

**DESTRUCTION OF CULTURAL HERITAGE
IN BOSNIA AND HERZEGOVINA:**

**A Post-war Survey of the Destruction of Non-Serb Cultural Heritage in the
Municipalities of Bijeljina, Foča, Kalinovik, Ključ, Kotor Varoš, Novi Grad,
Pale, Prijedor, Rogatica, Sanski Most, Sokolac, and Srebrenica during the
1992-95 War**

**Prepared for the International Criminal Tribunal for the Former Yugoslavia
Prosecutor v. Ratko Mladić (Case No. IT-09-92-T)
Expert witness: András J. Riedlmayer**

Table of Contents

1.0 Introduction

1.1 Background to Survey

1.2 Survey Goals and Methodology

2.0 Findings

2.1 Damage to Islamic Architectural Heritage

2.2 Damage to Catholic Architectural Heritage

2.3 Damage to Religious Archives and Libraries

3.0 Use of Database

4.0 Expert

Appendix 1: Description and Analysis of Documentation Sources

Appendix 2: List of Documents Submitted

1.0 Introduction

1.1 Background to Survey.

[1.] During the 1992-1995 conflict in Bosnia and Herzegovina, there were reports by various parties concerning the widespread destruction of cultural and religious heritage. In general, these reports came from the following sources: governmental organs and professional institutions in Bosnia and Herzegovina; the local religious communities; interviews with refugees conducted by humanitarian relief organizations and other non-governmental organizations; and media reports from the conflict zone.

[2.] In response, the Committee on Culture and Education of the Council of Europe's Parliamentary Assembly sent a series of missions to Bosnia and Herzegovina and Croatia to collect information on the destruction by war of cultural heritage. The first of the ten information reports submitted by the Committee on these matters (Council of Europe Parliamentary Assembly Doc. 6756. 2 February 1993), characterized the destruction as "a cultural catastrophe in the heart of Europe."¹

[3.] Following the end of hostilities and the signing of the Dayton Peace Accords, it was evident that there was an urgent need to conduct an independent assessment of the damage inflicted on cultural heritage in Bosnia and Herzegovina during the conflict. However, amidst the post-war challenges of restoring security and public services, the human drama of the return of refugees, the discoveries of mass graves and other evidence of atrocities, and the urgency of providing basic necessities such as shelter, the fate of cultural heritage was not foremost among the concerns of the international organizations and governmental bodies in Bosnia and Herzegovina.

[4.] The Dayton Peace Accords recognized the importance of cultural heritage in its Annex 8, which called for the establishment of a Commission to Preserve National

¹ Council of Europe, Parliamentary Assembly. *The Destruction by War of the Cultural Heritage in Croatia and Bosnia-Herzegovina. Information report, presented by the Committee on Culture and Education. 2 February 1993* (Assembly Doc. 6756). Rapporteur: Mr. Jacques Baumel. Between February 1993 and January 1997, the Committee presented ten information reports on these matters to the Parliamentary Assembly of the Council of Europe (PACE). Copies of these PACE reports are appended to this expert report.

Monuments.² A Commission was set up, but during the first six years of its existence it remained mired in disputes about political and procedural issues and had neither the budget nor the staff nor the legislative authority to conduct any assessments. The state institutions that had been in charge of heritage protection in Bosnia and Herzegovina before the war lost their former country-wide mandate and their budgetary support, as a result of the decentralized political arrangements imposed by the Dayton Accords, and were thus in no position to carry out extensive field investigations. In December 2001, the Commission was reorganized by a decision of the Presidency of Bosnia and Herzegovina.³ Since then, the Commission has been active in documenting and designating cultural heritage sites for protection, in response to petitions for such designation. However, it has not been tasked with carrying out a country-wide survey of war damage to cultural monuments.

[5.] Soon after the end of the war, the various religious communities in Bosnia and Herzegovina undertook efforts to document and publicize damage to their respective sacral monuments, in part to help raise funds for post-war reconstruction. In 1997-98, the Technical Cooperation and Consultancy Programme of the Cultural Heritage Division of the Council of Europe carried out an independent field survey of selected heritage sites, in cooperation with local authorities in both entities of Bosnia and Herzegovina. The resulting survey report, "Specific Action Plan for Bosnia-Herzegovina, Preliminary Phase: Final Report (March 1999)," was designed to identify priorities for restoration and was not comprehensive, but it provides some independent, base-line information and photographs for a number of sites. The losses inflicted upon the cultural heritage of Bosnia and Herzegovina's ethnic and religious communities during the 1992-1995 war have been widely noted, but a comprehensive, country-wide survey has yet to be carried out.

² The text of Annex 8 of the General Framework Agreement for Peace in Bosnia and Herzegovina (The Dayton Peace Accord): Agreement on Commission to Preserve National Monuments (14 December 1995), is appended to this report.

³ On the restructuring of the Dayton Annex 8 Commission on 21 December 2001, see "Decision of BiH Presidency on Commission to Preserve National Monuments," available online on the Commission's Web site (http://www.kons.gov.ba/main.php?id_struct=82&lang=4). The author of this report was named by the Presidency of Bosnia and Herzegovina as a member of the restructured Commission, but had to decline the appointment due to personal reasons.

[6.] On 9-10 April 2002, I testified as an expert witness in the case *The Prosecutor v. Slobodan Milošević* concerning the destruction of cultural and religious heritage in the 1998-1999 Kosovo conflict.

[7.] On 16 May 2002, I was engaged by the Office of the Prosecutor (OTP) to prepare a similar report in the case *The Prosecutor v. Slobodan Milošević*, to be based on a field investigation in Bosnia and Herzegovina. The assignment was to document damage to cultural and religious sites of the Bosnian Muslim and Bosnian Croat (Roman Catholic) communities in at least fourteen municipalities specified by the OTP and in up to five additional municipalities, time permitting.

[8.] The fieldwork in Bosnia-Herzegovina, which was carried out in July 2002, was supported by the OTP, which set the terms of reference for the mission and also provided transportation, a daily fee and per diem costs. In two and a half weeks of travel in Bosnia-Herzegovina, the field survey documented patrimonial sites in nineteen municipalities. The information and photographs collected in the field, combined with documentation gathered from other sources and in the course of my other post-war visits to Bosnia and Herzegovina (June 1997, November-December 1998, May-June 2001, June 2007, September 2007, June 2008, May 2011), as well as subsequent analysis of the data collected and systematized in the attached database, form the basis of this report. The findings and conclusions of this report are entirely those of the author. At no stage in the process did the OTP seek to exert any influence or pressure on the author regarding the methodology of this study, its findings, or its conclusions.

[9] The abovementioned report⁴ was completed and submitted to the ICTY in February 2003. On 8 July 2003, I testified as an expert witness in the case *The Prosecutor v. Slobodan Milošević*.⁵

[10.] In April 2003, I was again engaged as an expert witness in the case *The Prosecutor v. Momčilo Krajišnik* and requested to provide an edited version of the

⁴ DESTRUCTION OF CULTURAL HERITAGE in BOSNIA-HERZEGOVINA 1992 – 1996, a Post-war survey of selected Municipalities. 0326-2227-0326-2256.

⁵ *Prosecutor v. Slobodan Milošević*, 030708ED.

abovementioned report for use in that case. That edited version of the report was to examine and document damage and destruction of the cultural and religious heritage of the Islamic and Roman Catholic communities in the Bosnian municipalities of Banja Luka, Bijeljina, Bosanska Krupa, Bratunac, Brčko, Čajniče, Doboj, Foča, Višegrad, and Zvornik during the 1992-1995 war, with specific reference to 1992. I accepted the assignment on 25 April 2003 and submitted the report to the Tribunal in June 2003.⁶ On 23 May 2005, I testified as an expert witness in that case.⁷

[11.] In April 2005, I was asked to prepare an expert report on the destruction of cultural and religious monuments and institutions of the Islamic and Roman Catholic communities, during the period September 1991 and September 1993, in the municipalities in Bosnia and Herzegovina covered by the indictment in the case *The Prosecutor v. Vojislav Šešelj*. The report was to be based in part on materials previously reviewed in the relation to the Milošević and Krajišnik cases, with additional specifications for the municipalities and the time period covered by the indictment in that case. I accepted the assignment on 18 April 2005. After a modified Amended Indictment was filed in the case on 15 July 2005, I was asked to expand my report to include documentation on destruction of non-Serb cultural heritage during the specified period in the nine additional municipalities in Bosnia and Herzegovina covered by the modified Amended Indictment. The abovementioned report⁸ was completed and submitted to the ICTY in April 2006. On 21-28 May 2008, I testified as an expert witness in that case.⁹

[12.] In April 2009, I was asked to prepare an expert report on the destruction of cultural and religious monuments and institutions of the Islamic and Roman Catholic communities in the municipalities in Bosnia and Herzegovina covered in Schedule D

⁶ DESTRUCTION OF CULTURAL HERITAGE IN BOSNIA-HERZEGOVINA:

A Post-war Survey of the Destruction of Non-Serb Cultural Heritage in the municipalities of Banja Luka, Bijeljina, Bosanska Krupa, Bratunac, Brčko, Čajniče, Doboj, Foča, Višegrad, and Zvornik during the 1992-95 war, with specific reference to 1992. 0340-5804-0340-5829.

⁷ *Prosecutor v. Momčilo Krajišnik*, 050523DR.

⁸ DESTRUCTION OF CULTURAL HERITAGE IN BOSNIA-HERZEGOVINA:

A post-war survey of the destruction of non-Serb cultural heritage in the municipalities of Bijeljina, Bosanski Šamac, Brčko, Mostar, Nevesinje, "Greater Sarajevo" (Ilidža, Ilijaš, Novi Grad/Rajlovac, Novo Sarajevo, Vogošća) and Zvornik during the 1992-95 war, with specific reference to the period September 1991 - September 1993. 0469-3669-0469-3697

⁹ *Prosecutor v. Vojislav Šešelj* 080521ED, 080522IT, 080527ED, 080528ED

of the Third Amended Indictment in the case *The Prosecutor v. Radovan Karadžić* (IT-95-5/18-I). The report was to be based in part on materials previously reviewed in the relation to the Milošević, Krajišnik and Šešelj cases, with additional specifications for the municipalities and the time period covered by the indictment in that case. The abovementioned report¹⁰ was completed and submitted to the ICTY in May 2009. On 8-9 December 2011, I testified as an expert witness in that case.¹¹

[13.] In August 2009, I was asked to prepare an expert report on the destruction of cultural and religious monuments and institutions of the Islamic and Roman Catholic communities in the thirteen municipalities in Bosnia and Herzegovina covered in Schedule E and one additional municipality (Bileća) covered in Schedule F of the Amended Consolidated Indictment in the case *The Prosecutor v. Župljanin and Stanišić*. The report was to be based in part on materials previously reviewed in the relation to the Karadžić, Šešelj, and Milošević cases, with additional specifications for the municipalities and the time period covered by the indictment in this case. The abovementioned report¹² was completed and submitted to the ICTY in August 2009. On 2 June 2010, I testified as an expert witness in that case.¹³

[14.] In July 2012, I was asked to prepare an expert report on the destruction of cultural and religious monuments and institutions of the Islamic and Roman Catholic communities in the eleven municipalities in Bosnia and Herzegovina covered in Schedule D of the Fourth Amended Indictment in the case *The Prosecutor v. Ratko Mladić*. The report was to be based in part on materials previously reviewed in the relation to the Karadžić case and other cases for which I had previously submitted expert reports, with additional specifications for the municipalities and the time

¹⁰ DESTRUCTION OF CULTURAL HERITAGE IN BOSNIA-HERZEGOVINA:

A post-war survey of the destruction of non-Serb cultural heritage in the municipalities of Banja Luka, Bijeljina, Bosanska Krupa, Bosanski Novi, Bosanski Petrovac, Bratunac, Brčko, Čajniče, Donji Vakuf, Foča, Ilijaš, Kalinovik, Ključ, Kotor Varoš, Novi Grad, Pale, Prijedor, Rogatica, Sanski Most, Sokolac, Vogošća, and Zvornik during the 1992-95 war, and a report on the 25-26 August 1992 shelling of the National and University of Library of Bosnia and Herzegovina in Sarajevo. 0639-9217-0639-9250, D000-2537-D000-2537, 0639-9251-0639-9658

¹¹ *Prosecutor v. Radovan Karadžić*, 111208ED, 111209IT

¹² DESTRUCTION OF CULTURAL HERITAGE IN BOSNIA-HERZEGOVINA:

A post-war survey of the destruction of non-Serb cultural heritage in the municipalities of Donji Vakuf, Ključ, Kotor Varoš, Prijedor, Sanski Most, Teslić, Bosanski Šamac, Brčko, Doboj, Gacko, Višegrad, Vlasenica, Zvornik, and Bileća during the 1992-95 war. 0671-7074-0671-7105, 0557-3834-0557-3890.

¹³ *Prosecutor v. Župljanin and Stanišić*, 100602IT

period covered by the indictment in this case. In August 2012, the terms of reference were amended and I was asked to also include Srebrenica among the municipalities covered in this report.

1.2 Survey Goals and Methodology

[15.] The goal of this expert report is to document cases of the deliberate destruction of cultural and religious heritage of the Bosnian Muslim and Bosnian Croat (Roman Catholic) communities during the 1992-1995 war in the municipalities of Bijeljina, Foča, Kalinovik, Ključ, Kotor Varoš, Novi Grad, Pale, Prijedor, Rogatica, Sanski Most, Sokolac, and Srebrenica. The religious and cultural sites documented in this expert report include the 77 cultural and religious monuments and institutions that are specifically referred to in Schedule D. In addition, the report also covers damage and destruction of the cultural and religious heritage of the Bosnian Muslim and Bosnian Croat (Roman Catholic) communities generally in the eleven municipalities listed in Schedule D. At the request of the Office of the Prosecutor, a supplement was prepared documenting damage and destruction of cultural and religious heritage of the Bosnian Muslim and Bosnian Croat (Roman Catholic) communities in one additional Bosnian municipality not listed in Schedule D, the municipality of Srebrenica; it forms part of this expert report.

[16.] Heritage sites surveyed include but are not limited to places of worship, libraries and archives, educational buildings and cultural sites. In addition to careful inspection of those sites that the author was able to visit in person, an effort was made to identify and acquire pre-war and post-war photographs and other information from the local religious communities and from other sources considered to be reliable.

[17.] In all, 223 heritage sites are documented in this report. Of that number, 112 sites, comprising slightly more than half of the total (50.22 percent), were inspected at first hand by the author. For another 111 sites (49.78 percent) the assessment is based on photographs and information obtained from other sources judged to be reliable (such as the religious communities, photographs taken by ICTY investigators, Council of Europe survey teams, and local Institutes for the Protection of Monuments). When using information from external sources, only those sites were

included in this survey for which there were photographs or other corroborating documentation. Whenever possible, an effort was made to corroborate survey findings by using information from multiple, independent sources.

[18.] In the twelve Bosnia and Herzegovina municipalities included in the terms of reference, the author of this report has made an effort to include every cultural and religious heritage site of the non-Serb communities known to have been extant on the eve of the war, provided sufficient documentation could be obtained to permit the author to draw conclusions as to whether or not that site incurred any damage during the war. This report includes every known site, whether damaged or undamaged, for which sufficient documentation was available.

[19.] In each of these twelve municipalities, the majority of the Islamic and Roman Catholic sites extant before the war have been documented in this report. No site that survived the war undamaged has been omitted. However, a number of cultural and religious sites that were alleged by various parties to have been damaged or destroyed during the 1992-1995 war, but for which there was not sufficient documentation available to meet the criteria for this report, have not been included in the report.

[20.] For this survey, the term "site" is used to describe a particular building or institution devoted to religious worship (such as a mosque, church, or shrine) of the specified communities, or related religious, cultural or educational uses (religious archive, religious library, religious school, monastic establishment, or dervish lodge). All of the sites are identified by type and use.

Table I. MUNICIPALITIES SURVEYED	No. of sites
1. Bijeljina ¹⁴	15
2. Foča	35
3. Kalinovik ¹⁵	3
4. Ključ	20
5. Kotor Varoš	21

¹⁴ The total for Bijeljina includes four mosques in villages, part of Ugljevik municipality before the war, that are now administered from Bijeljina.

¹⁵ The total for Kalinovik includes one mosque in the village of Hotovlje, part of Kalinovik municipality before the war, that is now administered from Konjic.

6. Novi Grad	3
7. Pale	5
8. Prijedor	47
9. Rogatica	17
10. Sanski Most	34
11. Sokolac	6
12. Srebrenica	17
TOTAL	223

Table II. ISLAMIC SITES

Mosques (<i>džamija, mesdžid</i>)	172
Qur'an-readers' schools (<i>mekteb, mejtef</i>)	11
Islamic theological schools (<i>medresa</i>)	1
Islamic shrines (<i>turbe</i>)	9
Dervish lodges (<i>tekke, tekija</i>)	1
Islamic religious archives	6
Islamic religious libraries	7
Other: Clock tower (<i>sahat kula</i>), hospice/inn (<i>han</i>),	2

Table III. ROMAN CATHOLIC SITES

Catholic churches	23
Catholic theological schools	1
Catholic monasteries and convents	1
Catholic religious archives	1
Catholic religious libraries	1

[21.] Cemeteries and cemetery chapels, which are not used for regular communal worship, were excluded from the scope of this survey, while Qur'an-readers' schools (*mekteb, mejtef*), which are often used for regular communal prayers in villages that do not have their own mosque, were included.

[22.] The damage assessment for each site surveyed includes a verbal description. The damage was also graded according to a five-point scale¹⁶, using the following terms:

Table IV. DAMAGE LEVELS

<i>In good condition:</i>	the building shows no sign of war damage or of recent reconstruction.
<i>Lightly damaged:</i>	covers any damage that does not visibly compromise the main structure of the building; damage can range from vandalism or small fires set in the building, to bullet holes in the walls, shell holes in the roof, the top of a minaret or the top of a church steeple shot off, as long the principal part of the building appears to have survived structurally intact.
<i>Heavily damaged:</i>	the building has suffered significant structural damage to its main elements; typically, this would be used to describe a building that has been completely burnt out, often with its roof entirely or substantially collapsed, or extensive blast damage, or a combination of damage to several parts of the structure.

¹⁶ The terms and criteria for the damage assessment scale used in this expert report were developed on the basis of two other scales that have been used in the Balkan context. One of these was a five-point damage scale developed in 1999 by UNHCR for its "Rapid Village Assessment" project at the end of the 1998-99 war in Kosovo: UNHCR, Rapid Village Assessment Forms, 1999. *Emergency Assessment of Damaged Housing and Local/Village Infrastructure in Kosovo* ([Priština and Brussels]: European Commission Damage Assessment Kosovo, International Management Group, July 1999); document available online at <http://reliefweb.int/report/serbia/emergency-assessment-damaged-housing-and-localvillage-infrastructure-kosovo>. The UNHCR damage scale was designed with calculations of housing reconstruction costs, rather than assessments of heritage buildings in mind, and was not well suited for these purposes. Another assessment tool, a six-point damage scale, was devised in 1991 by the State Institute for Protection of Cultural Monuments of Croatia and was used to assess war damage to heritage sites in the Old Town of Dubrovnik. The same scale was also used by rapporteurs sent to Croatia and Bosnia and Herzegovina by the Council of Europe to assess damage to heritage during the 1991-1995 war; *The Destruction by War of the Cultural Heritage in Croatia and Bosnia-Herzegovina presented by the Committee on Culture and Education. Information Report, 2 February 1993* (Council of Europe Parliamentary Assembly Doc. 6756), par. 77-78 outlines the six damage levels but unfortunately does not provide details on the criteria for each level. The scale adopted for this expert report employs clear criteria, based on visual observation, and is based on the same standard methods of assessment as the aforementioned.

Almost destroyed: several principal parts of the building, such as perimeter walls, are missing or severely compromised; the building appears to be beyond repair and would require complete reconstruction, but still has some identifiable elements standing above ground.

Completely destroyed: the building has been razed and has no potentially salvageable elements left standing above ground.

[23.] In addition to the author of this report, who determined the sites to be documented and carried out the documentation and assessments, the field survey team in July 2002 also included an OTP investigator, who acted as driver and provided security, as well as Prof. Dr Muhamed Hamidović, at the time Dean of the Faculty of Architecture at the University of Sarajevo and former director of the Institute for Protection of Cultural, Historical and Natural Heritage of Bosnia and Herzegovina. Dr. Hamidović assisted in arranging for local contacts and acted as translator when required; he also acted as guide to a number of heritage sites with which he was personally familiar. However he played no part in the selection of sites or the assessment of the damage. In all the municipalities surveyed, the local Islamic and Roman Catholic religious communities provided information, documents (including photographs) and assistance; in many places, local clergymen gave generously of their time to accompany and guide us to sites of destroyed places of worship. However in all cases, the author of this report was solely responsible for the selection of sites to be surveyed and for the assessment of the damage.

[24.] The documentation gathered in the course of the July 2002 field survey forms the principal basis for this report. Additional information and photographs were obtained in the course of the author's other post-war visits to Bosnia and Herzegovina (1997, 1998, 2001, 2007, 2008, 2011) and through correspondence. The sources of the documentation used in this report are described in Appendix 1: Description and Assessment of Documentation Sources.

2.0 Findings

2.1 Damage to Islamic Architectural Heritage

[25.] Islamic religious heritage sites in Bosnia and Herzegovina include mosques, (*džamija*, *mesdžid*), dervish lodges of the Sufi lay brotherhoods (*tekke*, *tekija*), turbes (shrines at the tombs of popular Islamic saints and martyrs), Islamic theological schools (*medresa*), Qur'an-readers' schools (*mekteb*, *mejtef*), and Islamic religious libraries and archives. All of these appear to have been singled out for destruction during the 1992-1995 war, in particular mosques.¹⁷

[26.] The survey has documented 172 mosques in the municipalities covered in this report. All of these mosques were located in territory seized and held by Bosnian Serb forces during the 1992-1995 war. None of the surveyed mosques were found to have come through the war in good condition, while only 6 mosques (3.5 percent of the total) were assessed as lightly damaged.

[27.] Among the six mosques in this report that were assessed as lightly damaged, one is a *mesdžid* in Gomjenica (Prijedor municipality). In Bosnian Muslim usage, the term *mesdžid* is used to describe a small neighborhood or village mosque where daily prayers and other religious rituals are performed, but which is not used for the Friday congregational prayers. Unlike a Friday mosque (*džamija*), a Bosnian *mesdžid* does not usually have a minaret and it may not always be immediately recognizable from the outside as a mosque. The Gomjenica *mesdžid* is said to be the only mosque in the Prijedor region that still had its roof at the end of the war. At the same time, it should be noted that among the sites documented for this report there are 14 other *mesdžids* that were assessed as heavily damaged or destroyed.

[28.] The other five mosques documented for this report that were assessed as lightly damaged were all buildings that were still under construction at the time the war

¹⁷ In the survey that forms the basis of this report, care was taken in each case to note the condition of buildings adjacent to the damaged monument, in order to establish the context of destruction. In the great majority (85 percent) of the 79 cases for which such information was available, other buildings adjacent to the damaged/destroyed Islamic sacral site were either found to be intact or had suffered lesser degrees of damage. In the remaining cases both the mosque (or other Islamic site) and the adjacent buildings had suffered the same degree of damage.

broke out and had not yet been officially inaugurated. As was seen by the author in a number of the municipalities surveyed in July 2002, unfinished houses of worship – Muslim mosques and Roman Catholic churches that were still under construction when the war began – were often the targets of vandalism and the looting of building materials during the 1992-1995 war, but were rarely if ever found to have been destroyed. Among examples of this are two nearly completed new mosques in Hrustovo-Kukavice (Sanski Most municipality) and in Donji Agići (Bosanski Novi municipality), each of which stood next to an older mosque that was still in active use at the outbreak of the war. In both cases the old mosque had been burned and heavily damaged during the war, while the new mosque, just a few meters away, had suffered only minor damage. Other examples of mosques that had been under construction at the outbreak of the war and were assessed as lightly damaged include the Janjari mosque (Bijeljina municipality) and the mosques in Vrhpolje and Modra (Sanski Most municipality).

[29.] At the same time, all the active mosques in these municipalities that had been formally inaugurated and registered with the civil authorities on the eve of the war, among them 35 mosques in Prijedor municipality and 26 mosques in Sanski Most municipality, were found to have been heavily damaged or destroyed during the war.

[30.] A total of 165 mosques, or 96.5 percent of the mosques surveyed for this report, were assessed as either heavily damaged or destroyed. Of the 165 mosques in these top damage categories, 79 mosques were found to have been heavily damaged, while 86 mosques were almost or entirely destroyed.

[31.] However, two of the mosques listed in Schedule D of the Fourth Amended Indictment in this case are not included the statistical total for damaged mosques. One of these is the mosque in Jelašca (Kalinovik municipality). A close examination of all the available information, including recent photographs of the Jelašca mosque taken at my request by an investigator from the ICTY office in Sarajevo, leads me to conclude that the Jelašca mosque is indeed heavily damaged, but that the damage in this case dates from World War II and not from the 1992-1995 war. My reasons for this conclusion and the documentation supporting it are provided in the formatted entry for the Jelašca mosque, which forms part of this report.

[32.] At my request, the same ICTY investigator also visited the village of Kutine (Kalinovik municipality), which is listed in Schedule D of the Fourth Amended Indictment in this case as the location of a destroyed or damaged mosque. The photographs and other information provided by the investigator's report lead me to conclude that what the indictment calls the "Kutine mosque" is in fact the same mosque as another site listed in Schedule D, namely the Hotovlje mosque. Local Muslim residents in Kutine interviewed by the ICTY investigator stated that the two villages of Hotovlje and Kutine are located very close to each other, that the Muslims in these two villages are part of the same congregation (*džemat*) and worship at the same mosque in Hotovlje, and that there had never been a separate mosque in Kutine.

[33.] The Hotovlje mosque, which was destroyed in the 1992-1995 war, is included as one of the sites documented in this report. However, there is no separate entry for the Kutine mosque. My reasons for this finding, and the documentation supporting it, are provided in the formatted entry for the Hotovlje mosque, which forms part of this report.¹⁸

[34.] More than half, or 55 percent, of the mosques surveyed for this expert report dated from the Ottoman era (early 1400s-1878) or from the era of Austro-Hungarian rule (1878-1918) in Bosnia and Herzegovina. Of these 94 historic mosques¹⁹ 36 had been designated as "listed monuments" (designated for special protection by legislative act, due to their exceptional cultural, artistic or historical significance).²⁰

¹⁸ The photographs and mission report provided by ICTY OTP investigator Zbigniew Wojdyla, who was sent to Jelašca and Kutine at my request on 31 July 2012 (ERN 0706-5943 – 0706-5961 [Jelašca]; 0706-5962 – 0706-5967 [Kutine]; 0683-8699 – 0683-8700 [investigator's mission report]) are appended to this expert report.

¹⁹ For reasons outlined in par. 31 above, the Ottoman-era mosque in Jelašca (Kalinovik municipality) is not included in this total.

²⁰ A "listed monument" refers to a building or other structure officially designated as being of special architectural, historical or cultural significance. "Listed" buildings may not be demolished, extended or altered without special permission being granted by the competent authorities. In addition, listed buildings may be eligible for state-funded conservation projects. In the former Yugoslavia (SFRY), legislation at the federal and republican level for the protection of cultural heritage included procedures for the designation of buildings as listed monuments. In Bosnia and Herzegovina this was regulated by Statutes on the protection of cultural monuments, enacted in 1965, 1978 and 1985 (Zakon o zaštiti spomenika kulture, SL SRBiH 16/65 and 31/65; Zakon o zaštiti kulturno-historijskog i prirodnog naslijeđa, SL SRBiH 3/78, SL SRBiH 85). Mevlida Serdarević, *Pravna zaštita kulturno-historijskog naslijeđa BiH* [The legal protection of the cultural and historical heritage of Bosnia and Herzegovina] (Sarajevo: Međunarodni centar za mir, 1997), pp. 59-81: "Zaštita kulturno-historijskog naslijeđa do

[35.] All of the 94 Ottoman-era and Austro-Hungarian-era mosques in the areas covered by this report were either heavily damaged or destroyed. Of the 36 mosques that had been officially designated as listed monuments before the war, 11 were heavily damaged during the 1992-1995 war, while 25 of the listed mosques were almost completely or completely destroyed.

[36.] The same pattern was evident for other types of Islamic religious monuments of cultural or historical importance. Of the 9 turbes (Islamic shrines) located in the municipalities covered by this report, all but one were either heavily damaged or completely destroyed; 6 of the turbes were listed monuments designated for legal protection. A historic dervish lodge of the Nakshibendi Sufi order, the Tekke of Bajezid Baba in Foča, was burned down and heavily damaged.

[37.] In the twelve municipalities covered by this report, only two monuments built as Islamic endowments were found to be in good condition, with no sign of wartime damage: the Great Han (inn, or hospice for travelers) and the clock tower (*sahat kula*)²¹ in Foča. Both monuments were built in the eighteenth century as benefactions of Mehmed Pasha Kukavica, but had lost their association with Islamic religious institutions after the end of World War II, when the properties of the Islamic pious endowments (*vakuf*) were confiscated by the state. During the communist period, the Great Han was converted into a restaurant and catering facility. Across the street from the Great Han, two other foundations of Mehmed Pasha Kukavica that had retained their religious associations, the Mehmed Pasha Kukavica mosque and the Islamic theological school (*medresa*) adjoining it, were heavily damaged and completely destroyed, respectively, during the 1992-1995 war.

1992. godine (zakon o zaštiti naslijeđa)” [Protection of cultural and historical heritage up to 1992 (the statute on protection of heritage)]. ERN 0560-6871-0560-6893.

²¹ Public clock towers are a type of Islamic pious endowment that originated in the western Balkans. Their original purpose was to mark the times for daily prayers. Since the end of the Ottoman era, they have lost their religious function; Hamdija Kreševljaković (1957), "Sahat kule u Bosni i Hercegovini," *Naše starine* 4:17-32. On the eve of the 1992-1995 war, there were 20 Ottoman-era clock towers still standing in Bosnia, of which only three were damaged during the war. The clock tower of Ferhad Pasha Sokolović in Banja Luka was blown up and completely destroyed in Dec. 1993. The Ottoman clock tower in the old town of Mostar was damaged by projectile impacts in April-May 1992, during the first siege of Mostar by the Yugoslav army (JNA). The clock tower of Gazi Husrev Beg in the old town center of Sarajevo was damaged by projectile impacts during the 1992-1995 siege of Sarajevo.

[38.] While it has frequently been asserted that all mosques located in territory controlled by Bosnian Serb forces during the war were completely razed, that is not quite the case. However, one can conclude from the findings of this report that the overwhelming majority of the mosques in the municipalities included in this report – as in other municipalities surveyed – were either heavily damaged or destroyed; and that mosques and other Islamic religious monuments of particular historical and cultural importance appear to have been singled out for destruction. Minarets, which with their tall spires are the most visible symbol of a Muslim community's presence in a given locality, appear to have been singled out as targets. Virtually no minarets survived the 1992-1995 war intact in the parts of Bosnia and Herzegovina controlled by Bosnian Serb forces.²²

[39.] The damage to these monuments was, in many cases, clearly the result of attacks directed against them, rather than incidental to the fighting. Evidence of this includes signs of blast damage indicating explosives placed inside the mosques or inside the stairwells of minarets. Many mosques appear to have been burnt out or blown up while nearby structures show no signs of damage or recent repairs in photographs taken immediately after the war. In a number of towns, including Bijeljina, Foča, Ključ, Kotor Varoš, Prijedor, Rogatica, Sanski Most, and Srebrenica, and others, the destruction of mosques and other Islamic heritage sites took place after the area had come under the control of Serb forces, at times when there was no military action in the immediate vicinity.

[40.] Destruction of Islamic religious monuments in Bosnia and Herzegovina occurred throughout the 1992-1995 war. The great majority of the destruction of Islamic sites documented in this survey is reported to have taken place during the spring and summer of 1992. However, more than a dozen mosques, an Islamic shrine (*turbe*), and an Islamic religious library were reported damaged or destroyed in 1993, in the municipalities of Bijeljina and Srebrenica.

²² The one, well-known exception is in Baljvine, near Mrkonjić Grad, where local Serb inhabitants reportedly persuaded Serb paramilitaries to leave the mosque alone, saying it was part of the "local color." (Jolyon Naegle, "Banja Luka's mufti tells of 'four years of horror,'" *RFE/RL Weekday Magazine*, 6 Sept. 1996, downloaded from <http://www.rferl.org/content/article/1081496.html>). ERN 0326-5221–0326-5223

[41.] A further 12 Islamic sites were reported to have been destroyed in 1995. One of those sites was a village mosque in the municipality of Sanski Most. Another was the mosque in Žepa (Rogatica municipality), which was destroyed by a blast on or after 25 July 1995, following the fall of the enclave.

[42.] In addition to the above, 8 mosques, an Islamic library and a religious archive were damaged or destroyed on or after 11 July 1995, within the zone designated by the United Nations, under UN Security Council Resolution 819 (1993), as the Safe Area of Srebrenica. Documentation and damage assessments for the mosques and other Islamic sites that were damaged or destroyed on or after 11 July 1995 in Srebrenica and nearby villages, located within the UN Safe Area, are provided in the formatted entries labeled S.1–S.6 and S.8–S.10, which form part of this report.

[43.] The destruction of mosques and of other Islamic religious monuments appears to have been neither localized nor random, in these as in other surveyed municipalities in Bosnia and Herzegovina, and is reported to have taken place during or in some cases just after, a mass exodus of the local Muslim population. Reported statements made by the people who were privy to these events show an awareness of the impact that the destruction of their houses of worship had on the affected community.

[44.] Milan Tupajić, the wartime chief of the crisis staff and president of the Serb municipality of Sokolac, stated in testimony in a previous case before this court: *"There is a belief among the Serbs that if there are no mosques, there are no Muslims. And by destroying the mosques, the Muslims will lose a motive to return to their villages."*²³

[45.] As a Muslim resident of Banja Luka told a foreign journalist, following the destruction of Banja Luka's historic Ferhadija mosque in May 1993: *"It is as though they have torn our heart out. They wanted us to understand we had no place here."*²⁴

²³ *Prosecutor v. Krajišnik 050629IT*

²⁴ Tim Judah, "Razing of mosques gives new resolve to Muslims," *The Times* (London), 14 May 1993. ERN 0003-0829–0003-0829

[46.] In many localities – especially in major population centers, but often also in village settings – mosques were not only destroyed by burning and explosives, but the ruins were razed and the sites levelled with heavy equipment, and the building materials were removed from the site. The demolition of the ruins, bulldozing of the sites, and the removal of the rubble was in many cases carried out in the immediate aftermath of the destruction, by work crews of the local town authorities. Among the many documented instances of this practice are the complete destruction and razing of mosques in the towns of Bijeljina, Foča, Kotor Varoš, Rogatica, and Srebrenica, and the destruction and razing of the mosques and Roman Catholic churches in the towns of Ključ, Prijedor, and Sanski Most.

[47.] The same pattern – destruction, razing of the ruins and removal of the rubble from the site – appears to have been followed in the case of more than 30 village mosques covered in this survey. Examples include the mosques in Janja (Bijeljina municipality), in Vrbanjci (Kotor Varoš municipality), in Dera and Rizvanovići (Prijedor municipality), in Stari Majdan (Sanski Most municipality), in Knežina, Kruševci, and Novoseoci (Sokolac municipality), in Žepa (Rogatica municipality), and in Dobrak and in Sase (Srebrenica municipality).

[48.] When the rubble of the razed mosques was taken away it was often deposited in rubbish tips. In the case of some monuments documented in the author's field survey, such as that of the 18th-century Sava mosque (Atik džamija) in Brčko, the rubble of the destroyed mosque was reportedly dumped on top of a mass grave site.²⁵ Another incident in which the remains of a mosque were used in this way is alleged to have taken place in the village of Novoseoci, in Sokolac municipality, where the local mosque was destroyed on 22 September 1992. A number of the village's Muslim residents, were reportedly detained and were last seen alive on that date. Their

²⁵ Interview (26 Oct. 2005) by the author of this report with archaeologist Dr. Rebecca Saunders, of Louisiana State University, who took part in the ICTY-sponsored exhumation of a mass grave site southeast of Brčko in the summer of 1997: "There were a number of discrete mass graves in an area about 100 meters long and 50 meters wide. After the burials, one to two meters of rubble was dumped over the whole area, apparently because the local population complained of the smell ... Some of the rubble was clearly from a bulldozed mosque." This was confirmed by Dr. Richard Wright, testifying about the same exhumation in *Prosecutor v. Goran Jelišić*, 990902ED. The use of the rubble of the Brčko mosque to cover a mass grave site is also cited in the *Final Report of the UN Commission of Experts Established Pursuant to SC Res. 780 (1992)*, under the direction of Prof. M. Cherif Bassiouni. UN SC Doc. S/1994/674/Add.2 (Vol. V) 28 December 1994, Annex X: Mass Graves.

remains were found and identified after the war, buried beneath tons of rubble of the destroyed Novoseoci mosque, in a rubbish tip near Ivan Polje, at a distance of 6 km from Novoseoci.²⁶

[49.] A number of the empty sites of razed mosques in territory under Bosnian Serb control have been desecrated, often by being used as dumping sites for rubbish. As was noted by the author of the report in the course of the field survey, the presence of large, overflowing containers of rubbish on or next to an empty lot in towns in the Serb-controlled parts of Bosnia often signals the site of a destroyed mosque; among examples are: the Pilavska mosque in Foča, the Town mosque in Ključ, the Čaršijska mosque and the Zagrad mosque in Prijedor, and the Čaršijska mosque in Srebrenica. In some cases piles of rubbish, pigs' heads and other refuse was seen deposited inside a ruined mosque, as in the Mehmed Pasha Kukavica mosque in Foča.

[50.] Even in cases where the mosque has been destroyed and building materials have been removed, one can often still see where the mosque once stood by tracing lines of disturbed earth, stones in the ground and a difference in the growth of vegetation. Examples of the latter include the Aladža mosque and the Emperor's mosque (Careva džamija) in Foča, the Vrbanjci mosque in Kotor Varoš municipality, the Stari Grad mosque and the Čaršijska mosque in Prijedor, the Old mosque in Donji Kamengrad in Sanski Most municipality, and the Dobrak mosque in Srebrenica municipality.

[51.] Graffiti with Serbian nationalist symbols and anti-Muslim messages were seen on buildings adjacent to the mosque site, or on the walls of damaged mosques in cases where the mosque had not been completely destroyed. Examples include the Čaršijska mosque in Prijedor, the Husimovci mosque in Sanski Most, and the Ćepak mosque in Kotor Varoš. The sites of razed mosques in a number of towns, such as Bijeljina, Foča, Prijedor, Srebrenica and others, were observed to have been turned into bus stations, parking lots, dumping grounds for wrecked cars, automobile repair shops, or flea markets.

²⁶ *Prosecutor v. Momčilo Krajišnik, 050629IT, 050520ED*; Mort Rosenblum, "41 Muslims finally buried in Bosnia," *The Associated Press* (5 Nov. 2000) ERN 0326-5224-0326-5226.

2.2 Damage to Roman Catholic Architectural Heritage

[52.] Roman Catholic religious heritage sites in Bosnia and Herzegovina include churches, monasteries of the religious orders, theological seminaries, and Roman Catholic religious libraries and archives. All of these appear to have been singled out for destruction during the 1992-1995 war, in particular Catholic churches.²⁷

[53.] In the municipalities covered by this report, this survey has documented damage to 23 Roman Catholic churches, one monastery, one Catholic theological seminary, and a Catholic library and religious archive.

[54.] None of the Roman Catholic churches documented in this survey were found to have come through the war undamaged. A total of 8 Roman Catholic churches in the areas covered by this report were assessed as lightly damaged. The remaining 15 Roman Catholic churches (65 percent of the total) were assessed as heavily damaged or completely destroyed.

[55.] Two of the Roman Catholic churches in the areas covered by this report had been designated for legal protection before the war as listed monuments. One of these, the parish church in Prijedor, was completely destroyed. The other, the parish church in Pale, was reportedly vandalized during the war but suffered no structural damage.

[56.] In three towns, including Ključ, Prijedor, and Sanski Most, the Roman Catholic parish churches were found to have been completely destroyed, their ruins razed, the sites of the churches leveled and all building materials removed.

[57.] In the municipalities covered by this survey, 12 Roman Catholic churches were found to have been heavily damaged. The damage seen included church steeples

²⁷ In the field survey that forms the basis of this report, care was taken in each case to note the condition of buildings adjacent to the damaged monument, in order to establish the context of destruction. In the a majority (60 percent) of the 10 cases for which such information was available, other buildings adjacent to the damaged/destroyed Roman Catholic sacral site were either found to be intact or had suffered lesser degrees of damage. In the remaining cases both the church (or other Roman Catholic sacred site) and the adjacent buildings had suffered the same degree of damage.

destroyed by blasts and churches that had been burned down or damaged by projectile impacts. Examples of heavily damaged churches include the Roman Catholic churches in Šurkovac and Briševo (Prijedor municipality), Sasina and Stara Rijeka (Sanski Most municipality), the Town Catholic church in Kotor Varoš, and the Catholic churches in Sokoline and Jakotina (Kotor Varoš municipality).

[58.] In a number of cases, Catholic churches were also targets of acts of desecration. Among examples seen in the area covered by this report is the Catholic parish church in Šurkovac (Prijedor municipality), where the interior of the church and the altar were vandalized and the statues of saints were smashed and defaced. In the Town Catholic church in Kotor Varoš, and in the Catholic churches in Sokoline (Kotor Varoš municipality) and Briševo (Prijedor municipality), the interior walls of the damaged church were found to have been defaced with Serbian nationalist graffiti.

[59.] Destruction of Roman Catholic religious monuments in Bosnia and Herzegovina occurred throughout the 1992-1995 war. However, the majority of the incidents of damage or destruction of Roman Catholic religious monuments in the municipalities covered by this report occurred in 1992. Three Roman Catholic churches, in the town of Ključ, in Sasina (Sanski Most municipality), and in the town of Kotor Varoš, were reportedly blown up in 1993, while two Catholic churches, in the town of Sanski Most and in the town of Prijedor, were destroyed in 1995.

2.3 Damage to Religious Archives and Libraries

[60.] In addition to the damage to houses of worship and other religious buildings, religious archives and libraries were also subjected to attacks during the 1992-1995 war in Bosnia and Herzegovina.

[61.] Losses include the destruction of religious archives of the local Islamic communities. These archives included current and historical records concerning the properties of the Muslim religious endowments (*vakuf*), which sustain the buildings and the religious, charitable and cultural activities of each local Islamic community, as well as other documents and historical records of the community, its institutions of education and culture, its members, and its religious leaders.

[62.] In several of the municipalities covered in this report, including Foča, Ključ, Prijedor, Rogatica, Sanski Most, and Srebrenica, representatives of the local Islamic religious community reported that their communities' chanceries and religious archives had been destroyed during the 1992-1995 war.

[63.] A number of important religious libraries, containing valuable old books and ancient manuscripts of the Qur'an, of scriptural commentaries and other works on Islamic law and theology, held by the local Islamic communities, were also reportedly destroyed during the 1992-1995 war. Among the Islamic religious libraries destroyed in the municipalities covered by this survey are the endowment libraries of the Islamic communities in Janja (Bijeljina municipality), and in Foča, Ključ, Prijedor, Rogatica, and Sanski Most.

[64.] The Roman Catholic community reported that the Franciscan monastery and theological school in Nedžarići (Novi Grad municipality) had been looted of its famous library of old and valuable religious books and ancient manuscripts. The archives of the Franciscan monastery and its collection of works of religious art had also reportedly been taken away.

3.0 Use of Database

[65.] The database accompanying this report was created with self-executable version of the software program FileMaker Pro, designed to run on any computer with a PC (Windows) operating system. No additional software is needed to run the database.

[66.] To operate the database, keep all the database files in the same folder and click on the BosniaCulturalHeritageDB-Mladic.exe to initiate the program. A log-in screen will appear; however no log-in name or password is needed. Click on the button marked "Guest account" and hit "OK". The title page of the database will then appear, with a yellow button at the center, labeled: "enter database". Place your cursor on the yellow button and click on it to enter the database.

[67.] The database entry for each site is divided into five basic sections: 1) building identification; 2) building condition, including a narrative description of damage and pre-war and/or post-war photographs, when available; 3) informant statements when available; 4) bibliography; and 5) first-hand media accounts.

[68.] The database records will initially display unsorted, in the order in which they were created. In order to sort the records alphabetically, e.g. by municipality and place name, please use the pull-down menu on top labeled "Records" and click on "Sort records."

[69.] One can navigate through the records one-by-one by clicking on the rolodex icon at top left, or by moving the blue button beneath it to the left or right, or by entering a record number in the box below that. Every record in the database is three A4 pages long when printed out, but the records display on screen as a single page; please use the navigation bar at right the right of the screen to scroll up and down. One can zoom in or out (for a close-up view of the photos) by clicking on the little black-and-white "graph" icons at bottom left of the screen.

[70.] All fields within the database are searchable by keyword (one can also search using parts of words, such as "sreb" for Srebrenica). One can combine search terms within the same or different fields. Searches are not case-sensitive and do not have to include BCS diacritics (e.g. a search using "bisc" as the search term will retrieve the database entry for the mosque in Bišćani). To initiate a search, pull down the "Edit" menu and select "Find", which will cause a blank search form to appear. Then enter the search term(s) on the form.

[71.] One can search using a single keyword or by using combinations of terms. For example, one can find all heavily damaged mosques in a particular municipality by entering the name of that municipality in the "district" field, entering "mosque" as a keyword in the "building type" field, and entering "heavily damaged" in the "building condition" field.

[72.] After entering the desired keyword(s) into the search form, click on the "Find" button, which is located at the left margin of the search form. All records fulfilling the

search terms will then appear. The number of records retrieved by the search is indicated on the numbered rolodex cards in the upper left corner. One can navigate through the search results by clicking on these cards or by entering the card number in the box below the rolodex icon.

[73.] In order to return to viewing the full database after completing a search, use the pull-down menu on top labeled "Records" and then click on "Show all records".

[74.] Logging in as a "Guest" allows a user to view, search and sort the records in the survey database and to download photographs and text. However it will not permit a user to change or overwrite the content of the database entries, either accidentally or intentionally.

4.0 Expert

[75.] My name is András J. Riedlmayer and I am the author of this expert report and am solely responsible for its findings. I was born in Budapest, Hungary, and was educated in Germany and the United States. I am a citizen of the United States of America. Since 1985, I have directed the Documentation Center of the Aga Khan Program for Islamic Architecture at Harvard University. In 1972, I earned a Master of Arts degree in Near Eastern studies from Princeton University, with a specialty in Ottoman history. I also hold a Master of Sciences degree in library and information science, with a specialty in art documentation. I have been engaged in the academic study of the history and culture of Bosnia and Herzegovina, and of the cultural heritage of the Ottoman period in the Balkans, since 1969. I have written numerous articles, publications and reports dealing with the subject of cultural destruction in the former Yugoslavia, in particular in Bosnia and Herzegovina, and have been invited to present papers on these matters at international academic and professional symposia and conferences. I am a member of the major scholarly and professional organizations in my field and am a recognized expert on the matters that are the subject of this report. Since 2002, I have submitted expert reports and have presented testimony about the destruction of cultural and religious heritage in Bosnia and Herzegovina in a number of other cases before this Tribunal. In March 2006, I also presented testimony

about these matters as an expert witness before the International Court of Justice. An updated copy of my curriculum vitae is provided with this report.

Appendix 1: Description and Assessment of Documentation Sources

[76.] **A1.1 Field Investigations by the Author** (July 2002), including site visits and collection and compilation of photographs and other documentation from published and unpublished sources. The 2002 field survey was supplemented with photographs and other information gathered by the author in the course of other post-war visits to Bosnia and Herzegovina (1997; 1998; 2001, 2007, 2007, 2008, 2011). The documentation acquired in the initial survey and in the course of subsequent research has been compiled in a FileMaker database. Subsets of that database, selected according to the specifications for the municipalities and the time period covered by the indictment in each case, have formed the basis of expert reports submitted to the Tribunal by the author in the cases *Prosecutor v. Milošević*, *Prosecutor v. Krajišnik*, *Prosecutor v. Šešelj*, *Prosecutor v. Župljanin and Stanišić*, and *Prosecutor v. Karadžić*. The author's archive of documentation on damage to cultural and religious heritage in Bosnia and Herzegovina and in other regions of the former Yugoslavia during the wars of the 1990s, including original photographs, architectural plans, excerpts from cadastral registers, and other documentation, has been deposited at the Fine Arts Library, Harvard University.

[77.] *Remarks: In the course of field survey work in Bosnia and Herzegovina conducted by the author, 112 sites in the municipalities covered in this report were documented at first hand. In addition to providing information for more than half of the entries in the database, this also allowed the author to check these first-hand findings against the documentation obtained from other sources for some of the same sites in order to control its accuracy. While the survey covers most of the important heritage sites in these municipalities, there were some sites that could not be visited due to the bad state of the roads, or time constraints. The passage of time since the end of the war and the alteration of some sites by post-war reconstruction efforts made assessment difficult in some cases; in such cases, photographs and other*

documentation acquired from sources deemed to be reliable were used to cross-check information and as a basis for assessment.

[78.] **A1.2 Council of Europe, Cultural Heritage Division, Technical Cooperation and Consultancy Programme for Bosnia and Herzegovina (1997-1998).** After the end of the war, the Technical Cooperation and Consultancy Programme of the Cultural Heritage Division of the Council of Europe carried out an independent field study of selected heritage sites, in cooperation with local authorities, in both entities of Bosnia and Herzegovina. The resulting report, "Specific Action Plan for Bosnia and Herzegovina, Preliminary Phase: Final Report (March 1999)," was designed to identify priorities for restoration, but it also provides independent, baseline information and photographs recording the postwar condition of a number of sites. All photographs and other information taken from the Council of Europe report for this survey are identified as such.

[79.] *Remarks: The Council of Europe study was designed to cover listed monuments and sites throughout Bosnia and Herzegovina. However, in practice this did not always prove to be possible. For a number of the municipalities, the Council of Europe study's coverage is incomplete (e.g. only four sites are included for Sarajevo, only one for some other municipalities); some of the entries are incomplete, in a few cases no more than an uncaptioned photograph. Detailed damage descriptions are lacking for some sites, and photographs in some cases are unidentified or mislabeled by the Council of Europe teams. In such cases, it has proven possible to correctly identify the site by comparing the Council of Europe data with photographs from other sources. Despite the indicated gaps and other shortcomings, the Council of Europe's report contains a great deal of valuable information from an independent source, covers a great deal of territory and includes many useful photographs, in some cases the first ones taken of these sites in the immediate aftermath of the war, in places that were often difficult to document because of local hostility and obstruction.*

[80.] **A1.3 Islamic Community.** The Islamic Community of Bosnia and Herzegovina (Rijaset Islamske zajednice u Bosni i Hercegovini) is the central coordinating body for the Islamic communities organized at the municipality level. In August 1995, the Rijaset established a Center for Islamic Architecture (Centar za islamsku arhitekturu).

The Center and its founding director, Mr. Kemal Zukić, made considerable efforts in the aftermath of the war to document the wartime losses to Islamic religious heritage in Bosnia and Herzegovina. Some of this documentation has been published since the war, notably in a volume edited by Muharem Omerdić, *Prilozi izučavanju genocida nad Bošnjacima (1992.-1995.)* (Sarajevo: El Kalem, 1999), (ERN 0125-4824-0125-5078) which includes a section listing damage to mosques and other religious buildings, arranged by municipality. Additional information, primarily photographs of war-damaged mosques that are now in Federation territory, appear in three other volumes: *Izložba dokumentarne fotografije o porušenim i oštećenim džamijama: Sarajevo, april 1995* [exhibition catalogue] (Sarajevo: Državna komisija za prikupljanje činjenica o ratnim zločinima na području Republike Bosne i Hercegovine, 1995); Kemal Zukić, *Slike zločina: rušenje islamskih vjerskih objekata u BiH = The Evidence of Crime: The Destruction of Islamic buildings in B&H* (Sarajevo: Centar za islamsku arhitekturu, 1999) (ERN 0292-9213-0292-9485) and Kemal Zukić, *Islamic Architecture in the Balkans and Bosnia and Herzegovina* (Sarajevo: ISESCO, 2000) (ERN 0118-9228-0118-9415). Mr. Omerdić provided a copy of his book and also was helpful in arranging contacts with the local Islamic communities in the municipalities to be surveyed and with the mufti's offices (the regional governing bodies of the Islamic community). Over the past 17 years, the Center for Islamic Architecture has continued to add documentation to its archive. Mr. Zukić and the staff of the Center have been generous in their response to the author's requests for photographs and information. The governing bodies (Medžlis) of the local Islamic communities in the municipalities visited in the course of the author's July 2002 field survey provided guides, usually clergymen (local imams) who were personally familiar with the sites of war-damaged mosques, as well as providing copies of unpublished photographs, extracts from cadastral records, and other documents. In the years since the end of the war, the local governing bodies of the Islamic community in many Bosnian and Herzegovinian municipalities affected by the war have been reestablished. Some of them have been active in compiling and making public documentation about wartime damage to their houses of worship and other properties. A number of the local Islamic communities have been forthcoming in providing photographs and other information in response to requests by the author.

[81.] *Remarks: The documentation collected by the Rijaset at the end of the war and published in Mr. Omerdić's book has certain shortcomings. This is especially so for sites in the Bosnian Serb entity (RS), where in the first years after the war there had not yet been any substantial returns of Muslim residents, local Islamic communities had not yet been reestablished, and access to sites was limited. Thus, for a number of municipalities the information provided in the volume is incomplete and at times it understates the actual number of Islamic sites damaged in the war. Coverage for Islamic heritage sites other than mosques, in particular buildings that are not under the institutional control of the Rijaset (such as dervish lodges and turbes) is in some cases incomplete. Damage descriptions for some individual sites are often given in general terms, without sufficient detail, and the volume is sparsely illustrated. The photographs and other information obtained by the author from the governing bodies (Medžlis) of the Islamic communities in the municipalities visited in the course of the field survey helped fill in some of these gaps. The author's field survey found no sites in the municipalities included in this report for which damage had been claimed when none existed.*

[82.] **A1.4 Bekir Bešić**, a member of the governing council (Medžlis) of the Islamic Community of Banja Luka during the war and subsequently resettled as a refugee in a third country, has kindly provided me with a copy of a large and detailed map of Bosnia and Herzegovina, upon which he has plotted the locations of mosques that were damaged and destroyed during the 1992-1995 war, based primarily on data in Muharem Omerdić's book (see par. 78 above). I believe that Mr. Bešić's map provides a useful graphic representation of the overall pattern of damage and destruction of Islamic religious sites in Bosnia and Herzegovina during the war. Therefore, I have included a copy of the map among the documents appended to this report. (ERN 0326-5218–0326-5220)

[83.] *Remarks: The plotting of the mosque sites entered on Mr. Bešić's map, its accuracy and its consistency with the findings of the field survey and with other sources of documentation used in this report has been checked by this author and found to be reliable. Please note that, in the case of sites located near the borders of Bosnia and Herzegovina with Serbia and Croatia respectively, heavy shading along*

the boundary line may partly obscure some of the red dots that indicate the locations of damaged or destroyed mosques.

[84.] **A1.5 Roman Catholic Church.** The Roman Catholic Church authorities in Bosnia and Herzegovina have made efforts to document the wartime losses to Catholic religious heritage in Bosnia and Herzegovina. Some of this documentation has been published since the war, most notably in a volume entitled, *Raspeta crkva u Bosni i Hercegovini: uništavanje katoličkih sakralnih objekata u Bosni i Hercegovini (1991.-1996.)* (Banja Luka - Mostar - Sarajevo: Hrvatska matica iseljenika Bosne i Hercegovine; Zagreb: Hrvatski informativni centar, 1997) (ERN 0114-0320-0114-0691). In 2002, Father Ilija Živković, of the Ordinariate of the Archbisprioc of Vrhbosna (Sarajevo), who served as the editor of that volume, kindly provided a copy of the book as well as contact information for the local parish priests in the municipalities to be surveyed. In 2004, the Archdiocese of Vrhbosna published a memorial volume, edited by Franjo Marić, *Vrhbosanska nadbiskupija početkom trećeg tisućljeća* [The Archdiocese of Vrhbosna at the start of the third millennium] (Sarajevo: Nadbiskupski ordinarijat vrhbosanski, Vikarijat za prognanike, 2004). Subsequently, the Roman Catholic Diocese of Banja Luka also published a memorial volume, *Banjolučka biskupija u riječi i slici od 1881. do 2006. Povodom 125. obljetnice utemeljenja Biskupije* [The Diocese of Banja Luka in words and pictures, 1881 to 2006: on the 125th anniversary of the founding of the Diocese] (Banja Luka: Biskupski ordinarijat Banja Luka, 2006). Both of these publications include a number of photographs and other information about the Roman Catholic churches in the municipalities included in this report. At the time of the author's 2002 field survey, Don Ivica Božinović, the chancellor of the Roman Catholic Diocese of Banja Luka, provided unpublished photographs, documents and other information on Catholic churches in municipalities in the diocese. Local Catholic parish priests in a number of the communities visited in the course of the author's July 2002 field survey volunteered to act as guides to the sites of destroyed and damaged Catholic churches in the vicinity.

[85.] *Remarks: The documentation collected by the Roman Catholic Church authorities and published in the book edited by Fr. Živković appears to be generally accurate and reliable. While damage descriptions at times seem vague or are stated*

in general terms, the majority of entries are illustrated with photographs, showing churches before and after they were damaged. These and additional photographs provided by local Catholic parish priests and the bishops' offices, as well as the author's personal inspection of sites visited on the survey, provided additional means of cross-checking information. The field survey found no sites for which damage had been claimed when none existed.

[86.] A1.6 Institute for the Protection of Cultural, Historical and Natural Heritage of Bosnia and Herzegovina / Heritage Centre of Bosnia and Herzegovina.

Before the war, this Institute was charged with documenting and protecting heritage sites throughout Bosnia and Herzegovina. During the siege of Sarajevo, it lost both staff members and parts of its archive of documentation. After the war, it lost its former country-wide authority and budgetary support, as a result of the decentralized political arrangements imposed by Dayton, and was thus in no position to carry out extensive field investigations. Nevertheless, the Institute was able to publish an inventory of war damage to cultural and religious monuments in Bosnia and Herzegovina, based in part on its own work and in large part on information obtained from the files of the Bosnian State War Crimes Commission and the religious communities. The inventory appeared in two editions; one in English translation: *A Report on the Devastation of Cultural, Historical and Natural Heritage of the Republic/Federation of Bosnia and Herzegovina (from April 5, 1992 until September 5, 1995)*, ed. Muhamed Hamidović (Sarajevo: The Institute, 1995), and a revised edition, only in Bosnian, entitled: *Izveštaj o devastaciji kulturno-historijskog i prirodnog naslijeđa Bosne i Hercegovine (1992-1995)* (Sarajevo: Zavod za zaštitu kulturno-historijskog i prirodnog naslijeđa BiH, Centar za naslijeđe BiH, 1997) (ERN 0125-7561-0125-7645). The Institute also located in its archive a number of photographs documenting the state of cultural heritage sites before the war and generously made them available for this survey.

[87.] Remarks: Due to the limitations described above, the information published by the Institute concerning damage to cultural heritage is based in part on documentation collected by other sources, and thus reproduces some of their shortcomings. In a small number of instances the same site is entered more than once, under different names, and sometimes the number assigned as damage category

for a given site exaggerates (or in some cases actually understates) the actual degree of damage. Despite such limitations, the Institute's published inventory represents a unique effort to catalogue the damage to the cultural heritage of all of Bosnia-Herzegovina's ethnic and religious communities in the immediate aftermath of the war. The pre-destruction photographs of listed monuments from the Institute's archive proved invaluable in providing positive identifications of some sites and baselines for damage assessments.

[88.] **A1.7 The Commission to Preserve National Monuments of Bosnia and Herzegovina.** Established under the terms of Annex 8 to the General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Peace Agreement), the Commission initially had neither the budget nor the staff nor the legislative authority to conduct any assessments of sites. In December 2001, the Commission to Preserve National Monuments was restructured by a decision of the Bosnian and Herzegovina State Presidency, after which it gained the means and the legislative support to assess monuments and sites proposed for designation as national monuments. The Commission includes experts representing all three of Bosnia's major national groups as well as two international experts, appointed by the Bosnian State Presidency. The Commission publishes its technical assessments and decisions for designation of national monuments on its Web site, often including photographs of the designated monument or site.

[89.] *Remarks: The Commission to Preserve National Monuments of BiH is an independent official body, with technical expertise at internationally recognized standards and legally guaranteed access to sites. In recent years, the Commission has posted on its Website (<http://www.kons.gov.ba/index.php?lang=4>), photographs and other information concerning buildings and sites that it has designated as national monuments of Bosnia and Herzegovina. The information and photographs provided by the Commission have been referenced in the entries for a number of the cultural heritage sites covered by this expert report.*

[90.] **A.1.8 ICTY OTP Investigators.** Photographs documenting damage to cultural and religious heritage, taken by Tribunal investigators in the course of field missions in several of the municipalities that are covered by this survey, were made available to

the author by the OTP. A number of those photographs have been used in this report. In addition, at the request of this author, on 31 July 2012 an investigator from the ICTY office in Sarajevo traveled to Kalinovik municipality where he took a number of photographs and interviewed local residents at two sites, Jelašca and Kutine. All sources of photographs and information are clearly indicated in the survey.

[91.] *Remarks: Some of the photographs by ICTY OTP investigators in the course of field missions were taken several years after the end of the war. In those areas where there had been sustained returns of displaced residents, who had started to rebuild their destroyed villages and mosques or churches, these photos may show a site under construction, or a newly finished building, rather than the war-damaged building that presumably preceded it. In some cases, the identifying captions provided with these photos don't always accurately distinguish between small village mosques (mesdžid) and Qur'an-readers' schools (mekteb). However, since Qur'an-readers' schools are also used for regular communal worship in many villages that do not have their own mosque, the difference in practice may not be significant.*

[92.] **A.1.9 Other sources.** A number of photographs of damaged cultural and religious heritage sites were obtained from private individuals, including colleagues and friends who have worked in Bosnia and Herzegovina since the end of the war as OSCE election observers or for other NGOs and humanitarian relief organizations. Among those who generously provided photographs for this study are: MacKenzie Frady Arbogust, Azra Akšamija, Richard Carlton, Teresa Crawford, Thomas Keenan, Lucas Kello, Joann Kingsley, Peter Lippman, Jonathan Morgenstein, and Helen Walasek. In all cases, the sources of the photographs used in this report and the dates when they were taken are clearly identified in the captions provided in the database and in the formatted entries.

[93.] *Remarks: A number of these photographs were taken in the initial years after the end of the war and can be used to identify wartime damage that may no longer be evident in later photos of the same sites.*

[94.] **A.1.10 Media Accounts.** An effort was made to identify and compile specific, first-hand accounts and photographs filed by reporters who witnessed the destruction

of cultural heritage, in media reports filed from Bosnia and Herzegovina during and immediately after the war. Media reports that were of a general nature or that merely recycled secondhand information were discounted. While details such as the proper names and age of some monuments may be rendered incorrectly in these first-hand news reports, the dates of the reports and the descriptions they give of the damage can serve to corroborate and supplement information from other sources. Relevant excerpts from first-hand media accounts are included in a separate field in the database entry for each site for which such accounts were available.

[95.] A special case in the category of media accounts consists of the photographs and information provided by photojournalist Đorđo Vukoje, who with his journalist colleague Aleksandar Čotrić drove from Belgrade to Srebrenica on 19 July 1995 and published a report about what they had witnessed there in the bi-weekly *Srpska Reč* (Belgrade), no. 129, 31 July 1995. At my request, an investigator from the ICTY field office in Belgrade interviewed Mr. Vukoje on 13 September 2012. Mr. Vukoje provided scans of the photos he took in Srebrenica on 19 July 1995 (ERN 0706-6013–0706-6047), a copy of the article and photos published in *Srpska Reč* (ERN 0706-6048–0706-6051), and a signed statement provided by Mr. Vukoje to the investigator from the ICTY field office in Belgrade (ERN 06840916–06840919). I have made use of the photographs and the information provided in the preparation of this report.

[96.] Another special case of a first-hand media report consists of the video footage recorded in Srebrenica on or about 14 July 1995 by the journalist Zoran Petrović Piroćanac. At my request, an ICTY investigator took screen captures of scenes from the Zoran Petrović video that show mosques in Srebrenica and provided me with copies of those images, which I have used in the preparation of this report (ERN 0706-5968–0706-6007 and 0706-6054–0706-6058).

[97.] In March 1993, ITN television news reporter Gaby Rado was present in the eastern Bosnian town of Bijeljina, where he recorded video footage showing the destruction of the town's mosques in progress. That footage was aired by ITN News on 17 March 1993. A copy of the footage recorded by Mr. Rado in Bijeljina is included among the documents appended to this report. (ERN V000-4286).

Appendix 2: List of Documents Submitted

[98.] **A.2.1 Survey Database** covering cultural and religious heritage sites of the non-Serb communities in the 11 municipalities listed in Schedule D of the Fourth Amended indictment in this case (Bijeljina, Foča, Kalinovik, Ključ, Kotor Varoš, Novi Grad, Pale, Prijedor, Rogatica, Sanski Most, and Sokolac) and in the municipality of Srebrenica. Entries in the database include documentation and condition assessments for the sites enumerated in Schedule D, as well as damaged or destroyed cultural and religious sites of the non-Serb communities generally in the 12 municipalities in Bosnia and Herzegovina specified in the terms of reference provided for this report. The survey database for this report was compiled by the author in August-October 2012 (see sections **1.2** and **3.0** above).

[99.] **A.2.2 Formatted entries** with documentation and damage assessments for 77 sites specifically cited in Schedule D of the Fourth Amended Indictment and 17 additional sites in Srebrenica municipality for which sufficient documentation was available to satisfy the criteria used in this report.

[100.] **A.2.3** A guide, devised by this author, explaining and illustrating the principal architectural **elements of a Bosnian mosque** and its orientation with respect to the cardinal directions. This is meant to assist the court in interpreting the documentation and damage assessments presented in the survey database and in the formatted entries.

[101.] **A.2.4 Photographs and mission report** provided by ICTY OTP investigator **Zbigniew Wojdyla**, of the ICTY's Sarajevo field office, who was sent to **Jelašca and Kutine in Kalinovik municipality** at this author's request on 31 July 2012 (ERN 0706-5943–0706-5961 [Jelašca]; 0706-5962–0706-5967 [Kutine]; 0683-8699–0683-8700 [investigator's mission report]).

[102.] **A.2.5 Photographs, a newspaper article and a statement provided by Đorđo Vukoje** to ICTY OTP investigator Roel Versonnen, of the ICTY's Belgrade field office, who, at my request, interviewed Mr. Đorđo Vukoje on 13 September 2012. Mr. Vukoje provided scans of the photos he took in Srebrenica on 19 July 1995

(ERN 0706-6013–0706-6047), a copy of the article and photos published in *Srpska Reč* on 31 July 1995 (0706-6048–0706-6051), and statements signed by Mr. Đorđo Vukoje and by the interpreter (06840916–06840919).

[103.] **A.2.6 Screen captures of scenes showing mosques in Srebrenica** from the video footage recorded in Srebrenica on or about 14 July 1995 by journalist **Zoran Petrović Piroćanac**. These screen captures were provided, at my request, by the Office of the Prosecutor for the purposes of this report (ERN 0706-5968–0706-6007 and 0706-6054–0706-6058).

[104.] **A.2.7 Video footage recorded in Bijeljina in March 1993** by journalist **Gaby Rado** reporting for ITN News, showing the destruction of Bijeljina's mosques in progress. [1 video cassette] (ERN V000-4286).

[105.] **A.2.8** Report by Radio Free Europe journalist **Jolyon Naegle**, on the sparing of the mosque in **Baljvine**, "Bosnia: Banja Luka's mufti tells of 'four years of horror'," *RFE/RL Weekday Magazine* 6 September 1996. (ERN 0326-5221–0326-5223)

[106.] **A.2.9** Report by journalist **Tim Judah**, "Razing of mosques gives new resolve to Muslims," *The Times* (London), 14 May 1993. (ERN 0003-0829–0003-0829)

[107.] **A.2.10** Report by journalist **Mort Rosenblum**, "41 Muslims finally buried in Bosnia," *The Associated Press*, 5 November 2000, on the exhumation of a mass grave site at Ivan Polje, Sokolac municipality, where the human remains were found beneath tons of rubble from the destroyed Novoseoci mosque. (ERN 0326-5224–0326-5226)

[108.] **A.2.11** Statement (5 July 1992) by **Hasija Gačanović**, a former resident of Ahatovići who states she personally witnessed the destruction of the Ahatovići mosque on 2-3 June 1992; published in Pašić, Ibrahim (1993). *Zločin u Ahatovićima* [The crime in Ahatovići]. (Sarajevo: Veselin Masleša): 114-115: "Miniranje džamije u Ahatovićima" [The mining of the mosque in Ahatovici]. (ERN 0639-6082–0639-6083)

[109.] **A.2.12 Information Reports 1 – 10 on the Destruction by War of the Cultural Heritage in Croatia and Bosnia-Herzegovina**, presented by the Committee on Culture and Education. Strasbourg: Parliamentary Assembly of the Council of Europe (PACE), 1993–1997 (ERN R110-1820-R110-2272)

- [First] information report... 2 February 1993. Assembly Doc. 6756
- 2nd information report... 17 June 1993. Assembly Doc. 6869
- 3rd information report... 20 September 1993. Assembly Doc. 6904
- 4th information report... 19 January 1994. Assembly Doc. 6999
- 5th information report... 12 April 1994. Assembly Doc. 7070
- 6th information report... 31 August 1994. Assembly Doc. 7133
- 7th information report... 15 May 1995. Assembly Doc. 7308
- 8th information report... 28 June 1995. Assembly Doc. 7341
- 9th information report ... 19 January 1996. Assembly Doc. 7464
- 10th information report... 24 January 1997. Assembly Doc. 7740

[110.] **A.2.13** Mevlida **Serdarević**, *Pravna zaštita kulturno-historijskog naslijeđa BiH* [The legal protection of the cultural and historical heritage of Bosnia and Herzegovina] (Sarajevo: Međunarodni centar za mir, 1997), pp. 59-81: “Zaštita kulturno-historijskog naslijeđa do 1992. godine (zakon o zaštiti naslijeđa)” [Protection of cultural and historical heritage up to 1992 (the statute on protection of heritage)]. (ERN 0560-6871-0560-6893).

[111.] **A.2.14** Text of **Annex 8 of the General Framework Agreement for Peace in Bosnia and Herzegovina** (The Dayton Peace Accord): Agreement on Commission to Preserve National Monuments (14 December 1995). (ERN 0413-3021-0413-3026).

[112.] **A.2.15** Curriculum vitae of the author of this report, András J. Riedlmayer.