vakuf were held in barracks at Kozile. (Amnesty International Report, "Bosnia-Herzegovina - A wound to the soul," January, 1993, page 10).

- a. Prisoners at Kozile were held in six rooms, each about three by four meters in floor area and holding between ten and twenty detainees each. Almost all natural light was blocked out by wooden boards nailed over the windows. The prisoners were given three meals a day, of similar quality to that received by the soldiers guarding them but of smaller quantity. A few of the prisoners had beds, some of the others had pieces of foam rubber, a few centimeters thick, to sleep on and most had blankets On one occasion a doctor or nurse visited and left some medicine for those suffering from diarrhea.
- b. What prisoners most feared were the regular beatings which usually occurred at night, often after the soldiers had apparently been drinking heavily. 'The most terrible thing was waiting for your name to be called out,' recalled one former prisoner. 'The front door had an old lock with a nail. Whenever we heard the terrible sound of that lock we knew someone would be called out and we feared it would be us.' The selected prisoner was usually taken to another building about 15 meters away from which the other prisoners could hear screams of pain. One or more guards would kick the prisoner, punch him, and beat him with wooden truncheons. The victim was returned to the cell usually after a period of between thirty minutes and two hours, usually extensively bruised. While some prisoners appeared to have been beaten only once or not at all, others - especially Muslims considered to be wealthy or well educated - were allegedly severely beaten on at least seven or eight occasions. On at least one occasion a prisoner was made to beat another prisoner with a wooden club. Some victims were reportedly placed

in solitary confinement after being beaten for anything from one hour to several days.

- c. One 23 year old Muslim decorator, was arrested on 30 June 1992 and taken to Kozile after being held for two days at the police station in Bosanski Petrovac. On one occasion at about midnight, another Muslim prisoner in the same room named HK, aged about 35, was taken outside and beaten for about half an hour. Twelve guard dogs started barking as they beat him. In the decorator's words: 'It was as if the forest were crying.' HK was then made to crawl back into the room on all fours, barking like a dog His drenched clothes showed that he had been dunked in the trough of water outside. As the other prisoners were removing his clothes HK was called out again and after about fifteen minutes he was again made to crawl back on all fours
- d. When asked whether they could see HK's injuries the next morning, the decorator replied, 'Yes, because he slept with us in the room. All his clothes were off so one could see everything. His back was black and blue everywhere. One couldn't find a place big enough to stick in a needle that wasn't bruised.'
- e. HK had been beaten or kicked over all his body with the exception of his head. After three days he could walk with the assistance of his fellow detainees, but could not walk unaided for at least another two days.
- f. One prisoner, ZR, aged about 35, was beaten about the head. Another prisoner who saw him two days later said, '[ZR] looked as if he had been stung all over by bees. You could not see any white in his eyes - they were all bloodshot. His cheeks were bruised. His lips were badly swollen.'
- g. On 6 August 1992 between 10 and 20 civilian detainees were transferred from Kozile to Kamenica, also described as barracks for workers, about 15 kilometers from Drinic. On 21 August the remaining civilians in Kozile were released. Kamenica camp reportedly held about 70 detainees, mainly Muslims but also some Croats and Serbs. The Serbs were reportedly soldiers who had deserted from the front or had committed thefts. All Muslim and Croat prisoners were held in one room about 10 meters by 15 meters. Basic conditions were better here than at Kozile. The food improved and a doctor visited three or four times over a three month period. Detainees slept on a thin piece of tarpaulin and each prisoner had a blanket. Prisoners worked in the camp constructing fences, painting and cleaning the grounds.

- h. However, it seems that after the civilian population of Bosanski Petrovac negotiated their departure on 24 September, the detainees in Kamenica started to be ill-treated. One 23-year old male Muslim was tortured in late September three days after a visit by the International Committee of the Red Cross (ICRC). An officer in charge of the guards called him for interrogation and asked him what he had told the ICRC delegation. He answered that he had only handed over a message for a relative, because his interview had then been cut short as he had been called to work and he had not had time to tell them anything more. After the answer he was hit on the back with a truncheon by another guard before the officer in charge sent him back to the sleeping room. Returning to his room he was intercepted by a group of six Serbian prisoners who then beat him with truncheons for several minutes before one of the guards who was looking on intervened. Fifteen minutes later he was again called from the sleeping room: 'They took me to the other side of the school. There were eight of their [Serbian] guards and prisoners. One drove me forward with a rifle in my back. I went there and they started to beat me. They beat me for between 35 and 40 minutes. They said to me, Don't cry out or it will be the worst for you. They also questioned me, Did you say [to the ICRC] that Bosanski Petrovac had been evacuated by force?'
- i. He was beaten about the shoulders, arms, back, legs and groin with ordinary police truncheons, although one of his tormentors wielded something which he described as being like a baseball bat or a riot-control baton - in his own words: 'When it hit you it was like an electric shock going through the body.' The following is his description of the pain and being returned to the sleeping area: 'At first I felt all the blows [during the beating], but when I entered the sleeping area I just wanted to lie down. I didn't feel pain, but there was no way I could lift my arms since I couldn't feel them. That night I couldn't sleep. After one or two hours I felt the pain. I could not get up, move or turn, I couldn't do anything. In the morning after dawn they [his fellow prisoners] took the clothes off my upper body. When I was undressed my arms looked as if they had been inflated with a pump for car tires.'
- j. The victim stated that he could not stand for four or five days and that he had serious pains for a whole month. He still complained of pain in his groin and right arm in late November.

(Id., pages 10-13).

22. These accounts detail acts that clearly constitute genocide. The Serbians targeted members of a distinct group, i.e. Bosnian Muslims, killed, caused serious bodily and mental harm to members of that group, and deliberately inflicted on that group conditions of life calculated to bring about its physical destruction in whole or in part. The fact that these acts occurred during war-time does not shield the Serbians from prosecution. There is no excuse for these atrocities. The Serbians are guilty of genocide.

CONCLUSION

The Republic of Bosnia and Herzegovina hereby respectfully requests that the Court consider this additional evidence during the course of these proceedings and in support of its Request for an Indication of Provisional Measures of Protection.

Respectfully submitted,

By:

Francis A. Boyle
Francis A. Boyle,
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Agent for the Republic of Bosnia and
Herzegovina

GEN 93/16

Le 22 mars 1993

Distributed 23-3-93

Nouvelle affaire : Bosnie-Herzégovine c. Yougoslavie
(Serbie et Monténégro)

Données supplémentaires basées sur des faits déposés au Greffe
par la Bosnie-Herzégovine

Le Greffier a l'honneur d'informer MM. les Membres de la Cour que ce matin (22 mars 1993), l'agent de la Bosnie-Herzégovine a déposé au Greffe les textes originaux anglais de deux documents, intitulés tous deux "Éléments supplémentaires à l'appui de la requête introductive d'instance contre la Yougoslavie (Serbie et Monténégro) sur la base de la convention de 1948 sur le génocide et à l'appui de sa demande en indication de mesures conservatoires de protection".

/ Le premier de ces documents (annexe 1) contient un tableau chronologique de "Faits précis se rapportant au comportement de l'ex-Yougoslavie", et le second (annexe 2) présente des "Faits précis liés à des actes de génocide", comprenant des citations de déclarations faites par des victimes et des témoins. L'agent a expliqué qu'il avait été prévu de faire figurer ces documents dans la requête ou dans la demande en indication de mesures conservatoires, mais que cela n'avait pu être fait faute de temps.

Des copies sont communiquées à la Partie adverse.

La traduction française de ces deux documents sera fournie aux membres de la Cour aussitôt que possible.

**SUPPLEMENTARY SUBMISSION IN SUPPORT OF
THE APPLICATION OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA
INSTITUTING LEGAL PROCEEDINGS AGAINST YUGOSLAVIA (SERBIA
AND MONTENEGRO) ON THE BASIS OF THE 1948 GENOCIDE
CONVENTION AND IN THE SUPPORT OF
ITS REQUEST FOR AN INDICATION OF PROVISIONAL MEASURES OF
PROTECTION.**

25 March 1993

To His Excellency, the President, to the Judges of the International Court of Justice, the undersigned being duly authorized by the Republic of Bosnia and Herzegovina:

I have the honor to refer to the Application Instituting Proceedings that was submitted to the Court by the Republic of Bosnia and Herzegovina on 20 March 1993 against Yugoslavia (Serbia and Montenegro) on the basis of Article IX of the Genocide Convention of 9 December 1948 and the accompanying Request for the Indication of Provisional Measures of Protection that was also submitted to the Court on that date. In Section IV of that Application ("IV. Judgement Requested") Bosnia and Herzegovina reserved its "...right to revise, supplement or amend this Application." Since the Application was filed, additional evidence has come to the attention of the Agent for Bosnia and Herzegovina that he would like to draw to the attention of the Court and hereby submit in support of our Application and Request for Provisional Measures of Protection. This additional evidence is as follows below.

**APPLICATION INSTITUTING PROCEEDINGS
SUBMITTED BY
THE REPUBLIC OF BOSNIA AND HERZEGOVINA**

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I. STATEMENT OF FACTS
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I. SPECIFIC FACTUAL ALLEGATIONS RELATING TO THE CONDUCT OF THE FORMER YUGOSLAVIA AND/OR YUGOSLAVIA (SERBIA AND MONTENEGRO).

1. The following events are categorized chronologically. All cites refer to the same day edition of the New York Times unless otherwise noted.

MARCH 1992

2 March 1992: Bosnia and Herzegovina held a referendum approving independence and sovereignty on March 1. (New York Times, page 2)

3 March 1992: Rebel Serbian forces begin attacks on the Republic of Bosnia and Herzegovina, disrupting travel into and out of Bosnia. (Id., page 9)

28 March 1992: Leaders of Bosnia and Herzegovina appealed to the United Nations to deploy peacekeeping forces in the Republic with the hopes of stopping or slowing Serbian attacks. (Id., page 4)

APRIL 1992

7 April 1992: The European Community recognized the independence of Bosnia and Herzegovina on April 6. Serbian forces bombarded the historic Muslim quarter of Sarajevo. (Id., page 3)

8 April 1992: The United States recognized the independence of Bosnia-Herzegovina on April 7. (Id., page 10)

22 April 1992: Serbian guerrilla units intensify attacks on Sarajevo. Unlike other shellings to this point, there is a possibility that the former Yugoslav army did not participate. (Id., page 10)

MAY 1992

13 May 1992: The European Community and the United States removed their ambassadors from Belgrade. (Id., page 10)

17 May 1992: UN Peacekeeping Forces, originally placed to supervise a cease-fire between Serbia and Croatia, withdraw from Bosnia to Belgrade and Zagreb due to mortar and artillery attacks erupting around them. Only 120 troops remained in Sarajevo to help with food convoys and to seek a lasting cease-fire in Bosnia (Id., page 10)

21 May 1992: Serbian forces held 5,000 hostages fleeing the war in Bosnia until the government of Bosnia lifted blockades of the Yugoslav (Serbia and Montenegro) Army barracks. (Id., page 14)

22 May 1992: 5,000 hostages held by Serbian forces were released after the Bosnian government agreed to lift the blockade against Yugoslav (Serbia and Montenegro) Army barracks, and to supply the barracks with food and other supplies. (Id., page 13)

30 May 1992: Serbian forces unleashed a new attack on Sarajevo, the most severe attack on the Bosnian capital to date. (Id., page 1)

31 May 1992: The United Nations Security Council voted 13-0 to impose economic sanctions against the Yugoslav (Serbia and Montenegro) government in an effort to force Belgrade to bring peace to Bosnia and Herzegovina. (Id., page 1)

JUNE 1992

7 June 1992: Serbian forces attacked Sarajevo with the most sustained bombardment from artillery, mortar and rocket batteries since the siege of the Bosnian capital began. (Id., Page 16)

11 June 1992: A United Nations convoy was attacked on the outskirts of Sarajevo by Serbian guerrilla forces. The team was heading to Sarajevo in the hopes of opening the airport. (Id., page 6)

20 June 1992: Serbian fighters attacked the nearby suburb of Dobrinja with artillery, tanks and infantry. This attack dimmed hopes of opening the airport for airlifts for relief supplies. (Id., page 5)

21 June 1992: Statements are issued by survivors of a bus of refugees held hostage by Serbian forces outside of Sarajevo. Serbian gunmen opened fire on the bus with a bazooka and automatic weapons. As the dead and wounded lay in the bus, the attackers tossed hand grenades in the bus. Statements also issued by survivors of rape and torture at the hands of Serbian attackers. (Id., page 1)

27 June 1992: Sarajevo airport truce is shattered when Serbian forces used tanks and artillery to attack civilian buildings in an airport suburb. UN Security Council issues an ultimatum to Serbian forces to halt attacks and put their heavy guns under the United Nations' control. (Id., page 1)

28 June 1992: Despite an ultimatum from the UN Security Council, Serbian forces continued to shell Sarajevo with artillery fire. (Id., page 1)

30 June 1992: UN troops took control of Sarajevo airport and relief supplies began to arrive for the first time in 12 weeks. The UN planned to send 850 peace-keeping troops. (Id., page 1)

JULY 1992

12 July 1992: Serbian forces attack Bosnian city of Gzarde, a city with a population of 50,000 persons. (Id., page 1)

14 July 1992: Serbian nationalist forces continued their siege on Sarajevo by dynamiting four power-transmission lines that served the city, knocking out electricity to the 400,000 persons that remain in the city and idling the pumps that provide the residents with running water. (Id., page 1)

21 July 1992: Due to continued Serbian attacks in Sarajevo, an EC brokered treaty failed and the Sarajevo airport is closed. (Id., page 1)

29 July 1992: Reports published of Serbian forces force thousands of Muslims in western Bosnia to flee. Refugees described terror tactics and of being forced to sign away their property. (Id., page 4)

AUGUST 1992

3 August 1992: A bus carrying children from Bosnia to safety in Germany was attacked by Serbian artillery fire. A 14-month-old boy and a 3-year-old girl were killed. (Id., page 1)

4 August 1992: Initial reports begin to surface about the Serbian concentration camps. Survivors give detailed and consistent accounts of torture, rape and killings of Bosnian prisoners. (Id., page 1)

5 August 1992: A Sarajevo family burying a young girl killed during a Serbian attack, is attacked by Serbian sniper fire in the Sarajevo cemetery. (Id., page 1)

6 August 1992: Serbian forces pound Sarajevo with a massive artillery barrage into heavily populated civilian districts. Many independent and consistent reports from survivors of Serbian concentration camps describe horrific treatment of prisoners; comparisons to Nazi-style death camps are drawn by historians. (Id., pages 1,8)

8 August 1992: Nazi-style conditions of Serbian concentration camps are confirmed in part by British video of emaciated Bosnian prisoners in a Serbian camp. This video is broadcast throughout Europe and the United States. (Id., page 1)

9 August 1992: Serbian forces surround the northwest corner of Bosnia, cutting off 300,000 Bosnians from food deliveries and escape routes. (Id., page 10)

21 August 1992: Bosnian Serbs declare the formation of a new Republic (the Serbian Republic of Bosnia-Herzegovina) from territory seized from Bosnia. (International recognition does not follow). (Id., page 1).

22 August 1992: Radovan Karadzic, leader of the Serbian forces in Bosnia, pledged to close Serbian prison camps, return property his army had seized by force, and allow relief convoys free access to Sarajevo and other encircled towns. (Later, Karadzic would be shown to have failed to meet these promises). (Id., page 3)

25 August 1992: Fighting in Sarajevo intensified as Serbian forces shelled the center of the city and hit the Holiday Inn. The intensity of the attack forced suspension of relief flights. (Id., page 8)

26 August 1992: As peace talks convened in London, Serbian forces continued pounding Sarajevo with artillery fire, setting afire the city's main library. Serbian forces also continued their attack on Mostar, and Serbian planes bombed Novi Travnik. (Id., page 8)

27 August 1992: Serbs launch an artillery attack in Sarajevo, striking Muslim medieval buildings and the main library. (Id., page 10).

29 August 1992: Serbian leader Radovan Karadzic promised to halt sieges on 4 major Bosnian cities during the London peace talks. However, only hours after the conclusion of these talks, Sarajevo was bombed by fierce mortar and artillery barrages. At least 10 persons were killed, and Sarajevo's main hospital said it had treated 60 wounded people in a four-hour period. (Id., page 5)

29 August 1992: New reports by survivors of Serbian concentration camps describe the death and torture Bosnian prisoners face at the hands of their Serbian captors. (Id., page 1)

30 August 1992: Bosnian Serb leader Radovan Karadzic announces the lifting of the siege of the Bosnian town of Goradze, but the Bosnian government stated the fighting there continued. (Id p. 18).

31 August 1992: 15 Bosnians were killed and about 100 were wounded in a crowded Sarajevo market when an artillery shell launched by Serbian forces exploded in the middle of the market. (Id., page 6)

SEPTEMBER 1992

- 1 September 1992: A grenade was thrown into a cemetery during a Bosnian soldier's funeral, killing one person and wounding three. (Id., page 3)
- 4 September 1992: A UN plane carrying relief supplies to Sarajevo was shot down. President Bush of the United States criticized Serbian run camps, saying that prisoners face malnutrition, starvation, sexual abuse, beatings and executions. (Id., page 1)
- 9 September 1992: Serbian forces have returned to the siege of Goradze. Serbian militias under the command of Dusko Kornjaca began the assault which, by Kornjaca's own estimation, killed 50,000 men. (Id., page 1).
- 9 September 1992: Bosnian forces attempt to breakout of the Serbian stranglehold on Sarajevo. (This attack would fail to break the siege). (Id., page 10).
- 11 September 1992: A report from the Bush Administration states Serbian forces in Bosnia have been shadowing UN relief flights to Sarajevo as cover for air strikes against Bosnians. (Id., page 10).
- 13 September 1992: Serbs in areas of Bosnia and Herzegovina continued heavy shelling despite the fact that these weapons were to be turned over to UN supervision. (Id., page 2).
- 15 September 1992: Despite the presence of UN observers monitoring Serbian artillery positions in Sarajevo, Serbian forces began a new wave of shelling. (Id., page 3)
- 23 September 1992: A Bosnian Muslim details an account of how more than 200 civilians were massacred by Serbian forces after they were to be released from a Serbian concentration camp near Travnik; the prisoners were shot in the head and thrown into a ravine. (Id., page 14)
- 26 September 1992: The mass killings of 200 Bosnians near Travnik are confirmed by EC representative, Lord Owen, and UN envoy, Cyrus Vance. Also confirmed is a new wave of ethnic cleansing by the Serbians in the town of Banja Luka. (Id., page 2)
- 26 September 1992: United States officials report that as many as 3,000 Muslim men, women and children were killed in May and June at Serbian-run concentration camps near the Bosnian town of Brcko. A spokesman for the US State Department stated that the report included accounts of "willful killing, torture of prisoners, abuse of civilians in detention centers, deliberate attacks on non-combatants, wanton devastation and destruction of property, and others including mass, forcible expulsion and deportation of civilians." (Id., page 1)

27 September 1992: Attacks on Sarajevo intensify to become the worst week of shelling since April. 925 civilians were struck by sniper fire, 129 of them died. Sarajevo remained without electricity and running water. (Id., page 12)

27 September 1992: Bosnian Government declares that 11,000 persons are "known" to have died as a result of the Serbian invasion, with another 56,000 missing. Sarajevo. (Id., page 12).

OCTOBER 1992

2 October 1992: Over 500 residents of the city of Grbavica, a suburb of Sarajevo, were forced to leave their homes and belongings behind after their town was seized by Serbian forces. This was considered to be compelling evidence that the Serbs are reneging on their promise to end "ethnic cleansing." (Id., page 1)

3 October 1992: At least 150 Muslim women and teen-age girls were in advanced stages of pregnancy after being raped by Serbian nationalist fighters. They also said that they were imprisoned for months afterward in an attempt to keep them from having abortions. (Id., page 5)

6 October 1992: Serbian forces intensified their shelling of Sarajevo again, attacking several high-rise apartment buildings. Several of these buildings were set on fire causing the residents to throw their belongings over the balconies in a effort to save their property. (Id., page 10)

8 October 1992: Serbian attackers unleashed an artillery attack in the town of Hrasno. The Serbs used incendiary shells to turn the neighborhood into an inferno. (Id., page 14)

9 October 1992: Serbian forces resumed their offense in Northern Bosnia after consolidating their substantial earlier victories. (Id., page 32).

10 October 1992: A Serbian mortar shell exploded in a courtyard full of children. 3 were killed, 10 were wounded. Several of the children had limbs amputated. (Id., page 10)

11 October 1992: Less than 24 hours after the UN imposed a ban on military flights, Serbian fighter planes attacked the Bosnian town of Gradacac. At least 19 persons were killed, 34 were wounded. Other Bosnian towns in northern Bosnia near Brcko were also hit. (Id., page 10)

11 October 1992: Croatians are forced to flee after the Serbs conquer the Bosnian town of Bosanki Brod. (Id., page 1).

19 October 1992: Sarajevo states that Serbian shelling has destroyed the city's only flour mill, causing potential starvation for a people whose primary food is pasta and bread. (Id., page 5).

20 October 1992: 2500 Bosnian Muslims were expelled from their homes by Serbs near Kotor Varos. (Id., page 10).

22 October 1992: Serbs begin a massive shelling project against Sarajevo in the hopes of having that city capitulate without a struggle. Serbians by this date are now in occupation of at least two-thirds of the territory of Bosnia. Serbs are receiving logistical support from Yugoslavia (Serbia and Montenegro). (Id., page 1).

25 October 1992: Serbs begin stepping up attacks on several strategic Bosnian cities. (Id., page 12).

29 October 1992: Bosnia suffers its worst defeat yet at the hands of the Serbs, as the strategically located city of Jajce falls to a Serbian offensive. A line of refugees from the city extends 30 miles. (Id., page 3).

NOVEMBER 1992

1 November 1992: Thousands of exhausted soldiers and civilians arrive in Travnik, in Bosnia-Herzegovina, after the military defeat for the Bosnian forces in Jajce. (Id., page 14).

3 November 1992: As a result of the Serbian capture of Jajce, 35,000 Muslims become refugees in Vitez. UN officials now estimate 1.5 million people in Bosnia have become homeless, not including those trapped by the Serbian siege of their communities. (Id., page 3).

6 November 1992: United Nations declares since October 22, Serbian forces have flown 18-20 unauthorized flights over Bosnia (as prohibited by Security Council resolution). (Id., page 8).

6 November 1992: Fighting breaks out between Serbs and Muslims near the Sarajevo airport. An American relief plane is hit. (Id.).

10 November 1992: Bosnian Serb leader Radovan Karadzic demands partition of Bosnia along ethnic lines, or threatens to intensify the fighting. (Id., page 8).

14 November 1992: Bosnian Foreign Minister, Haris Silajdzic, states 100,000 people, mainly Muslims, have been killed as a result of Serbian aggression. (Id., page 5).

20 November 1992: French troops protecting a Bosnian relief convoy are attacked by Serbian forces. (Id., page 1).

21 November 1992: Serbs begin heavy shelling against the Bosnian town of Travnik. Travnik is key to the Bosnian defense, as it controls one of the key access roads into Sarajevo. Reports are Bosnia sent 6000 men to defend the city. (Id., page 3).

22 November 1992: Travnik in Bosnia under attack by Serbian forces in an effort to open another road to Sarajevo. (Id., page 8).

24 November 1992: Heavy shelling by Serbian forces in Sarajevo is reported. In addition, Serbs step up attack on the Bosnian city of Travnik, whose population is predominately Muslim and Croatian. (Id., page 3).

27 November 1992: Special report published regarding Borislav Herak, a Serbian auxiliary soldier facing the death penalty for genocide. During an interview, Herak described crimes against Bosnian Muslims committed by Serbian forces. (Id., page 1).

29 November 1992: Serbs finally release UN relief convoy after preventing its entrance into Bosnia for 3 days. (Id., page 14).

30 November 1992: Croatian and Serbian forces clash in Bosnia and Herzegovina hours before cease fire was scheduled to take place. (Id., page 3).

DECEMBER 1992

1 December 1992: Serbs and Croats fought pitched battles across Bosnia-Herzegovina, one person is killed in Sarajevo. (Id., page 8).

2 December 1992: UN halts humanitarian flights to Sarajevo after US military aircraft is hit by small arms fire in defiance of supposed cease-fire. (Id., page 7).

2 December 1992: UN Human Rights Commission in Geneva condemns Bosnian Serbs as primarily responsible for atrocities committed during the invasion of Bosnia. (Id.).

6 December 1992: Serbian forces resumed the shelling of the center of Sarajevo and stepped up an armored attack on a nearby suburb. (Id., page 18).

6 December 1992: In Otes, a suburb 6 miles from Sarajevo, Serbian forces fight Bosnian forces for control of key approaches to the Sarajevo airport. (Id.).

7 December 1992: UN forces are prevented from reaching Otes and giving relief to civilians by Serbs, who have overrun most of Otes. Serbs shut down Sarajevo's telephone, water, and electricity systems. (Id., page 6).

9 December 1992: Serbs begin heavy shelling of Sarajevo's historic center. Heavy civilian casualties were reported. (Id., page 19).

9 December 1992: Serbs use tanks to seize airport road and block any relief aid to civilians trapped inside Sarajevo. Serbs fire on French UN troops, forcing French UN troops to leave the airport garrison. (Id., page 3).

27 December 1993: A Serbian tank gunner was interviewed, and described the ninth month of the siege of Sarajevo. He described how he had been ordered to fire on the apartment building where his parents lived. Serbian soldiers confirmed civilian areas were targeted. (Id., page 4).

JANUARY 1993

9 January 1993: European Community investigators estimated 20,000 Muslim women had been raped by Serbs as a part of the Serbian invasion of Bosnia. European Community leaders condemned the violence as "systematic". (Id., page 1).

20 January 1993: The final global human rights report submitted by the Bush Administration stated that Serbian forces in Bosnia and Herzegovina were conducting a campaign of "cruelty, brutality and killing" unrivaled since Nazi times. (Id., page 8).

24 January 1993: American intelligence reports that at least 135 of the concentration camps established by the Serbs at the outbreak of the war still remain, despite Serbian promises to shut them down. (Reference 22 August 1992 and Radovan Karadzic's promise to shut down the camps). (Id., page 1).

28 January 1993: Sarajevo came under fresh Serbian bombardment, killing at least 10 and wounding 70. In addition, Muslims at Trebinje were terrorized by Serbian forces. (Id., page 6).

FEBRUARY 1993

7 February 1993: 4000 Bosnians were forced out of their homes in the Bosnian town of Trebinje at gun point by Serbs. Serbian military forces reportedly settled other Serbian nationals in the homes. (Id., page 18).

8 February 1993: Serbs renewed their campaign of "ethnic cleansing" after a UN proposal was delivered on partitioning Bosnia into provinces. Bosnian refugees were forced to flee from Cerska, Kamenica, and other besieged Bosnian villages above the Drina River town of Zvornik in eastern Bosnia. The Serbs continued their campaign of heavy artillery bombardment. (Id., page 10).

17 February 1993: A UN relief convoy destined for the besieged city of Cerska was stopped by Serbian forces. (Id., page 8).

25 February 1993: Noble Peace Prize winner Elie Wiesel stated that he had been "betrayed" by the Serbs regarding some prisoners interviewed in the concentration camp of Manjanca. Wiesel noted that prisoners which he had interviewed were later singled out and punished by the Serbian commanders of the camps. (Id., page 19).

26 February 1993: Serbian forces allowed a relief convoy it had delayed for 12 days to reach Goradze, and isolated Muslim town in eastern Bosnia. (Id., page 1).

MARCE 1993

3 March 1993: Serbian forces began a dawn attack on the Bosnian enclave of Cerska. Most Bosnian resistance ended early amid the artillery shelling. This attack followed the pattern of "ethnic cleansing" practiced by the Serbs. The attack began with a vicious shelling barrage, and then terror tactics against local Muslim population in order to turn the survivors into refugees. (Id., page 1).

4 March 1993: Serbian forces continued the attack on the Bosnian enclave of Cerska. Bosnian resistance crumbled and Muslim civilians were shelled by Serbs. (Id., page 1).

5 March 1993: The Bosnian enclave at Cerska was defeated by the Serbian attack. Some 1500 Muslims were wounded. Refugees fled to the Muslim enclave of Srebrenica, Bosnia. (Id., page 8).

7 March 1993: The week-long destruction by Serbs of the Bosnian enclave of Cerska was recounted. The attack by the Serbs appeared to be in response to the American relief airdrop. Cerska was the first city to receive American airdropped food and supplies. (Id., page 3).

13 March 1993: Serbian shells killed 20 Muslim women and children in Vitez, Bosnia, when these people crowded around two British armored personnel carriers in the hopes of gaining safe passage out of the city. (Id., page 4).

14 March 1993: Serbian soldier Borislav Herak confessed to crimes committed in "ethnic cleansing" operations. Herak named Vojislav Seselj and Miro Vukovic as politicians and commanders who "played a major role" in the operations. (Id., page 10).

14 March 1993: Bosnian forces began an airlift of the critically ill from besieged enclaves in Srebrenica to hospitals in Tuzia, Bosnia. General Morillon, commander of the UN military forces in Bosnia, demanded a halt of the Serbian offensive in Srebrenica. A World Health Organization physician reported that fighting had

trapped some 60,000 people in Srebrenica and that 2000 persons had died due to disease, hunger, and exposure. (Id., page 10).

15 March 1993: Serbian forces backed by tanks overran the Bosnian city of Konjevic Polje, pushing Muslim civilians into the Bosnian city of Srebrenica. This account was confirmed by a UN British major. In addition, there were reports of Serbian shelling of the Muslim enclave. (Id., page 3).

19 March 1993: In Cerska, Bosnia, Bosnian soldiers confirmed short-wave radio operator accounts that after overrunning the village Serbs killed several civilians. (Id., page 10).

19 March 1993: Several persons died and several more were wounded in the Bosnian city of Srebrenica due to Serbian shelling. (Id., page 1).

19 March 1993: Serbia forces reneged on an agreement to allow a UN relief convoy, and Serbs launched another intense artillery barrage against Sarajevo. (Id.).

21 March 1993: Serbian planes were seen bombing two Muslim villages (Gladovici and Osatica) in violation of the resolution banning flights over Bosnia. (Id., page 6).

Evidence and Statements Implicating the Belgrade Government in Yugoslavia (Serbia and Montenegro) of Genocide

2. The following statements and evidence implicates the Belgrade government in Yugoslavia (Serbia and Montenegro) as a party to the acts of genocide committed by Serbs in the Republic of Bosnia and Herzegovina. All cites refer to the same day edition of the New York Times unless otherwise noted.

APRIL 1992

4 April 1992: Serbian irregular soldiers backed by the Yugoslav Army attacked Muslim and Croatian forces in Bosanski Brod and Kupres. Diplomats called the attacks a clear attempt to block European Community recognition of Bosnia-Herzegovina's independence. (New York Times page 3)

5 April 1992: Serbian irregular soldiers and the Yugoslav army continued their attack against the Bosnian towns of Bosanski Brod and Kupres. President Alija Izetbegovic was forced to announce the mobilization of National Guard and police reserve units. (Id., page 3)

7 April 1992: Sarejevo was attacked by heavy automatic weapons fire and grenade explosions after Bosnian President Izetbegovic

refused to rescind an order to mobilize National Guard forces. (Id., page 3)

8 April 1992: The Serbian-led Yugoslav Army ordered air strikes on the predominantly Croat towns of Siroki Brijeg and Citluk in Bosnia and Herzegovina. (Id., page 10)

9 April 1992: Serb units approaching from Serbia itself attacked Visegrad and Zvornik. Gun battles also reported in Mostar, Derventa and Foca. Yugoslav army warplanes bombed the towns of Siroki Brijeg and Citluk for the second straight day. (Id., page 9)

10 April 1992: As Yugoslav Army tanks stood idly by, a Serb-backed guerilla force captured the Bosnian town of Zvornik. (Id., page 14)

12 April 1992: The Yugoslav Army carved out new territory in Bosnia and Herzegovina. The army units invaded the town of Modrica before dawn. (Id., page 16)

14 April 1992: At the National Press Club, Dr. Haris Silajdzic, Foreign Minister of Bosnia and Herzegovina pleaded for assistance. He stated:

"Fresh [Serbian] irregular forces are being brought into Bosnia and Herzegovina from Serbia, Montenegro and the Croation town of Knin on Yugoslavian People's Army truck and helicopters." (Legislative Transcript ID: 821134).

15 April 1992: In an interview on CNN's "International Hour" Dr. Haris Silajdzic, the Foreign Minister of Bosnia and Herzegovina reemphasized that Serbian irregular forces were being brought into Bosnia by the Yugoslavian People's Army. Silajdzic also noted later in the interview that the Serbs were equipped by the Yugoslav army.

15 April 1992: Serbian and Yugoslav army forces broke an EC-brokered peace agreement. Serbian and army units overran several regions populated by Muslim Slavs. These Bosnian towns include Foca, Mostar, and Gorzarde. (New York Times, page 6)

19 April 1992: Serbian guerrillas pounded central Sarajevo with mortar shells as an American official arrived with humanitarian aid for Bosnia. (Id., page 1)

20 April 1992: Yugoslav army bombarded Mostar. Shells fell for at least three hours in heavily populated neighborhoods and set fire to several apartments. (Id., page 3)

21 April 1992: At a White House Background Briefing, a Senior Administration Official noted that the Yugoslavian national army

was causing problems in Bosnia which made establishing a relationship with Belgrade difficult. (Legi-slate Transcript ID 821477)

22 April 1992: Yugoslav army jet fighters attacked the Bosnian towns of Siroki Brijeg, Citluk, Grude and Capljina. (New York Times., page 10)

23 April 1992: Backed by the Yugoslav Army, Serbian forces stepped up their attacks on Sarajevo as well as on other smaller Bosnian cities. (Id., page 10)

23 April 1992: During an interview on PBS' "MacNeil/Lehrer", United States Assistant Secretary of State Lawrence Eagleburger called the conduct of the Serbian government and the Yugoslavian National Army as "outrageous" and blamed them for the deteriorating situation in Bosnia. Eagleburger noted that the Yugoslavian National Army and the Serbian irregulars were more "active" than the other forces in the region.

30 April 1992: Across Bosnia, there was fighting in at least five different towns across the republic's northern, eastern, and southern regions as well as a battle in the center of Sarajevo. These attacks by Serbian forces and units of the Yugoslav Army featured artillery, mortar and rifle fire. Yugoslav Army units also continued to pour artillery, mortar and rocket fire into the Bosnian town of Mostar. (New York Times., page 13)

MAY 1992

3 May 1992: The heaviest attack to date in Sarajevo erupted when Serbian guerrillas and Yugoslav Army forces shelled the city's Muslim quarter with artillery and machine gun fire. The attack began soon after 1 p.m. and continued into the night. (Id., page 1)

6 May 1992: Yugoslav Army jets rocketed several targets in Sarajevo, and Serbian guerrilla forces continued attacks on the city. (Id., page 16)

13 May 1992: In an effort to ward off international sanctions, Yugoslavia (Serbia and Montenegro) announced that it was relinquishing control over Yugoslav army units in Bosnia and Herzegovina. (Id., page 1507)

19 May 1992: In a news conference, Dr. Haris Silajdzic, Foreign Minister of Bosnia-Herzegovina, stated that the war in Bosnia was not between Serbs, Muslims, or Croats, but was instead one of aggression by Yugoslavia (Serbia and Montenegro) against Bosnia-Herzegovina. (Legi-slate Transcript ID: 831298).

26 May 1992: In a State Department Daily Briefing, Richard Boucher stated that the United States did not believe the

disavowal by the Yugoslavian (Serbia and Montenegro) government in Belgrade. Boucher placed responsibility for the war in Bosnia on the Yugoslavian army and the Serbian government. (Legi-slate Transcript ID: 831755).

28 May 1992: The United States Ambassador to Yugoslavia (Serbia and Montenegro), Warren Zimmerman, when interviewed on NBC's "Today", stated that the United States saw the conflict not as an ethnic war but rather "as a war of aggression that's waged by Serbia and the Serbian president, Milosevic, against an independent republic." (Legi-slate Transcript ID: 831904).

JUNE 1992

3 June 1992: When asked at a State Department Regular Briefing whether the United States was "certain" Serbian leadership was in control of irregular Serbian groups inside Bosnia, U.S. State Department Spokesman Richard Boucher stated that the government of Belgrade, rather than withdrawing the Yugoslav army turned it over to the extremist Bosnian Serb leaders. He went on to say:

"The reality on the ground in Bosnia is that this is an independent state that is being ravaged by Serbian armed forces, both army units and irregulars, which were unleashed by Belgrade, which are inspired, equipped, and continue to be supported by Belgrade."

(Legi-slate Transcript ID: 840231).

9 June 1992: Bosnian government releases transcript of recording of Serbian military leaders, several of whom were officers of the Yugoslav Army, in which the commanding general ordered that all of the Bosnian residential districts should be shelled. His exact command was "Burn it all." (New York Times, page 10)

11 June 1992: Ralph Johnson, Deputy Secretary of State, during an Senate Subcommittee Hearing on European Affairs noted:

"Ostensibly, the [Yugoslavian] Army has been withdrawn, but they have remained behind in some cases -- many cases -- with equipment and have remained under the command of General Vldic. Now he, as far as we can see, is appointed and paid by Belgrade.

So, whether or not Belgrade has tactical control over the individual units, as far as we're concerned is really not particularly relevant. The issue is that Belgrade does have, in our view, enough influence that it can have a material effect on the fighting being done by these irregulars and that Belgrade needs to be held accountable for the fact that it set this process in motion...

We think that Mr. Milosevic does control the Yugoslav Army...we believe the evidence is very, very persuasive..." (Legi-slate Transcript ID: 840866).

23 June 1992: Thomas Niles, Assistant Secretary of State, testifying at a House Europe and Middle East Subcommittee Hearing, in response to a question from Representative Solarz, stated"

"I would say the continuing shelling of the city of Sarajevo by the Serbian forces...are certainly subject to a very heavy influence, if not control, from Belgrade."

Niles also noted that he believed the President of Yugoslavia (Serbia and Montenegro), Slobodan Milosevic, was "deeply involved in what's going on in Bosnia-Herzegovina."
(Legi-slate Transcript ID: 841690).

26 June 1992: In a meeting with Britain's Lord Carrington, Serbian President Slobodan Milosevic refused to recognize the independent Republic of Bosnia and Herzegovina saying that its status must be determined by the leaders of federal Yugoslavia. However, after the independence of four of the old Yugoslavia's republics over the last year, only Serbia and Montenegro remain in the federation. (New York Times., page 8)

JULY 1992

10 July 1992: At a CSCE Conference, Secretary of State James Baker made reference to large amounts of heavy weaponry which had been transported into Bosnia from Serbia for use by the Serbian forces in Bosnia. (Legi-slate Transcript ID: 850551).

11 July 1992: Secretary of State James Baker told Milan Panic that the United States held the Serbian government in Belgrade responsible "for the humanitarian nightmare" caused by the Serbian invasion of Bosnia. (The Houston Chronicle pg 1. "Bush Urges Yugoslavian to End Ethnic Bloodshed.")

AUGUST 1992

4 August 1992: Thomas Niles, Assistant Secretary of State, testifying at the House Europe and Middle East Subcommittee Hearing told Representatives that the town of Vucovar was destroyed by forces "controlled by the government of Serbia". Later, Niles mentioned that the Serbian forces in Bosnia were "organized...conducted by the government in Belgrade, the Serbian government, attacking essentially unarmed people in Bosnia-Herzegovina". (Legi-slate Transcript ID: 860166).

6 August 1992: A list of 105 Serbian concentration camps was made public. 94 of them were in Bosnia and Herzegovina, 11 of them were in Serbia. (New York Times page 1)

9 August 1992: On an interview during ABC's "This Week With David Brinkley" Brent Scowcroft, the United States National Security Advisor, stated that the Serbs had the "monopoly on heavy arms" in the conflict, and this was due because the arms were handed over to them by the Yugoslav army. (Legislate Transcript ID: 860443).

12 August 1992: Morning Edition, interview with William Taylor, vice-President of International Security Programs at the Center for Strategic and International Studies.

"The solutions to [the problems in Bosnia] are...in Belgrade where Slobodan Milosevic, the president, and his high military command reside. They are the ones who either have control of Serbian regular military forces and Serbian militia forces...all of whom are committing these atrocities and killing a lot of people in Bosnia...There's one proposition which no one argues and that is that Milosevic and the high command do have control over the Yugoslavian National Army. That's about 30 divisions. In our estimates at CSIS --and we've been tracking for months-- there are still seven regular divisions in and around Bosnia. Serbia controls these forces, no question about it..."

SEPTEMBER 1992

11 September 1992: At a State Department Daily Briefing, U.S. State Department Spokesman Richard Boucher stated that the "Belgrade authorities were continuing to supply arms, ammunition, fuel, spare parts, and a variety of other things to the Bosnian Serbs". As such, Boucher declared that Belgrade "bears a certain responsibility".

28 September 1992: A report in The New York Times stated that Serbia is being used as a source of military weapons and troops which are used to fight in Bosnia. (New York Times page 5)

MARCH 1993

18 March 1993: The UPI reported that Yugoslavia (Serbia and Montenegro) violated the no-fly zone over Bosnia and conducted a military air strikes against besieged cities in eastern Bosnia.

CONCLUSION

The Republic of Bosnia and Hercegovina hereby respectfully requests the Court to consider this additional evidence during the course of these proceedings and in support of its request for an Indication of Provisional Measures of Protection.

**SUPPLEMENTARY SUBMISSION IN SUPPORT OF
THE APPLICATION OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA
INSTITUTING LEGAL PROCEEDINGS AGAINST YUGOSLAVIA (SERBIA
AND MONTENEGRO) ON THE BASIS OF THE 1948 GENOCIDE
CONVENTION AND IN THE SUPPORT OF
ITS REQUEST FOR AN INDICATION OF PROVISIONAL MEASURES OF
PROTECTION.**

March 1993

To His Excellency, the President, to the Judges of the International Court of Justice, the undersigned being duly authorized by the Republic of Bosnia and Herzegovina:

I have the honor to refer to the Application Instituting Proceedings that was submitted to the Court by the Republic of Bosnia and Herzegovina on 20 March 1993 against Yugoslavia (Serbia and Montenegro) on the basis of Article IX of the Genocide Convention of 9 December 1948 and the accompanying Request for the Indication of Provisional Measures of Protection that was also submitted to the Court on that date. In Section IV of that Application ("IV. Judgement Requested") Bosnia and Herzegovina reserved its "...right to revise, supplement or amend this Application..." Since the Application was filed, additional evidence has come to the attention of the Agent for Bosnia and Herzegovina that he would like to draw to the attention of the Court, and hereby submit in support of our Application and Request for the Indication of Provisional Measures of Protection. This additional evidence is as follows below.

**APPLICATION INSTITUTING PROCEEDINGS
SUBMITTED BY
THE REPUBLIC OF BOSNIA AND HERZEGOVINA**

I. STATEMENT OF FACTS

2. Specific Factual Allegations of Acts of Genocide.

Killing Members of a Group

1. Information Coordinator on War Crimes in Former Yugoslavia, a Canadian research group, compiled statements from a group of Bosnian Muslims who survived concentration camps run by various Serbian military and paramilitary forces in Bosnia-Herzegovina.

2. In one account, a Muslim woman identified as SN 011 described the atrocities committed against her and her family and prayed for the punishment of the Serbian forces for these genocidal acts.

a. I accuse them for burning down my home, destroying all of our property, for taking my husband and my father-in-law to a concentration camp and for torturing them. I accuse them for harassing and terrorizing my mother and my sister, threatening [them] with murder ... and expelling them from the town they lived in and telling them that all that they are doing to my mother and my sister is because they are Muslim and that all the Muslims are to be killed or expelled.

b. They should be punished for all those innocent friends, cousins, neighbors [and] acquaintances killed and tortured; for all the mothers, sisters [and] wives raped ...; for the parents slaughtered in front of their children; they should not escape justice because of all the suffering, torturing, starvation and terror that they made my [husband] and my father-in-law endure, together with hundreds and thousands of other innocent people

3. In another statement, a Muslim woman identified as AD 010, described an attack on her village by Serbian forces (Chetnicks).

a. On the 25 of May the Chetnicks attacked our village, which was a Muslim village, and by the 31 of May all the men from the village were taken to a concentration camp. In the first attack they shelled the village. The people out of fear were fleeing their homes. I saw many of them fall, their bodies and limbs flying into the air. Bodies of men, women, children, and all that just because they were Muslims. They killed en masse, pillaged and burnt our houses, detained women, elderly and children and burnt them alive. They took the young men from 20-30 years of age [and] brought them to a school to torture them One of my uncles was taken. He survived a firing squad. Two of his brothers and four of his nephews, together with 170 friends, cousins, neighbors. He laid hiding with three wounds. He managed

to escape because the Chetnicks thought everyone was dead. We took him in a forest after a few days, but he could not go home, knowing that they would be looking for him since he witnessed a genocide of 180 Muslims. He's been hiding for two months and finally they found him one day and since then we have not heard from him.

- b. They have been torturing us all in different manners. Every village had a Chetnick's headquarters where they spent most of the time. They would take our food, our gold and jewelry, [and] money. They took [my neighbor's] son away and they threaten[ed] to kill him unless she brings some money. She and her husband were collecting money through the village, ... and finally when they brought the money the Chetnicks let her son go, but they killed her husband. First they mutilated his body with knives, engraving a cross on his body, [leaving] him to bleed, and finally killing him only at night. In that same manner they killed another of my neighbors, it kept going on; and all this for one simple reason: They wanted to cleanse everything Muslim.
- c. They raped my neighbor, a 65 year old woman, and then killed her. They killed her husband as well, who was a totally handicapped and helpless person. When we got the permission to bury them, we found them mutilated. We had to pick up his head and the brain with a shovel.
- d. A friend of mine was kept in captivity because her husband was fighting on the Bihac front. They were threatening her with killing her and her three children if her husband [did] not come back and give himself up. After they took our husbands away we [did] not hear of them for almost two months. They sent us messages from the detention camps letting us know that they were alive. We women were at the mercy of the Chetnicks, being ourselves kept in some kind of a detention camp. The whole village was under their occupation and we were let to do only what they decided we could do. We lived in fear because everyday they could kill someone, and we were waiting for the same thing to happen to us.

(Information Coordinator on War Crimes in Former Yugoslavia, Statement of victim AD 010).

4. In another account, a Muslim civilian identified as 004 JF described his detention in several concentration camps.

- a. On the 30 May, 1992, I was forcibly detained in Prijedor SUP at 9 p.m. In SUP, [a] Serb soldier pierced my skull with the gun breach. We were all being mercilessly beaten; Serbs ordered us to face the wall so that we cannot see who was beating us. There were about one hundred Serb soldiers in the room "interrogating" and

beating us. They kept swearing at us saying "You f--- want a republic" "You f--- want a state," "You want a f--- Muslim state," and so on. Serb soldiers coming from the front were there and they were really wild, the worst. A Muslim, Hamzo (first name), was shot in the forehead and killed by a Serb soldier the moment we stepped in the SUP building. A Muslim, Nizret Trto when asked for his profession answered that he was a "dumpster" (dempsterista) and a Serb soldier said "Oh, a sniper" (snajperista), and shot him in the head dead on the spot. Curt Vesil (58 years) and his son Sead were beaten to death. All their bones were broken, Sead's nose was torn apart.

- b. From Prijedor SUP we were loaded into a bus, 150 of us crammed into the last third of the bus. Serb soldiers were driving the bus. Serb soldiers killed 2 or 3 Muslims in the bus. A normal road to Omarska is through Kozarac, but Serbs took us around through numerous Serb held posts or villages. At every such point, Serb villagers would enter the bus, Serb women, children, and they would hit us with wooden bars, stab us with knives, they would throw acid at us. Several people died, but we were not allowed to look. We reached the concentration camp Omarska at around 11 p.m. that night. When I was leaving the bus I saw that the bus was full of blood and many Muslims stayed on the floor, most of them dead.
- c. I was in Omarska extermination camp from 30 May 1992 [until] 6 Aug. 1992. I was beaten there daily for 3 to 4 hours. Going to the toilet meant being practically killed by Serb hordes (soldiers). Omarska is a mine and there was a lot of material from the mine lying around - wooden beams, cables, iron bars, metal supporters, etc. Serbs used all these materials when beating us. They were hitting me, as well as others, in the testicles, using metal hampers, metal bars, kicking with the boots. My testicles were swollen, the size of large oranges. The number of tortures varies, from one [or] two to twenty or more. They would gather around vans, drink or take drugs, swearing at us: "F--- your Muslim mother," "F--- your Turkish (Croatian) mother," "F--- you and your Republic" and so on. Serb torturers forced us to lie down on the floor with our hands on the head so that we cannot see who was torturing us. We were taken outside and underwent the cruelest tortures and beatings from 8-9 a.m. till 7 p.m. Very often Serbs would put metal cans over our heads during the severe beatings so we could not see the torturers. Serb torturers would beat us, step or jump on us until they tired out. They were deliberately aiming their beatings at our testicles saying "you'll never make Muslim children again."

- d. When a Serb from a near-by village got killed in the fighting, Serb guards would let the whole village come to the camp to vent their rage, which they would do by mutilating and killing us.
- e. Every day Serb torturers killed about 70 to 100 Muslims (some Croats as well). There was a building we called a "White House" where the Serb torturers performed the killings. They first killed all the doctors and intellectuals. They even killed a UN doctor, Sadikovic Esad, I think he was in Zimbabwe or somewhere else in Africa with the UN.
- f. Around 13 May 1992, I was lying among a yard full of corpses; I happened to be near a garbage container, a little bit out of reach. Serb forces kept firing at the corpses, but somehow, due to my position, the shots missed me, and I managed to sneak back into the barracks later.
- g. One day I was in the detail loading corpses into a 7-ton truck. We were throwing corpses in, until the truck was one meter high with corpses. I sneaked away from that "job", I could not take it. I saw Serbs using heavy machinery to excavate big holes, use trucks to dump the corpses into the hole, and use dump trucks and construction machinery to fill the holes and level the ground.
- h. Serb torturers used iron bars to beat Muslims (some Croats) to death. They would not spare any part of the body, breaking all the bones so that the beaten Muslims begged their torturers for a bullet, to be shot dead. Serb torturers stabbed my arms with knives. I saw Serb torturers stab others ..., twisting and turning the knives inside them. I saw how Muslims were forced to bite each other's testicles off, their mouth filled with testicles and blood, ripped blood vessels sticking out of their mouths. Daily Serb torturers forced Muslim prisoners to f--- each other, to perform oral sex on each other, forcing these bestialities especially among family members, between a father and son.
- i. In a small room filled with Muslims, Serbs would throw tires that were set on fire and Muslims would burn alive. We had to lie down on the runway, or road, with our heads down. I saw Muslims beside me being shot dead for moving their heads. While we were lying down Serbs would jump on us in their boots, jump on us from the steps, from garage roofs, breaking people's bones, they would drive cars, even heavy trucks over us, seriously injuring and to a large extent killing the unfortunates.

I would be lying down for 4-5 hours, being mercilessly beaten by five even ten Serbs at a time.

- j. Serbs were executing planned killings. Omarska extermination camp was a place where Serbs were executing so called "revenge" killings. Serbs would accuse doctors of choking to death Serb children, professors and teachers of being unfair to Serb students, and killed them immediately for these "crimes". I was lucky to have given an assumed name, for Serbs asked for me by name to kill me (my Serb neighbors could not recognize me, the tortures chang[ed] completely my features). (I learned later that Serbs searched to find me abusing my family, my father and my wife in the process).
- k. Omarska extermination camp had women prisoners as well. Daily Serb soldiers would take girls and bring 5-6 men per girl, Serb soldiers, prisoners to rape them. Sometimes I was among the men forced to rape the girl[s] They were raped constantly, non-stop every day. They raped older women, Croats, 60-65 years of age. One named Divis, was raped by 12 men. There were many young girls, around 16 years that were being raped daily
- l. Serbs would torture us by extinguishing their cigarettes on our bodies. However that was reserved mostly for Muslim women. Serbs would extinguish their cigarettes on the Muslim women's naked bodies, mostly their breasts and vaginas. Serbs would also shove bottles (mostly half-liter beer bottles) up the Muslim girls' vaginas Serbs would stick a bottle inside Muslim women's vagina and then break them inside them.
- m. In Omarska there was a shop where dump trucks were being repaired - we called it the "Red House." Serb torturers killed many prisoners in the Red House. That was the place where I saw the Serbs cut people's noses, ears, limbs. When I was cleaning the room in the Red House the floor was full of human body pieces, pieces of the skull, fingers, ears, noses. Outside on the road, skull pieces were scattered everywhere.
- n. On the 25 or 26 June Serbs forced me to drink 5 liters of used, dirty motor oil drained from a truck oil filter, with the intent to kill me in a terribly painful manner.
- o. I witnessed Serb guards shoving a fire hydrant hose into a man's sphincter (it was a man from a village Kozarac), letting the water run full force from the hydrant, until the man swelled and then died bursting to pieces.

- p. Serb torturers were constantly robbing Muslim prisoners of their belongings. Many of us prisoners had thousands of German Marks with us. Serbs would sell us food at exorbitant prices. Once we paid, Serbs would come, beat us and take the sold goods back Serbs were taking Muslim prisoners' watches, jewelry. At first Serbs cut people's fingers to get the rings off of them, later after a period of starvation, rings would come off easily. Serbs were knocking Muslim prisoners' teeth to get at the gold fillings
- q. Serbs were rounding up all non-Serb civilians, mostly Muslims, and bringing them to Omarska from near-by villages - Carakovo selo, Hambarina, Ljeskava, Ljubija, Ravska. It seems only one or two from each village would make it to the extermination camp Omarska. Carakovo selo had 4000 people, they were all rounded up, but only one made it to the extermination camp. From comparing testimonies of the surviving eyewitnesses, in Prijedor itself Serbs slaughtered 22,000 Muslims. Out of a population of 42,000 hardly 2,000 remained.
- r. Serb torturers were starving us in Omarska. For 40 days I was eating only bread. Serbs would ration bread, one loaf of less than 1 kg was cut into 47 slices, and one slice was the ration per prisoner with some dirty water. In order to get to the kitchen I as well as the others had to endure cruel beatings by Serbs. They were also beating us while we were eating. Serb torturers allowed us 1 minute to finish the meal. In the extermination camp Omarska there was water that was used to flush the ore from the mine, as well as the water used to wash the machinery. We were forced to drink that water to survive. I lost 39 kg in Omarska.
- s. On 25 May 1992 [a] Red Cross visit to the extermination camp Omarska was announced. Serb torturers hid immediately 150 Muslim prisoners, threw in some beds in the rooms with bed linen, and we were forced to tell the Red Cross that we were Muslim fighters, captured just prior to their (Red Cross's) arrival.
- t. On the 6 Aug 1992, we were driven away by Serb hordes to Manjaca concentration camp. There had been over four thousand Muslims (and Croats) that arrived to Omarska with me. Less than fourteen hundred of us were left to go to Manjaca. They moved us from the extermination camp Omarska, as Red Cross members told us, because the world has found out about us, news articles were being published about us. We were driven in the bus. Serb torturers were beating us all the time in the bus, forcing us to sing Chetnik songs, killing us. They slit throats of seven people right in front of my eyes. The trip of about 40 km took us 12 hours. The bus would

often stop, Serb civilians, soldiers, Chetniks with long beards and Chetnik insignia, women [and] children would enter to beat us mercilessly, with stones and anything else. Serbs did not give us anything to drink, it was hot and they forced us to swallow a handful of salt. I was perspiring profusely, and in order to survive I drained the perspiration from my sweatshirt into [my] hands and drank that.

- u. In Manjaca, Merhamet (Red Crescent) registered us. The Red Cross took over food deliveries. However most of the food was taken away by the Serb guards. We were supposed to receive some fish for breakfast (2-3 pieces), but Serbs were giving us one for two people, and even that not always. When the Red Cross truck arrived Serbs first collected, at the entrance to the storage depot, rations for their army. Later on, when the Red Cross left, Serbs would wheel away most of the fruits and vegetables. Muslim prisoners would be checked by Red Cross medical staff which would prescribe drugs. These drugs never reached any prisoners, they were all taken by Serb guards for their needs. The only thing we received were pills for strength, which Red Cross gave us right into our hands.
- v. In Manjaca Serb guards forced us to [do] all kinds of manual labour. We were forced by Serbs to cut wood in the forests, dig potatoes, cut the grass, load the hay, pick corn, graze sheep, cows, etc. Around one thousand people or more went out, working in the stables, in machine shops, sewing clothes, making wooden figurines, butts for rifles, and so on.
- w. In Manjaca concentration camp I witnessed Serbs taking 142 Croats for [a] prisoner exchange in Knin. As told to me by one of the Croats, Halupa Zdenko, it took them 5-6 days for the trip but the exchange was not executed, because Serbs demanded a Serb major in exchange. In Knin they were holding them in a tower. Serbs would let dogs [and] children ... come and abuse them. They broke bones of ... most of them. When they returned I watched from the kitchen how Serbs were beating them severely.

(Information Coordinator on War Crimes in Former Yugoslavia, Statement of victim 004 JF).

5. In another account, a young Muslim female identified as JK 001 reported the details of her expulsion by Serbian forces.

- a. Every day they entered houses in which there were only women and children remaining. They plundered, killed and raped even the 5 year old girls and old women. So our own house was a prison camp to us for they could come in and kill us at any time of day or night. When

they were searching my home we were taken into the backyard and made to stand in a row. They threatened to shoot us if they found weapons in the house. There were no weapons, they plundered the house and took the gold and told us they would come back again and kill us because we were Muslims

- b. I and my old mother together with our neighbors joined those people. We stayed in the houses that had been plundered and the owners of which had been killed or taken to camps. It was horrible. There were about fifty of us in one house, we slept on top of each other, and the odor of the dead bodies, which were in the garages [and] in the gardens, was everywhere. They killed the men and the women had to bury their husband, or son, or father with their own hands and to the best of their abilities. There was blood, blood of an innocent son, child, woman, or man on the walls of the house. We slept there and waited for our departure, and they were standing on guard outside, singing, drinking, and listening to the Tchetnik songs and even shooting the houses.
- c. After a few days 9 trailers and several buses came On [the way to] Vlasic, 160 men, old and young, were taken from that first convoy that had left before mine, and killed. That information frightened us, so we became upset and started to leave, but they made a circle around us and said that we would get what we deserved, and that was death, death to all Muslims or "Bulas" as they were calling us. They loaded us onto the trailers and we left, not knowing ourselves whether we were going to death or to freedom When we came to Vlasic they gave us three minutes to get off the trailer. We were falling down like sacks out of the trailer and it was hardest for the old women and children. When we got out they started to separate girls and women. Fortunately I had a scarf on my head and my aunt's child in my arms. They set apart about thirty girls. They separated an old woman from her two daughters; she protested, cried, went down on her knees and begged, but there was no mercy, she got a bullet in the head. The girls were taken to an unknown destination and even today it is not known. In a line, we started walking towards Travnik; the men went separately and the Tchetniks were shooting after them, and many of them got killed because they had been at the back of the line. They told us to follow the road and we would get to our "balijas" (derogatory word for Muslim), and to tell them they should be grateful that they did not kill us all. The journey was long and strenuous; many old women were carried in blankets or in wheelbarrows, and some sons carried their mothers on their backs until finally we reached Travnik, which was

hard to believe after so many dead bodies of our Muslims had been left lying on the road and everywhere where the Tschetnik's foot was set. And the only reason for that all is that we are Muslim.

(Information Coordinator on War Crimes in Former Yugoslavia, Statement of victim JK 001).

6. In another statement, a concentration camp survivor identified as 003 NA described the conditions of his confinement.

- a. On May 27, 1992, ... Serbian forces kept announcing over the radio that people must gather at the practice field. Muslims and Croats started leaving their homes and Serb forces forced them to march to the practice field under mortar fire. I saw tens of people being wounded as well as a number of civilians being killed From there I observed Serbian Armed Forces [the official forces of the Serbian municipality of Sanski Most] looting the marked houses (with white sheets), burning them to the ground afterwards. A large number elderly stayed in their homes thinking that no harm [would] come to them because of their age. However, Serbian Armed Forces went around killing them
- b. During the abduction and in the confinement, I suffered constant beatings at the hands of the Serbian Armed Forces and Serb civilians. Serbian Armed Forces and Serb civilians were hitting me with bats, rifle butts, kicking me with boots. One Serb, a neighbor that went to the same school as I, attempted to murder me. He put a gun barrel into my mouth while another took my hand, pulled a knife and attempted to cut two fingers off my hand (this is to mimic the popular Serb three finger salute), but somehow they changed their minds I was beaten over the head with chair legs, kicked in the kidneys, in the back. My head was so swollen, twice the normal size, from the beatings that my father, who was also detained there, could not recognize me.
- c. During the confinement we were given some drenched oozi food, one tablespoon per meal, twice a day, sometimes not even that. Serb guards allowed us thirty to forty seconds for the "meal." While trying to get to the meal servers and during the meal, we were constantly beaten I lost there, in one month, fifteen kg.
- d. On 7 July 1992, we were driven away by the Serb hordes to Manjaca concentration camp in transport trucks. Serbs packed about 180 people into a half-ton truck, closed us in with the tent-cloth, which was held tightly in place with steel cables. On the way Serbs would stop the truck in a sunny spot and wait for the temperature to rise. People had no choice but to urinate and

defecate on themselves and people around them. In the truck I was in, eighteen Muslims died from thirst. After we arrived, we were first severely beaten by Serb hordes, they shaved our heads and then Serbs threw us into stables, where sheep and cows had been kept before. The stable swarmed with flies and the conditions were appallingly unsanitary. Some very prickly and sharp grass was strewn over the cement floor where we were sleeping. The stable was 40-60 meters long, its sides made of tin. There were six or more stables in the concentration camp, all surrounded by barbed wire, the ground around them mined with explosives, there were watch towers there with machine-gun positions. Serbs crammed about 700 people into one stable. We could only sleep lying on the side. While inside, Serbs forced us to keep silent, not a sound was allowed to be uttered. In the silence we could hear terrible screams. At first we thought the sounds were coming from some animals, but soon realized they were coming from people under extreme torture. Serb camp guards rationed our water, one glass of water a day [for] four people (it was summer!). If one in the group drank the whole glass the rest would get nothing. In the morning we were fed tea without sugar and with no bread. For dinner we would get exactly three beans in tepid water without any spices, seldom with bread, which was a thin slice or half a slice sometimes. We had to eat in the crouching position, holding our heads down. Dishes were unwashed, and often I would see feces swimming in my dish. On occasion we were fed meat from dead animals. Serbs enjoyed forcing pork on hojas (Muslim priests) and other Muslims. The starvation was so severe that I know cases of Muslims not having any bowel movements for two months.

- e. Serbs "interrogated" us daily - there would be up to twenty "interrogators" at a time shouting at me at the same time and hitting me. The "interrogation" was invariably accompanied with physical mistreatment, with severe beatings. Serb guards, soldiers, civilians, interrogators, most of them drunk or drugged most of the time, were incessantly humiliating us verbally, swearing: "F--- your mother," "F--- your Turkish mother and family," "F--- you and Alia - allusion to Alia Izetbrgovic, the democratic president of the [R]epublic of Bosnia and Herzegovina," "You f----- Turkish bastards, you want a state," and so on. The concentration camp's P.A. was constantly blaring Chetnik songs
- f. Every day Serb guards would take us out of the stables at 7 a.m., forced us to sit in the sun holding our heads down - we had to hold our heads down all the time - and our hands behind our backs. Serbs forced us to stay in this position till 3-4 p.m. Serbs - guards, soldiers,

civilians - would come and beat us with bats, pieces of wood, metal bars, hoses, wire cables, [and] would kick us; they would hit us in the kidneys, across the neck, over the head, across the back. We had to look straight down at all times. Fathers and sons would not know [of] each other although they may have actually been [within a] few meters of each other.

- g. Around 10 July 1992, Emir Mulalic, a policeman from Sanski Most was being beaten with the intent to kill, the beating being so savage. After he passed away, I heard Serbs order two camp prisoners to hold him. Serbs forced the two to hold the corpse for two hours. Then they called a doctor, who declared him dead from a burst vein in the brain.
- h. Often Serb civilians were let into the concentration camp including women and children. They would spit on us, stone us, beat us with anything they could lay their hands on. Some would even cut fingers of [f] prisoners' hands leaving only three fingers (Serb salute). Serbs forced us to do all kinds of manual labour, such as agricultural chores, digging potatoes, digging irrigation ditches, we had to worked as lumber-jacks carrying wood from the forests on our backs - Serbs forced the prisoners into the woods in their T-shirts in winter in bitterly cold weather. While working in the fields, I saw Muslims grazing grass from being starved until their stomachs swelled.

(Information Coordinator on War Crimes in Former Yugoslavia, Statement of victim 003 NA).

7. Although the incidents described above alone support the charge of genocide, they are only representative of the accounts by a group of Bosnian Muslim refugees in Canada, victims of the mass rapes, killings, and other tortures that have been committed by Serbian forces in Bosnia-Herzegovina.

8. In addition, Muslim victims are not the only witnesses to the genocidal acts committed by the Serbs. In the November 27, 1992 issue of The Globe and Mail, Borislav Herak, an imprisoned Serbian soldier described murders, rapes, and other tortures in which he participated or observed. (Burns, John, "Serb soldier finds killing of innocents easy," The Globe and Mail, Friday, November 27, 1992). Herak's story is the first account given by a perpetrator to outsiders of how the Serbian nationalist forces have carried out their plan of "ethnic cleansing".

9. With other Serbian soldiers, Herak emptied a 30-bullet magazine at a family he had found in the basement of a home at Ahatovici, a Muslim village. Four children under the age of twelve, two elderly women, and four men were killed. Herak

explained that Serbian commanders called the Serbian operation in the village ciscenje prostora, or the cleansing of the region, and had told the Serbian fighters to leave nobody alive. (Id.).

We were told that Ahatovici must be a cleansed Serbian territory, that it was a strategic place between Iliidza and Rajlovac, and that all the Muslims there must be killed. We were told that no one must escape, and that all the houses must be burned, so that if anybody did survive, they would have no where left to return to. It was an order, and I simply did what I was told.

(Id.).

10. In another incident, Herak used a hunting knife to cut the throats of three captured Muslim men who were Bosnian soldiers. (Id.).

11. In early June, Herak watched a Serbian unit called the "special investigation group" machine-gunning 120 men, women and children in a field outside Vogosca. Dump trucks were used to transport the bodies to scrub land beside a railway yard at Rajlovac, near Sarajevo, where the bodies were piled in an open pit, doused with gasoline and set afire. (Id.).

12. In another incident that occurred in July, Herak saw 30 men from Donja Bioca, a Muslim village five kilometers northwest of Vogosca, shot and incinerated in a furnace at a steel plant at Ilijas, a town north of Vogosca. He said some of the men were still alive when they were thrown into the furnace. (Id.).

13. Herak also described seeing the bodies of 60 Muslim men who he said had been used by Serbian forces as a "human shield" when Bosnian forces were trying in August to drive Serbian forces off Zuc Mountain, outside Vogosca. (Id.).

14. Regarding the use of rape as a weapon of war, Herak explained that he and his companions were encouraged to go to a motel by Serbian commanders who told them that raping Muslim women was "good for raising the fighter's morale". Herak stated that he went to the motel once every three or four days, and that although Serbian fighters routinely took the women they raped away and killed them, there were always more women arriving. (Id.).

Causing Serious Bodily or Mental Harm to Members of the Group

15. In early September of 1992, in Bosanski Petrovac, a group of Muslim villagers were approached by uniformed Serbian soldiers. A woman in her thirties gave a statement regarding the incident. The soldiers took her to a house, stripped her at knife-point, asked her to say whether her husband had weapons, threatening that they would kill her if she denied it, and raped her. Two teenage

girls were also raped by the soldiers. Two adult males were taken to a nearby forest, bound with chains, beat and burned with cigarettes by the Serbian soldiers. (Amnesty International, "Bosnia-Herzegovina - Rape and sexual abuse by armed forces," January 21, 1993, page 6).

16. A twenty-seven year old Muslim woman interviewed by Amnesty International described her abduction by Serbian soldiers. In late July she was taken by uniformed Serbs to a private house in the town of Kotor. Inside, the officer hit, bit and raped her, keeping an automatic weapon close at hand throughout. (Id., page 7).

17. On June 17, approximately 1,000 women and children were taken away by Serbian forces from their home village of Brezovo Polje by bus. Travelling without food or water, they arrived in the town of Caparde several days later. In the course of the journey some women and girls were taken by Serbian soldiers from the buses while they were parked in the village of Ban Brdo for several nights and were returned with blood stains and torn clothes. (Id., page 10).

18. At Caparde the older women were separated, reportedly by paramilitaries from the group controlled by Zeljko Raznatovic (commonly known as Arkan), and were taken by bus to the battle-lines which they then had to cross on foot. The younger women were held for several nights in a furniture warehouse in the town. Serbian soldiers selected and raped 40 of the women between the ages of 15 and 30 years. The young women rejoined the older women four days later after being forced to pass along a mined road. Doctors who received them in the Bosnian Government-controlled town of Tuzla following their release reportedly said that some of the girls were pregnant. (Id.).

19. In an interview with a Zagreb doctor a 17 year old Muslim girl from the village of Kalosevici near Teslic stated that Serbs in JNA (Yugoslav People's Army - Jugoslavenska Narodna Armija) uniforms took her and other women from the village in late April to an unknown location, apparently some sort of workers' huts, in woods near the town. She was held there for three months until released with twelve other women by a local Serb. Twenty-four women were held in her hut, although she believes she saw about 100 women in total as they were unloaded. She and others were beaten upon arrival and on later occasions. Twelve women, including the informant, who were held in her room were raped in the room in front of the other women on multiple occasions, sometimes by more than one man at a time. Other women who tried to defend her on one occasion were beaten and one of the perpetrators told her, "You will bear a Serbian child". (Id.).

20. In a hospital in Zagreb, seventeen year old Marianna described her confinement in a detention camp. For months she was raped as many as ten times a day by Serbian soldiers after she and

24 other women were taken from their Bosnian village, Tesanj, to a camp in a nearby forest. During the rapes, a Serbian guard told her, "Now you will have Serbian babies for the rest of your life." (Squitieri, Tom, "Weapons in Bosnia: Rape, degradation," USA Today, August 10, 1992, page 1).

Deliberately Inflicting on the Group Conditions of Life Calculated to Bring About its Physical Destruction in Whole or in Part

21. According to the Amnesty International Report, "A wound to the soul," between 50 and 70 civilians, mainly Muslims from Bosanski Petrovac, and 22 soldiers captured by Serbian forces after the fall of Kulen Vakuf were held in barracks at Kozile. (Amnesty International Report, "Bosnia-Herzegovina - A wound to the soul," January, 1993, page 10).

- a. Prisoners at Kozile were held in six rooms, each about three by four meters in floor area and holding between ten and twenty detainees each. Almost all natural light was blocked out by wooden boards nailed over the windows. The prisoners were given three meals a day, of similar quality to that received by the soldiers guarding them but of smaller quantity. A few of the prisoners had beds, some of the others had pieces of foam rubber, a few centimeters thick, to sleep on and most had blankets On one occasion a doctor or nurse visited and left some medicine for those suffering from diarrhea.
- b. What prisoners most feared were the regular beatings which usually occurred at night, often after the soldiers had apparently been drinking heavily. 'The most terrible thing was waiting for your name to be called out,' recalled one former prisoner. 'The front door had an old lock with a nail. Whenever we heard the terrible sound of that lock we knew someone would be called out and we feared it would be us.' The selected prisoner was usually taken to another building about 15 meters away from which the other prisoners could hear screams of pain. One or more guards would kick the prisoner, punch him, and beat him with wooden truncheons. The victim was returned to the cell usually after a period of between thirty minutes and two hours, usually extensively bruised. While some prisoners appeared to have been beaten only once or not at all, others - especially Muslims considered to be wealthy or well educated - were allegedly severely beaten on at least seven or eight occasions. On at least one occasion a prisoner was made to beat another prisoner with a wooden club. Some victims were reportedly placed

in solitary confinement after being beaten for anything from one hour to several days.

- c. One 23 year old Muslim decorator, was arrested on 30 June 1992 and taken to Kozile after being held for two days at the police station in Bosanski Petrovac. On one occasion at about midnight, another Muslim prisoner in the same room named HK, aged about 35, was taken outside and beaten for about half an hour. Twelve guard dogs started barking as they beat him. In the decorator's words: 'It was as if the forest were crying.' HK was then made to crawl back into the room on all fours, barking like a dog His drenched clothes showed that he had been dunked in the trough of water outside. As the other prisoners were removing his clothes HK was called out again and after about fifteen minutes he was again made to crawl back on all fours
- d. When asked whether they could see HK's injuries the next morning, the decorator replied, 'Yes, because he slept with us in the room. All his clothes were off so one could see everything. His back was black and blue everywhere. One couldn't find a place big enough to stick in a needle that wasn't bruised.'
- e. HK had been beaten or kicked over all his body with the exception of his head. After three days he could walk with the assistance of his fellow detainees, but could not walk unaided for at least another two days.
- f. One prisoner, ZR, aged about 35, was beaten about the head. Another prisoner who saw him two days later said, '[ZR] looked as if he had been stung all over by bees. You could not see any white in his eyes - they were all bloodshot. His cheeks were bruised. His lips were badly swollen.'
- g. On 6 August 1992 between 10 and 20 civilian detainees were transferred from Kozile to Kamenica, also described as barracks for workers, about 15 kilometers from Drinic. On 21 August the remaining civilians in Kozile were released. Kamenica camp reportedly held about 70 detainees, mainly Muslims but also some Croats and Serbs. The Serbs were reportedly soldiers who had deserted from the front or had committed thefts. All Muslim and Croat prisoners were held in one room about 10 meters by 15 meters. Basic conditions were better here than at Kozile. The food improved and a doctor visited three or four times over a three month period. Detainees slept on a thin piece of tarpaulin and each prisoner had a blanket. Prisoners worked in the camp constructing fences, painting and cleaning the grounds.

- h. However, it seems that after the civilian population of Bosanski Petrovac negotiated their departure on 24 September, the detainees in Kamenica started to be ill-treated. One 23-year old male Muslim was tortured in late September three days after a visit by the International Committee of the Red Cross (ICRC). An officer in charge of the guards called him for interrogation and asked him what he had told the ICRC delegation. He answered that he had only handed over a message for a relative, because his interview had then been cut short as he had been called to work and he had not had time to tell them anything more. After the answer he was hit on the back with a truncheon by another guard before the officer in charge sent him back to the sleeping room. Returning to his room he was intercepted by a group of six Serbian prisoners who then beat him with truncheons for several minutes before one of the guards who was looking on intervened. Fifteen minutes later he was again called from the sleeping room: 'They took me to the other side of the school. There were eight of their [Serbian] guards and prisoners. One drove me forward with a rifle in my back. I went there and they started to beat me. They beat me for between 35 and 40 minutes. They said to me, Don't cry out or it will be the worst for you. They also questioned me, Did you say [to the ICRC] that Bosanski Petrovac had been evacuated by force?'
- i. He was beaten about the shoulders, arms, back, legs and groin with ordinary police truncheons, although one of his tormentors wielded something which he described as being like a baseball bat or a riot-control baton - in his own words: 'When it hit you it was like an electric shock going through the body.' The following is his description of the pain and being returned to the sleeping area: 'At first I felt all the blows [during the beating], but when I entered the sleeping area I just wanted to lie down. I didn't feel pain, but there was no way I could lift my arms since I couldn't feel them. That night I couldn't sleep. After one or two hours I felt the pain. I could not get up, move or turn, I couldn't do anything. In the morning after dawn they [his fellow prisoners] took the clothes off my upper body. When I was undressed my arms looked as if they had been inflated with a pump for car tires.'
- j. The victim stated that he could not stand for four or five days and that he had serious pains for a whole month. He still complained of pain in his groin and right arm in late November.

(Id., pages 10-13).

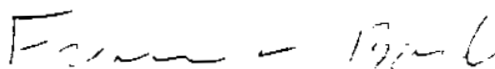
22. These accounts detail acts that clearly constitute genocide. The Serbians targeted members of a distinct group, i.e. Bosnian Muslims, killed, caused serious bodily and mental harm to members of that group, and deliberately inflicted on that group conditions of life calculated to bring about its physical destruction in whole or in part. The fact that these acts occurred during war-time does not shield the Serbians from prosecution. There is no excuse for these atrocities. The Serbians are guilty of genocide.

CONCLUSION

The Republic of Bosnia and Herzegovina hereby respectfully requests that the Court consider this additional evidence during the course of these proceedings and in support of its Request for an Indication of Provisional Measures of Protection.

Respectfully submitted,

By:



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