



MEMORIAL
CENTER
SREBRENICA

SREBRENICA GENOCIDE DENIAL REPORT 2022

Srebrenica - 2022



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**SREBRENICA GENOCIDE
DENIAL REPORT 2022**

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EXECUTIVE SUMMARY

The 2022 Srebrenica Genocide Denial Report is based on monitoring and analysis of the instances of genocide denial between May 2021 and May 2022. The report utilizes quantitative methods for the collection of data available in the media. Following the content and narrative analysis of this data, the report offers recommendations for various actors and sectors of society to combat genocide denial. The findings of the report suggest that denial of the Srebrenica genocide and glorification of war crimes and criminals remains ubiquitous in both Bosnia and Herzegovina and the region, and that the prevalence of these practices has in fact increased in comparison to the 2020-2021 reporting period.

Using quantitative analysis, 693 acts of genocide denial were identified in the public and media space in BiH and neighboring countries during this reporting period. According to the analysis, most of these instances occurred in the Republic of Serbia (476), followed by Bosnia and Herzegovina (176, of which 175 occurred in the entity of the Republika Srpska), and then Montenegro (27). Notably, two (2) instances of denial were also recorded in the Republic of Croatia. Denial of the Srebrenica genocide most commonly manifests in three forms: disputing the number and identity of the victims; international conspiracy theories and questioning the credibility of the courts; and triumphalism and nationalist historical revisionism. The majority of instances are active denials of the genocide, which include explicit claims that genocide was not committed; “alternative histories” and conspiracy theories that present completely fictitious explanations for the judicially established facts about genocide; attempts to silence or prevent fact-based public discussion of the genocide; counter-assertions of a genocide directed against the Serbian people and calls for its recognition; opposition to official documents adopted by states or institutions which recognize, condemn, or accept responsibility for the genocide; and opposition to the adoption of laws prohibiting genocide denial.

Genocide denial is also often inscribed in public space through graffiti and messaging, as well as the names of public institutions and streets. Dissenters are often the targets of violence and threats, both online and in person. The majority of deniers are political actors, including political parties and former and current party and public officials. After politics, the media is the next most frequent sector engaged in genocide denial, followed by individuals and institutions in the fields of cultural arts, science and education, and various forms of right-wing activism.

After the adoption of the so-called “Inzko Law” (named after Valentin Inzko, the former High Representative in BiH) criminalizing denial, instances of genocide denial in Bosnia and Herzegovina sharply declined but was not

reduced to zero. The Srebrenica genocide continues to be denied by high-ranking public officials, most notably BiH Presidency member Milorad Dodik. Denial remains explicit and public and is promulgated through official channels in BiH. Although the law has been in force for nearly a year, at the time of the writing of this report, not a single indictment has been filed for the denial of genocide.

With respect to last year’s report, the emergence of Israeli historian Gideon Greif among the top 10 deniers during the present reporting period has been a surprising development. Greif chaired the commission formed by the government of the Republika Srpska entity which recently published its report on the events which took place in Srebrenica during the war in the 1990s. The sole purpose of this report is, beyond a shadow of a doubt, to deny and relativize the genocide committed against Bosniaks in Srebrenica, and Greif himself has actively denied the genocide in the media. Following outrage in Bosnia and Herzegovina and around the world, particularly from Jewish communities and organizations, Greif attempted to retract his statements on the Srebrenica genocide in an effort to salvage his academic credibility. He did not succeed, however, and his name continues to be stained by his denial of the genocide in Srebrenica.

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ABBREVIATIONS

ATV	Alternative Television
BiH	Bosnia and Hercegovina
EU	European Union
FBiH	Federation of Bosnia and Herzegovina
ICC	International Court of Justice
ICMP	International Commission for Missing Persons
ICTY Yugoslavia	International Criminal Tribunal for the Former
IGC	Institute for Genocide Research Canada
NATO	North-Atlantic Treaty Organization
OHR	Office of the High Representative
RS	Republika Srpska
RTRS	Radio Television Republika Srpska
RTS	Radio Television Serbia
SNSD	Alliance of Independent Social Democrats
SRNA	Republika Srpska News Agency
UN	United Nations
VRS	Army of Republika Srpska

SREBRENICA MEMORIAL CENTER

The Srebrenica-Potočari Memorial Center was established by decision of the High Representative for Bosnia and Herzegovina in 2000 as a memorial and cemetery for the victims of the July 1995 Srebrenica genocide. A place of remembrance for the genocide's victims, the Memorial Center is dedicated to preserving history and confronting the forces of ignorance and hatred that make genocide possible.

The mandate and objectives of the Memorial Center include the construction and maintenance of the grounds and facilities; the collection and distribution of Memorial Center funds; cooperation with similar institutions, foundations, and associations worldwide; and conducting all other functions essential for the Memorial Center's operation.

In the course of fulfilling our mission and mandate, we are in constant cooperation with our partner organizations throughout the country, the region, and the world. We are especially committed to our ongoing research activities which include the collection and preservation of personal artifacts belonging to the victims of genocide, the recording of oral histories and personal testimonies of survivors and witnesses, and the analysis of relevant judicial proceedings which establish responsibility for the genocide and crimes against humanity committed in Srebrenica. Additionally, the Memorial Center works diligently to fight against denial and raise awareness about the genocide through publications, videos, graphics, and other multi-media content through our website, social networks, and media partners.

We also collaborate extensively with artists for the development of new exhibitions, both at the Memorial Center and outside of it. We use various artistic mediums to engage with and inform the general public on the topic of the genocide in Srebrenica. We participate in the organization of the Day of Remembrance of Genocide Victims annually on July 11th, facilitating the myriad events and activities coalescing around this day of commemoration. We help and encourage journalists and researchers to visit Srebrenica and utilize our Documentation Center, Archive, Library, and all other available resources in their work to produce new projects and scientific research which will contribute to genocide awareness and prevention worldwide.

In the past two years, thanks to the support of international and domestic donors, we have renovated the facilities of the Library, Archives, and Administration Building. We have already installed several new permanent exhibitions and are currently in the process of developing a comprehensive exhibition which will be of immense value to Memorial Center visitors.

Through the Genocide and Crimes against Humanity Alert and Prevention

Mechanism, we contribute to the global effort to end violence, resolve conflicts, and prevent war crimes. We have become one of the leading institutions in Bosnia and Herzegovina for international exchange programs and volunteer engagement. We have created quality research facilities and resources for all those involved in scientific research pertaining to history, law, and human rights. In the past two years, we have held over 120 online lectures and over 250 meetings of various kinds, including events organized by the Memorial Center and its partners in Belgrade, Ljubljana, Sarajevo, and across Europe. In our work, we have hired over 100 associates, mostly from eastern Bosnia.

We advocated successfully for the adoption of an amendment to the Criminal Code of Bosnia and Herzegovina prohibiting the denial of genocide, as well as the adoption of a cantonal regulation in Sarajevo to provide a support program for genocide survivors. We have also established partnerships with over 50 institutions in the country and around the world.

Nevertheless, our fight is far from over. At the Memorial Center, we understand the danger posed by historical revisionism to the processes of peace building and transitional justice. Through a fact-based approach that promotes tolerance, inter-ethnic dialogue, and reconciliation, we are committed to confronting the pernicious forces that seek to negate the Bosnian historical experience.

Behind this report stands the entire Memorial Center team, led by our Director, Dr. Emir Suljagić, and the President of the Board of Directors, Mr. Ševket Hafizović. This report represents our response to the deniers of genocide. It is imperative that the names of deniers, as well as the institutions and media outlets who enable them, be known, and the consequences of their actions recognized. We trust in the rule of law, and we believe that the judicial institutions of BiH will stop at nothing to put an end to the denial of the Srebrenica genocide and its victims.

Srebrenica Memorial Center, 2022.



INTRODUCTION - DIRECTOR'S NOTE

This year, we have managed to write the third annual report on the denial of the Srebrenica genocide. We will continue to write, to record, to remind, and to remember. The origin and continuation of our report is a response to the ideology and politics which seeks to convince us that we did not experience genocide, and to convince the world that it did not observe it with its own eyes and that all relevant courts did not substantiate and adjudicate it. As long as there are deniers, we will respond to their nefarious efforts.

As the director of the Srebrenica Memorial Center, I would like to express my gratitude to all the authors of this report. Your contribution to the fight for truth and the culture of memory is enormous. This struggle is a civilizational one, a human struggle. I am aware of the effort you put into the research and writing of these lines. I would also like to thank the government of the United Kingdom, which has provided us with the support necessary not only for this report, but also for the numerous other activities that we are implementing in order to better document and present all aspects of the genocide in Srebrenica.

There have been two major developments over the past year which make this report markedly different from the two previous ones. First, last year, the Office of the High Representative in Bosnia and Herzegovina criminalized the denial of genocide and war crimes, as well as the celebration of war criminals. This means that the duty of monitoring genocide denial is no longer ours alone, it is now also the duty of our country's judiciary. We are happy to provide them with the document that you now have the opportunity to read. Certainly, our insistence, in the form of the publication of the Srebrenica Genocide Denial Report, contributed to the decision to introduce a law criminalizing genocide denial. Secondly, Ratko Mladić was convicted of genocide, crimes against humanity, and other war crimes. We then witnessed an intensification of sorts in the genocide denial by public officials and personalities from the Bosnian entity of Republika Srpska and their "tutors" from Serbia. We watched the sentencing live from the Srebrenica Memorial Center, right next to the graves of the victims who were killed in an act of cowardice by Mladić and his forces.

With our friends from all parts of Bosnia and Herzegovina and around the world, we are working to preserve the memory of the victims of the Srebrenica genocide, and we will continue to do so. This report is just one of the ways we do that, and our friends continue to grow in number.

This year, we were visited by tens of thousands of children from both our country and abroad. From my office window, I see them arriving. They come to learn about an important part of our collective history. I want to

enable them to learn about it properly, so that this knowledge will serve them in their education and their lives, and they will not allow what has happened in Srebrenica to be repeated against anyone ever again. These children, God willing, will become adults, with children and families of their own, and I don't want them to ever have to see, in real life, the things we saw.

We are here to learn, teach, warn, and contribute, through our research and work, to the creation of a better and more aware society – a society in which truth is a virtue and deception is a shameful sin. We do this both for those who are gone, and for those who are yet to come.

Dr. Emir Suljagić

WHY A SREBRENICA GENOCIDE DENIAL REPORT - EDITOR'S NOTE

Dear readers, you have before you the new annual edition of the Srebrenica Genocide Denial Report, which was prepared by the diligent team of the Srebrenica Memorial Center and its associates.

After 1995 and the perpetration of the most terrible crime in Europe since the Second World War, there was a period when there seemed to be hope that attitudes towards the genocide in Srebrenica, in Bosnia and Herzegovina, and in the region would be commensurate with those of decent and humane societies towards the Nazi holocaust against the Jews. I would like to remind you that in May 2011, Radio Television Serbia issued a public apology to the people of Serbia and neighboring countries for warmongering propaganda and media support for the criminal policies of Slobodan Milošević. This apology went so far as to define such propaganda as an insult to the people of Serbia, the region, and all humanist intellectuals, stating that it corresponded to the contemporary legal definition of hate speech.

Unfortunately, the aforementioned hopes and expectations turned out to be completely unfounded. The regimes of Aleksandar Vučić and Milorad Dodik not only failed to break with the practices for which the Serbian public broadcaster apologized to the citizens of the country and the region, but the practices initiated by Milošević's media, apparatchiks, and public figures became even more shameless, unscrupulous, and inhumane.

Why do we maintain that it is important to elucidate the devastating practice of denying the genocide in Srebrenica?

There are many authors who have dealt with the analysis of genocide denial, but the most commonly cited work is Gregory Stanton's "Ten Stages of Genocide," which offers a conceptual framework for the analysis of the genocidal process. Some of the stages that Stanton elaborates include: the classification and division of societies into "us and them;" the symbolization and dehumanization through which the victims are represented as insects, animals, or simply a "subhuman species" which does not deserve to live; polarization; extermination; and the organization of genocide. These as well as the other stages mentioned by Stanton are painfully familiar to us. The many trials of the International Criminal Tribunal for the former Yugoslavia and the courts in Bosnia and Herzegovina and the region, as well as the massive amounts of evidence presented at those trials, simply leave no room for the denial of the genocide. Denial is indeed the last stage of genocide, according to Stanton's analytical framework. The fight against denial is the key to genocide prevention because denial is one of the clearest indicators that the recurrence of genocide is possible. All the stages

discussed by Stanton are fully applicable to the analysis of the genocide against Bosniaks in Bosnia and Herzegovina. However, political discourse, media narratives, and the writing of *mainstream* academic elites in Serbia and the Republika Srpska entity led to what has been lucidly concluded by Dr. Edina Bećirević: it is necessary to expand the classification of stages of genocide by one additional stage - the celebration of the genocide. The fascism of the Serbian political and intellectual elites, with its systematic and systemic practice of bestial attitudes towards the genocide in Srebrenica, requires the redefinition of scientific theories about genocide. Unfortunately, we are witnessing the same practice being applied today in the propaganda of Russian, Serbian, and certain regional media in order to hide and justify the terrible crimes committed by the Russian army in its aggression against Ukraine and the Ukrainian people.

That is why we believe it is important to relentlessly call attention to the deleterious practice of denying the Srebrenica genocide, while maintaining the fragile hope that the need for making such reports will soon disappear.

Senad Pećanin

CRIMINAL JUSTICE

The Final Judgement of Ratko Mladić

On June 8th, 2021, the International Residual Mechanism for Criminal Courts issued a second-instance verdict confirming the life sentence of Ratko Mladić, former commander of the Army of the Republika Srpska (*Vojaska Republike Srpske*; VRS), for genocide in Srebrenica, persecution of Bosniaks and Croats, terrorizing the citizens of Sarajevo, and taking members of the UN hostage. Mladić was acquitted on the first count of the indictment for genocide in five municipalities: Prijedor, Kotor Varoš, Foča, Sanski Most, and Vlasenica. Based on the Prosecution's evidence, the Appeals Chamber rejected the grounds of the appeal for the 1992 genocide.¹

The first indictment against Mladić was filed in the Hague Tribunal in November of 1995. However, Mladić was on the run and in hiding until May 2011, when he was arrested by the Serbian authorities and handed over to the Hague.

Mladić's trial began in 2012 and lasted 530 days. In November 2017, the Hague Tribunal's first-instance verdict sentenced Mladić to life imprisonment for the genocide in Srebrenica in the summer of 1995, the persecution of Bosniaks and Croats throughout Bosnia and Herzegovina, terrorizing civilians during the four-year siege of Sarajevo, and taking members of the United Nations peacekeeping mission hostage.

Speaking about the count of Mladić's indictment for the Srebrenica genocide, Presiding Judge Alphons Orie said that "the Chamber found that members of the Republika Srpska Army intended to destroy Bosnian Muslims who were part of a protected group."²

The Case of Milomir Savčić

In January 2020, the Court of BiH confirmed the genocide indictment against Milomir Savčić, the former commander of the 65th Protective Motorized Regiment of the VRS Main Staff and one of the closest associates of Ratko Mladić.³ According to the indictment, Savčić is accused of "planning, commanding, and supervising the activities of members of the 65th Protective Motorized Regiment of the Army of the Republika Srpska and the Military Police Battalion that was part of it, during the capture and detention of several hundred men of Bosniak nationality in several

1 Dragan Makisimović, "Potvrđena presuda Ratku Mladiću, porodice žrtava zadovoljne [Ratko Mladić's verdict confirmed, victims' families satisfied]," *DW*, June 8, 2021, <https://www.dw.com/bs/potvr%C4%91ena-presuda-ratku-mladi%C4%87u-porodice-%C5%BErtava-zadovoljne/a-57819534>.

2 "Ratko Mladić ostaje doživotno u zatvoru [Ratko Mladić remains in prison for life]," *DW*, June 8, 2021, <https://www.dw.com/bs/ratko-mladi%C4%87-ostaje-do%C5%BEivotno-u-zatvoru/a-57818419>.

3 Court of Bosnia and Herzegovina, Case: S1 1 K 034456 20 Kri, <http://www.sudbih.gov.ba/predmet/4058/show>.

locations in the area of Nova Kasaba, and their illegal detention, abuse and murder."⁴

Savčić pleaded not guilty at the plea hearing on February 10th, 2020, and the main trial began later that year on June 22nd.

In August 2021, the Court of BiH ordered Milomir Savčić to be detained for the duration of the trial. The Prosecutor's Office decided to request this detention because of the former VRS general's "media appearances and commentary on events related to the court case." According to the Prosecutor's Office, Savčić violated regulations in four separate media appearances, during which he denied the Srebrenica genocide and commented on the court case against him. These appearances took place after the amendments to the Criminal Code of BiH were introduced by the former High Representative in BiH Valentin Inzko prohibiting genocide denial.⁵

Following the order for his detention, authorities were unable to locate Savčić at his home address and an international warrant was issued for his arrest.⁶

Milomir Savčić, accused of genocide, has yet to be apprehended by law enforcement and is believed to be hiding in Serbia.

The Case of Milenko Živanović

The Court of Bosnia and Herzegovina confirmed the indictment of the State Prosecutor's Office against the former commander of the VRS Drina Corps, Milenko Živanović, charging him with crimes against humanity committed in the area of Srebrenica in July 1995.

The indictment, which was confirmed on December 31st, 2021, states that between July 6th and November 1st of 1995, the accused Milenko Živanović participated in a "widespread and systematic attack directed against members of the Bosniak civilian population in the UN protected zones of Srebrenica and Žepa, during which the Army of the Republika Srpska and the Ministry of Internal Affairs of the Republika Srpska carried out an operation to permanently and forcibly relocate the entire Bosniak

4 Adem Mehmedović, Kadira Šakić, and Tijana Cvjetičanin, *Srebrenica Genocide Denial Report 2021* (Srebrenica: Srebrenica- Potočari Memorial Center and Cemetery for the Victims of the 1995 Genocide, 2021) <https://srebrenicamemorial.org/assets/files/1625819683-srebrenica-genocide-denial-report-2021-english-language.pdf>.

5 "Sud BiH: General Savčić ide u pritvor do kraja suđenja za Srebrenicu [Court of BiH: General Savčić will be detained until the end of the Srebrenica trial]," *Radio Slobodna Evropa*, August 9, 2021, <https://www.slobodnaevropa.org/a/inzko-zakon-savcic-sud-tuzilastvo/31400614.html>.

"We have never disputed that a crime took place and that we ourselves demanded that those responsible for it be held accountable, but we cannot accept something that absolutely did not happen and that is not true and condemn ourselves for something that is not a factual situation, nor can it be proved by anything." (Source: Milomir Savčić for RTRS on July 22, 2021)

6 Jasmin Begić, "Sud BiH dao naredbu za raspisivanje međunarodne potjernice za Savčićem [The Court of BiH gave an order to issue an international warrant for Savčić]," *Detektor*, August 10, 2021, <https://detektor.ba/2021/08/10/sud-bih-dao-naredbu-za-raspisivanje-medjunarodne-potjernice-za-savcicem/>.

civilian population from those protected zones, an operation to capture, detain and liquidate around 8,000 men.” The indictment goes on to state that Živanović was “aware of that attack and that his actions were part of that attack, acting individually and in collaboration with other participants of the joint criminal enterprise who had the intention and common goal to partially exterminate the group of Bosniak people of the Srebrenica enclave by forced removal of the Bosniak civilian population and summary executions, in the capacity of Commander of the Drina Corps, he carried out the planning and management of the activities of all subordinate units in his area of responsibility, as well as monitoring their activities, independently and through the Drina Corps Headquarters, in order to ensure that his orders are carried out.”⁷

At the end of 2021, the BiH Prosecutor’s Office filed an indictment against Živanović. An indictment was also brought against Živanović by the Office of the War Crimes Prosecutor of Serbia. According to the Serbian indictment, Živanović is accused of having ordered and participated in the forced relocation of the Bosniak civilian population from Srebrenica.⁸

The Case of Zoran Malinić

In October 2020, the Court of Bosnia and Herzegovina confirmed the indictment against Zoran Malinić, charging him with aiding and abetting genocide in his capacity as Commander of the Military Police Battalion of the 65th Protective Motorized Regiment of the VRS Main Staff. The indictment accuses Malinić of planning, supervising, and coordinating the activities of the Military Police in the area of Nova Kasaba and its surroundings, who, after the fall of Srebrenica in July 1995, ambushed, captured, and killed Bosniak civilians. According to the Prosecutor’s Office, the accused ordered members of the Military Police to kill 12 captured civilians, including women and wounded.⁹

However, Malinić did not appear at the plea hearing in May 2021, nor at those scheduled for August¹⁰ and November¹¹ of 2021, after which an

7 Court of Bosnia and Herzegovina, Case S1 1 K 041813 21 Kro Živanović Milenko, Available at: <http://www.sud-bih.gov.ba/Court/Case/2264>

8 Haris Rovčanin, “Sud BiH potvrdio optužnicu protiv Milenka Živanovića za zločine u Srebrenici [The Court of Bosnia and Herzegovina confirmed the indictment against Milenko Živanović for crimes in Srebrenica],” *Detektor*, May 9, 2022, <https://detektor.ba/2022/05/09/sud-bih-potvrdio-optuznicu-protiv-milenka-zivanovica-za-zlocine-u-srebrenici/>.

9 Marija Taušan, “Zoran Malinić se nije pojavio na izjašnjenju o krivici [Zoran Malinić did not appear again at the plea hearing],” *Detektor*, May 28, 2021, <https://detektor.ba/2021/05/28/zoran-malinic-se-nije-pojavio-na-izjasnjenju-o-krivici/>.

10 Aida Trepanić, “Zoran Malinić se ponovo nije pojavio na izjašnjenju o krivnici [Zoran Malinić did not appear again at the plea hearing],” *Detektor*, August 31, 2021, <https://detektor.ba/2021/08/31/zoran-malinic-se-ponovo-nije-pojavio-na-izjasnjenju-o-krivnici/>.

11 Aida Trepanić, “Optužen za pomaganje u genocidu po treći put nije pristupio ročištu za izjašnjenje o krivnici, [Accused of aiding and abetting genocide for the third time, he did not attend the plea hearing],” *Detektor*, November 5, 2021, <https://detektor.ba/2021/11/05/optuzen-za-pomaganje-u-genocidu-po-treci-put-nije-pristupio-ro-cistu-za-izjasnjenje-o-krivnici/>.

international warrant was issued for his arrest.¹²

Zoran Malinić, accused of genocide, has yet to be apprehended by BiH authorities and is believed to be living in Belgrade.

The Case of Rade Garić

In 2018, the indictment was confirmed against Rade Garić, accusing him of crimes against the Bosniak population of Vlasenica in 1992,¹³ and for the genocide against Bosniaks in Srebrenica in July 1995.¹⁴

The Court of BiH issued a first-instance verdict in the Garić case which was delivered on August 16th, 2021. In the verdict, Garić was found guilty of crimes against humanity and was sentenced to 20 years in prison.¹⁵

On November 29th, 2021, the Council of the Appellate Division of the Court of BiH issued a second-instance verdict in the Garić case which was delivered on December 29th, 2021. This verdict rejected the appeal of the BiH Prosecutor’s Office as unfounded, while partially respecting the appeal of the defense counsel. As a result, the Court’s judgment from August 16th, 2021, was modified and the accused Rade Garić was sentenced to 17 years in prison for crimes against humanity.¹⁶

The Case of Josipović et al.

On November 29th, 2021, the Court of Bosnia and Herzegovina issued a first-instance verdict in the case of Miodrag Josipović et al., acquitting the accused Miodrag Josipović, Branimir Tešić, Dragomir Vasić, Danilo Zoljić, and Radomir Pantić of participation in the partial extermination of the Bosniak population of Eastern Bosnia.¹⁷ At the end of April 2021, after six

12 Haris Rovčanin, “Naredba za raspisivanje potjernice za Zoranom Malinićem, optuženim za pomaganje u genocidu u Srebrenici [Order to issue a warrant for Zoran Malinić, accused of assisting in the genocide in Srebrenica],” *Detektor*, December 7, 2021, <https://detektor.ba/2022/05/09/sud-bih-potvrdio-optuznicu-protiv-milenka-zivanovica-za-zlocine-u-srebrenici/>.

13 The indictment charges the accused Rade Garić with persecution of the Bosniak civilian population of Vlasenica Municipality on political, national, cultural, ethnic, and religious grounds from April to the end of 1992 through the following crimes: murder, imprisonment, severe deprivation of liberty contrary to the basic rules of international rights, torture, rape, enforced disappearance of persons, and other inhumane acts of a similar nature committed with the intention of causing great suffering and serious physical and mental injury and impairment of health. (Court of Bosnia and Herzegovina Case: S1 1 K 029228 18 Kri, www.sudbih.gov.ba/predmet/3888/show)

14 The judgement against Rade Garić confirmed “that during the wide and systematic attack, which took place in the period from July 6 until August 1995, carried out by the Army of the Republika Srpska and the Ministry of Internal Affairs of the Republika Srpska, directed against the civilian Bosniak population of the UN Protected Zone of Srebrenica, in the capacity of commander of the Intervention Platoon in the Vlasenica Brigade, knowing about that attack and that his actions were part of the attack, committed persecution of the civilian Bosniak population.” (Court of Bosnia and Herzegovina, Case S1 1 K 029228 18 Kri, www.sudbih.gov.ba/predmet/3888/show)

15 Court of Bosnia and Herzegovina, Case: S1 1 K 029228 18 Kri Rade Garić, <http://www.sudbih.gov.ba/Court/Case/1338>

16 Court of Bosnia and Herzegovina, “Otpremljena drugostepena presuda u predmetu Rade Garić [The second-instance verdict in the case of Rade Garić was issued],” January 17, 2022, <https://sudbih.gov.ba/Post/Read/Otpremljena%20drugostepena%20presuda%20u%20predmetu%20Rade%20Gari%C4%87>.

17 Miodrag Josipović was the head of the Public Security Station in Bratunac, Branimir Tešić was the deputy commander of the Police Station in Bratunac, Dragomir Vasić was the head of the Zvornik Public Security Center Danilo Zoljić was the commander of the Special Police Units, and Radomir Pantić was the former commander of the first company of the Special Police Units

years, the evidentiary proceedings in the trial of Josipović et al. for genocide against Bosniaks in Srebrenica were completed. The aforementioned were charged with the forced transfer, deportation, and capture of the Bosniak population, and some were also charged with the execution of men.¹⁸

The first-instance verdict stated that “with the evidence presented at the main trial, the Prosecutor’s Office of Bosnia and Herzegovina did not prove beyond reasonable doubt the participation of the accused in the actions described in the individual counts of the indictment, and in particular did not prove the existence of a subjective element among the accused, i.e. the existence of an intention to fully or partially the destruction of the protected group of the Bosniak population.”¹⁹

The Case of Mile Kosorić and Momčilo Tešić

Mile Kosorić, former VRS Commander of the Vlasenica Brigade, and Momčilo Tešić, a member of the Vlasenica Brigade’s Military Police Unit, have been on trial in Sarajevo since June 2018 on the basis of an indictment for genocide, which accuses them of “the murders of men from Srebrenica, the rape of women, and the looting of money and gold from Bosniaks in July 1995.”²⁰

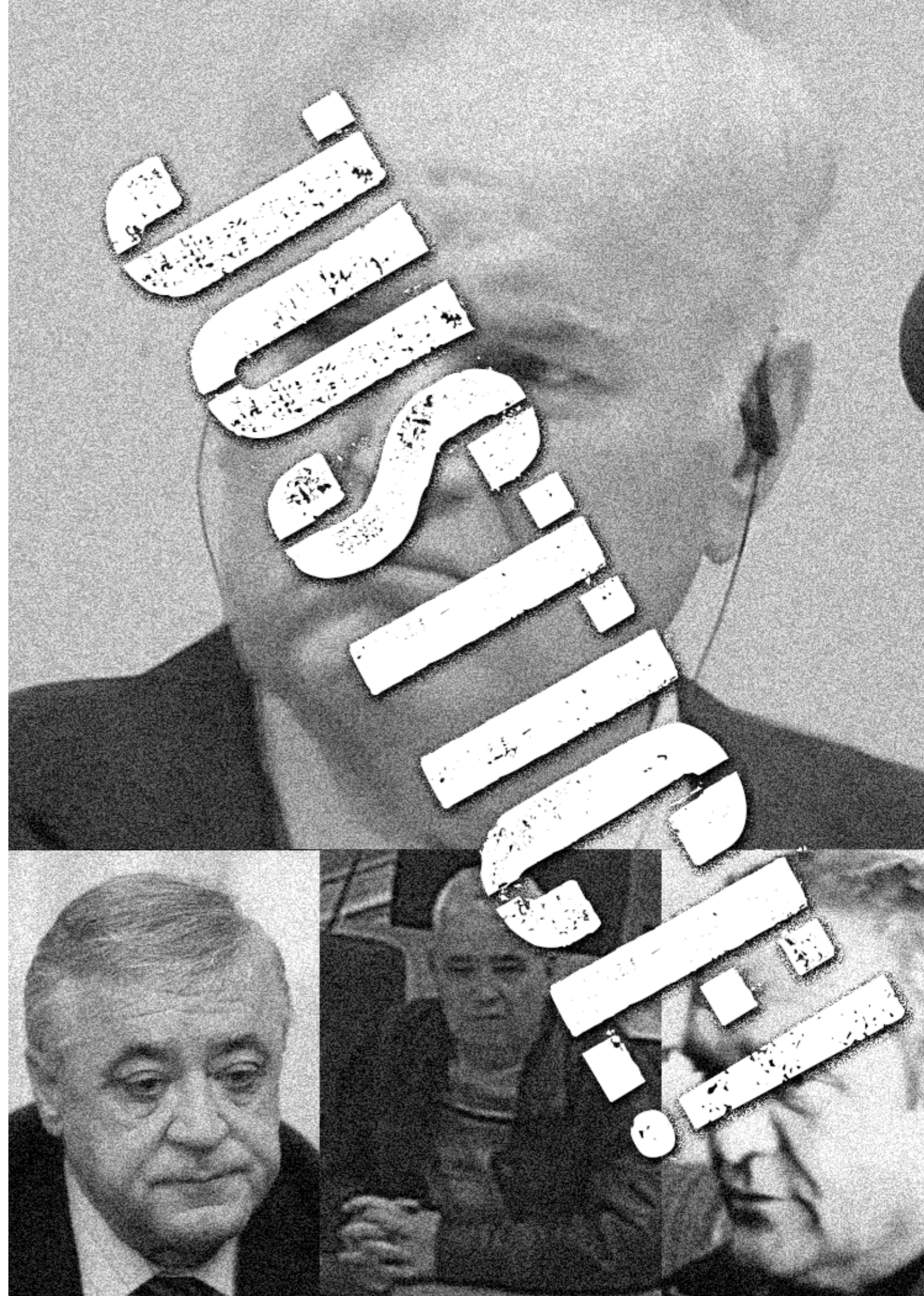
In May 2022, the Trial Chamber separated the proceedings against Mile Kosorić due to his health condition, while the trial of Momčilo Tešić continued.²¹

18 Marija Taušan, “Josipović i ostali: Okončano šestogodišnje izvođenje dokaza [Josipović et al.: Six-year presentation of evidence completed],” *Detektor*, April 26, 2021, <https://detektor.ba/2021/04/26/josipovic-i-ostali-okoncano-sestogodisnje-izvodjenje-dokaza/>.

19 Court of Bosnia and Herzegovina, Case S1 1 K 017057 14 Kri Miodrag Josipović et al., <https://sudbih.gov.ba/Post/Read/Objavljena%20prvostepena%20presuda%20u%20predmetu%20Miodrae%20Josipovi%20i%20drugi>.

20 Emina Dizdarević, “Bosnian Serb Soldiers’ Srebrenica Genocide Trial Opens,” *BIRN*, June 28, 2018, <https://balkaninsight.com/2018/06/12/po%20C4%8Delo-su%20C4%91enje-dvojici-pripadnika-vrs-za-genocid-u-srebrenici-06-12-2018/?lang=sr>.

21 Marija Taušan, “Kosorić i ostali: Razdvojen postupak protiv Mileta Kosorića [Kosorić et al.: Separate proceedings against Mile Kosorić],” *Detektor*, May 24, 2022, <https://detektor.ba/2022/05/24/kosoric-i-ostali-razdvojen-postupak-protiv-mileta-kosorica/>.



QUANTITATIVE ANALYSIS OF GENOCIDE DENIAL

The second edition of the Srebrenica Genocide Denial Report, published in July of 2021, introduced a new methodology which was created through the project “Truth, Dialogue, Future.” This edition of the report retains these basic methodological principles while incorporating a more detailed analysis of the acts of genocide denial themselves, utilizing an electronic database for storing and processing data.

During the monitoring process, acts of denial are classified into the following categories to facilitate the processing of the primary source data utilized in this report: type of genocide denial; media outlets; actors; country; and other data. The database of acts of genocide denial is maintained and updated continuously by the Srebrenica Memorial Center and its associates.

During the present reporting period, from May 1st, 2021 to April 30th, 2022, 693 cases of genocide denial were recorded in the public media space in Bosnia and Herzegovina and the region. This represents a significant increase from the previous reporting period when only 234 instances of denial were recorded.

The majority of instances of genocide denial occurred in Serbia, where 476 cases were recorded. This was followed by Bosnia and Herzegovina, i.e., the entity Republika Srpska, where 176 instances were recorded. Montenegro came in third with 27 acts of denial, and 2 cases of denial were also reported in Croatia.

GENOCIDE DENIAL BY LOCATION 693 CASES WERE RECORDED



FORMS OF DENIAL

444

ACTIVE DENIAL

126

RELATIVIZATION

(and/or comparison with other war crimes)

59

SUPPORT FOR PERPETRATOR

(it does not have to explicitly mention genocide)

57

ACKNOWLEDGEMENT OF CRIMES BUT NOT GENOCIDE

5

CALLS FOR A NEW GENOCIDE

The present reporting period saw genocide denial in the forms of active denial (444), relativization, (126), support for perpetrators (59), recognition of a crime other than genocide (57), and calls for a new genocide in 5 cases.

MAIN ACTORS OF GENOCIDE DENIAL

In the reporting period, a total of 327 actors were identified as having publicly denied the Srebrenica genocide. The majority of these actors were based in Serbia, followed by the BiH entity of Republika Srpska.

Among these actors, the most prolific denier of genocide was BiH Presidency Member Milorad Dodik (31), followed by Serbian Minister of Internal Affairs Aleksandar Vulin (17), and Miodrag Linta, a member of the National Assembly of Serbia (15). The list of deniers of the Srebrenica genocide also included Branimir Kojić, President of the Municipal Organization of Families of Captured and Killed Fighters and Missing Civilians of Srebrenica, Gideon Greif, President of the so-called "Independent International Commission for Researching the Suffering of All Peoples in the Srebrenica Region in the Period 1992-1995," and Serbian President Aleksandar Vučić.

TOP 10 DENIERS



GENOCIDE DENIAL IN THE MEDIA

For the purposes of data processing, genocide denial in the media is divided into two categories: providing a platform for genocide deniers, and directly denying genocide. The former category denotes instances wherein media outlets serve to communicate the messages of genocide deniers to the general public, while the latter category refers to instances of media outlets themselves engaging in genocide denial.

A total of 69 media outlets were identified within these categories during the present reporting period. Consistent with other measurements, the majority of outlets are based in Serbia (43). This is followed by the BiH (RS – 18; FBiH – 4), Montenegro (3), and Croatia (1).

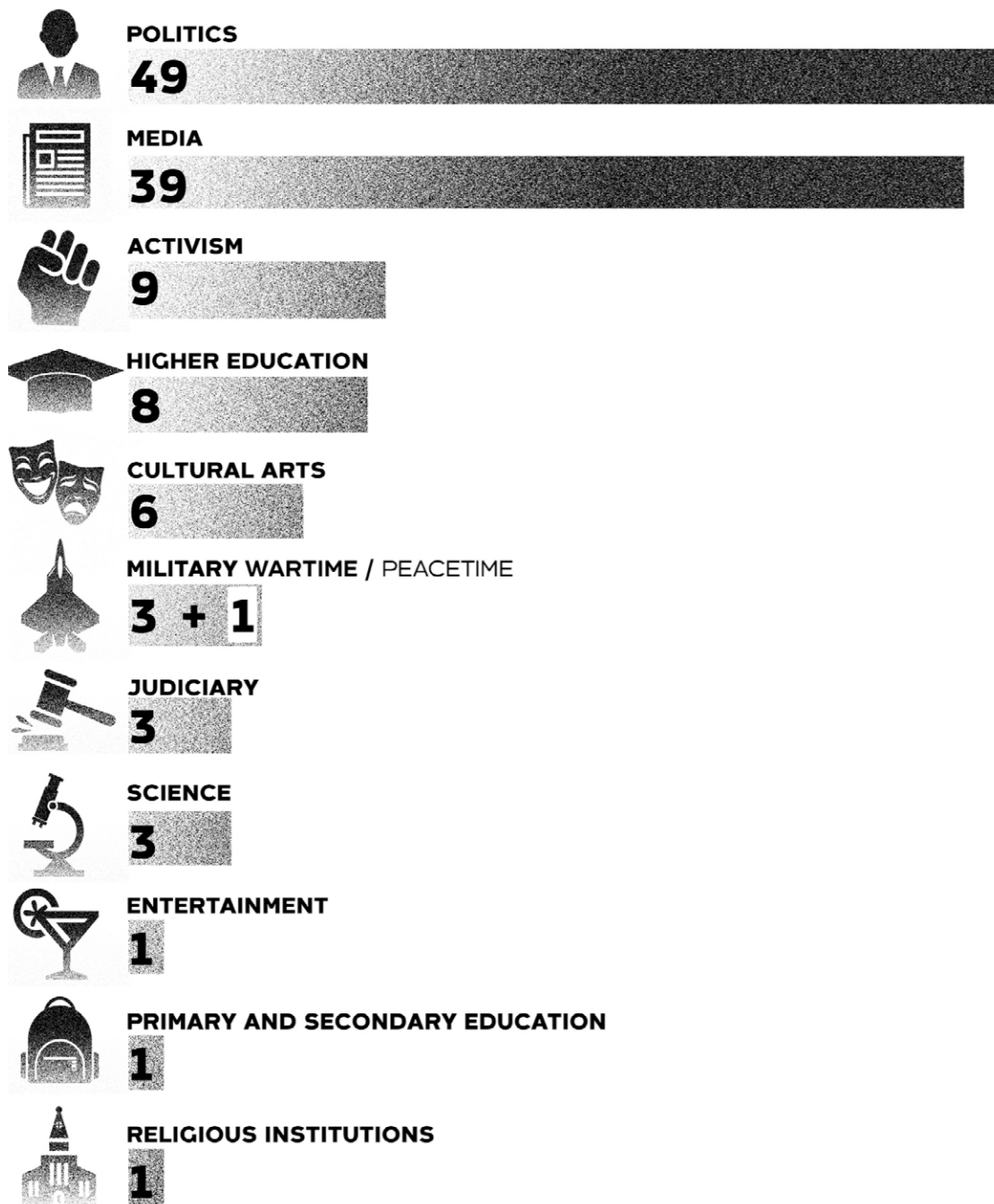
The Serbian media outlets which stand out for their negationist content include Alo, Informer, Novosti, Kurir, IN4S, Pravda, Happy TV, Objektiv, Republika, Sputnik, Tanjug, and Standard.

Notably among the media outlets identified in the BiH entity of Republika Srpska are RTRS, SRNA, Glas Srpske, ATVBL, and Nezavisne Novine.

Media	Platform	Direct	Location
Alo	75	44	Republika Srbija
Informer	60	38	Republika Srbija
Objektiv	21	14	Republika Srbija
Kurir	33	12	Republika Srbija
Novosti	58	12	Republika Srbija
RTRS	50	10	BiH (RS)
IN4S	31	9	Republika Srbija
Republika (rs)	14	8	Republika Srbija
Glas Srpske	23	7	BiH (RS)
Srbija danas (.net)	8	6	Republika Srbija
Srna	42	5	BiH (RS)
Sputnik	12	4	Republika Srbija
Pravda	25	4	Republika Srbija
Tanjug	10	3	Republika Srbija
ATV BL	16	2	BiH (RS)
Happy TV	21	2	Republika Srbija
Beta	8	1	Republika Srbija
Standard (.rs)	9	1	BiH (RS)
RTS	13	1	Republika Srbija
Nezavisne Novine	8		BiH (RS)

GENOCIDE DENIAL BY SECTOR

Instances of genocide denial were reported among institutions (3), public figures (72), public officials (38), media outlets (59), informal groups (6), private individuals (40), religious institutions (2), executive officials (36), members of the judiciary (1), legislative officials (30), within higher education (1), the peacetime military (1), and wartime military (3).



WHERE GENOCIDE IS DENIED: MEDIA OUTLETS AS PLATFORMS & DENIERS

The present research has found that the majority of those denying the Srebrenica genocide hold public office, and that an alarming number of public broadcasters are direct participants in genocide denial. These two disturbing conclusions suggest a collusive and far-reaching attempt to polarize the societies represented by these officials, for whom genocide denial is not only a “political stance,” but a fundamental principle behind their actions. In an environment where genocide denial is espoused with impunity by leading public officials and media networks, the basic tenets of transitional justice cannot be fulfilled.

Genocide deniers are given media space to deny genocide through television, newspapers, and web portals. These media outlets not only provide a public platform for deniers, but also participate directly in denial through authoring texts and supporting interlocutors who deny the genocide in Srebrenica.

Domestically, the RTRS public media network, which operates within the framework of the Public Service of Bosnia and Herzegovina, continues to deny the Srebrenica genocide on a regular basis, as do numerous other media outlets in BiH including SRNA, Glas Srpske, ATVBL, and Standard.

Over the most recent reporting period, RTRS served as a platform in 50 cases of denial, and directly negated the genocide in 10 additional cases. The public news agency SRNA served as a platform in 42 cases, and in 5 cases was itself a denier. Unlike other media outlets based in the RS, Nezavisne Novine served exclusively as a platform for the denial and relativization of the genocide.

Genocide denial is practiced in countries throughout the Western Balkans. Serbian media has been shown to be the most prolific offender, with a total of 476 recorded instances of Serbian outlets either serving as a platform for denial or directly participating in it. This research identified 43 Serbian media outlets engaged in denying the Srebrenica genocide, the most active of which was the commercial media outlet Alo. Apart from Alo, other Serbian networks participating in genocide denial include Informer, Novosti, Kurir, IN4S, Pravda, Happy TV, Objektiv, Republika (RS), Sputnik, RTS, Tanjug, Nezavisne Novine Serbia, Beta, and Srbija Danas.

Additionally, two instances of genocide denial were recorded by a Croatian media network, and three media outlets in Montenegro were found to have denied the genocide.

Genocide Denial in Bosnia and Herzegovina

Within Bosnia and Herzegovina, denial of the Srebrenica genocide overwhelmingly emanates from one of the country's two constituent entities – the Republika Srpska. Denial comes primarily from those holding public political office and Banja Luka based media outlets. Of the 176 cases of denial recorded in BiH during this reporting period, 175 occurred in the RS, with only a single case identified in the Federation of Bosnia and Herzegovina (FBiH). The extent to which genocide denial has increased in BiH can be ascertained through the comparison of these findings with those of the 2021 Srebrenica Genocide Denial Report, in which 60 acts of denial were recorded in the country, 57 of which occurred in the RS entity. In BiH, 22 media outlets have been identified as either providing platforms for denial or directly engaging in denial themselves. Of these, 18 are based in the RS while the remaining 4 are located in the FBiH.

Several important events over the past year have affected genocide denial in the country. These include most notably the amendment to the Criminal Code of Bosnia and Herzegovina imposed by the now former BiH High Representative Valentin Inzko, the second-instance verdict against Ratko Mladić, and the Resolution on Srebrenica adopted by the Parliament of Montenegro.

Since the amendments to the BiH Criminal Code came into force on July 28th, 2021, there has been a noticeable decline in denial of the Srebrenica genocide and those engaging in it. This research shows that genocide denial in BiH decreased by over 80% after the law came into force. Of the 176 instances of denial recorded in the country during the present reporting period, only 23 occurred after the new law prohibiting denial went into effect.

Most notably among those who have continued to deny the Srebrenica genocide since the law's implementation are BiH Presidency member Milorad Dodik, his advisor and Alliance of Independent Social Democrats (*Savez nezavisnih socijaldemokrata*; SNSD) spokesman Radovan Kovačević, and the president of the Municipal Organization of Families of Captured and Killed Fighters and Missing Civilians of Srebrenica, Branimir Kojić. The Speaker of the RS National Assembly has also denied the genocide, and parliament member Momčilo Antonić of the SNSD has called on all MPs not to publicly admit that genocide took place in Srebrenica.

BiH Presidency member Milorad Dodik is at the forefront of Srebrenica genocide denial. He initiated a petition to reject the anti-denial law recently passed by the high representative, saying that “while respecting

all victims, genocide did not take place in Srebrenica.”²²

In maintaining this position, Milorad Dodik perpetuates not only the denial of the genocide itself, but also the indignity suffered by its survivors. In addition to the Serb member of the BiH Presidency and his opposition party, public media networks in the RS have openly refused to accept the decision of the High Representative, likewise contributing to the perpetuation of denial.

Based upon the most recent data, it is clear that the BiH entity of the Republika Srpska is the epicenter of genocide denial in Bosnia and Herzegovina. This conclusion is also consistent with the findings of the two previous additions of the Srebrenica Genocide Denial Report.



Mural in Banja Luka dedicated to Ratko Mladić which reads: “The unification has begun and it can no longer be stopped.” (Source: Goran Katić, Radio Slobodna Evropa)

²² “Dodik pokrenuo peticiju o neprihvatanju Inzkove odluke [Dodik launched a petition concerning the rejection of Inzko's decision], *Radio Slobodna Evropa*, June 23, 2021, <https://www.slobodnaevropa.org/a/dodik-peticija-inzko-negiranje-genocida/31374264.html>.

Denial in the Region

Denial of the Srebrenica genocides persists throughout the Western Balkans. In Serbia, the situation is similar to that in the BiH entity of the Republika Srpska, where genocide deniers hold high public office and the private as well as public media actively participate in genocide denial. Radio Television Serbia (RTS) frequently serves as a platform for genocide denial. Guests are neither interrupted nor admonished for denying genocide during appearances on network programs. In virtually every instance, the hosts, editors, and other network personnel failed to intervene to stop or condemn denial, thus tacitly encouraging negation.

The findings of this report indicate a slight decline in Srebrenica genocide denial in BiH following the implementation of the so-called “Inzko Law” in the country. Serbia, however, where no such law exists, saw an increase in denial in direct response to the BiH legislation. High-ranking Serbian officials such as Aleksandar Vulin actively denied the genocide and portrayed the law as “a prelude to the annulment of the Republika Srpska.”²³

A similar dynamic characterized the Montenegrin Parliament’s adoption of a resolution recognizing the Srebrenica genocide on July 17th, 2021, which was followed by a reactionary increase in denial, including by Assembly member Jovan Vučurović, Mayor of Nikšić, Marko Kovačević, and other public officials. Genocide was likewise denied in Montenegro by analysts, representatives of the academic community, and various non-governmental organizations. A large number of cases of genocide denial in Montenegro were also attributed to Serbian based media.

Two cases of denial were also recorded in Croatia, both by President Zoran Milanović, who, on both occasions, engaged in the relativization of the genocide in Srebrenica. The first instance followed the passing of the Inzko Law, when he said that the genocide in Srebrenica “is not the same as the Holocaust and Jasenovac,” and that while it was “a serious crime with elements of genocide,” no court is “holy scripture.”²⁴ The second time, he said that genocide was committed in Srebrenica, but that a new name must therefore be “invented” for “more serious crimes.”²⁵ This is a significant change compared to the previous Genocide Denial Report, when not a single case of denial was documented in Croatia. It is all the more worrying that the denial is coming from the Croatian president.

23 “Vulin: Nametnuti Inckov zakon – obrazac za poteze protiv Srba [Vulin: Imposing Inzko’s law - a pattern for moves against Serbs],” *Infosrpska*, December 12, 2021, <https://infosrpska.ba/vulin-nametnuti-inckov-zakon-obrazac-za-poteze-protiv-srba/>.

24 “Predsjednik Hrvatske: OVO BI MOGLO ODJEKNUTI U SARAJEVU! Milanović otvoreno o Čoviću, Dodiku, Bosni i Hercegovini, Srebrenici [THIS COULD ECHO IN SARAJEVO! Milanović openly about Čović, Dodik, Bosnia and Herzegovina, Srebrenica],” *Dnevno*, December 3, 2021, https://www.dnevno.ba/vijesti/ovo-bi-moglo-odjeknuti-u-sarajevu-milanovic-otvoreno-o-covicu-dodiku-bosni-i-hercegovini-srebrenici242663/?fbclid=IwAR1QCvyY4HrmDxFy1T27Na1j34rubPACEPwcl2_dkwiSmLa3vXUAo-M0Ck.

25 “Milanović: Srebrenica je genocid, ali onda za teže zločine treba novo ime [Milanović: Srebrenica is genocide, but then more serious crimes need a new name],” *Radio Slobodna Evropa*, December 6, 2021, <https://www.slobodnaevropa.org/a/milanovi%27-srebrenica-je-genocid-ali-onda-za-te%C5%BEe-zlo%C4%8Dine-treba-novo-ime/31596501.html>.

Genocide Denial in Practice

Although two different international courts, the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague in 2004 and the International Court of Justice (ICJ) in 2006, qualified the crime in Srebrenica as an act of genocide, the denial of the genocide has continued. International condemnation and legal bans have likewise failed to deter the authorities in Serbia and the BiH entity of the Republika Srpska from negating the genocide. They arbitrarily reject mountains of forensic and judicial evidence as irrelevant, twisting the facts and employing diversionary tactics to detract from the significance of the crimes in question. In this way, the Srebrenica genocide is constantly negated, minimized, and relativized, regardless of the multiple rulings by the ICTY and other courts which confirm the genocidal nature of the events in Srebrenica in July 1995.

For these revisionist actors, it is not sufficient merely to negate the facts of the genocide. Nationalist historical revisionism fuels the phenomenon of triumphalism, including the glorification of war crimes and criminals. These practices are very much present in the public space, in the RS especially but also in Serbia. Revisionists find or invent historical events that they then haphazardly link together to create narratives which serve the interests of their ideologies, communities, and political parties. These narratives are likewise interwoven with various conspiracy theories which have been given ample space in the public imaginary. Within these cognitive frameworks, even the condemnation and banning of denial are often presented as an attack on the Serbian people, an expression of bias, or an assault on the freedom of speech.

These conspiracy theories are notably distinguished from those in other contexts by the extent to which they are promulgated by public institutions, who directly participate in the denial of the Srebrenica genocide.

At a special session in June of last year, the Government of the Republika Srpska received the *Concluding Report of the Independent International Commission of Inquiry on Sufferings of Serbs in the Srebrenica Region between 1992 and 1995*. The President of the Commission tasked with writing the report, Gideon Greif, said that presenting the report was an honor.

“In our work, we were free and guided by truth, justice, and facts,” Greif said after the session.

On the RTRS program “Interview,” Greif presented the Commission’s conclusions that no genocide was committed in Srebrenica and that the number of victims was exaggerated.²⁶

26 Nermina Kuloglija, “Bosnian Serb Report Claims Many Srebrenica Victims Weren’t Civilians,” *Detektor*, July 21, 2021, <https://detektor.ba/2021/07/21/objavljen-zakljucni-izvjestaj-o-stradanju-svih-naroda-u-srebrenickoj-regiji-od-1992-do-1995-godine/?lang=en>.

The internet also provides fertile ground for both individual posts and virtual communities dedicated to denying the Srebrenica genocide and promulgating nationalist politics through online content.

Speaking to Radio Free Europe, representatives of Twitter and Google have said they intend to remove content denying the Srebrenica genocide from their social platforms. According to Twitter, there is “absolutely no place” for such messages and speech on their network.²⁷ A similar announcement was also issued by YouTube, citing the company’s clearly established policy that “sanctions any hate speech.”

Emir Ramić, Director of the Institute for Genocide Research of Canada (IGC), notes that in monitoring social media content, their data indicates that the majority of posts denying the Srebrenica genocide and insulting the victims come from Serbia, but that such content also comes from Russia, France, and other countries. Radio Free Europe likewise confirms that most of the online content denying the genocide emanates from Serbia.

On July 30th of last year, IGC reached out to the most popular social networks regarding their policies on denial, but they have yet to receive an answer. Ramić says that he has hope for a positive response because “social networks have already removed some content that incites hatred towards others who are different and that insults the victims of the Holocaust, and in individual cases, victims of the genocide in Srebrenica.”²⁸

There are still many challenges when it comes to controlling hateful and incendiary content on social media, including content which denies genocide and other judicially established crimes. According to the Center for Countering Digital Hatred, Facebook, Twitter, Instagram, YouTube, and TikTok have not responded to 84% of posts that should be categorized as hate speech.²⁹

²⁷ Ibid.

²⁸ Svetlana Božić Krainčanić, “Društvene mreže uklanjaju sadržaje u kojima se negira genocid u Srebrenici [Social networks will remove content that denies the genocide in Srebrenica],” *Radio Slobodna Evropa*, August 11, 2021, <https://www.slobodnaevropa.org/a/srbija-genocid-srebrenica-negiranje/31404704.html>.

²⁹ Aida Trepanić, “Društvene mreže postale ‘sigurno mjesto’ za širenje antisemitizma, navodi izvještaj [Social networks have become a ‘safe place’ for the spread of anti-Semitism, report says],” *Detektor*, August 2, 2021, <https://detektor.ba/2021/08/02/drustvene-mreze-postale-sigurno-mjesto-za-sirenje-antisemitizma-navodi-izvjestaj/>.

Narrative Frameworks of Denial

Genocide denial refers to any attempt to deny or minimize the facts or scope of a genocide and is increasingly recognized as the final stage of genocide itself. The first edition of this report published in 2020 identified the three most common narrative tactics used in the denial of the Srebrenica genocide: disputing the number and identity of the victims; conspiracy theories which aim to discredit the rulings of the international courts; and triumphalism and nationalist historical revisionism.³⁰ The same narratives were used in denial of the Srebrenica genocide between May 2021 and May 2022.

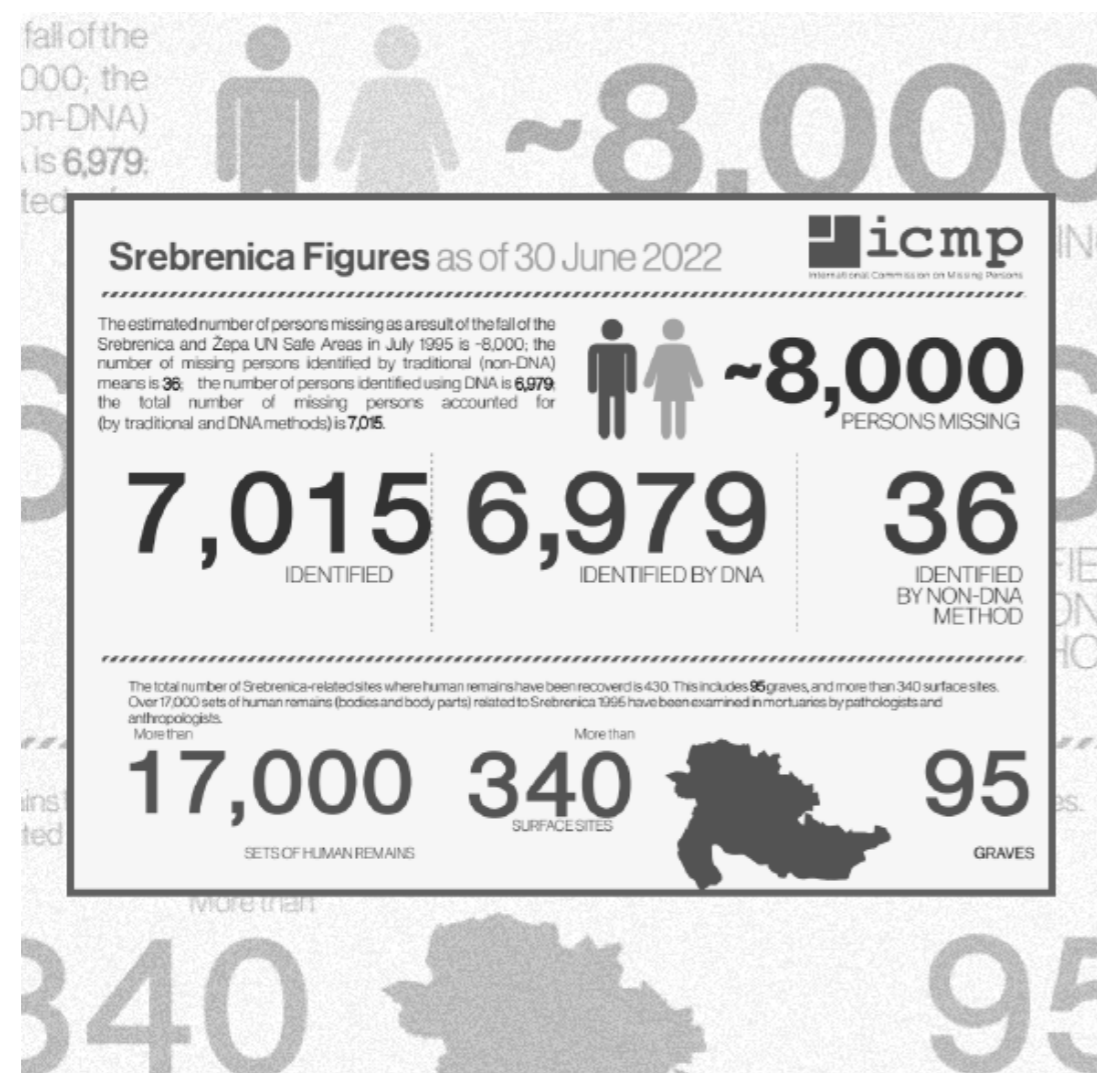
For those who deny genocide, forensic evidence of mass murders and the findings of international judicial investigations are irrelevant. They refute the hard facts of the genocide, vastly minimizing the number of victims and/or claiming that the victims perished as a result of regular combat rather than systematic execution. This narrative culminates in a complete, role reversal, whereby the victims of genocide are characterized as aggressors – either part of an offensive military action or some variation of “terrorists” – and in so doing, justify the perpetrators’ actions as self-defense, claiming that they are in fact the real victims. In confronting the evidence which contradicts their narratives, they can either adopt this same strategy of self-victimization, whereby the investigative and judicial bodies are represented as part of a far-reaching conspiracy against them, or they take a pseudoscientific approach which endeavors to refute the claims of these institutions on the basis of “counter-evidence” and “counter-arguments.”

Taken to the extreme, these revisionist narratives become culturally embedded in nationalist ideologies, which sees the perpetrators of genocide and genocide itself openly celebrated. War criminals are glorified as national heroes, their names engraved in public space on street signs and public facilities. The genocide they committed is likewise celebrated, year-round and on significant dates, under the auspices of commemorating a “military victory” or “liberation.”³¹

³⁰ Monica Hanson-Green, *Srebrenica Genocide Denial Report 2020* (Srebrenica: Srebrenica-Potočari Memorial Center and Cemetery for the Victims of the July 1995 Genocide, 2020).

³¹ Ibid.

These and other practices such as attempting to relativize or diminish the crimes by comparison to other contexts, are both a product and a catalyst of legal impunity.³² The normalization of past violence and even more egregiously, its triumphant celebration, is in effect an open call for its repetition.



³² Lelja Gačanica, *Pravna regulacija zabrane negiranja (poricanja), minimiziranja, opravdavanja ili odobravanja genocida, holokausta, zločina protiv čovječnosti ili ratnih zločina u Bosni i Hercegovini* [Legal regulation of the prohibition of denying, minimizing, justifying or approving genocide, holocaust, crimes against humanity or war crimes in Bosnia and Herzegovina] (Sarajevo: forumZDF - TRIAL International, 2020).

SREBRENICA GENOCIDE DENIAL IN PUBLICATIONS

In July 2021, the *Concluding Report of the Independent International Commission of Inquiry on the Sufferings of All People in the Srebrenica Region between 1992 and 1995* (hereinafter: the Report and the Commission) was published on the Commission’s website. The Commission was formed on February 7th, 2019, by a resolution of the RS entity government³³ which appointed the Israeli historian Gideon Greif as chairman.³⁴ According to its authors, the purpose of the Report is to establish the facts about the suffering of all peoples in the area of Srebrenica in an objective and impartial manner, and to strengthen “trust and tolerance” between the peoples of Bosnia and Herzegovina, thereby promoting reconciliation and “coexistence” among current and future generations. In reality, however, the Report has proven to be merely another elaborate exercise in illegitimate historical revisionism.

The Report repeatedly denies, relativizes, and minimizes the Srebrenica genocide in myriad ways, most notably by vastly diminishing the number of the genocide’s victims. The Commission claims that the primary mass graves could have contained, at most, 3,715 individuals, and only if the graves were filled “in their totality – with no empty space between the bodies,” which they deem improbable, asserting the likelihood “that the real number of buried was significantly less than that.”³⁵ They go on to claim that the number of victims reported by the International Commission on Missing Persons (ICMP) to have been transferred from primary to secondary graves is much higher than what could “could be expected” according to their analysis, and accuse the ICMP of including in its report victims who were killed in “alternative contexts, other than systematic execution.”³⁶

The language used in the Report to refer to the systematic mass executions as well as the forensic and legal evidence substantiating the facts of the genocide committed in and around Srebrenica reflect a deliberate and even mocking effort to falsify the Srebrenica narrative. Through terminology like “the maximum filling of graves with corpses” and similar constructions, the authors of the Report perpetuate the inhumane, revisionist, and pseudoscientific approach to the Srebrenica genocide by the RS authorities who established the Commission.

In the course of more than a thousand pages, the Report unilaterally rejects or ignores the facts which have been proven beyond a shadow of a doubt in the more than 20 judicial proceedings carried about before the ICTY, ICJ, and Court of Bosnia and Herzegovina: that the slaughter of over 8,000

³³ On August 14, 2018, the RS National Assembly rejected the 2004 report of the commission formed by the government of the Republika Srpska, with 70 MPs voting YES.

³⁴ Gideon Grief, et al, *Concluding Report of the Independent International Commission of Inquiry on the Sufferings of All People in the Srebrenica Region between 1992 and 1995* (2020), <https://incomfis-srebrenica.org/report/>.

³⁵ Ibid., 463-464.

³⁶ Ibid., 464.

Bosniak men and boys and the deportation of more than 25,000 women, children, and elderly “were committed with the specific intent to destroy in part the group of the Muslims of Bosnia and Herzegovina as such; and accordingly that these were acts of genocide, committed by members of the VRS in and around Srebrenica.”³⁷

The primary objective of both the Commission and the Report is to minimize the number of victims and to deny the Srebrenica genocide, which can be seen from the conclusion of the Report, which states: “Finally, after a thorough investigation by the Independent International Commission of Inquiry on Sufferings of Serbs in the Srebrenica Region between 1992 and 1995, it is concluded that neither an individual crime of genocide nor genocide in general took place in Srebrenica. Although the Commission does not consider the killings around Srebrenica as genocide, it recognizes the fact that thousands of people (mostly prisoners of war) were killed in the most horrific way and that those responsible for these heinous crimes should be punished.”³⁸

Reactions to the Commission’s Report

Open letter from Vice President of the World Jewish Congress Menachem Rosensaft

After the Commission Report was presented to the public, Menachem Rosensaft, vice president of the World Jewish Congress, was among many to express his outrage, reacting with an open letter.

Rosensaft characterized the Report as “an embarrassment to scholarship and flies in the face of the established record in international law” that “deserves to be consigned to the dustbin of history.” According to Rosensaft, the report is “a legal and factual abomination” and ignores the judgments of the ICTY. Rosensaft warns that the Commission supports its report with a separate opinion from the trial in one of the earlier ICTY cases, and that the report uses the records of discredited genocide deniers, while the records of historians and legal experts who came to diametrically different conclusions are not taken into account.³⁹

Rosensaft also states that a “particular cynical feature of the ongoing genocide-denial campaign was the appointment of Israeli academic Gideon Greif to head the Independent International Commission of Inquiry, presumably to lend an aura of pseudo-scholarship to what was clearly intended to be yet another refutation, or at least whitewashing, of the widespread violations of international law – among them horrific

37 International Court of Justice, “The Application of the Convention on the Prevention and Punishment of the Crime of Genocide,” *Bosnia and Herzegovina v. Serbia and Montenegro*, February 26, 2007, p. 108 § 297. Available at <https://www.icj-cij.org/en/case/91>.

38 Greif, et al., *Concluding Report*, 1036-1037.

39 Menachem Rosensaft, “Deceptive Report Escalates Srebrenica Genocide Denial Campaign,” *Just Security*, July 29, 2021, <https://www.justsecurity.org/77628/deceptive-report-escalates-srebrenica-genocide-denial-campaign/>.

crimes against humanity and genocide – committed by Bosnian Serb paramilitaries and their handlers during the Balkan wars of the 1990s.”⁴⁰

Rosensaft analyzed the Report and pointed out the “twisted logic” used by its authors. Rosensaft points out that the “Greif Report,” as Rosensaft calls it, includes “engages in the age-old rationalization of blaming the victims for the racial, ethnic, or religiously motivated decimation committed by the Serb perpetrators.”⁴¹

Rosensaft compares the Report to Goebbels’ propaganda before and during World War II, in which Jews were accused of harming the German nation. In the Report, the Bosniaks are presented as having “brought the genocide upon themselves,” despite otherwise denying that genocide was even committed. He goes on summarize the message of the report as “don’t blame Mladić, don’t blame Karadžić, don’t blame the Republika Srpska soldiers who shot thousands of unarmed men and boys to death. At its roots, blame the Bosniaks instead.”

In October 2021, news was published in the Bosnian media that Gideon Greif would receive the Cross of Special Merit of the Federal Republic of Germany in November of the same year, awarded by German President Frank-Walter Steinmeier. The announcement called “one of the most famous international experts working in the fields of studying and teaching about the Holocaust.”⁴²

The Report was met with blistering condemnations from numerous individuals and organizations, especially associations of surviving genocide victims. This resulted in the decision of the German President, made at the request of the Federal Minister for Foreign Affairs, that “the Holocaust researcher and the first man of the Srebrenica Commission of the Republika Srpska, Gideon Greif, will not receive the Order of Merit of the Federal Republic Germany.”⁴³

In January 2022, Greif stated that he planned to publish a “clarification” of the Commission’s Report. “This is the number mentioned from the beginning onwards, it was no different: around 8,000. And we don’t distort it; we accept it. Of course, we condemn crimes,” Greif said in a statement which directly contradicted the Commission’s report.⁴⁴ However, Greif’s statements do not change the content of the Report and its revisionist nature but are rather an attempt to repair the damage the Report has done to the academic reputation of its authors.

40 Ibid.

41 Ibid.

42 Ibrahim Softić, “Njemačko odlikovanje za negatora srebreničkog genocida [German decoration for the denier of the Srebrenica genocide],” *Al-Jazeera Balkans*, October 30, 2021, <https://balkans.aljazeera.net/teme/2021/10/30/njemacko-odlikovanje-za-negatora-srebrenickog-genocida>.

43 Esmir Milavić, “Negator genocida Greif tvrdi da mu Njemačka nije dodijelila orden jer je Jevrej [Genocide denier Greif claims that Germany did not award him the order because he is Jewish],” *NI*, December 31, 2021, <https://ba.n1info.com/vijesti/negator-genocida-greif-tvrdi-da-mu-njemacka-nije-dodijelila-orden-jer-je-jevrej/>.

44 “Izraeliski historičar Gideon Greif priznao grešku u izvještaju: U Srebrenici je ubijeno 8.000 Bošnjaka [Israeli historian Gideon Greif admitted an error in the report: 8,000 Bosniaks were killed in Srebrenica],” *Faktor*, January 19, 2022, <https://www.faktor.ba/vijest/izraeliski-historicar-gideon-greif-priznao-gresku-u-izvjestaju-u-srebrenici-je-ubijeno-8000-bosnjaka/150868>.

CASE STUDY: JUDGMENT OF RATKO MLADIĆ

On June 8th, 2021, the International Mechanism for Criminal Courts issued a second-instance verdict confirming the life sentence of Ratko Mladić, former general of the Republika Srpska Army, for genocide in Srebrenica, persecution of Bosniaks and Croats, terrorizing the citizens of Sarajevo, and taking UN personnel hostage.

Denying Genocide and Glorifying War Crimes in Reaction to the Ratko Mladić Verdict

In the wake of Mladić verdict, numerous political officials in the BiH entity of the Republika Srpska and Serbia reacted publicly by denying the Srebrenica genocide. They expressed their support for Ratko Mladić as a “positive personality” and characterized the court’s decision as “anti-Serb” and “unjust.”⁴⁵

BiH Presidency member Milorad Dodik shared a photo on social media of himself watching the broadcast of the verdict, characterizing the proceeding as part of a “myth about a genocide that did not happen.”⁴⁶

- “It is clear to us that they are trying to create a myth about the genocide in Srebrenica, which did not take place [...] General Mladić was consigned to legend. The Serbian people know that without his leadership, there would be much more suffering for this nation. Serbs suffered the most in the breakup of Yugoslavia.”⁴⁷



(Source: <https://zurnal.info/clanak/velicanje-genocida-snaznije-nego-prije-deset-godina/24059>)

45 “Reakcije iz Republike Srpske: Mladić pozitivna ličnost, Tribunal antisrpski [Reactions from Republika Srpska: Mladić a positive personality, anti-Serbian tribunal],” *NI*, June 8, 2021, <https://ba.n1info.com/vijesti/reakcije-iz-republike-srpske-mladic-pozitivna-licnost-tribunal-antisrpski/>.

46 “Posljednji veliki balkanski sudski proces: Veličanje genocida snažnije nego prije deset godina [The last big Balkan trial: Glorification of genocide stronger than ten years ago],” *Zurnal*, June 8, 2021, <https://zurnal.info/clanak/velicanje-genocida-snaznije-nego-prije-deset-godina/24059>.

47 “Dodik o presudi zločincu Mladiću: Ne može se povezati s voljom naroda da formira RS [Dodik on the verdict of the criminal Mladić: It cannot be connected with the will of the people to form the RS],” *Klix*, June 8, 2021, <https://www.klix.ba/vijesti/bih/dodik-o-presudi-zlocincu-mladicu-ne-moze-se-povezati-s-voljom-naroda-da-formira-rs/210608151>.

In reaction to the verdict, the president of the BiH entity of Republika Srpska, Željka Cvijanović, characterized the Hague Tribunal as political, calling it “an anti-Serb court that determines responsibility for war crimes not according to the evidence, but according to the nationality of the accused.” In the same reaction, Cvijanović presented Mladić as a positive historical figure:

“As for General Mladić, in the most difficult times he stood at the head of the army that defended the Republika Srpska, as well as the Serbian people’s right to life and freedom. That historical fact, as well as our people’s perception of General Mladić, cannot be changed by any verdict in the world, especially not by the Hague Inquisition, which has long since lost its last shred of credibility.”⁴⁸

President of the Democratic Peoples’ Party, Nenad Nešić, responded by saying that the verdict is proof that “there is no justice for the Serbian people,” and that Mladić is “a positive figure for Serbian history.” In addition, Nešić tried to detract from the work of the court and called the verdict political:

“Unfortunately, Serbian tears have no parents and Serbian tears are not the same as the tears of other peoples living in the Balkans. General Ratko Mladić was and will remain a positive historical figure for the Serbian people. The very fact that today’s decision of the Appeals Council was not unanimous on any point clearly confirms that it is a political and not a legal and fair verdict.”⁴⁹

Other political representatives in the RS also commented on Ratko Mladić’s verdict. SDS President Mirko Šarović reacted by saying that the verdict against Mladić was “just one in a series of verdicts in which the military-political leadership of one side is trying to impose all the blame for the events in the period 1992-1995.” The president of the United Srpska party, Nenad Stevandić, shared a similar opinion, characterizing the verdict as unfair.⁵⁰

After the verdict, support for the war criminal Ratko Mladić also appeared in the form of banners in Banja Luka, Trebinje, and other cities in the RS entity.

On the day of Mladić’s verdict, a banner was hung in Banja Luka with the inscription: “We do not recognize the Hague decisions. You are the pride of

48 Ibid.

49 Snježana Karić, “Nema pravde za srpski narod’ Nešić poručio da Mladić ostaje pozitivna ličnost za srpsku istoriju [“There is no justice for the Serbian people’ Nešić said that Mladić remains a positive figure for Serbian history],” *Srpskainfo*, June 8, 2021, <https://srpskainfo.com/nema-pravde-za-srpski-narod-nesic-porucio-da-mladic-ostaje-pozitivna-licnost-za-srpsku-istoriju/>.

50 “Stavovi političara iz RS-a o presudi Ratku Mladiću ujednačeni: Sramne poruke i veličanje zločinca [The identical views of politicians from the RS on the Ratko Mladić verdict: Shameful messages and glorification of the criminal],” *Klix*, June 8, 2021, <https://www.klix.ba/vijesti/bih/stavovi-politicara-iz-rs-a-o-presudi-ratku-mladicu-ujednaceni-sramne-poruke-i-velicanje-zlocinca/210608197>.

the Serbian Republic.” The text was accompanied by the image of a military cap of the kind Mladić wore during the war.⁵¹

On the walls of the Old Town in Trebinje, a tricolor flag with Mladić’s face and the inscription “HERO” was displayed after the sentencing.⁵²



(Source: <https://www.klix.ba/vijesti/bih/na-zidinama-starog-grad-a-u-trebinju-istaknut-mladicev-lik-s-natpisom-heroj/210609059>.)

51 “U Banjaluci postavljen transparent podrške Mladiću: ‘Ti si ponos RS’ [A banner of support for Mladić was placed in Banja Luka: ‘You are the pride of the RS’], *NI*, June 8, 2021, <https://rs.n1info.com/region/u-banjaluci-postavljen-transparent-podrske-mladicu-ti-si-ponos-rs/>.

52 “Na zidinama Starog Grada u Trebinju istaknut Mladićev lik s natpisom ‘heroj’ [On the walls of the Old Town in Trebinje, Mladić’s image with the inscription ‘hero’ is displayed,]” *Klix*, June 6, 2021, <https://www.klix.ba/vijesti/bih/na-zidinama-starog-grad-a-u-trebinju-istaknut-mladicev-lik-s-natpisom-heroj/210609059>.

Reactions from Serbia to the Mladić Verdict

Serbian President Aleksandar Vučić addressed the UN Security Council session after Mladić’s sentencing. Vučić said, among other things, that Serbia condemns the “terrible crime” in Srebrenica but did not use the word genocide. The Serbian President called Ratko Mladić’s verdict “selective,” and said that Serbia desires peace:

“This kind of selective justice can prevent cooperation, but we will look to the future.”

Following the verdict, Serbian Prime Minister Ana Brnabić called the court in The Hague political and expressed her opinion that it did not contribute to reconciliation:

“We are further from reconciliation now than we were 26 years ago. Now, it seems to me, we have worse intolerance among nations than we had during the conflict. The Hague has contributed a lot to this. They said at the time that the court was not created to contribute to reconciliation, and I do not agree with that because if all those who committed crimes had been held accountable, the court would have contributed to reconciliation.”⁵³

Serbian tabloids voiced their unequivocal support for Mladić after the verdict, examples of which included front page features calling Mladić a “Serbian hero.”

The front page of *Informer* read, “All Hague verdicts are in vain. Mladić is a Serbian hero forever!” *Kurir* characterized Ratko Mladić’s verdict as an “injustice” and a “living wound.” *Objektiv* published a cover with Ratko Mladić, and a text entitled “The secret of Mladić’s ring is courage and defiance.” These texts and many others blatantly glorified the convicted war criminal and his work.⁵⁴

53 “Brnabić nakon presude Mladiću: Haški sud je politički sud [Brnabić after the Mladić verdict: The Hague Court is a political court],” *Tportal*, June 8, 2021, <https://www.tportal.hr/vijesti/clanak/brnabic-nakon-presude-mladicu-haski-sud-je-politicki-sud-foto-20210608>.

54 “Skandalozno izvještavanje srbijanskih tabloida, veličanje zločinca Mladića [Scandalous reporting by Serbian tabloids, glorification of the criminal Mladić],” *Radio Sarajevo*, June 6, 2021, <https://radiosarajevo.ba/vijesti/regija/kako-su-tabloidi-iz-srbije-izjstavali-o-presudi-mladicu/420196>.



(Source: https://www.slobodnabosna.ba/vijest/202906/vuchicevi_mediji_na_straznim_nogama_pogledajte_jutrosnje_naslovnice_srbijanskih_tabloida_sve_je_jasno_kao_dan.html)

In many Serbian cities, support for Ratko Mladić appears in the form of murals. One such mural was opened in Belgrade in July 2021. Murals dedicated to Mladić can be found in the Belgrade municipalities of Novi Beograd, Rakovica, Vračara, Kotež, Karaburma, and Stari Grad.

The mural at the intersection of Njegoševa and Aleksa Nenadović Streets in Belgrade has attracted a great deal of attention due to repeated attempts to paint over and deface it, including by human rights activists Jelena Jaćimović and Aida Ćorović who were brutally detained by police after throwing eggs at the mural.⁵⁵



(Source: <https://www.oslobodjenje.ba/vijesti/region/ko-o-cemu-srbija-o-pomirenju-osvanuo-ogroman-mural-krvnika-ratka-mladica-675587>)

⁵⁵ J. Diković, "Gde se sve u Beogradu nalaze murali Ratku Mladiću? [Where are the Ratko Mladić murals in Belgrade?]", *Danas*, November 17, 2021, <https://www.danas.rs/vesti/drustvo/gde-se-sve-u-beogradu-nalaze-murali-ratku-mladica/>.

In Serbia and the RS entity, the media and those in high political office refuse to accept the judicially and scientifically established facts on which the verdict against Ratko Mladić is based. By glorifying the character and actions of Mladić, challenging the legitimacy of the Hague Tribunal, and justifying and relativizing his crimes - especially the crime of genocide - Serbian political representatives actively participate in the organized denial of the Srebrenica genocide. In this process, the media outlets identified in this report provide them with unwavering support and a multitude of platforms to express their revisionist views.

The Srebrenica Memorial Center organized a live viewing of the Mladić verdict near the cemetery, bringing together the families of the genocide victims and other people from Srebrenica and the surrounding area to await the verdict.



Live broadcast of the sentencing of Ratko Mladić at the Memorial Center

CASE STUDY: THE LAW ON THE PROHIBITION OF GENOCIDE DENIAL

On July 23rd, 2021, the High Representative in Bosnia and Herzegovina, Valentin Inzko, used the Bonn powers to impose amendments to the Criminal Code of Bosnia and Herzegovina which prohibit and punish the denial of genocide and the glorification of war criminals.⁵⁶

DECISION

Enacting the Law on Amendment to the Criminal Code of Bosnia and Herzegovina
(Official Gazette of BiH Nos. 3/03, 32/03, 37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07, 8/10, 47/14, 22/15, 40/15 and 35/18)

1. The Law which follows and which forms an integral part of this Decision shall enter into force as provided for in Article 2 thereof, on an interim basis until such time as the Parliamentary Assembly of Bosnia and Herzegovina adopts this Law in due form, without amendment and with no conditions attached.
2. This Decision shall come into effect immediately and shall be published on the official website of the Office of the High Representative, and in the "Official Gazette of Bosnia and Herzegovina" without delay.

Sarajevo, 22 July 2021 Dr. Valentin Inzko High Representative

**LAW
ON AMENDMENT
TO THE CRIMINAL CODE OF BOSNIA AND HERZEGOVINA**

Article 1
(Amendment to Article 145a)

- In the Criminal Code of Bosnia and Herzegovina (Official Gazette of BiH Nos. 3/03, 32/03, 37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07, 8/10, 47/14, 22/15, 40/15 and 35/18) in Article 145a, after paragraph (1) new paragraphs (2) to (6) shall be added to read:

"(2) Whoever publicly incites to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin, when that behaviour does not constitute the criminal offence from paragraph (1) of this Article,

shall be punished by imprisonment for a term between three months and three years.

(3) Whoever publicly condones, denies, grossly trivializes or tries to justify a crime of genocide, crimes against humanity or a war crime established by a final adjudication pursuant to the Charter of the International Military Tribunal appended to the London Agreement of 8 August 1945 or by the International Criminal Tribunal for the former Yugoslavia or the International Criminal Court or a court in Bosnia and Herzegovina, directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin, when the conduct is carried out in a manner likely to incite to violence or hatred against such a group or a member of such a group,

shall be punished by imprisonment for a term between six months and five years.

⁵⁶ High Representative's Decision on Enacting the Law on the Amendment to the Criminal Code of Bosnia and Herzegovina, OHR, No. 26/21, July 23, 2021, <http://www.ohr.int/hrs-decision-on-enacting-the-law-on-amendment-to-the-criminal-code-of-bosnia-and-herzegovina/>

The Decision related to the Law on Amendments to the Criminal Code of Bosnia and Herzegovina states, among other things: “Whoever publicly condones, denies, grossly trivializes or tries to justify a crime of genocide, crimes against humanity or a war crime established by a final adjudication pursuant to the Charter of the International Military Tribunal appended to the London Agreement of 8 August 1945 or by the International Criminal Tribunal for the former Yugoslavia or the International Criminal Court or a court in Bosnia and Herzegovina, directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin, when the conduct is carried out in a manner likely to incite to violence or hatred against such a group or a member of such a group, shall be punished by imprisonment for a term between six months and five years.”

Genocide Denial and Reactions to the High Representative’s Decision between the Announcement of the Law and its Enaction

The Decision of the High Representative stipulated that the law would “enter into force eight days from the date of publication on the official website of the Office of the High Representative (OHR), or one day from the date of publication in the Official Gazette of Bosnia and Herzegovina, whichever comes first.”

Between July 23rd, when the OHR Decision was announced, and July 28th, when the Decision came into force, there was an outpouring of public reactions. In the RS and Serbia in particular, these reactions included denunciations of the legislation and reiterations of the denial of the genocide in Srebrenica.

Immediately after the announcement of the High Representative’s Decision to amend the country’s Criminal Code to prohibit and punish genocide denial, BiH Presidency member Milorad Dodik delivered a series of statements in the media openly denying the Srebrenica genocide:

“I think they miscalculated that anyone here is afraid of them. I am only afraid of God and letting this nation down. Thanks to them for waking us up, we still didn’t think they were such jerks. Mr. Inzko, no genocide took place.”⁵⁷

“I will say once again that genocide was not committed in Srebrenica. That is our permanent assessment. Call me in ten days, I’ll say the same thing, even if it’s necessary to say it a hundred times. In any case, this is not a simple situation at all. This will sow a lot of evil in Bosnia and Herzegovina.”⁵⁸

57 Dragan Maksimović, “Inzko nametnuo zakon o negiranju genocida [Inzko imposed the law on denial of genocide],” *DW*, July 23, 2021, <https://www.dw.com/hr/inzko-nametnuo-zakon-o-negiranju-genocida/a-58612728>.

58 Ilko Barbarić, “Niz reakcija na Inzkov zakon o zabrani negiranja genocida [A series of reactions to Inzko’s law on the prohibition of denial of genocide],” *HRT/Dnevnik/IMS*, July 23, 2021, <https://vijesti.hrt.hr/svijet/niz-reakcija-na-inzkov-zakon-o-zabrani-negiranja-genocida-2431968>.

“The RS rejects it, genocide did not happen, Serbs must never accept it.”⁵⁹

“The RS rejects this. Genocide did not happen in Srebrenica, international entities say this. An attempt is being made to impose genocide on the Serbian people. BiH cannot function after this.”⁶⁰

Dodik also denied genocide on the day the law came into force. In a guest appearance on ATV, he reiterated that for him, labeling Srebrenica a genocide is “unacceptable,” and that he “is not afraid of sanctions.”

“As a representative of the Serbian people who support me, I must not allow myself to remain silent, or this nation to contemplate whether or not they need to be afraid.”⁶¹

The president of the RS Female War Victims Association, Božica Živković Rajilić, denied the genocide in media appearances on July 23rd, 2021, saying that “the decision imposed by the outgoing High Representative Valentin Inzko represents another attempt to impose the false myth of the genocide in Srebrenica as truth, even though it is known that the crime in Srebrenica was a staged tragedy to satanize the Serbs.”

“There is no truth by force, the truth has its facts, the number of dead, slain. Ours is not the only date that should be considered, the data of foreigners can also be taken into account, and all data shows that there was no genocide in Srebrenica.”⁶²

Milan Mandić, president of the Association of Missing Persons of the Sarajevo-Romania Region and chairman of the Advisory Board of the Institute for Missing Persons, also denied the genocide in reaction to Inzko’s decision.

“I am ready to go to prison for two years, but I am ready to say everywhere that there was no genocide in Srebrenica.”⁶³

Vojin Pavlović, president of the Bratunac association “Eastern Alternative,” is well-known for his denial of the Srebrenica genocide and support for war criminals. On the day that the High Representative’s Decision was

59 “Inzko zakonski zabranio negiranje genocida, Dodik: RS spremna odcijepiti se idući tjedan [Inzko legally banned genocide denial, Dodik: RS is ready to secede next week], *Vecernji*, July 23, 2021, <https://www.vecernji.hr/vijesti/inzko-zakonski-zabranio-negiranje-genocida-dodik-rs-spremna-odcijepiti-se-iduci-tjedan-1510428>.

60 “Dodik: Nije bilo genocida, ne priznajem Inzkovu odluku, RS ide prema osamostaljenju [Dodik: There was no genocide, I do not recognize Inzko’s decision, the RS is moving towards independence],” *Dnevni Avaz*, July 23, 2021, <https://avaz.ba/vijesti/bih/668629/dodik-nije-bilo-genocida-ne-priznajem-inzkovu-odluku-rs-ide-prema-osamostaljenju>.

61 “Dodik: Nećemo dozvoliti satanizaciju srpskog Naroda [Dodik: We will not allow the demonization of the Serbian people],” *ATV*, July 28, 2021, <https://www.atvbl.rs/vijesti/drustvo/dodik-necemo-dozvoliti-satanizaciju-srpskog-naroda-28-7-2021>.

62 “Oštra reagovanja iz Srpske na odluku Incka [Harsh reactions from Srpska to Inzko’s decision],” *RTRS*, July 23, 2021, https://lat.rtrs.tv/vijesti/vijest.php?id=439455&fbclid=IwAR0bxlmzvR0RpuikKj9INHfWYF4pLm3rob-Mcv8flXQ56nUdrB_4j0zkrq.

63 Nermina Kuloglija and Azra Husaric, “Bosnian Genocide Denial Ban Pleases Survivors, Angers Serbs,” *Sarajevo, BIRN*, July 23, 2021, <https://balkaninsight.com/2021/07/23/bosnian-genocide-denial-ban-pleases-survivors-angers-serbs/>.

announced, Pavlović again voiced his revisionist stance, engaging in the very acts of genocide denial and glorification of war criminals which the law would soon criminalize upon coming into effect.

“There was no genocide in Srebrenica and if the High Representative came with the aim of imposing laws, his role is just lost, because imposing laws will cause conflicts and things that shouldn’t happen.”⁶⁴

Pavlović also denied the genocide during his address at the meeting of the founding assembly for an “Eastern Alternative” chapter in the Sarajevo-Romanija region on May 18th, 2022, in the municipality of Pale.

“The other side marks where an accident happened and says that a genocide took place there.”⁶⁵

In response to the amendments to the BiH Criminal Code of Bosnia and Herzegovina prohibiting denial, many politicians with a history of denying the Srebrenica genocide declared that they would not comply with the law’s provisions.

Banja Luka Mayor Draško Stanivuković said in a statement to the media on July 23rd, 2021, that he will continue “to have his opinion, whatever the cost.”

“No one can put me in prison or prosecute me because I see certain processes for my people as I see them. I will see certain things in the past the way I see them, the way I learned, and I have the right to do so, and not to have someone to impose some law on my opinion and view of history.”⁶⁶

Jelena Trivić, an member of the RS National Assembly, commented on Valentin Inzko’s decision on Twitter, denying the genocide.

“The crime that happened in Srebrenica is not genocide, these are the facts.”⁶⁷

64 Nermina Kuloglija and Azra Husarić, “Žrtve očekuju da se zabrana negiranja genocida počne sankcionisati odmah [The victims expect the ban on denial of genocide to be sanctioned immediately],” *BIRN*, July 23, 2021, <https://detektor.ba/2021/07/23/zrtve-ocekuju-da-se-zabrana-negiranja-genocida-pocne-sankcionisati-odmah/>.

65 “Negiranje genocida u Srebrenici: Ponosni na zločine [Denying the genocide in Srebrenica: Proud of the crimes],” *Tacno*, May 29, 2022, <https://www.tacno.net/graditelj-mira/negiranje-genocida-u-srebrenici-ponosni-na-zlocine/>.

66 “Stanivuković o odluci Inzka: Ovo je najveća moguća katastrofa [Stanivuković on Inzko’s decision: This is the biggest possible disaster],” *Faktor*, July 23, 2021, <https://faktor.ba/vijest/stanivukovic-o-odluci-inzka-ovo-je-najveca-moguca-katastrofa/132612>.

67 “Jelena Trivić: Formirajte predmet, ali genocida nije bilo [Jelena Trivić: Make a case, but there was no genocide],” *Banjaluka*, July 23, 2021, <https://banjaluka.net/jelena-trivic-formirajte-predmet-ali-genocida-nije-bilo/>.



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Срби су народ који не клечи пред окупатором, поготово неће клечати пред наметнутим законом. За нас је Република Српска светиња, а ово је директан удар на Српску.

2:08 PM · Jul 23, 2021



“The crime that happened in Srebrenica is not genocide, these are the facts. Make a case, but you will not change my attitude. Serbs are a nation that does not kneel before the occupier, and it especially will not kneel before the imposed law. For us, the Republika Srpska is a sacred place, and this is a direct attack on Srpska.”

Genocide Denial and Reactions in Srebrenica to the Decision of the High Representative

Reactions to the Decision of High Representative Valentin Inzko also came from Srebrenica. Branimir Kojić, president of the Municipal Organization of Families of Captured and Killed Fighters and Missing Civilians from Srebrenica, denied genocide and glorified convicted war criminal Ratko Mladić. In a statement to SRNU, he said that “there was no alleged genocide in Srebrenica, which has been established by the international commission that presented its work to the public.”

“No one can forbid us to say that those buried in the Memorial Center in Potočari are those who were killed before July 1995, those who died during and after the war, those who were killed by Naser Orić’s criminals who were working for supremacy in Srebrenica. It is also true that there are tombstones in Potočari for living people.”⁶⁸

68 “Kojić: Nikada nećemo dozvoliti da nam zabrane da govorimo istinu [Kojić: We will never allow them to forbid us to tell the truth],” *SRNA*, July 23, 2021, https://www.atvbl.rs/republika-srpska/kojic-nikada-necemo-dozvoliti-da-nam-zabrane-da-govorimo-istinu-23-7-2021?fbclid=IwAR12Izx_gCK_ZDvVXoWU6Ju_PwVntcP-dpE4d-F0k19czkGD6FYzUXLNnPl0.

On July 27th, 2022, the day before the law came into force, posters were put up in Srebrenica featuring an image of convicted war criminal Ratko Mladić and the message “You are our hero.” According to the inscription on the poster, they were put up by the Municipal Organization of Families of Captured and Killed Fighters and Missing Civilians of the RS - Srebrenica.



(Source: <https://www.klix.ba/vijesti/bih/u-srebrenici-osvanuli-plakati-s-likom-ratnog-zlocinca-ratka-mladica/210727026>)

In a statement for *Radio Free Europe* on July 23rd, 2021, Srebrenica Mayor Mladen Grujičić condemned the move of High Representative Valentin Inzko and denied the genocide:

“My position is clear. In Srebrenica, there was a crime that no Serb will dispute, but simply, the qualification that is being imposed, as well as this law that is being imposed, does not stand. For this reason, we will probably all have problems in further communication and in the relations of the politicians themselves who perform certain functions, because when you impose something, you know how it goes.”⁶⁹

Genocide Denial and Reactions from Serbia to the High Representative’s Decision

Reactions in the Media

High Representative Valentin Inzko’s amendments to the Criminal Code of BiH prohibiting and punishing genocide denial elicited swift reactions from Serbia. Inzko was characterized as a “Serb-hater” on the front pages of Serbian media, which also quoted the statements of RS political officials denying the genocide.

⁶⁹ “Inzko nametnuo zabrane i kažnjavanje negiranja genocida u BiH [Inzko imposed bans and punishments for denial of genocide in BiH],” *Radio Slobodna Evropa*, July 23, 2021, <https://www.slobodnaevropa.org/a/inzko-bih-negiranje-genocida-/31373462.html>.

The media outlet Pink.rs quoted Milorad Dodik as saying, “Genocide did not happen and that is the permanent assessment of all of us. Republika Srpska rejects this decision. Genocide did not happen and many relevant entities in the world say that.”⁷⁰

Dodik was also quoted in an article published by the Informer, titled “THIS IS THE LAST NAIL IN THE COFFIN OF BiH! DODIK VIOLENTLY REJECTED INZKO’S DECISION: GENOCIDE DID NOT HAPPEN, we are forced to begin dissolution!”

“As the man who leads the RS, I cannot accept that. Genocide did not happen.”⁷¹

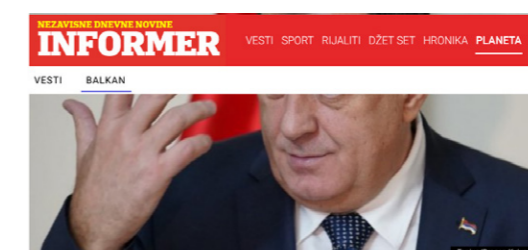
In addition to publishing Milorad Dodik’s statement, Informer denied genocide, referencing the report of the commission headed by Gideon Greif.

“And the fact that there was no genocide in Srebrenica was also proven by the Independent International Commission headed by Gideon Greif.”⁷²

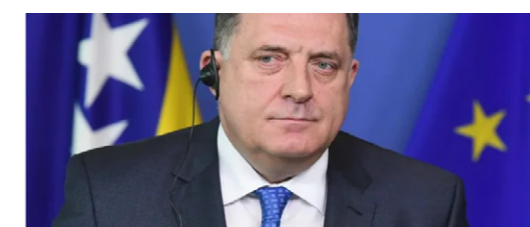
Texts with similar content were also published in other media outlets and portals in Serbia.

Reactions from Serbian Politicians

Commenting on the High Representative’s decision, Serbian President Aleksandar Vučić said that he is “not a supporter of imposed decisions.” In a statement to the media, Vučić minimized the genocide and its consequences, stating merely that “some of our people did things that we cannot be proud of.”⁷³



REGION
DODIK NAKON SKANDALOZNOG POTEZA INCKA: Pokazao da je tipični srbomrzac, Srbi ovo nikada neće prihvatiti!



REGION
DODIK NAKON SKANDALOZNOG POTEZA INCKA: Pokazao da je tipični srbomrzac, Srbi ovo nikada neće prihvatiti!

⁷⁰ “DODIK NAKON SKANDALOZNOG POTEZA INCKA: Pokazao da je tipični srbomrzac, Srbi ovo nikada neće prihvatiti! [DODIK AFTER INZKO’S SCANDALOUS MOVE: He showed that he is a typical Serb-hater, the Serbs will never accept this!],” *Pink*, <https://pink.rs/region/318598/dodik-nakon-skandaloznog-poteza-incka-pokazao-da-je-tipicni-srbomrzac-srbi-ovo-nikada-uce-prihvatiti>.

⁷¹ “OVO JE POSLEDNJI EKSER U MRTVAČKI KOVČEG BiH! DODIK ŽESTOKO ODBACIO INCKOVU ODLUKU: GENOCID SE NIJE DESIO, prisiljeni smo da krenemo u disoluciju! [THIS IS THE LAST NAIL IN THE COFFIN OF BiH! DODIK VIOLENTLY REJECTED INZKO’S DECISION: GENOCIDE DID NOT HAPPEN, we are forced to begin dissolution,]” *Informer*, July 23, 2021, <https://informer.rs/planeta/balkan/624802/dodik-incko-reakcija-zakon-negiranja-genocida>.

⁷² Ibid.

⁷³ “Vučić o potezu Valentina Inzka: ‘Neki Srbi pravili su stvari kojima ne možemo da se ponosimo...’ [Vučić on Valentin Inzko’s move: ‘Some Serbs did things we can’t be proud of...’],” *Depo*, July 25, 2022, <https://depo.ba/clanak/219352/vucic-o-potezu-valentina-inzka-neki-srbi-pravili-su-stvari-kojima-ne-mozemo-da-se-ponosimo>.

The Serbian Minister of the Interior, Aleksandar Vulin, also spoke out following the High Representative's decision.

Vulin expressed his belief that "the truth cannot be imposed by law. The outgoing High Representative Valentin Inzko has resolved to silence the Serbs and forbid them from telling the truth about the civil war in BiH."⁷⁴

In Belgrade on July 27th, Ivica Dačić, president of the Serbian Parliament and the Socialist Party of Serbia, called the High Representative's decision to ban genocide denial an "irritating move" that is sowing division.

"This is not a good move because it's irritating and divisive."⁷⁵

The president of the regional Association of Serbs, Miodrag Linta, also denied the Srebrenica genocide in his reaction to the Inzko decision, as well as undermined the verdicts of the International Courts which he said were "rigged."

"Many Bosniaks and centers of power in the West know very well that genocide did not take place in Srebrenica, that more than 8,000 Muslims were not executed, but several times less, and that the vast majority of those executed were prisoners of war, not civilians. The Hague Tribunal did not prove that the political and military leadership of Republika Srpska intended to physically destroy Muslims as an ethnic group."⁷⁶

The president of the Democratic Party of Serbia, Miloš Jovanović, called the High Representative's decision "totalitarian and scandalous." Jovanović has explicitly denied the genocide, saying "there was no genocide in Srebrenica."

"We refer to Srebrenica as a crime, but Croats do not refer to Oluja, or Muslims to Kravica, as a crime. Peace cannot be built on lies. Don't buy false peace with talk of genocide."⁷⁷

74 Ivica Petrović, "Inckova odluka će još više udaljiti Federaciju od Republike Srpske [Inzko's decision will further distance the Federation from Republika Srpska]," *DW*, July 24, 2021, <https://www.dw.com/bs/inckova-odluka-%C4%87e-jo%C5%A1-vi%C5%A1e-udaljiti-federaciju-od-republike-srpske/a-58621121>.

75 "Dačić: Inckova odluka izaziva podele [Dacic: Inzko's decision causes divisions]," *Radio Slobodna Evropa*, July 27, 2022, <https://www.slobodnaevropa.org/a/dacic-incko-genocid-zakon/31379252.html>.

76 "Linta: Inckova odluka će produbiti mržnju i nepoverenje između Srba i Bošnjaka [Linta: Inzko's decision will deepen hatred and mistrust between Serbs and Bosniaks]," *NI*, July 24, 2021, <https://rs.n1info.com/region/linta-inckova-odluka-ce-produbiti-mrznju-i-nepoverenje-izmedju-srba-i-bosnjaka/>.

77 "NADA (DSS-POKS): Inckova odluka totalitarna i skandalozna [NADA (DSS-POKS): Inzko's decision is totalitarian and scandalous]," *Politika*, July 25, 2021, <https://beta.rs/politika/150043-nada-dss-poks-inckova-odluka-totalitarna-i-skandalozna>.

CASE STUDY: "SCHOLARSHIP" IN THE SERVICE OF GENOCIDE DENIAL

Introduction

Within the BiH entity of the Republika Srpska, institutions actively participate in the denial of the July 1995 Srebrenica genocide. This is commonly done through providing financial and logistical support for various projects which aim to undermine the credibility of the International Criminal Tribunal for the former Yugoslavia, where the entity's top military and the political leaders were prosecuted. The *Concluding Report of the Independent International Commission of Inquiry on the Sufferings of All Peoples in the Srebrenica Region between 1992 and 1995* (hereinafter: the Report and the Commission) is a recent example of a reckoning with judicially established facts which is purportedly 'independent,' but which, in reality, is the product of RS institutions.

The Report, which will be analyzed in this section, was published in 2020/2021 on the Commission's official website. The Commission was formed two years earlier, in 2019, by the Government of the Republic of Srpska. In the Report, under the auspices of RS institutions, explicitly states the falsity that "the maximum number of individuals that could be buried in the primary mass graves was around 3,700."⁷⁸ This calculation is in radical contrast to the official data, which substantiates that the number of those killed in Srebrenica exceeds 8,000. The remains of many of these individuals have yet to be located. The Report also disputes the qualification of genocide, claiming that the jurisdictional mechanisms were abused in the case of Srebrenica before the ICTY. In regard to this esteemed international court, the Report's authors also suggest that "there is sufficient reason to describe the work of this body more often as a political endeavor than as the administration of justice."⁷⁹ Such claims are a blatant example of the attempt at scholarly and professional legitimization of a wide assortment of political relativization and contestation of the 1995 genocide in Bosnia and Herzegovina.

These claims have been met with widespread international criticism, which includes an open letter from Menachem Rosensaft, a professor of Genocide Studies at Columbia University who, at the time of the letter's publication, served as the vice president of the World Jewish Congress. Professor Rosensaft calls the controversial report a disgrace to scholarship and adding that it flies in the face of the facts established by international law. Apart from having been created for the specific purpose of disputing the facts the Srebrenica genocide, the 2020/2021 Report notably

78 Gideon Grief, et al, *Concluding Report of the Independent International Commission of Inquiry on the Sufferings of All Peoples in the Srebrenica Region between 1992 and 1995* (2020), 549, <https://incomfis-srebrenica.org/report/>.

79 Ibid., 1032.

contradicts the 2004 report on Srebrenica which, albeit written by a different composition of authors, was also produced under the auspices of RS entity institutions. This will be expounded upon in the following pages, as will the role of Israeli historian Gideon Grief who chaired the research team responsible for the disputed report – a move that has since done considerable and irrevocable damage to his academic reputation.

Then and Now: Comparing the Two Reports

Before we present the details of the 2020/2021 Report chaired by Gideon Greif, we will refer to parts of the 2004 report of the previous commission chaired by Milan Bogdanović, which was also produced under the auspices of the RS entity. Many aspects of this earlier report were deemed antipathetic to the political and strategic goals of the nationalist hegemonic narrative for interpreting historical events known as the “Serbian world.” Therefore, it became “politically important” for the proponents of the aforementioned ideology to form a new commission, which was done in 2019, in order to legitimize the negation of the findings of the international courts. This first report was published in June 2004 by the Commission for the Investigation of Events in and around Srebrenica from 10 to 19 July 1995. As a temporary working body of the RS government, this commission was formed by a resolution passed at a government session on December 15th, 2003, at which point its responsibilities were also delineated. As the text states, the commission undertook “all investigative and other actions aimed at establishing the full truth about the events in and around Srebrenica between 10 and 19 July 1995, in order to achieve lasting peace and build trust in Bosnia and Herzegovina.”

All the same, the authors of the 2004 report pointed out that the Commission had neither the character of a judicial body nor a mandate to deal with legal issues, which is exclusively the task of the competent courts, but that nevertheless, in presenting the factual side of the event, the Commission had to take into account international and local criminal law. To this end, the report adopted the historical context and factual account contained in the judgment of the *Prosecutor v. Radislav Krstić*, in which the accused was convicted in the second instance proceedings by the Hague Tribunal for “aiding and abetting genocide” in Srebrenica. It is also stated that “as of the date of submission of this report, data was collected on 7,779 persons who disappeared between 10 and 19 July 1995 in Srebrenica, and who were reported by family members. Unfortunately, this number is not final since ICMP is still collecting blood samples and data from the families of victims currently living in EU countries. It is indisputable, therefore, that after the completion of the aforementioned ICMP project, the number of persons who are still being sought will increase.” The report explicitly stated that the Army of Republika Srpska “worked to find, arrest and

liquidate Bosniaks.”⁸⁰ This text from 2004 describes the events of July 12th and 13th, 1995 as follows:

The most dramatic was the systematic separation of males “fit for military service” from their families on 12 and 13 July 1995 in Potocari. This started in the morning of 12 July 1995 after the mentioned units of the Police and Army of Republika Srpska arrived. Those who were separated were kept on isolated locations (in front of the zinc factory and in the “white house”). The most painful fact was that among them there were many who were unfit for military service and minors. The separation continued during boarding and during evacuation. Those who were separated in Potocari had to leave all of their belongings in front of the “white house” and then they were kept in terrible conditions. In the vicinity of the “white house”, behind the “Transport” building and close to the stream, in the following days there were sporadic murders that the Dutch battalion members of the United Nations saw and reported to Colonel Jozef Kingory, UN military observer in the area of Srebrenica. He heard shots and tried to investigate what went on but RS Army prevented him. The members of these forces testified on this before the ICTY. The Bosniaks “fit for military service” who were separated in Potocari (at least 1,000) were taken away from Potocari to other detention facilities in Bratunac on 12 and 13 July 1995, where those captured in the mixed column in the forest were also brought, and from there they were taken to execution sites. A huge pile of their personal belongings and documents stayed behind them; they were burned in the late evening of 13 July 1995. Thus the claims that the intention was to check if there were any war criminals among them turned out to be pointless.⁸¹

80 In 2002, Biljana Plavšić, the former vice-president of the RS and a member of the VRS Main Command, pleaded guilty before the Hague Tribunal, saying that despite being repeatedly informed of allegations of the cruel and inhumane treatment of non-Serbs, she refused to confront or even verify such allegations: “I can only do what is in my power and hope that it will be of some use - to know the truth, to tell it, and to accept responsibility.” During the sentencing, Judge Richard May explained the 11-year sentence, referring to the factors that contributed to the deal with Plavšić, saying that her guilty plea, “with the significant saving of time and resources of the international community achieved by her admission of guilt before the trial, is the basis for the accused is reduced to a sentence that would otherwise be appropriate.” Seven years later, from the Swedish prison where she was serving her sentence, Biljana Plavšić retracted her guilty plea in an interview for the Swedish magazine Vi. In the interview, Plavšić spoke about her motives for pleading guilty, saying: “I sacrificed myself. I didn’t do anything wrong. I pleaded guilty to crimes against humanity so that I could negotiate about the other charges. If I hadn’t, the trial could have taken three, three and a half years. Given my age, that was not an acceptable option.” (Read more at: <https://www.slobodnaevropa.org/a/1376518.html>) There were more such examples of recognition followed by detraction of recognition, not not only in the context of the Hague Tribunal, but also in the context of institutional “confrontations.” On June 22, 2004, for example, on the public television network RTRS, then RS President Dragan Čavić said: “First as a man and a Serb, and then as a father, brother, and son, and only then as the President of the Republika Srpska, I must say that these nine days in July of the Srebrenica tragedy are a dark side of the history of the Serbian people. The participants in this crime cannot justify themselves to anyone or anything.”

81 Commission for Investigation of the Events in and around Srebrenica between 10th and 19th July 1995, *The Events in and around Srebrenica between 10th and 19th July 1995* (Banja Luka: Government of the Republika Srpska, 2004), 13.

Fourteen years later, in 2018, the Government of the Republika Srpska annulled the 2004 Report of the Commission on the Events in and around Srebrenica from July 10th to 19th, 1995, and with it, the reports of the Government Working Group for the Implementation of Conclusions from the Final Report of the Commission on Srebrenica.^{82 83 84} The media then announced, based on the statements of RS officials, the formation of a new commission which would be international in character. The official statement issued by the RS government read:

In order to provide a complete and true overview of the events in Srebrenica and the Srebrenica region in the period from 1992 to 1995, and for the sake of strengthening trust and tolerance among the peoples of BiH, the final reconciliation and coexistence of current and future generations, the government is forming an independent international commission that will objectively and impartially determine the suffering of all peoples in the Srebrenica region in the period from 1992 to 1995. The composition and tasks of the Commission will be determined by a special resolution.⁸⁵

Shortly thereafter, at the beginning of 2019, the commission was formed. In commissioning the new report, the RS National Assembly stipulated that it should emphasize the “suffering of Serbs in and around Srebrenica,” but also the crimes committed against Bosniaks. Gideon Greif (Israel) was appointed to chair the new Commission, which consisted of Yukie Osa (Japan), Steven Meyer (USA), Laurence French (USA), Roger W. Byard (Australia), Marija Đurić (Serbia), Giuseppe Zaccaria (Italy), Adenrele Shinaba (Nigeria), Walter Manoschek (Austria), and Markus Goldbach (Germany). The report ultimately produced by this Commission states, among other things, that the proceedings against former RS leader Radovan Karadžić are a premier example of a “political” trial. This evaluation was an attempt to relativize and minimize Karadžić’s responsibility which was proven in the final court verdict.⁸⁶

The Court and prosecutors spent a great deal of time describing awful scenes, especially in connection with Srebrenica, but producing very little evidence purporting to connect Karadžić to the events being described. The prosecution and the defense both produced

82 “Vlada RS stavila van snage Izveštaj o Srebrenici i formirala međunarodnu komisiju [The Government of the RS annulled the Report on Srebrenica and formed an international commission],” *Insajder*, August 18, 2018, <https://insajder.net/arhiva/vesti/vlada-rs-stavila-van-snage-izvestaj-o-srebrenici-i-formirala-medunarodnu-komisiju>.

83 Dragan Maksimović, “Traganje za istinom ili negiranje činjenica? [Searching for truth or denying the facts?],” *DW*, February 8, 2019, <https://www.dw.com/sr/traganje-za-istinom-ili-negiranje-%C4%8Dinjenica/a-47429165>.

84 “Vlada RS stavila van snage Izveštaj o Srebrenici iz 2004. [RS The Government of the RS annulled the Report on Srebrenica],” *N1 Srbija*, August 18, 2018, <https://rs.n1info.com/region/a412748-vlada-rs-stavila-van-snage-iz-vestaj-o-srebrenici-iz-2004/>.

85 Ibid.

86 It is worth noting that labeling the Hague Tribunal a “political court” is a major part of the political strategy of genocide denial deployed in the RS and Serbia. The Report’s assessment that the Karadžić trial is “perhaps the greatest example of a political trial” can be interpreted in this framework as that which will later serve as argumentative material for politicians from the supposedly objective and independent international circle to which the Report’s signatories belong.

witnesses, but only the prosecution witnesses were believed. There was no way Karadžić was going to be found not guilty. He was found guilty because he was the President of the Republika Srpska (RS), so he “must have known” and “must have approved [...] But that is not the applicable model in the RS, a point that neither the Judges nor the prosecutors appear to have understood. And yet, he was found guilty of genocide, crimes against humanity, and violations of the laws or customs of war.”⁸⁷

The Report goes on to say: “When it comes to genocide in the context of the events in the Srebrenica region and the ICTY verdicts, it is indisputable that the Tribunal took too narrow a view of the events of July 1995, even though no indications exist that the judges failed to act extremely professionally and impartially.”⁸⁸

The Report states that “after a thorough investigation by the Independent International Commission of Inquiry on Sufferings of Serbs in the Srebrenica Region between 1992 and 1995, it is concluded that neither an individual crime of genocide nor genocide in general took place in Srebrenica,”⁸⁹ and that “the findings of the Tribunal on genocide will not stand the test of time because the Commission is convinced that the crimes in Srebrenica cannot be considered genocide” under international law.⁹⁰ The findings presented in the were further said to have “strengthened the Commission’s view that it was its right and duty to investigate the issues again from various aspects, and that the Commission’s scientific approach has contributed to a better understanding of the events, the historical and political context.”⁹¹

The authors of the Report also deny the genocide by relativization, with the inappropriate comparison to the Holocaust. They that, to date, “it had been a widely accepted interpretation that the killing of 8,000 Muslim males resembles the genocidal crimes committed by the Nazis who systematically separated Jews and other minorities from the rest of the population only to subsequently murder them. The findings of the Commission demonstrate that a crime of such a nature has not taken place.”⁹²

The Commission considers that, in the light of all of the facts of its investigation, the term “genocide” cannot be attached to those tragic events. The Commission is aware that previous commissions have come to different conclusions [...] The Report has been signed by all members, who completely and fully agree with its final conclusions. The Report represents the goal of the Commission’s members to

87 Grief, G. et al., *Concluding Report*, 1032.

88 Ibid, 1035.

89 Ibid, 1036-7.

90 Ibid, 1037.

91 Ibid, 1038.

92 Ibid., 1038.

expose the facts behind the Srebrenica conflict to the best of their abilities, and to remove the curtain which has obscured some of its historical details. It is an authentic and non-prejudiced document.⁹³

The Report repeatedly denies the genocide and downplays its scope, especially as concerns the number of victims. Furthermore, the authors' language is both inappropriate and inconsistent with the scientific and scholarly discourse which they claim to be contributing to. This is most clearly evident in the claims that the number of victims "cannot be higher than 3,715" and that if the graves were "utilized to the maximum - without gaps between the bodies."

Bearing in mind that the estimated maximum number of individuals (3,715) buried in all primary graves could be taken as accurate only in the case that the grave pits have been used in their totality – with no empty space between the bodies, it is likely to expect that the real number of buried was significantly less than that. The total number of remaining individuals in primary graves after robbing and those individuals in non-robbed primary graves was 1,772, so, according to our analysis, it could be expected that a maximum of 1,943 individuals have been relocated from primary into secondary graves provided that the spaces in the primary graves were maximally filled with bodies.⁹⁴

The Role of Gideon Greif

What role has Gideon Greif⁹⁵ played in this blatantly revisionist project around the genocide in Srebrenica? Based on the information available, Greif was the leader of the multi-member international research team which put together the Commission's report. Before joining the Commission in the RS, Greif had strong ties with the state of Serbia. Between 2015 and 2019, in the course of research on the suffering of Serbs and Jews in the Jasenovac concentration camp during the Second World War, Greif met with numerous high-ranking Serbian officials, as well as film makers and religious figures such as the head of the Serbian Orthodox Church, Patriarch Irinej. In February 2019, Serbian President Aleksandar Vučić awarded Greif the Golden Medal of Merit of the Republic of Serbia. A year earlier, in 2018, Grief had also been awarded the Knight of St. Sava Order

93 Ibid, 1039.

94 Ibid., 463-464.

95 Some information on Greif's academic career: he specializes in the history of the Holocaust and the Second World War, modern Jewish history, and the history of concentration and extermination camps, especially Auschwitz, Majdanek, and Jasenovac. Greif holds a bachelor's and master's degree in Jewish history and a doctorate in Jewish modern history. During as well as after his studies, he produced a series of radio reports and documentaries on the Holocaust and Second World War. He has worked as a professor, lecturer, and researcher at universities in Tel Aviv, Vienna, Austin, Miami, and others. He has authored and contributed to the creation of encyclopedias about the Holocaust that have published in several languages. He is currently Chief Historian and Researcher at the Shem Olam Institute for Holocaust Education, Documentation, and Research in Israel, Senior Historian and Researcher at the Foundation for Holocaust Education Projects in Miami, and a lecturer at Tel Aviv University as well as other academic centers.

of Pacifism by the Serbian Ministry of Foreign Affairs. After receiving the award, he gave an interview in the Serbian press, saying that the honor had inspired him to read about the first pilgrimage of Saint Sava to Jerusalem in 1229:

Not only the Serbs are indebted to Saint Sava, but also the Jews, because by buying the house of John the Baptist, he enabled it to remain in Christian hands with relics such as the room where the last supper is believed to have taken place, below which is the tomb of David, another important place of pilgrimage for Jews. That is why he should be given his rightful place in Jerusalem. I hope that the Serbian Orthodox Church will seriously consider my proposal, because Saint Sava is the progenitor of your Serbian Orthodox Church.⁹⁶

This goes to show the deep connection Grief enjoyed with the upper echelons of Serbian society before he was selected to lead the RS Commission. After the Commission's Report was published, in an interview for RTRS, Grief praised the work of the Commission, calling the Report serious, professional, unbiased, and loyal to the truth of historical events. Greif also spoke of delivering the material to RS Prime Minister Radovan Višković, and the Serb Member of the BiH Presidency, Milorad Dodik, saying, "it was as if the bells of history had rung, without any exaggeration."

These events are not genocide, not in any way. And we proved it, so no it's not our opinion, we proved it. It was not about genocide, it cannot be called genocide, if someone uses that term, it should be erased from history. This is important because the accusations that genocide was committed are very serious, because the decision to commit genocide is a serious crime, and in this case, that crime does not exist.⁹⁷

He reiterated that the Report shows that there were no more than 3,714 victims because, as he states, "we had experts in our commission for counting and calculating the number of victims and they established that number. That number should be written down in history, no less, no more. Of course, every death is a tragedy, horrible, we are aware of that, but the number of victims is also important. So, we gave a framework of definition, it is not about genocide, and I will repeat that a hundred thousand times, no genocide was committed, and the number of victims is about 3,700."⁹⁸

96 "Gideon Grajf: Kako je Sveti Sava zadužio Jevreje [How the Jews are indebted to St. Sava]," *Novosti*, September 22, 2019, <https://www.novosti.rs/vesti/naslovna/drustvo/aktuelno.290.html:819639-Gideon-Grajf-Kako-je-Sveti-Sava-zaduzio-Jevreje>.

97 "Grajf: U Srebrenici nije bilo genocida; Stradalo 3.714 lica (VIDEO) [Greif: There was no genocide in Srebrenica; 3,714 people were killed (VIDEO)]," *RTRS*, June 14, 2021, <https://lat.rtrs.tv/vijesti/vijest.php?id=435354>.

98 Ibid.

The Report elicited numerous harsh reactions from the legal, academic, and activist communities, but first and foremost from the families of victims and survivors from Srebrenica. The extensive open letter sent by Menachem Z. Rosensaft,⁹⁹ a leader of the World Jewish Congress and a professor of Genocide Studies at the prestigious Columbia University, attracted special attention from the domestic, regional, and international public. Professor Rosensaft is the son of Auschwitz and Bergen-Belsen survivors who were deeply committed to passing on the evidence of the crimes committed against European Jews during the Holocaust to future generations. As such, he expressed his disgust at the report's "shameless manipulation of the truth," saying that the document "deserves to be consigned to the dustbin of history, used only to demonstrate the moral failing of individuals — the proverbial 'useful idiots,' as it were — who engage in genocide denial and distortion."¹⁰⁰ He further wrote:

The report is an embarrassment to scholarship and flies in the face of the established record in international law. In addition to being a legal and factual abomination, it blatantly ignores one judgment after another by the United Nations International Criminal Tribunal for the Former Yugoslavia (ICTY). The commission instead props its report heavily on one dissenting trial opinion in an early ICTY case. It also depicts as gospel the writings of largely discredited Srebrenica genocide deniers, without addressing the writings of historians and legal scholars who have reached diametrically different conclusions. In more than 1,000 pages, this report single-mindedly rejects or ignores the findings of a succession of international tribunals, including not only the ICTY but also the International Court of Justice at the Hague, that the slaughter of some 8,000 Bosniak – that is, Bosnian Muslim – men and boys in and around the town of Srebrenica in July 1995 at the hands of Bosnian Serb paramilitary troops and the simultaneous forcible deportation from there of more than 25,000 Bosniak women, children, and elderly men constituted genocide.¹⁰¹

He characterizes the choice of the Israeli academic to lead the Commission as "particularly cynical," and likely intended "to lend an aura of pseudo-scholarship to what was clearly intended to be yet another refutation, or at least whitewashing, of the widespread violations of international law – among them horrific crimes against humanity and genocide." He further describes the report as "brazen refusal by the Republika Srpska authorities to own up to the atrocities committed in their name."

⁹⁹ Menachem Z. Rosensaft is a leading figure in the World Jewish Congress and a professor at Columbia Law School with great experience in the field of Holocaust remembrance. Former US President Barack Obama appointed him to the US Memorial Council, which he had been a member from 1994 to 2004 as well as serving on its executive board. In 2009, he was a member of the US delegation to the International Conference on Holocaust-era Restitution in Prague. Rosensaft received his J.D. from Columbia Law School, his M.A. from Johns Hopkins University, and his M.A. in modern European history from Columbia University.

¹⁰⁰ Rosensaft, "Deceptive Report Escalates Srebrenica Genocide Denial."

¹⁰¹ Ibid.

It is worth noting that Greif was slated to receive the German Federal Cross of Merit; however, after the outcry generated by his participation in the Commission and his subsequent media appearances denying the Srebrenica genocide, the German government retracted their decision.¹⁰²

In February 2022, Greif told the Israeli newspaper *Haaretz* that he would soon make an addition to the Report on Srebrenica, stressing that it would be a response to critics. However, he said that there would be no revision of the part of the report that states that the killings of Bosniaks by Bosnian Serb forces did not constitute genocide.¹⁰³ Greif later said that the number of victims given was his "personal mistake," and that they would correct it and "publish the truth," which he says the Commission agrees is that the number of victims is around 8,000. "We don't distort it; we accept it. Of course, we condemn the crimes. And we will do so even more strongly in our clarification."¹⁰⁴

Conclusion

In comparing the two reports that were published in 2004 and 2020/2021, significant deviations can be seen in the authors' intentions, approach, methodology, and conclusions. Unlike the 2004 report which was later retracted, the recently published Report prepared under the leadership of Israeli academic Gideon Greif explicitly denies the genocide committed in Srebrenica, minimizes the number of victims, and reproduces a narrative that legitimizes and affirms the positions of the leadership in the RS entity and Serbia. Despite repeated declarations throughout the new Report of author's commitment to methodological integrity and the principles of objective truth, the content of the Report could not be further removed from such postulates. Greif's connections with political regime in Serbia, evident from the state honors bestowed upon him by the Serbian government, further discredit the purportedly objective and impartial nature of the Report.

¹⁰² "Germany withdraws award for Srebrenica genocide denier," *Al Jazeera*, December 30, 2021, <https://www.aljazeera.com/news/2021/12/30/germany-withdraws-award-for-srebrenica-genocide-denier>

¹⁰³ Sam Sokol, "Israeli Historian to 'Correct' Controversial Bosnia Report After Being Accused of Genocide Denial," *Haaretz*, January 19, 2022, <https://www.haaretz.com/israel-news/2022-01-19/ty-article/premium/israeli-historian-to-correct-bosnia-report-after-being-accused-of-genocide-denial/0000017f-ef79-d223-a97f-efd840f0000>

¹⁰⁴ Ibid.

GENOCIDE DENIAL AND LIFE IN SREBRENICA

Twenty-seven since the genocide in Srebrenica, denial and relativization of this crime still persist in the community of Srebrenica itself, particularly among local politicians and the representatives of associations. During this reporting period, Srebrenica Mayor Mladen Grujičić was recorded among those denying the genocide, as was Radomir Pavlović, a member of the Srebrenica Municipal Assembly.

In July 2021, Pavlović took part in a forum called “Deconstruction of myths about Sarajevo Coexistence and Genocide in Srebrenica,” where he repeatedly denied the Srebrenica genocide. The forum was organized by the portals “Sve o Srpskoj” and “Fakti” with the support of the RS Representative in Serbia.¹⁰⁵



Radomir Pavlović in the company of members of the ultra-nationalist Ravna Gora movement

105 “RAZBIJEN MIT O SREBRENICI: Srpski odgovor na jezivu kampanju genocidaša [THE MYTH OF SREBRENICA DESTROYED: Serbia’s response to the gruesome campaign of the genocidals],” *Novosti online*, July 8, 2021, <https://www.novosti.rs/vesti/politika/1014668/razbijen-mit-srebrenici-srpski-odgovor-jezivu-kampanju-genocidasa>.

Denial was also recorded by representatives of non-governmental organizations operating in Srebrenica. Branimir Kojić, the president of the Municipal Organization of Families of Captured and Killed Fighters and Missing Civilians of Srebrenica, continued engaging in denial even after the amendments to the BiH Criminal Code imposed by the High Representative. In most cases, he denied the genocide through the public news agency SRNA. In January 2022, Kojić called the genocide against Bosniaks in Srebrenica “alleged” while commenting on the work of Gideon Greif.

“They constantly want the narrative about the alleged genocide to live on, even though they are aware that /member of the International Commission/ Gideon Greif is a person with an impressive biography and that as a serious man, he would not engage in untruths and lies.”¹⁰⁶

The association Bratunac-based “Eastern Alternative” and its president Vojin Pavlović also continue to deny the genocide, with provocative activities and street performances aimed at insulting the surviving victims. Their activities included, among other things, putting up posters of Ratko Mladić in Srebrenica.¹⁰⁷

106 “KOJIĆ: PORODICE srpskih žrtava traže ZAŠTITU nezavisne komisije, jer će se na taj način SAČUVATI ISTINA! [KOJIĆ: THE FAMILIES of the Serbian victims are asking for the PROTECTION of the independent commission, because that way the TRUTH will be PRESERVED!],” *ALO*, January 26, 2022, <https://aloonline.ba/vijesti/kojic-porodice-srpskih-zrtava-traze-zastitu-nezavisne-komisije-jer-ce-se-na-taj-nacin-sacuvati-istina/>.

107 Nermina Kuloglija and Azra Husarić Omerović, “Bosnian Genocide Denial Ban Pleases Survivors, Angers Serbs,” *Detektor*, July 23, 2021, <https://detektor.ba/2021/07/23/zrtve-ocekuju-da-se-zabrana-negiranja-genocida-pocne-sankcionisati-odmah/>.

RECOMMENDATIONS

Considering the overall increase in the denial of the genocide in Srebrenica throughout the region, it is important to respond with adequate, concrete, and preventative measures. This includes publicly espousing the known facts of the genocide, which are all readily accessible through basic research. Genocide denial is widespread across online platforms as well as in public discourse, especially in the realm of politics. It is thus especially incumbent on political leaders and policy makers from all countries to embed the true narrative of the Srebrenica genocide in public space. Acknowledging and memorializing the victims of the Srebrenica genocide is imperative for preserving peace and stability in Bosnia and Herzegovina and the wider region. Only after fully confronting the past can reconciliation be achieved. Where the past is neglected, negated, or minimized, reconciliation is impossible. Inter-communal trust requires a strong foundation of truth, which will not be built through whitewashing and compromise. The facts of the Srebrenica are non-negotiable, just as the truth is non-negotiable in any healthy society.

The Srebrenica Memorial Center's recommendations for counteracting denial remain largely unchanged from those made in previous reports. With the recent adoption of the law on the prohibition and punishment of genocide denial, one such recommendation has been realized. While this law represents an important step in the right direction, there is still much work to be done by state, non-state, and international actors alike in order to see denial of the Srebrenica genocide completely eradicated.

General Recommendations for Bosnia and Herzegovina:

- Prosecution of War Crimes

Prosecuting those responsible for the Srebrenica genocide is at the heart of the fight against denial. Domestic and regional courts must remain committed to respecting the rule of law and administering justice in an independent and impartial manner. The revised strategy for work on war crimes cases foresees that all cases should be completed by 2023.

- Advocate for Educational Reform

In the education system of Bosnia and Herzegovina, there is no adequate state-level curriculum to educate students about the 1995 genocide in Srebrenica. This historical event must be included in textbooks and curricula across BiH, in such a way as to provide students with insight into the systemic violence against Bosniaks in Srebrenica, as well as promote a different approach to society-building a society free from hatred and revisionism. This is crucial to fostering inter-communal trust and reducing discrimination in environments dominated by a single ethnic group. In

addition to domestic policy makers, representatives of the international community and civil society organizations can contribute to this effort.

- Speak Out against Genocide Denial

Peace activism and the promotion of truth must be supported locally and institutionally. Peace activists are often at the forefront of the fight against genocide denial and their safety must be a priority. The annual editions of this Report have identified individuals and entities who have spoken out against genocide denial and consequently been the targets of violence and discrimination by civilians as well as the police and government officials. State structures must work to ensure the protection of individuals as well as civil society organizations that promote the values of truth, justice, and human rights.

Recommendations for Specific Actors:

International Community

- Strongly condemn the denial and justification of genocide and the glorification of war crimes and criminals, including in the case of Srebrenica
- Establish and continue sanctions for public officials and other individual in positions of power in BiH who publicly deny the Srebrenica genocide or glorify convicted war criminals, such as travel/entry bans, asset freezes, etc.
- Insist on the cessation of rhetoric that incites inter-national and inter-ethnic hatred on BiH's path to the EU
- Ensure that ICTY convictions are automatically recorded in the criminal records of BiH
- Raise awareness on the world stage about the harmful practices of denying genocide and crimes against humanity in BiH and their impact on the stability of the country and the region
- Refrain from inflammatory rhetoric, incitement of inter-ethnic hatred, genocide denial, or glorification of war crimes and criminals
- Accept the verdicts of criminal courts and treat victims from all ethnic, national, and religious groups in BiH with dignity
- Change the names of public places, legal entities, manifestations that glorify convicted war crimes and criminals, as well as remove such features from public spaces
- Effectively and impartially prosecute war crimes
- Advocate for educational programs that include a fact-based curriculum on the Srebrenica genocide
- Support the implementation of changes to the Criminal Code of Bosnia and Herzegovina ("Inzko's Law") by the judiciary

Political Actors in the Region

- Support peace-building in BiH through non-interference in the country's internal affairs, condemn attempts to negate the judicially established facts about war crimes, and withholding support to public officials who engage in such practices
- Condemn all forms of illegitimate historical revisionism
- Work towards establishing and maintaining stability in the Western Balkans, including through censuring inflammatory rhetoric about the past
- Encourage constructive dialogue about the past, including official visits, youth exchanges, and raising awareness in your own countries

Media

- Report responsibly and ethically on sensitive topics from the past; reports should be fact-based and respectful towards the suffering of victims and their families, regardless ethnicity, nationality, or religion
- Refer to crimes by their official name and qualification
- Refrain from sensational reporting that causes or encourages inter-ethnic animosity
- Create media content that showcases positive examples, encourages constructive dialogue, and contributes to peace-building in the region
- Work to counteract hate speech, especially on social networks and online portals

Civil Society in Bosnia and Herzegovina

- Encourage networking, collaboration, and mutual support among organizations and initiatives to combat the denial of genocide and other war crimes
- Create public space for constructive dialogue
- Improve cooperation with education systems, particularly primary and secondary schools
- Insist on a facts-based approach to the Srebrenica genocide, and consulting the Srebrenica Memorial Center in the case of any ambiguities

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Note: The Srebrenica Genocide Denial Report 2022 is published in the Bosnian and English languages. While these versions are identical in terms of content, analysis, and conclusions, minor stylistic variations reflect the different linguistic backgrounds of the researchers, contributors, translators, and editors of the report.

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