

# Summary

## Exploratory Survey Assignment and Historical Background

Even today, more than twenty years later, the fall of the enclave of Srebrenica on 11 July 1995 is an event that continues to preoccupy the Netherlands. This continues to be a topical and sensitive issue among wide sections of society, as was demonstrated – once again – in 2015, twenty years after the fall of Srebrenica. There was a substantial focus on two specific issues: the question of whether agreements had been made between the United States, the United Kingdom and France on whether or not to provide air support, and whether the allies' intelligence services had prior knowledge of the attack on Srebrenica which was either shared with the Netherlands when it was too late to be of any use, or was not shared at all. Together, these two issues represent the subject of this exploratory study.

There is an introductory focus on the historical background: the disintegration of Yugoslavia after the death of Tito, the growing nationalism in the constituent republics, the declarations of independence by Slovenia and Croatia together with the subsequent hostilities, and later – in Bosnia-Herzegovina, the intervention of the United Nations, and the arrival of the UN UNPROFOR (*United Nations Protection Force*) mission. More specifically, there is a description of the involvement of Srebrenica: its isolated location, the siege by the Serbs in 1993, followed by General Morillon's declaration of the city as a *safe area*, which was later repeated by the UN. In 1994, the Dutch government decided to station a battalion (Dutchbat) in Srebrenica. This presence was maintained until after the fall of Srebrenica on 11 July 1995.

Next, there are brief references to some important past studies on the fall of Srebrenica: the United Nations inquiry report (1999) and the report of the parliamentary inquiry in France (2001). Under the responsibility of Secretary General Kofi Annan, a report was written that focused particularly on the role of the Security Council, the UN organization, and UNPROFOR. Main conclusion: 'The cardinal lesson of Srebrenica is that a deliberate and systematic attempt to terrorize, expel or murder an entire people must be met decisively with all necessary means, and with the political will to carry the policy through to its logical conclusion.'

A French parliamentary inquiry held in 2001 attracted a great deal of interest, due to the pivotal role played by French soldiers, especially general Bernard Janvier, the commander of UNPROFOR.

In 1996, the Dutch government commissioned the Netherlands Institute for War Documentation (NIOD) to investigate 'the events before, during and after the fall of Srebrenica'. The inquiry's report was published on 10 April 2002. With regard to prior

knowledge – one of the subjects in this source survey – it was concluded that there was ‘no evidence that increased activity by the VRS (Vojska Republika Srpska – the Bosnian-Serb Army) (...) had any other aim than to diminish the Safe Area of Srebrenica (...)’. With regard to air support, the report states that during the brief battle for Srebrenica ‘what had previously been an unshakeable faith in air power [was] totally undermined.’

Following the publication of the NIOD report, a parliamentary inquiry was held, which also paid attention to the issues of air support and prior knowledge. For instance, there was criticism of the restrictive policy pursued in relation to intelligence gathering. The Parliamentary Committee also concludes that the then government and the House of Representatives of the Dutch parliament placed too much faith in the United Nations Secretary-General’s commitments regarding the deployment of air support.

On the occasion of the 20th commemoration of the fall of Srebrenica, the debate erupted once again. This led to a request from the House of Representatives for further investigation. This request was granted by the government, and NIOD was subsequently asked to conduct an exploratory study into:

- international political decision-making on providing air support (air strikes or close air support) to UNPROFOR, including Dutchbat, prior to and during the fall of the enclave of Srebrenica and, in particular, any agreements on this matter between France, the United Kingdom and the United States, dating from the end of May 1995;
- prior knowledge on the part of Western intelligence services concerning the Bosnian-Serb attack on the safe area of Srebrenica and concerning the exact objective of this attack.

The request submitted to NIOD evolved into a formal investigation, which the Cabinet approved on 25 March 2016.

## Procedure, methodology and accountability

Two principles were given priority in this exploratory survey: 1) the nature of the exploratory survey and 2) restriction to the two issues in question.

The term ‘exploratory survey’ suggests that there is no intention to conduct an in-depth examination of every single research question generated by the exploratory survey. Indeed, the limited period allotted to this exploratory survey precludes any such approach.

The second principle concerns the restriction to the two main issues. It goes without saying that the fall of Srebrenica has given rise to many more questions than just those relating to possible agreements about air support and possible prior knowledge. Other issues remain outside the scope of this report, unless there is a direct connection with one or both of the exploratory survey’s questions.

Among the selected survey materials, the main resources guiding the further exploration of new sources are the documents recently released from the Clinton government's Bosnia archive, the report of an international conference with the parties involved in The Hague, a number of episodes of the *Argos* radio programme, a TV documentary entitled *Waarom Srebrenica moest vallen* (Why Srebrenica had to fall) and a publication entitled *Veilige Gebieden* (Safe Areas) by the former Dutch Defence Minister, Joris Voorhoeve.

The archival research made use of the archives that originated from the research carried out for the NIOD report entitled *Srebrenica een 'veilig' gebied* (Srebrenica a 'safe' area). The exploratory study also focuses specifically on potential new sources and files from the post-2002 period. Within the Dutch government, archival research was carried out at the Ministries of Foreign Affairs, Defence and General Affairs, at the General Intelligence and Security Service (AIVD) and the Military Intelligence and Security Service (MIVD), and at the House of Representatives of the Dutch parliament. Voorhoeve's Srebrenica archive at the National Archives of the Netherlands in The Hague was consulted. Additional research was also carried out at archives in the United States. One of these was the Clinton Library, at Little Rock in Arkansas. In New York, a visit was paid to the UN archives in order to study the archives of UNPROFOR and those of the Department of Peacekeeping Operations (DPKO). In The Hague, several visits were made to the archive of the International Criminal Tribunal for the former Yugoslavia (ICTY). Furthermore, several archives (or inventories thereof) were electronically searched at the offices of NIOD.

During the initial phase of the project, NIOD researchers conducted extensive exploratory talks with various individuals, including some who were involved in the previous NIOD study. Based on a literature review and archival research, a list was drawn up of individuals who needed to be interviewed in connection with the assignment. Unfortunately, some of those approached by NIOD were either unwilling or unable to make an appointment. In the Netherlands, almost everyone who was invited to speak with NIOD has agreed to do so.

## Air support

It is important to distinguish between two types of air operations: close air support (CAS) and air strikes. Close Air Support was purely intended for the defence of UNPROFOR troops and to deter attacks against safe areas. Air strikes, on the other hand, were offensive and strategic in nature and aimed at destroying some or all of the fighting capacity of one of the parties to the conflict, either for military or political purposes.

### Perspectives on air support

This section focuses on a number of relevant factors that played a part in decision-making on air support during the war in Bosnia.

- **Substitution for intervention on the ground**  
It has been established that one of the main parties, the United States, saw air support as a substitute for undesirable ground-based intervention.
- **Status of the safe areas**  
Due to the ambiguous status of the safe areas, it was not clear exactly what the UN troops were and were not allowed to do in the context of their mission, including requesting and providing air support.
- **Organizational structure of UNPROFOR**  
The context of the organizational structure of UNPROFOR is another relevant factor. The UN peacekeeping force consisted of units of various national armed forces. As a result, effective cooperation and flexible deployment were by no means a foregone conclusion. In addition, any use of air power in Bosnia had to be assessed by UNPROFOR commanders in terms of its potential effects on diplomatic initiatives, ongoing operations and humanitarian projects.
- **Boutros-Ghali's promise**  
Without what has become known as Boutros-Ghali's promise about air support, the decision to send a battalion to Srebrenica would never have been taken. Based on four specific moments, during Boutros-Ghali's visit to the Netherlands in January 1994, the question of whether a promise had been made and, if so, what exactly had been promised, was explored. The conclusion was that no firm promise had actually been made.
- **Air support on previous occasions and elsewhere**  
Experience gained in places such as the Bihać (March and November 1994) and Goražde (April 1994) enclaves showed how challenging it was, in the difficult terrain of Eastern Bosnia, to defend an enclave from the air, certainly in the context of a peacekeeping mission. There are also cases in which requests for air support were rejected, for example, if an attack had already stopped before a decision could be taken. Conclusion: the UNPROFOR commanders made their own decisions, so air support was not automatically provided.
- **Actions by the chiefs of staff**  
For the chiefs of staff of the Troop Contributing Nations (TCN), the lack of clarity about UNPROFOR's mandate and about the arrangements concerning air support were sufficient reason to put forward specific proposals and reach specific agreements in separate joint meetings. These meetings took place twice, in 1994 and 1995, but they had little or no effect in practice.
- **Hostage crisis**  
At the end of May 1995, in response to the shelling of Sarajevo by the Bosnian Serbs, air strikes were carried out on Pale. This brought a swift response. That same day, safe areas were shelled, causing almost 200 casualties in Tuzla alone. Following a second air operation, the Bosnian Serbs took a total of 350 UN observers and UN

soldiers hostage. The United Nations then decided that no further air strikes would be carried out for the time being. Close air support, however, was not excluded.

- **Post Air Strike Guidance**

New guidelines were subsequently issued in the form of Post Air Strike Guidance. Carrying out the mandate was made subordinate to the safety of UN personnel. Unnecessary vulnerability to hostage situations should be avoided. Close air support and air strikes should only be carried out 'as a last resort'.

- **Views concerning air support for Srebrenica**

Dutch officers at different positions hold differing opinions concerning the possibility of close air support during the Bosnian-Serb attack on Srebrenica. On the one hand, a number of officers held the view that the earlier use of air power would have been useful, justified and possibly even crucially important. That group is opposed by other officers who believe that the use of air support could only be permitted if Dutchbat was in evident danger.

#### Exploratory survey of new sources

One document from the Clinton Library that has been the focus of a great deal of attention is the memorandum that National Security Adviser Anthony Lake wrote on 29 May 1995, following a meeting of the Principals Committee, the previous day. A handwritten annotation shows that Clinton approved the content. The discussion focused on this sentence: 'privately we will accept a pause [of air strikes], but make no public statement to that effect'. Further analysis shows that this is a confirmation of a decision, previously taken within the UN, to suspend air strikes in the light of the hostage crisis. It is not a principled decision to stop completely, and furthermore it concerns air strikes, not close air support. So it was not the case that, at that meeting, a decision was taken that no more air attacks would be carried out. This accounts for the fact that, during the attack on Srebrenica in July, no adequate air support was provided.

Since 1995, rumours had been circulating that – during the hostage crisis – a secret agreement was concluded between the Bosnian-Serb commander, Ratko Mladić, and the French Force Commander, Bernard Janvier. Both the French Government and General Janvier have firmly denied the existence of any such agreement. Nevertheless, these rumours have persisted. Recently, further evidence has emerged into the public domain that might indicate the existence of a secret deal:

- In 2015, Hasan Muratović (who had been a member of the Bosnian government during the Bosnian war) said that he had received confirmation of the existence of a secret agreement from Jens Stoltenberg, the Norwegian politician/diplomat who at that time was a European Union negotiator. Mr Muratović had informed NIOD investigators about this as long ago as 1998. They later put this story to Mr Stoltenberg, who resolutely rejected it. Mr Muratović's recent statement contains no relevant information that was not already known in 2002.

- In his book, entitled *De slag om Srebrenica* ('The battle for Srebrenica'), the journalist and writer Frank Westerman claims that the Netherlands had 'attempted to keep secret information about the role of France and America in the fall of Srebrenica out of the public domain.' He refers to an official report concerning the 'detention and arraignment' of Colonel Charlef Brantz who, in July 1995, was a UN officer in Bosnia. If that was already the case, then that is not apparent from the sections of the official report that were published by Westerman.
- In addition, a message sent by Yasushi Akashi, on 19 June 1995, to Assistant Secretary-General of the UN, Kofi Annan, seems to support the suspicion of French manipulations. In this message he reports details of a conversation with Slobodan Milošević: 'In the course of our discussions on air power Milošević stated that he had been advised by President Chirac of President Clinton's agreement that air strikes should not occur if unacceptable to Chirac'. Aside from the issue of whether Mr Milošević was speaking the truth on this occasion, this statement cannot be taken to indicate that there was a guarantee or agreement about not carrying out air attacks.
- On 12 July 2016, the *Argos* radio programme gave details of a document that had been sent to them, which contained the following intriguing passage: 'UN threatens BSA [Bosnian Serb Army] with air attacks. Reply: Past experience has shown that air attacks 'do not work', in addition it was promised that NATO would carry out no more air attacks.' According to *Argos*, this could indicate 'that the Dutch government and defence chiefs were aware of a decision to withhold the necessary NATO air support from Srebrenica'. The passage in the *Argos* document is probably an abridged description of part of a NATO intelligence report that was sent to various defence establishments in the Netherlands. An analysis of this report leads to the conclusion that, rather than being an alliance guideline, the relevant passage was actually a representation of a Bosnian-Serb allegation.

In 2005, the American diplomat Richard Holbrooke stated that: 'Srebrenica is a great tragedy which should not have been permitted to occur. But it did, and I tell you that I was under initial instructions to sacrifice Srebrenica, Goražde and Žepa, and I felt that was wrong.' This statement has been interpreted as evidence that Srebrenica was sacrificed by the Americans. Four years later, however, he stated that this was a misunderstanding caused by his 'faulty memory'. His comment concerning the sacrifice of the eastern enclaves related to Goražde, in August 1995, i.e. after the fall of Srebrenica and Žepa. This correction is consistent with information from other sources.

Since the fall of Srebrenica, numerous rumours have been circulating about the Bosnian government's complicity in that event. Such rumours and accusations are taken very seriously in Bosnia itself. Hakija Meholjić, who was a member of the *Presidium* of Srebrenica from 1992-1995, asserts that, during a *Presidium* visit in September 1993, Alija Izetbegović had explained that the enclave 'must' fall, possibly involving around 5000 casualties, to

provoke or justify direct American involvement. It is claimed that President Izetbegović discussed this issue with President Clinton. Mr Meholjić's story is extremely odd. Others who were present at the discussion in question refuse to talk about the issue, but they do describe Hakiya Meholjić as being 'reliable' and 'credible'. The question of whether or not a 'deal' was struck between the warring parties cannot be answered in the context of this Exploratory Survey, but it is considered to be highly unlikely.

### Conclusions air support

- The memorandum concerning a 'secret pause' in air operations (which was apparently agreed in Washington on 28 May) appears to be somewhat less remarkable than is sometimes claimed. The decision only concerned the use of air strikes, not close air support. The decision to suspend air strikes was taken, not in Washington, Paris or London, but by representatives of the United Nations in Zagreb and New York, on 26 May. Nor was there any formally recorded decision in which further air strikes were excluded.
- The recent allegations and claims about the existence of a secret agreement between the Bosnian Serbs and the French do not contain any new information that makes the existence of such a deal any more plausible than had previously been the case. Rather, this seems to be a repeat presentation of rumours and allegations that had been previously expressed. Based on these allegations, there is no reason to cast doubt on the conclusions previously drawn by bodies such as the United Nations and NIOD.
- From the very beginning, the deployment of air power in Bosnia was a problematic issue, involving long and intensive deliberations. Thus, the expectation that, in all cases, air support would be provided as soon as Dutchbat requested it, can be described as not realistic. No such automatic approval of every single request was ever promised.
- When deploying close air support in and around Srebrenica, it was necessary to take into account the physical proximity of civilians, UN troops, and soldiers of the warring parties. The uneven, densely forested and often foggy terrain certainly did not work to the advantage of UNPROFOR and NATO. This is sufficient reason to be sceptical about the feasibility of effectively defending the enclave through the use of air power. It is far from certain that a 'robust response' would have led to a better outcome and fewer casualties.

### Prior knowledge

With regard to the upcoming attack on Srebrenica, who knew what, and when? This question about possible prior knowledge is perhaps the most pressing question associated with the entire Srebrenica file. For the purpose of this Exploratory Survey, new claims, allegations and the underlying documents on the role of intelligence in the prelude to the fall of the enclave of Srebrenica have been studied and evaluated. In addition, based on

internal research into source material and on interviews, a search was made for relevant new information concerning the role of intelligence in the prelude to the Bosnian-Serb attack on Srebrenica.

### Claims and allegations

A German journalist, Andreas Zumach, claims to have examined intercepts from an anonymous American source. According to him, these sources show that the American intelligence services were aware of the attack on Srebrenica. Manfred Eisele, a German general (ret'd), who was at that time working for the United Nations' DPKO, claims that, several months prior to the attack, he had seen aerial photographs showing troop reinforcements, arms drops and newly constructed bunkers. The claims made by Eisele and Zumach are, to some extent, comparable. Both state that they had seen high-explosive material, but neither of them can produce any evidence to support this.

In a report broadcast during an episode of *Argos*, the American journalist Greg Miller stated that the CIA had a 'first-class source' inside the power centre in Belgrade, namely Jovica Stanišić, the head of the Serbian State Security Service (SDB). *Argos* suggests that this fact alone could result in prior knowledge of the attack on Srebrenica. However, this allegation has been contradicted both by Miller himself and by the CIA agents involved.

In the TV documentary entitled *Why Srebrenica had to fall*, its makers state that – based on a document from the intelligence services (Balkan Task Force) – it is 'certain (...) that the Balkan Task Force had warned of an impending attack'. However, the intelligence report was more of a scenario in which the UN would withdraw its troops, rather than actual prior knowledge about an attack. These scenarios differed. Furthermore, the actual effects of such a withdrawal were dependent on a range of factors. The conclusion that it is 'certain' that the Balkan Task Force had warned of 'an impending attack', which was expressed in the documentary, is not consistent with this.

### New findings

In his book, entitled *Veilige Gebieden (Safe Areas, 2015)*, the former Defence Minister, Voorhoeve, makes two statements that relate to the intelligence domain's presumed prior knowledge of the attack on Srebrenica: first, the statement that two allies were aware of the attack on Srebrenica, second that a Western intelligence service had given Belgrade the 'green light' for the seizure of Srebrenica.

The first statement is based on two documents. These were found during the research into source material carried out for this Exploratory Survey in various archives, including those of the AIVD and the MIVD. However, an analysis of those same records found no evidence that the foreign intelligence service in question was aware of the Bosnian-Serb Army's intention to capture the three eastern enclaves. Messages were indeed found that contain information about attack plans. But this information should be viewed in the context of many more messages that were contradictory and unclear. Accordingly, this archival



research leaves too many questions unanswered for it to be able to support a firm conclusion regarding the availability of prior knowledge concerning the attack on Srebrenica.

The second claim concerns the so-called 'green light' theory. In the autumn of 2004, an AIVD employee had an informal conversation with a highly-placed Serbian official, referred to here as 'The Venerable One'. This individual told him that an unknown American intelligence officer, known as 'John Smith', had asked him to inform Slobodan Milošević that, as far as the US was concerned, he had a 'green light' for the conquest of the enclave – provided that it was done quickly, within 48 hours. The AIVD has further investigated The Venerable One's allegations. The AIVD employee also submitted the report to the MIVD. This service decided to verify the report with their American counterparts. The latter described the allegation as politically motivated and its content as 'baseless', 'unfounded' and 'bizarre'. This action on the part of the MIVD was met by astonishment at the AVID. Whatever the case, it can be classified as an example of miscommunication between the two services. The AIVD pursued its own investigation into The Venerable One's claims. This led to the conclusion that this was 'a credible allegation, a serious suspicion'. But, due to the lack of hard evidence for this scenario, the service recommended that no political consequences (such as confronting the US) or judicial follow-up actions (such as a formal approach to the ICTY) should follow from The Venerable One's report.

#### Conclusions regarding prior knowledge

For the purpose of this Exploratory Survey, these new claims, allegations and the underlying documents on the role of intelligence in the prelude to the fall of the enclave of Srebrenica have been studied and evaluated. Not *all* public statements made since 2002 concerning intelligence and Srebrenica have been taken into account. Only those allegations that have been made repeatedly, and claims referring to specific source material have been investigated. In addition, (and a large part of this Exploratory Survey has focused on this) based on internal research into source material and on interviews, a search was made for relevant new information concerning the role of intelligence in the prelude to the Bosnian-Serb attack on the enclave of Srebrenica.

- It has been concluded that no compelling, incontestable and crystal clear knowledge about the Bosnian-Serb attack plans has been found. Based on the archival research carried out for the purposes of this Exploratory Survey and on the statements made by domestic and foreign respondents in the course of extensive discussions, it is unlikely that any such knowledge ever existed.
- The claim made by The Venerable One is an explosive report, which – for obvious reasons – was taken seriously by the AIVD. Quite rightly, the final conclusion is that the claim was not based on hard evidence - of which, indeed, there is none. Nor, it is worth noting, is there any hard evidence to the contrary. Based on the research

carried out for the purposes of this Exploratory Survey, The Venerable One's claim can be described as unlikely.

## Conclusions and recommendations

### Key conclusions

1. This Exploratory Survey has produced no evidence or proof of the existence of international political decision-making on providing air support (air strikes or close air support) to UNPROFOR, including Dutchbat, prior to and during the fall of the enclave of Srebrenica that had been concealed from the Netherlands. None of the new sources or claims investigated provides sufficient support for the existence of any such agreements or deals.
2. However, it was the case that – since the hostage taking in May 1995 – a degree of restraint was exercised in the use of air power, especially air strikes. Although the provision of close air support and air strikes was still possible, as a last resort, even after May 1995, there was no uniformity among the various levels of the UN hierarchy concerning the options and expediency involved. The history of requests for air support elsewhere shows that the reluctance to use air power during the attack on Srebrenica was consistent with a long-standing pattern.
3. This Exploratory Survey of newly available source material pertaining to 'prior knowledge' in the intelligence domain found no forms of knowledge or intelligence that could support the conclusion that the parties involved (at home or abroad), including the intelligence services, were aware of a specific Bosnian-Serb plan to attack and capture the entire enclave of Srebrenica in July 1995.
4. Beyond the domain of tactical knowledge, there was a very substantial amount of intelligence and evidence relating to the Bosnian Serbs' intentions and capabilities, which did point to the possibility of an attack on the eastern enclaves, not least Srebrenica. On the other hand, there were also messages that did not indicate the likelihood of a direct attack. Aside from the option of air support, this Exploratory Survey has encountered no scenarios regarding countermeasures against a possible attack.

### Recommendation

From a historical and academic viewpoint, further research into the events that took place before, during and after the fall of the enclave of Srebrenica is of undiminished importance. However, until such time as full and unrestricted access is granted to all classified information held by the main parties to the conflict, any continuation of the exploratory study being conducted by NIOD would have little or no added value. Thus, when deciding on a possible follow-up study, another point to be considered is whether there is a realistic possibility that the researchers will be granted access to all relevant and available resources,

particularly in other countries involved. As yet, this is not the case.