

## Masters of Life and Death: Paramilitary Violence in Two Bosnian Towns

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**Abstract:** Paramilitary violence in Bosnia and Herzegovina during the 1992–1995 war was pervasive. Virtually every book written on the conflict discusses paramilitary units, but much about them remains unknown. Local comparisons are sparse, and it is still poorly understood why in some towns civilians were beaten and shot, while in others they were raped and set alight. The archives of the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague enable careful investigation of thousands of documents and testimonies, showing how and why paramilitaries engaged at the local level. This comparative study focuses on two towns that experienced significant paramilitary violence, Bosanski Šamac and Višegrad, arguing that there were structural reasons driving differences in perpetration.

**Keywords:** paramilitary, Bosnia and Herzegovina, ICTY, war crimes, Yugoslavia

### Introduction

Paramilitary violence was pervasive during the violent breakup of Yugoslavia, which marked the last decade of the bloody twentieth-century. That violence was nowhere as brutal and widespread as it was in the towns and villages of Bosnia and Herzegovina (BiH) between 1992 and 1995, where dozens and dozens of paramilitary units operated, with varied affiliations and even more diverse ways of attacking civilians. Arbitrary arrests, beatings, killings, rape and looting were widespread. A particularly violent period was the early months of the war, the spring and summer of 1992, when the Bosnian Serb civilian and military authorities launched the campaign to seize territory, in opposition to the efforts of making Bosnia and Herzegovina independent. Paramilitaries were integral actors in that war, which claimed around 100,000 lives.<sup>1</sup> Yet, there is much about them we do not understand. In this comparative study, I will investigate

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how paramilitaries engaged locally and what explains variations in the violence they perpetrated.

While all parties engaged in the conflict saw paramilitary mobilization, a frequently cited United Nations' report, produced by the Commission of Experts, states that the number of units which engaged to advance Serb(ian) goals was the highest.<sup>2</sup> The report claims that 'there are at least 83 identified paramilitary groups operating in the territories of the former Yugoslavia', 56 supporting Serb(ian) goals, 13 Croatian, and 14 supporting BiH.<sup>3</sup> This article investigates some of those acting on the Serb(ian) 'side' in Bosnia and Herzegovina. The units analyzed in the UN report mobilized and engaged from the earliest days of the armed conflict across the disputed territories, and two towns which saw significant paramilitary violence were Bosanski Šamac in the north of the country, bordering Croatia, and Višegrad, in the east, bordering Serbia.

These two towns experienced, *prima facie*, different kinds of paramilitary engagement and violence. In Bosanski Šamac paramilitary violence was managed largely by outsiders, and was more contained, away from public view. It followed illegal, baseless arrests, and included beatings and killings. But the violence, while targeted, did not seem to include specific attacks on people whom the perpetrators personally knew or had reason to harm. Višegrad, on the other hand, experienced exceptionally brutal attacks on civilians, often men, women and children the perpetrators knew, and often in broad daylight, in full public view. In sum, these two towns were selected because one, Šamac, is an example of more precise, almost surgical paramilitary violence, while the other, Višegrad, was a very public bloodbath. Like many other towns and villages around the country, both fell into the hands of Serb(ian) forces relatively quickly.

- 1 Ewa Tabeau and Jakub Bijak, 'War-related Deaths in the 1992-1995 Armed Conflicts in Bosnia and Herzegovina: A Critique of Previous Estimates and Recent Results', *European Journal of Population*, 21 (2005), 187-215.
- 2 'Serb(ian)' here denotes the goals of both the leadership in Belgrade, headed by then-Serbian president Slobodan Milošević and his allies in the republican and federal circles, such as in the Yugoslav People's Army (Jugoslavenska narodna armija, JNA) and the local Serb leaderships in Croatia and Bosnia and Herzegovina, e.g. Radovan Karadžić, the Bosnian Serb leader. While it is clear that those leaders' goals were not always perfectly aligned, I argue that, broadly speaking, they aimed to prevent the breakup of Yugoslavia and the fragmentation of what they considered Serb(ian) lands. They were working collectively to achieve the political goal of 'all Serbs in one land', where Serbs would constitute the absolute majority and exercise political and social dominance.
- 3 Cherif Bassiouni, 'Annex III A, Special forces', *Final Report of the United Nations Commission of Experts established pursuant to security council resolution 780 (1992)*, 28 December 1994, <<https://phdn.org/archives/www.ess.uwe.ac.uk/comexpert/ANX/III-A.htm>> [accessed 1 September 2020].

In order to make sense of the sources and try to understand the patterns of violence, I will differentiate between two kinds of violence, instrumental and expressive, building on the work of Wikström and Treiber, and the late Lee Ann Fujii. I understand expressive violence as perpetrated with the primary aim of harming, while instrumental violence has the primary purpose outside of the harm itself.<sup>4</sup> Fujii is helpful when thinking about the public nature of violence, and the time, energy and effort to engage in what she called ‘violent displays’.<sup>5</sup> As this article will show, not all units perpetrated violence in the same way, and some were much more reluctant to perform gruesome acts, and to do so publicly.

The different ways units acted in Šamac and Višegrad speak to the diversity of paramilitary engagement in Bosnia and Herzegovina – diversity in terms of the structure and functions of the units, and diversity in terms of the kinds of violence they perpetrated. However, these local variations in paramilitary engagement are still poorly understood and scholars have tended to treat paramilitaries in the breakup of Yugoslavia without paying sufficient attention to this diversity.<sup>6</sup> In order to uncover some of these micro-dynamics, and explain regional variations, I have investigated select units in these two towns, and their leaders and membership, to try to understand why perpetrators acted the way they did.<sup>7</sup> Importantly, this article focuses on select paramilitary perpetrators and their actions, and not on larger political dynamics or military developments. It does not aim to analyze the entirety of the violent dynamics in either of the two locations.

The relevance of this research is two-fold. On the one hand, it explores the enormous archives of the International Criminal Tribunal for the former Yugoslavia (ICTY, Tribunal) to show how unit structure and leadership directly influenced perpetration. After all, there are few studies on the perpetrators during the breakup of Yugoslavia – people

4 Per-Olof Wikström and Kyle H. Treiber, ‘Violence as Situational Action’, *International Journal of Conflict and Violence*, 3.1 (2009), 75–96.

5 Lee Ann Fujii, ‘Talk of the Town’: Explaining Pathways to Participation in Violent Display’, *Journal of Peace Research*, 54.5 (2017), 661–673 (p. 661).

6 In my forthcoming book (expected publication date is summer 2022), I offer an in-depth study of select Serb(ian) paramilitaries during the breakup of Yugoslavia.

7 Hereby fully recognizing that truly knowing ‘why’ people kill and maim is sometimes simply impossible. See Scott Straus, ‘Studying Perpetrators: A Reflection’, *Journal of Perpetrator Research*, 1.1 (2017), 28–38. See also: Thijs Bouwknecht and Adina-Loredana Nistor, ‘Studying Perpetrators through the Lens of the Criminal Trial’, in *Perpetrators of International Crimes: Theories, Methods and Evidence*, ed. by Alette Smeulders and others (Oxford: Oxford University Press, 2019), pp. 89–113 (p. 93).

who raped, killed, tortured and beat others, often neighbors.<sup>8</sup> The other contribution is more methodological, and seeks to show how records collected and produced during judicial proceedings can be used to analyze paramilitarism as a phenomenon more broadly, in ways which are useful to the historians of Yugoslavia, but also those studying perpetration of violence against civilians elsewhere.

This article relies on the vast archives of the ICTY in The Hague, and its daughter institution, the International Residual Mechanism for Criminal Tribunals (IRMCT, or Mechanism), which took over remaining proceedings after the Tribunal closed in late 2017.<sup>9</sup> The close reading of some of the millions of pages of court transcripts, witness statements, military, police and intelligence reports, expert analyses, video and images, and assembly meeting minutes offers remarkable opportunities for research and opens the door to more material than any one historian could ever hope to digest.<sup>10</sup> Studying these archives is essential for understanding the violence but comes with its own challenges.<sup>11</sup> A targeted effort to use these archives is presented here. The next section discusses important insights from scholarly literature about paramilitaries and how they perpetrated violence, while the following two sections are based on primary sources, focusing on select events in Bosanski Šamac and Višegrad in the spring and summer of 1992, when many Bosnians were murdered, humiliated, robbed and expelled.

8 Janine Natalya Clark, 'Genocide, War Crimes and the Conflict in Bosnia: Understanding the Perpetrators', *Journal of Genocide Research*, 11.4 (2009), 421-445.

9 Since its establishment by the UN Security Council in 1993, the Tribunal has indicted 161 persons. At the time of writing, the Residual Mechanism is completing the last two trials, that of Bosnian Serb general Ratko Mladić and Serbian State Security Officials Jovica Stanišić and Franko Simatović.

10 The ICTY archives contain millions of pages, hundreds of thousands of pages of transcripts, and close to 5,000 witness testimonies, 44.9% of which came from Bosnia and Herzegovina. See: ICTY, Witness Statistics, 30 June 2015, <<https://www.icty.org/en/about/registry/witnesses/statistics>> [accessed 2 September 2020]. Furthermore, exceptionally valuable are expert reports presented in trials, such as those by Robert Donia, Reynaud Theunens, Christian Axboe Nielsen, Dorothea Hanson. These experts analyzed the political leadership, their relationships, ideologies and policies; the military and police involvement in the conflict, and how local authorities prepared for, and conducted, war and ethnic cleansing.

11 Jelena Subotić, 'Ethics of Archival Research on Political Violence', *Journal of Peace Research* (2020), 1-13.

## Studying Paramilitary Violence in the Breakup of Yugoslavia

Paramilitarism, argues Üngör, refers to the ‘clandestine, irregular armed organizations that carry out illegal acts of violence against clearly defined civilian individuals or groups.’<sup>12</sup> It is a complex social phenomenon persisting in many conflict and post-conflict contexts, where the types of groups, their interests and relations with state and local authorities vary and change over time, and where there is often significant entanglement with organized crime. What is certain is that these units are regular perpetrators of heinous attacks on civilians.<sup>13</sup> Their utility is, from the perspective of state authorities, in the fact that violence can be outsourced to them, providing plausible deniability as a shield against international sanctions, diplomatic pressures and criminal accountability down the line.<sup>14</sup>

There has been valuable research on paramilitarism in the former Yugoslavia, but not much of it focusing on what Gudehus calls ‘action, action, action’.<sup>15</sup> Meaning: we know more about how units were set up and related to authorities in Belgrade, than we know about what they actually did once deployed. Microhistories of paramilitary perpetration in many towns and villages remain unknown.<sup>16</sup> What has been known for a while is the systematic nature of the violence, and the strategic use of war crimes to achieve political goals.<sup>17</sup> For the former Yugoslavia, we know that the illegal, illegitimate violence was ‘delegated’ to clandestine units,<sup>18</sup> and we know more about some units like Arkan’s

12 Uğur Ümit Üngör, ‘Shabbiha: Paramilitary Groups, Mass Violence and Social Polarization in Homs’, *Violence an International Journal* (2020), 1–21.

13 Alex Alvarez, ‘Militias and Genocide’, *War Crimes, Genocide, and Crimes against Humanity*, 2 (2006), 1–33. See also *Death Squads in Global Perspective: Murder with Deniability*, ed. by Bruce Campbell and Arthur Brenner (New York: St. Martin’s Press, 2000).

14 Iva Vukušić, ‘Plausible deniability: The Challenges in Prosecuting Paramilitary Violence in the Former Yugoslavia’, in *Perpetrators of International Crimes: Theories, Methods and Evidence*, ed. by Alette Smeulers and others (Oxford: Oxford University Press, 2019), pp. 256–272 (p. 271).

15 Christian Gudehus, ‘Action Action Action’, *Journal of Perpetrator Research*, 3.1 (2020), 1–8.

16 One notable exception is the work Vladimir Petrović did on Bijeljina. See: Vladimir Petrović, ‘Power(lessness) of Atrocity Images: Bijeljina Photos between Perpetration and Prosecution of War Crimes in the Former Yugoslavia’, *International Journal of Transitional Justice*, 9 (2015), 367–385.

17 James Gow, *The Serbian Project and its Adversaries: A Strategy of War Crimes* (London: C. Hurst & Co., 2003). See also Siniša Malešević, ‘The Sociology of New Wars? Assessing the Causes and Objectives of Contemporary Violent Conflicts’, *International Political Sociology*, 2 (2008), 97 – 112; and Edina Bećirević, *Genocide on the Drina River* (New Haven: Yale University Press, 2014).

18 Klaus Schlichte, ‘With the State, Against the State? The Formation of Armed Groups’, *Contemporary Security Policy*, 30.2 (2009), 246–264.

Tigers,<sup>19</sup> the Red Berets<sup>20</sup> or Scorpions<sup>21</sup> than others. We know that borders shaped paramilitary deployment (and the other way around),<sup>22</sup> we know about the entanglements with organized crime<sup>23</sup> and about some of the traditional ideas about masculinity and nationalism which fueled mobilization.<sup>24</sup> What many of the paramilitaries actually did, and how their actions varied from place to place and from unit to unit, is still quite a mystery.

Defining precisely what a paramilitary unit is across contexts is problematic, but it must be clear what kind of groups we are discussing. Therefore, for the purposes of this article, a paramilitary unit is a group of men (in the former Yugoslav context, the members were almost always male) that is armed, has a structure and a hierarchy, has a relatively stable membership and a name or insignia to differentiate it from others. Furthermore, the group has political goals, even though they may remain publicly unstated, and at the time of establishment, the paramilitary unit does not form part of regular police or military structures.

My research has demonstrated that paramilitaries in the breakup of Yugoslavia can be divided into two main types: professionalized and non-professionalized.<sup>25</sup> While these are of course ideal-types and some units sit uncomfortably on the boundary, the professionals are those units with closer ties to the Serbian Ministry of Internal Affairs, while the non-professionals were often older men, deploying and perpetrating violence closer to home. The former were what Horncastle described as similar to special forces, covert, younger, better trained and fitter than their non-professional counterparts.<sup>26</sup> The professionalized units

19 Investigative journalists researched and wrote extensively about Arkan's Tigers. Writers working for the Serbian weekly *Vreme* such as Dejan Anastasijević, Miloš Vasić, Filip Švarn, Jovan Dulović and Tanja Tagirov wrote about paramilitaries throughout the 1990s and after. *Balkan Insight* has, in more recent times, done important work, e.g. the work of Marija Ristić.

20 *Jedinica*, dir. by Filip Švarn (Vreme film, 2006).

21 Iva Vukušić, 'Nineteen Minutes of Horror: Insights from the Scorpions Execution Video', *Genocide Studies and Prevention: An International Journal*, 12.2 (2018), 35–53.

22 James Ron, *Frontiers and Ghettos: State violence in Serbia and Israel* (Berkeley: University of California Press, 2003).

23 Maria Vivod, *The Master and Its Servants: The Entangled Web Between the Serbian Secret Service, Organized Crime and Paramilitary Units in Yugoslav Conflict* (New York: Nova publishers, 2015).

24 Aleksandra Sasha Milicevic, 'Joining the war: Masculinity, Nationalism and War Participation in the Balkans War of Secession 1991–1995', *Nationalities Papers: The Journal of Nationalism and Ethnicity*, 34.3 (2006), 265–287.

25 Iva Vukušić, 'Serbian Paramilitaries in the Breakup of Yugoslavia' (unpublished PhD thesis, Utrecht University, 2020).

26 James Horncastle, 'Unfamiliar Connections: Special Forces and Paramilitaries in the Former Yugoslavia', *Special Operations Journal*, 2.1 (2016), 12–21.

moved frequently, and deployed in different places, the non-professionals were generally more stationary, and with closer links to local authorities. The membership in nonprofessional units was also more fluid. The units discussed in the following two sections fall within this definition and represent both categories.

Scholarly research has been enriched by the plentiful records of the Tribunal in The Hague, which remains the richest collection of documents revealing the suffering unleashed from late 1991 and early 1992 across the crumbling federation. The many crimes in Bosanski Šamac and Višegrad have been the focus of numerous trials, some much better known than others. Attacks on civilians in Šamac were central to the trials of local officials Blagoje Simić,<sup>27</sup> Milan Simić,<sup>28</sup> Stevan Todorović.<sup>29</sup> They also featured in the case of Serbian radical politician and proto-paramilitary commander Vojislav Šešelj,<sup>30</sup> and the still ongoing (re) trial of Serbian security officials Jovica Stanišić and Franko Simatović.<sup>31</sup> Višegrad and the crimes against civilians there were the centerpiece of trials of paramilitary perpetrators Milan and Sredoje Lukić,<sup>32</sup> Mitar Vasiljević,<sup>33</sup> as well as Bosnian Serb politicians Radovan Karadžić,<sup>34</sup> Momčilo Krajišnik,<sup>35</sup> and Biljana Plavšić (the only woman indicted at the ICTY).<sup>36</sup> Two trials dealt with both towns: the trial of Bosnian Serb police officials Mićo Stanišić and Stojan Župljanin,<sup>37</sup> and the biggest trial of them all, against Serbian and then Yugoslav president Slobodan Milošević,<sup>38</sup> who died in 2006, before he could hear his verdict. The

27 ICTY Prosecutor v. Blagoje Simić, IT-95-9, <<https://www.icty.org/en/case/simic>> [accessed 4 September 2020]. From now on, I will omit writing 'prosecutor v.' for each individual case.

28 ICTY Milan Simić, IT-95-9/2, <[https://www.icty.org/case/milan\\_simic](https://www.icty.org/case/milan_simic)> [accessed 4 September 2020].

29 ICTY Stevan Todorović, IT-95-9/1, <<https://www.icty.org/case/todorovic>> [accessed 4 September 2020].

30 ICTY Vojislav Šešelj, IT-03-67, <<https://www.icty.org/case/seselj>> [accessed 4 September 2020].

31 ICTY Jovica Stanišić and Franko Simatović, IT-03-69, <[https://www.icty.org/case/stanisis\\_simatovic](https://www.icty.org/case/stanisis_simatovic)> [accessed 4 September 2020]. This case is being retried at the Residual Mechanism, IRMCT, under the number MICT-15-96, <<https://www.irmct.org/en/cases/mict-15-96>> [accessed 4 September 2020].

32 ICTY Milan and Sredoje Lukić, IT-98-32/1, <[https://www.icty.org/case/milan\\_lukic\\_sredoje\\_lukic](https://www.icty.org/case/milan_lukic_sredoje_lukic)> [accessed 4 September 2020].

33 ICTY Mitar Vasiljević, IT-98-32, <<https://www.icty.org/case/vasiljevic>> [accessed 4 September 2020].

34 ICTY Karadžić, IT-95-5/18, <<https://www.icty.org/case/karadzic>> [accessed 4 September 2020]. The IRMCT has completed the appeal in the case of Radovan Karadžić under the number MICT-13-55, <<https://www.irmct.org/en/cases/mict-13-55>> [accessed 4 September 2020].

35 ICTY Momčilo Krajišnik, IT-00-39, <<https://www.icty.org/case/krajsnik>> [accessed 4 September 2020].

36 ICTY Biljana Plavšić, IT-00-39 & 40/1, <<https://www.icty.org/case/plavsic>> [accessed 4 September 2020].

37 ICTY Mićo Stanišić and Stojan Župljanin, IT-08-91, <[https://www.icty.org/case/zupljanin\\_stanisiscm](https://www.icty.org/case/zupljanin_stanisiscm)> [accessed 4 September 2020]. Mićo Stanišić and Jovica Stanišić are not related.

38 ICTY Slobodan Milošević, IT-02-54, <[https://www.icty.org/case/slobodan\\_milosevic](https://www.icty.org/case/slobodan_milosevic)> [accessed 4 September 2020].

majority of those indicted for crimes in these two towns were found guilty, and they were found guilty of violent attacks on civilians involving a broader set of perpetrators, not only paramilitaries. These perpetrators were representatives of local authorities, police and military.

What these trials have demonstrated clearly is that different actors worked together to reach a political goal – to unite all Serbs in one state, preferably with as few non-Serbs as possible, and join territories nationalists considered to be historically Serb(ian). These different actors worked across disputed borders as Yugoslavia was collapsing: from the narrow circle around Slobodan Milošević in the Serbian and Yugoslav leadership, both military and civilian, to Serb leaders in Croatia and Bosnia and Herzegovina; to local police chiefs and school teachers-turned enforcers of ethnic cleansing in their towns and villages. These actors did not always work together in perfect harmony, but they cooperated. Paramilitaries were a result of that cooperation, and institutions whose leaderships sat in Belgrade, from the military to the Serbian Ministry of Internal Affairs, sent funds, personnel and material to the Serbs in Croatia and BiH who were violently re-imagining their communities. Once they formed, the paramilitaries became a partner in that cooperation and, each of them, an actor in its own right. Some, actually merely a fragment of the evidence presented in these proceedings will be analyzed below, in an effort to unpack the structure and leadership of two units active in these two towns and investigate how they influenced perpetration.

## **Paramilitary (Non-)professionals**

The document containing the Six Strategic Goals of the Bosnian Serb leadership, found during ICTY investigations and repeatedly used as evidence, shows clearly what the war in Bosnia was about. It was about separating Serbs from other communities, mainly Bosniaks (i.e. Bosnian Muslims) and Croats, acquiring a coherent territory over areas the drafters considered historically Serb(ian), and eradicating any border between the motherland – Serbia – and Serbs living in neighboring republics – in this case Bosnia and Herzegovina.<sup>39</sup> That document demonstrates why Šamac and Višegrad were prioritized for

<sup>39</sup> The Six Strategic Goals, adopted on 12 May 1992 in Banja Luka, during the 16<sup>th</sup> session of the Assembly of the Serbian People in Bosnia and Herzegovina, has been tendered into evidence in many trials. It can be found in, for example, the ICTY Šešelj case, exhibit P00966, pp. 13–14.



takeover early, and why paramilitaries deployed to make that happen. Both towns were strategically important to control a continuous, defensible territory stretching from the Krajina region in Croatia, through 'the corridor' over the north of Bosnia (along the Sava river), going along the Drina river in the east, and then into Serbia proper.

Šamac was taken over, and its non-Serb civilians expelled, with the paramilitary leadership of outsiders, helped by the local men making up much of the muscle of the operation. The locals were trained in the weeks before the attack in a camp near Ilok, in Croatia, at the time already under Serb control.<sup>40</sup> The takeover was quick.<sup>41</sup> While the purpose of this article is expressly not to untangle the complicated relationships between the Milošević regime in Belgrade and numerous units deploying across Bosnia and Herzegovina in the spring and summer of 1992, we cannot escape the question of affiliation entirely. Much of the violence in Šamac, as depicted in the ICTY archives, suggests the professionalized units, whose members commanded paramilitaries and attacked civilians, had an affiliation with the Serbian Ministry of Internal Affairs (Ministarstvo unutrašnjih poslova, MUP), and specifically its State Security (Državna bezbednost, DB), but the extent and nature of that relationship is strongly disputed.<sup>42</sup> As much of the evidence about those ties between paramilitaries like the Red Berets and their numerous iterations and the regime remains confidential with an unclear path to public scrutiny, conclusions about those affiliations should be qualified for now.

The takeover of Šamac by forces affiliated with the Bosnian Serb leadership took place in mid-April 1992, while the Višegrad attack was orchestrated a month later, and by September much of the sought-after territory was secured and emptied of large numbers of Bosniaks and Croats. The unit most frequently discussed in ICTY courtrooms in

40 In the ICTY Stanišić and Simatović case this is adjudicated fact number 294. Adjudicated facts are defined in Rule 94 of Rules of Procedure and Evidence and are understood to be 'facts of common knowledge'. See: Rules of Procedure and Evidence, <<https://www.icty.org/en/documents/rules-procedure-evidence>> [accessed 4 September 2020].

41 ICTY Stanišić, Trial Judgment, p. 544.

42 Jovica Stanišić's defense disputes the very existence of a unit called 'Red Berets' affiliated with the MUP, and claims the name was widely used for all kinds of units, none of which belonging to the State Security. According to the defense, the extent to which State Security officials were found close to any training or deployment was a result of legitimate state business such as intelligence gathering. Furthermore, if any unit of such a name existed, it had close relations with other parts of the MUP, or the army and local authorities, and not the DB. The defense arguments are found in their Final Brief which, while heavily redacted, in combination with their submissions in court, and in particular their closing statements in that case, provides an overview of their arguments.

relation to Šamac are the Red Berets. There is testimony linking the Red Berets to the training camp in Ilok, where the Šamac men were trained by highly skilled individuals in camouflage uniforms who were known only by their nicknames.<sup>43</sup> Among the people running the camp and the training were members of the Serbian State Security.<sup>44</sup> The insignia the trainees received marked their seniority – a brown wolf patch normally signaled a status of instructor while the grey wolf was reserved for newcomers. Witness JF-047, a synonym used to protect the identity of a former unit member, stated that the vehicles moving around the unit had license plates of the Serbian MUP.<sup>45</sup> One former member described the unit as having an ‘extremely secretive character’.<sup>46</sup> Dejan Slišković and Goran Stoparić are some of the former members who took the stand in The Hague, uncovering much about how the unit operated.

Men who managed the attack in Šamac were professionals tied to the Serbian MUP, like Dragan Đorđević Crni, Živorad Ivanović a.k.a. Žika Crnogorac. The transfer of men from training to deployment in Šamac was even noted in the notebook of general Ratko Mladić, commander of the Bosnian Serb Army.<sup>47</sup> The core of the paramilitary deployed to Šamac was around 40 to 50 men.<sup>48</sup> They did not spend a lot of time there.<sup>49</sup> They based themselves in the local police station, as professionalized units often did in other municipalities they captured in the spring and summer of 1992.

Višegrad’s story is different. It was an extremely brutal place between mid-May and late June 1992, and paramilitary non-professionals were largely responsible. Višegrad’s paramilitaries, and in particular Milan Lukić’s group, were local men, with local connections.<sup>50</sup> While various paramilitaries were present in the area during this period, none of them caused as much suffering as the unit led by Milan Lukić.<sup>51</sup> Milan, then

43 ICTY Stanišić, adjudicated fact 295.

44 ICTY Stanišić, witness Dušan Knežević, Trial Judgment, p. 539.

45 ICTY Stanišić, Trial Judgment, p. 540.

46 ICTY Stanišić, witness JF-048, 15 June 2010, <[https://www.icty.org/x/cases/stanistic\\_simatovic/trans/en/100615ED.htm](https://www.icty.org/x/cases/stanistic_simatovic/trans/en/100615ED.htm)> [accessed 4 September 2020].

47 The diary entry was discussed during the testimony of Petar Đukić, a JNA and later Bosnian Serb Army and Krajina Police security officer. See transcripts in ICTY Stanišić, 8 March 2012, <[https://www.icty.org/x/cases/Stanišić\\_Simatović/trans/en/120308ED.htm](https://www.icty.org/x/cases/Stanišić_Simatović/trans/en/120308ED.htm)> [accessed 4 September 2020].

48 ICTY Stanišić, witness JF-047, Trial Judgment, p. 540.

49 ICTY Stanišić, witness JF-047, 4 October 2010, <[https://www.icty.org/x/cases/Stanišić\\_Simatović/trans/en/101004ED.htm](https://www.icty.org/x/cases/Stanišić_Simatović/trans/en/101004ED.htm)> [accessed 4 September 2020].

50 One can get a good sense of who Milan was, by reading his memoirs: Milan Lukić, *Ispovesti haškog sužnja* (Belgrade: Srpska Radikalna Stranka, 2011).

51 The background of the unit is described in the Lukić Trial Judgment, p. 27 onwards.

in his mid-twenties, originally from the nearby village of Rujišta, led a group which was occasionally called 'White Eagles', and sometimes also 'the Avengers'. The group was one of the most notorious in the entire war. It included Milan's cousin Sredoje, a policeman and Milan's sidekick, and a waiter working in a local hotel, Mitar Vasiljević, both of whom were prosecuted and convicted, like Milan, in The Hague.<sup>52</sup>

Interestingly, Milan Lukić trained in one of the camps operated by the professionalized units, in Pajzoš, in 1992.<sup>53</sup> After that, he returned to Višegrad, and became the paramilitary leader witnesses, one after another, described as callous and incredibly cruel. Their headquarters were in town, and they liked to stay in hotels, and their insignia and uniforms were a messy ensemble of old Chetnik symbols, camouflage and balaclavas.<sup>54</sup> There are images of suspected members in the trial record, and on one picture two men stand next to a van, with automatic rifles, holding a banner with a white skull, cross bones, carrying the words 'with faith in God'.<sup>55</sup>

A number of witnesses identified Milan as the leader of the group.<sup>56</sup> While some of the members may have been from elsewhere, Milan, Sredoje and Mitar were known to people from the area. There is evidence of Milan identifying himself as the leader of the Avengers.<sup>57</sup> The case furthermore showed that this unit had closer ties to the local police and military, unlike the professionals whose institutional ties to Belgrade were multiple and sustained. They moved around in broad daylight, music sometimes blasting from their cars. Frequently, Milan could be seen driving a red (sometimes also described as burgundy) VW Passat he stole from Behija Zukić, and which was recognizable to the locals.<sup>58</sup> There was nothing secretive about how Milan and his men operated around Višegrad.

52 Other members of the unit (as well as local policemen) were prosecuted for crimes in Višegrad at the Court of BiH and the Cantonal Court in Sarajevo. See, for example, cases of Boban Šimšić, Željko Lelek, Momir Savić, Nenad Tanasković, Novo Rajak.

53 ICTY Stanišić, Trial Judgment, p. 547.

54 ICTY Lukić Trial Judgment, p. 28.

55 ICTY Lukić, exhibit number P229.

56 His defense unsuccessfully tried to argue that his arrest and trial were a case of mistaken identity, making the case also that his name and surname are extremely common. The argument gained no traction.

57 ICTY Lukić, P147, P148, P149, P150, P313.

58 ICTY Lukić, witness VG-064, 28 October 2008, <[https://www.icty.org/x/cases/milan\\_lukic\\_sredoje\\_lukic/trans/en/081028ED.htm](https://www.icty.org/x/cases/milan_lukic_sredoje_lukic/trans/en/081028ED.htm)>; and witness VG-035, no transcript available, but referred to in this court session, 12 November 2008, <[https://www.icty.org/x/cases/milan\\_lukic\\_sredoje\\_lukic/trans/en/081112ED.htm](https://www.icty.org/x/cases/milan_lukic_sredoje_lukic/trans/en/081112ED.htm)> [accessed 4 September 2020].

In sum, the structure and functions units are apparent in the sources – in Šamac, the paramilitary management came from outsiders, by those with closer ties to the Serbian leadership in Belgrade, and in particular the Ministry of Internal Affairs. The MUP-affiliated units, the professionals, went through training, overtook police stations, and were not generally roaming around drunk looking for people to torment. They moved from town to town and were part of operations planned at higher levels – operations aiming to seize territory and hold it. It was in their interest, being a covert organization, to act under the radar, and not attract attention of journalists or UN officials. Non-professionals had less on their minds. They had their fiefdoms, without interest and ambition to leave their mark elsewhere. They attracted local people of no particular standing who saw paramilitary involvement as their opportunity to be someone important, respected and feared. They attracted people like slightly overweight Mitar, an alcoholic, drawn to the charismatic, younger Milan. In the end, what Milan Lukić's group was involved in were very public, visible and even performative murders – like burning 120 people alive. None of the professionals ever did anything like that, and the following section will try to explain why.

## **Instrumental versus Expressive Violence**

In this section based on primary sources, I will sketch out some of the violent attacks on civilians, to demonstrate how different paramilitaries attacked differently, and how this was a result of their structure, function, and leadership. These unit characteristics set a certain tone, attracted membership, and created boundaries about what was permissible, and even preferable behavior. The takeover of Šamac was marked by non-Serb residents being harassed, arbitrarily arrested and detained, beaten, killed, expelled and robbed. In Višegrad, an extremely violent period began with the takeover of the town and many of the most heinous attacks on civilians, many of them children and babies, were perpetrated by paramilitaries staffed by local men. Some of those men were small-town cops for whom paramilitary engagement was seemingly an after-work hobby, and an opportunity to socialize, drink and inflate one's sense of importance.<sup>59</sup>

<sup>59</sup> A number of paramilitary members around Milan Lukić seem to have had serious alcohol abuse problems. Two examples are well-documented. Sredoje Lukić and Mitar Vasiljević, both close to Lukić, had their problems discussed in court during their trials.

The men active in Šamac and Višegrad engaged differently, and perpetrated violence against civilians seemingly following different scripts. Those scripts seem to have been written by no small part through leadership, and membership. Evidence from these ICTY trials shows that perpetration of violence depended on who joined the units, and who led them. The violence in Šamac seems to have been largely instrumental – arrest, beat and occasionally kill people in order to subdue resistance and encourage flight. A municipality emptied out of its non-Serb residents was easier to control and that is what they were there to achieve. There seems to have been little joy or personal motivation in it for the perpetrators. It was very matter of fact – get the job done, and then move to get it done somewhere else. Višegrad was different. Overwhelmed with public and torturous displays of violence, much of it coming from local Serbs, the town is now remembered for the two incidents of setting civilians on fire in boarded-up houses. These are the only instances of mass burning of civilians that the ICTY dealt with. In the sea of cruelty and brutality that are the ICTY archives, these two events stand out.

Instances of paramilitary violence in the Šamac region that received a lot attention in ICTY courtrooms include beatings and torture in the police station, the local school and gym, and the massacre in the village of Crkvina near Šamac. The unit operating in town was, according to numerous sources, the Red Berets – a professionalized group. According to JF-047, the paramilitary members beat non-Serb detainees.<sup>60</sup> One survivor came to testify about the detention and beatings. Sulejman Tihić was the former chairman in Šamac of the Party of Democratic Action whose position was that Bosnia and Herzegovina should be an independent state (and a future member of the postwar Bosnian Presidency). He was arrested, beaten and abused in the police station, and then transferred to other locations, including in Sremska Mitrovica, in Serbia proper. Tihić called the men who detained him in Šamac ‘masters of life and death’. According to his testimony, ‘one could see that these were people who knew how to wage war, who knew how to handle weapons, as opposed to the locals, who carried weapons as if they were wooden beams, or sticks’. You could see, he

60 ICTY Stanišić, witness JF-047, 4 October 2010, <[https://www.icty.org/x/cases/Stanišić\\_Simatović/trans/en/101004ED.htm](https://www.icty.org/x/cases/Stanišić_Simatović/trans/en/101004ED.htm)> [accessed 4 September 2020].

recalled, that these other people were professionals, warriors, who knew their business.<sup>61</sup>

The behavior of paramilitary members is in the ICTY records, and noted as punching, kicking and beating detainees with batons, making them sing Chetnik songs, and there are even instances of other heinous acts, but much of the record remains confidential and thus harder to verify. Beyond what happened in town, and around the police station, one notable instance of paramilitary violence is the murder of 16 detainees in the village of Crkvina, on 7 May 1992. The detainees were told to line up against the wall and were shot. Slobodan Miljković Lugar was involved, a notable member of the unit who was mentioned in a number of trials. Lugar was indicted together with Stevan Todorović, Blagoje Simić, Miroslav Tadić, and Milan Simić in July 1995, in one of the earliest indictments by the Prosecutor's Office of the ICTY.<sup>62</sup>

Višegrad was equally present in the courtrooms, and the main case focusing on it was against actual paramilitary members, as well as their leader, Milan Lukić. Much time was dedicated to hearing haunting evidence about two fires in June 1992, ignited on purpose, to kill at least 120 civilians. The first incident in Pionirska street took place on 14 June, in a house filled with people fleeing violence from the nearby village of Koritnik. A number of witnesses spoke about it, and mentioned a flammable substance spread around the house in advance to make it quickly go up in flames. Witness Huso Kurspahić, whose father Hasib was a survivor of the fire and who passed away after the war, testified about what his father had told him.<sup>63</sup> Before being set alight, the victims were robbed, threatened and abused. Women were strip-searched, something witnesses like VG-18 said was 'worse than being killed'.<sup>64</sup>

The same pattern of herding frightened civilians into a house before setting them on fire was repeated two weeks later in the Bikavac neighborhood. Victims were burned alive, among them several small children, and witness VG-58 said 'you could hear screams like

61 ICTY Stanišić, witness Tihic, 3 February 2010, <[https://www.icty.org/x/cases/stanistic\\_simatovic/trans/en/100203ED.htm](https://www.icty.org/x/cases/stanistic_simatovic/trans/en/100203ED.htm)> [accessed 4 September 2020].

62 ICTY Simić et al first indictment. After Lugar's death was confirmed on 7 August 1998, the indictment against him was withdrawn.

63 ICTY Lukić, witness Kurspahić, 1 September 2008, <[https://www.icty.org/x/cases/milan\\_Lukić\\_sredoje\\_Lukić/trans/en/080901ED.htm](https://www.icty.org/x/cases/milan_Lukić_sredoje_Lukić/trans/en/080901ED.htm)> [accessed 4 September 2020].

64 ICTY Lukić, witness VG-18, 5 September 2008, <[https://www.icty.org/x/cases/milan\\_Lukić\\_sredoje\\_Lukić/trans/en/080905ED.htm](https://www.icty.org/x/cases/milan_Lukić_sredoje_Lukić/trans/en/080905ED.htm)> [accessed 4 September 2020].

the screams of cats. It was just terrible.<sup>65</sup> There was one survivor. Zehra Turjačanin pushed herself out from what was a boarded-up house and left behind several family members who could not get away. She testified with no protective measures, to face her tormentors under her real name. Milan was of similar age, and she knew him from school, she recalled in court. Zehra was so badly burned, and in such horrible pain, that she surrendered herself to the Serb army command the morning after the fire. After the prosecutor asked her why she went to the Serb soldiers, she said she wanted to ask them something: ‘What did you ask them to do?’ ‘I asked them to shoot me.’<sup>66</sup>

Apart from the two fires, which stand out for their cruelty, there were instances of the Lukić group taking men out of their workplaces at a local factory and shooting them at the Drina river bank, as well as killings on the Ottoman-era bridge, visible from the surrounding hills. People were abducted, beaten and abused, taken away in front of their families in broad daylight. Very soon the local population feared the Avengers as they never made any effort to conceal what they were doing.

Survivors spoke about one more form of violence perpetrated all across the country during the war, but which rarely reached the scale and severity it did in Višegrad. Sexual violence, rape and abuse, particularly of women and young girls was common there, as they were taken away from families and held captive in the Vilina Vlas hotel, surrounded by greenery, just outside of town. Those crimes were not included in important ICTY cases and were not given the attention they deserved, so the judicial record on them remains incomplete.<sup>67</sup> There appear to have been around 200 women and girls detained there, often chained to radiators to prevent escape, but no one can be certain.<sup>68</sup> What went on in Vilina Vlas – the torture, the gang rapes – led a young woman to jump out the window onto the parking lot asphalt rather than continue to bear it. Her name was Jasmina Ahmetpahić.<sup>69</sup>

65 ICTY Lukić, witness VG-58, 11 September 2008, <[https://www.icty.org/x/cases/milan\\_Lukić\\_sredoje\\_Lukić/trans/en/080911ED.htm](https://www.icty.org/x/cases/milan_Lukić_sredoje_Lukić/trans/en/080911ED.htm)> [accessed 4 September 2020].

66 ICTY Lukić, witness Turjačanin, 23 September 2008, <[https://www.icty.org/x/cases/milan\\_Lukić\\_sredoje\\_Lukić/trans/en/080925ED.htm](https://www.icty.org/x/cases/milan_Lukić_sredoje_Lukić/trans/en/080925ED.htm)> [accessed 4 September 2020].

67 Simon Jennings, ‘Lukic Trial Ruling Provokes Outcry’, *IWPR*, 15 August 2008, <<https://iwpr.net/global-voices/lukic-trial-ruling-provokes-outcry>> [accessed 4 September 2020].

68 Emma Graham-Harrison, ‘Back on the Tourist Trail: The Hotel Where Women Were Raped and Tortured’, *The Guardian*, 28 January 2020, <<https://www.theguardian.com/world/2018/jan/28/bosnia-hotel-rape-murder-war-crimes>> [accessed 4 September 2020].

69 Hikmet Karčić, ‘Uncovering the Truth: The Lake Perućac Exhumations in Eastern Bosnia’, *Journal of Muslim Minority Affairs*, 37.1 (2017), 114–128.

In sum, professionalized units with closer ties to the Serbian Ministry of Internal Affairs were younger, fitter and sober, and tended to perpetrate instrumental violence. They made no particular effort to be particularly sadistic. Ultimately, their job was to subdue, to conquer and then move on to another place, to do the same thing. Killing and beating was a part of that effort but it was not an end in itself. For the non-professionals led by Lukić, engaging in expressive violence, the harm and the cruelty was the point. Of course, the goal was also to expel non-Serbs, but that could have been done differently, with equal effectiveness. But the Lukić group decided that was not enough. The perpetrators felt the Muslim civilians had to burn. The women needed to be gang raped, for weeks on end.

The non-professional paramilitary members perpetrated intimate violence, against their neighbors. Not being constrained by higher-level planning, they had both the time and the luxury to torment. In that respect, while Šamac was a tragedy and a crime for each individual victim and their families, what happened in Višegrad was a horror that stands out in history. This sentiment was echoed in 2009 by judge Robinson, when reading the Trial Chamber judgment sentencing Milan Lukić to life imprisonment, and Sredoje Lukić to thirty years. He stated: 'In the all too long, sad and wretched history of man's inhumanity to man, the Pionirska street and Bikavac fires must rank high.'<sup>70</sup> And they do.

## Conclusion

The aim of this comparative study has been to investigate how paramilitaries engaged locally and what explained these differences, by looking at two towns which saw significant paramilitary violence in spring and summer of 1992. In the previous three sections, I first presented briefly some of the research findings on paramilitaries in the breakup of Yugoslavia, followed by two sections based on primary sources, one focusing on the structure and functions of units, while the other analyzed paramilitary violence. What has this research shown? What was the connection between structure, function, leadership and perpetration of violence?

The Red Berets, as shown by evidence about their presence in Bosanski Šamac, were managed by outsiders with connections in high

<sup>70</sup> ICTY Lukić, Trial Judgment summary, Judge Robinson, 20 July 2009, p.5, <[https://www.icty.org/x/cases/milan\\_lukic\\_sredoje\\_lukic/tjug/en/090720\\_judg\\_summary\\_en.pdf](https://www.icty.org/x/cases/milan_lukic_sredoje_lukic/tjug/en/090720_judg_summary_en.pdf)> [accessed 4 September 2020].



places. These professionals were trained, younger, capable, mobile, and positioned themselves in police stations from which they targeted civilians they thought of as threatening. They beat and killed but did not go out of their way to be seen and remembered. They were on a tight schedule and had no time or interest to attract particular attention to themselves. Non-professionals like the Avengers led by Milan Lukić were a unit of lesser importance – essentially, a local band of nobodies. They were not the elite in any shape or form. They attracted and accepted chubby middle-aged alcoholics, who stood no chance in the Berets. If given the task to climb a rope, or run an obstacle course, it is easy to guess which unit would be more successful.

Being mobile, the Red Berets, did not, for the most part, know their victims. Their job was to subdue, expel, make sure the town is under control and then move on. They beat and killed, but that was work, and they were instrumental in their violence. The Avengers had all the time, liberty and imagination to torment. They drove around, music blasting, visited rich neighbors or those they knew had beautiful daughters. They had time to single out houses which they could prepare for a fire where they burned dozens of civilians, including babies. Nothing like that was ever done by the professionalized units – for the most part, they targeted men. Their commanders and managers, some of whom at least had State Security connections, were more careful. After all, State Security is about intelligence and secrecy. In brief, the main argument the article makes is that the structure and functions of units influenced who joined them, and who joined them influenced perpetration.

These efforts to kill, rob and expel were successful. The demographic shifts in the municipalities were obvious. By 1997, only around 8,5% of the non-Serb population of the municipality remained in Šamac, down from around 46% in 1991.<sup>71</sup> The non-Serb population numbers declined dramatically in Bosanski Šamac, but it was even worse in Višegrad. Ewa Tabeau, demographic expert studying the consequences of the violent displacement, compared the town's population before and after the war. Almost twice as many Bosniaks as Serbs lived in the municipality in 1991, while by 1997 Serbs made up 95,9% of the population. The number of Bosniaks dropped to below 1%.<sup>72</sup> These numbers were neither accidental nor the consequence of some spontaneous migration. In Višegrad, the 2013 census showed much more dramatic changes than

71 ICTY Stanišić, Expert Report by Ewa Tabeau, P1657, p. 40.

72 ICTY Lukić, witness Tabeau, 22 September 2008 and 24 September 2008. Tabeau's report in this case is under exhibit number P00118.

in Šamac – the percentage of the Bosniak population in the former fell from 63% to less than 10%.<sup>73</sup> This dramatic demographic transformation was a result of violence, much of it perpetrated by paramilitary units.

Some other towns had similar, high levels of paramilitary violence, and Zvornik in north east Bosnia stands as a notable example.<sup>74</sup> Studying the micro dynamics of violence in these towns where brutality and violence flared up in a matter of weeks, and included unimaginable horrors, remains a key task of scholarship focusing on the breakup of Yugoslavia. The relevance of it transcends any debt scholars, and others like journalists and documentary film makers may feel to the survivors, and the need to tell these stories. Uncovering and explaining that violence and recording victim suffering for history is a laudable goal. But there is another reason why studying these towns should be prioritized, and that is in helping researchers in other conflict zones try to make sense of the patterns of violence they observe.

Future research should use the opportunities the Tribunal has provided by opening up much of its archive, something other international courts in The Hague sadly still avoid – and investigate paramilitaries further. We should study the way paramilitaries framed the conflict, and the disjuncture between macro cleavages of the conflict and the dynamics of local violence. Furthermore, what influenced paramilitary engagement of a certain kind in one place, but not another, i.e. why did Višegrad not see more professionalized-type units and Šamac more amateurs? What do the documents and testimonies show, which factors impacted paramilitary dynamics on the ground? Which social networks fueled mobilization? Who were the people involved? Who became a perpetrator, and who walked away? Understanding how and why paramilitaries perpetrated violence, and why local dynamics and forms of violence differed is immensely important given how much suffering they caused, in the former Yugoslavia nearly 30 years ago, and across conflict zones today.

73 The data from the census are available here: <<http://www.statistika.ba/>> [accessed 27 February 2021]. More useful information about the human losses and the nature of the violence, based on ICTY records, can be found in the documentary series made by XY Films (called 'Otisci'), 15 years after the end of the war. On Bosanski Šamac, <<https://www.youtube.com/watch?v=UDuTfVei7qA>>, and on Višegrad, <<https://www.youtube.com/watch?v=CqsfTel4fqY>> [accessed 27 February 2021]. According to the data from the Human Losses project cited in the documentaries, between 1991 and 1995, 622 Šamac citizens (of all ethnic backgrounds) were killed or went missing (the majority of them Serbs), while the number in Višegrad was 1760 citizens (in total), 1584 were Bosniaks.

74 The crimes in Zvornik were also the subject of many trials, where documents and witnesses clearly show an orgy of paramilitary violence. There are also a number of reports by non-governmental organizations as well as investigative journalism pointing to key events and people responsible.

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