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24 Serbs who served in military brigades during massacre lived in Phoenix

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PHOENIX

When the Muslim women and children needed to be separated from the men of Srebrenica so that the men could be executed, the Bratunac Brigade's military police platoon helped take the women and children away, senior Bosnian Serb commanders have testified in war crimes trials in The Hague.

When Bosnian Serb soldiers herded the more than 1,000 Muslim men into two schools and kept them in buses overnight, the brigade's military police helped keep guard. During that time, dozens of Muslims were killed and tortured. When their Serb guards bundled the Muslims back into a convoy of buses and trucks a mile long, heading to their execution sites, the military police commander led the way, the commanders said.

And when the world realized what had happened during the hot days in mid-July 1995 in and around the Bosnian town of Srebrenica, the commanders testified, when it became clear that the Bosnian Serb army had massacred more than 7,000 Muslim men in the worst war crime committed in Europe since the fall of Nazi Germany, the brigade's military police platoon helped dig up and secretly re-bury the bodies of Muslim men and boys from at least one mass grave, according to the commanders.

Mladen Blagojevic and Zdravko Bozic were soldiers in the Bratunac Brigade's military police platoon. Until recently, they were enjoying comfortable, American lives in the quiet streets of Phoenix.

As a result of an investigation into possible Srebrenica war criminals living in the United States that started in 2003, Bozic is in the final stages of deportation proceedings. After spending nearly a year in prison for immigration fraud, he is likely to be deported soon - not to his native Bosnia but to Serbia, where he is less likely to be investigated for his possible involvement in Srebrenica.

Blagojevic, an electrician, was living until recently in a home he shared in north Phoenix with his wife and son. Since he spoke to a Newsday reporter there in November, he has moved. Already charged with lying about his membership in the Bosnian Serb military, he has been under investigation for his possible involvement in torture during the Srebrenica massacre, according to federal officials. Although never used by a prosecutor since it became law in 1994, the federal torture statute's maximum penalty is death.

Cluster of Srebrenica soldiers in Arizona

Bozic and Blagojevic, the two former comrades in war, are not alone in Phoenix. So far, agents from Immigration and Customs Enforcement and the FBI have arrested 24 Bosnian Serbs in Phoenix who were in either the Bratunac or Zvornik brigades at the time of the massacre. Those brigades played central roles in capturing, holding, executing, burying and re-burying the more than 7,000 Muslim men and boys killed in July 1995. While many of the soldiers were not involved

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directly, war crimes investigators said, the Bratunac Brigade's MP platoon was a central cog of the killing machine. Investigators so far have not accumulated evidence that enables them to charge either with war crimes, but they continue to investigate Blagojevic.

The Arizona cluster of Srebrenica soldiers is, for sheer numbers, perhaps the starkest example yet of the wider phenomenon of foreign war crimes suspects finding sanctuary in the affluent anonymity of America's cities and suburbs. Federal investigators and lawyers are working on about 1,000 cases of suspected human rights abusers from more than 85 countries – and they believe there are many more undiscovered suspects living in the United States. While prosecutors are often successful in briefly jailing and then deporting suspects, many are frustrated at what they consider gaps in the law, leaving them unable to pursue the suspects for their original crimes rather than for immigration violations.

Some human rights activists suspect the one law prosecutors do have in their arsenal – the 1994 torture statute – will remain unused under any Bush administration attorney general, given the administration's own entanglements in torture controversies. Some federal officials and human rights activists fear the situation has given the United States a global reputation as a soft-touch sanctuary for people just like the 24 Bosnian Serb suspects in Arizona.

All 24 former soldiers, including one woman, have been charged with immigration violations and some remain under investigation for possible torture charges, the only way U.S. prosecutors can try foreign war criminals or human rights abusers with a crime in the United States other than immigration violations.

In an interview with *Newsday* in early November at his Phoenix home, Blagojevic denied he had done anything wrong in July 1995 but acknowledged he was in Bratunac at the time and had been fighting the Muslims who lived in Srebrenica until it fell to the Serbs that month.

"If your neighbors shoot at you, perhaps you turn once," he said, his left shoulder hunching as if in self-defense from the ranch houses across the quiet, suburban street. At work he uses the electrical skills he said he learned in a vocational high school in what was then Yugoslavia. "But if they do it again, what are you going to do? Let them burn your house down, kill your family?"

He said he had known Bozic during the war. A Bosnian Serb Army payroll document dated February 1995 and obtained by *Newsday* lists both men's names on the platoon roster of 33 men. Investigators confirmed the men told federal authorities they were in the platoon and in the area at the time of the massacre. A source close to the case said federal investigators possess Bosnian Serb Army logs that place Bozic at key locations and times during the atrocities.

Bozic pleaded guilty in November 2004 to one charge of immigration fraud and one of perjury, essentially admitting he had lied to U.S. immigration authorities about his military service. In the plea, he acknowledges: "During July 1995, I was a member of the Military Police for the Bratunac Brigade of the VRS and worked in and around Bratunac and Potocari."

It was in Potocari that the men and boys were separated from the women and children. The men were held in Bratunac before their mass murder. Many soldiers guarding the prisoners there at that time committed murder and acts of torture before the majority of the prisoners were bused to their execution sites, according to the few survivors of the killings and the testimony of former Bosnian Serb commanders during their own war crimes trials.

Serb soldiers were 'laughing, singing'

Mevludin Oric was one of a handful of men held in the buses overnight in Bratunac to survive the mass executions that followed. He now lives in a rundown village outside Sarajevo, his nights torn apart by memories of the terror he faced in Bratunac as the MPs guarded his bus.

The Serb soldiers were "laughing, singing Chetnik songs," he said in an interview at a village cafe in December. "They were firing above the buses. We were on the bus. We couldn't hear directly what they were saying but they were clearly pleased ... there was a Serb I recognized from school in Srebrenica. He got on the bus and started beating me. He demanded that I get off the bus so that he could kill me."

Another of the very few survivors of the massacre, Hurem Suljic, who is believed to be living as a protected witness in the United States, told journalists after the massacre that the Serb soldiers in Bratunac tortured and killed dozens of prisoners.

Was it possible, Oric was asked, for a Serb soldier to be in Bratunac and not understand what was happening to the

Muslim men and boys? No, he said. "All of them were killing. They were praying to God to give them a chance to kill someone. There were so many drunk soldiers in front of the bus demanding the MPs let them kill us."

Neither Bozic nor Blagojevic has acknowledged committing war crimes. Bozic's plea agreement includes admissions of guilt in relation to immigration charges only. Blagojevic told Newsday in an interview he had done nothing wrong.

But at the United Nations war crimes court in The Hague, commanders of the Bratunac Brigade and other units involved in the Srebrenica massacre have described in some detail what Blagojevic and Bozic's platoon was doing at the time.

Momir Nikolic, a former neighbor of Blagojevic as well as chief of intelligence and security of the Bratunac Brigade, pleaded guilty in May 2003 at the UN tribunal to a crime against humanity for his role in the massacre. As part of his plea agreement, he gave a statement of facts. On July 12, he said, the platoon helped with "the separation and detention of able-bodied Muslim men" from the women and children at the Dutch UN peacekeepers' base in Potocari. Thousands of terrified Muslims gathered there from Srebrenica to seek protection from the outnumbered Dutch soldiers as the Bosnian Serb Army seized control of the UN safe area around Srebrenica.

That day the Serb forces there, he said, "abused and assaulted many Muslim men and women ... I also heard that some Muslim men were taken to isolated areas around Potocari and killed." Nikolic also described the MP platoon's participation in guarding prisoners, noting: "It was reported to me that approximately 80 to 100 Muslims were murdered in the hangar near the Vuk Karadzic school in Bratunac" on July 13. "Their bodies were deposited over a hillside and covered with dirt." He did not specify which unit did the killing.

'Revenge for my brother'

At one point Nikolic told of how he and a soldier in the MP platoon, Mile Petrovic – whose name is also on the payroll document obtained by Newsday – took six Muslim men prisoner. Soon after, he said, Petrovic told him that he had killed the men in "revenge for my brother," according to the statement.

In an interview in a country in the former Yugoslavia, a former Serbian paramilitary who was based in Bratunac for much of the Bosnian war said he was familiar with the activities of the platoon. "If you want to know whether they [the MP unit] were shooting Srebrenicans in '95, yes," said the former paramilitary, who spoke on condition of anonymity. He said he did not know either Blagojevic or Bozic by name.

Last week another former Bosnian Serb soldier recalled in an interview with Newsday what he had witnessed at the Vuk Karadzic school. He spoke with numerous expletives, which have been deleted and, as he spoke, in a bar on the border between Bosnia and Montenegro, his hands shook so much he had to put his cigarette in an ashtray before it was finished.

As is common with Serbs, he referred to Muslims as Turks.

"I let inside two military policemen . They were holding a Turk while a civilian came with pliers and was breaking up his toes with pliers. I said what was that and he told me it wasn't my ... business ... The sergeant told me that they came to avenge his brother that mujahedeen had killed ... I couldn't bear the screams. I would never do such a thing.

"There were others going into the hall and shouting Turk names ... Some Turks were beaten to death and others were left bleeding. Corpses had to be dragged away. The school was littered with blood. And the children attend the school now. I would vomit to be taken there again."

Like many Bosnian Serbs involved in the war, the former soldier, now in his 50s, said the Serbs had no choice but to fight the Muslims who, he claimed, were more brutal than the Serbs. "In the end we were more humane than they were," he said. "We only killed men that time while they had killed our old women who were found decapitated ... Had we entered Srebrenica in '93 after their massacres, I think worse things would have happened than in '95."

Navigating torture law's terms

The timing of the Srebrenica massacre is highly relevant to possible torture charges because it allows prosecutors to indict those involved. Passed in November 1994, the torture statute does not cover crimes committed before that date.

So while Bozic will soon be deported, Blagojevic is still under investigation.

"We're still working evidence," one official said. "The option exists because of the time frame of the events and

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everything else. If the evidence allows us to do that, that will be a consideration. And I suspect that's something the U.S. attorney out there will buy."

In an interview in October, Paul Charlton, the U.S. attorney for the district of Arizona, said he would want to prosecute a torture case if he had sufficient evidence.

"If torture had been there in terms of proof, we would have gone forward with a torture case," he said. "What we have here in Arizona are individuals who may or may not have been involved in torture."

Charlton said he has devoted considerable time and resources to investigating the Bosnian Serb suspects and sent an assistant U.S. attorney, together with an FBI agent, an ICE agent and an expert witness, to visit prosecutors in The Hague to collect evidence.

The same team had tried earlier to find witnesses among the large Bosnian Muslim immigrant population of St. Louis, showing Srebrenica survivors photographs of the former soldiers arrested in Phoenix. More FBI and ICE investigators sought witnesses and evidence in many U.S. cities and, according to other sources, in Bosnia.

Investigators and translators from the Srebrenica team of the prosecutor's office in The Hague came to Arizona to assist in the investigation and help interview the first four suspects arrested, including Bozic.

In spite of the efforts, Charlton and his team did not come up with evidence that Bozic and Blagojevic had been involved in war crimes. "In this particular case, ICE used every legal remedy available against Mr. Bozic, ultimately resulting in a one-year prison sentence and his removal order from the United States," said a spokesman for the Human Rights Violators and Public Safety Unit, the office in Immigration and Customs Enforcement that seeks out foreign war criminals and human rights abusers living in the United States. "It is our hope that any allegations of war crimes lodged against Mr. Bozic, if substantiated, will be fully prosecuted by the proper tribunal."

But if Bozic does make it to Serbia, he almost certainly will be beyond the reach of the Bosnian State Court, which handles war crimes trials in Bosnia. Officials there say it is almost unthinkable that Serbia would extradite anyone to Bosnia - and if Bozic becomes a Serbian citizen, it would be illegal.

Federal investigators told Newsday they believe there are more former soldiers from the Bosnian Serb Army who may have been involved in the Srebrenica massacre and are now living in the United States. They declined to give numbers.

"We have people here who may have lied to enter the United States," Charlton said. "We have people here we're prosecuting who may be able to provide us with information that would lead us to other individuals who are involved in this. So the investigation is ongoing because of both of those concerns."

Special correspondent Jovo Martinovic contributed to this story.

GRAPHIC: 1) Photo by Saul Loeb - St. Nikolas Serbian Church is a focal point for the more than 10,000 strong Serbian community in the Phoenix area. AFP/Getty Images Photos-1) The crew of a Bosnian Serb armed vehicle drives through the streets of Srebrenica on July 16, 1995, a week after the Bosnian Serb army took over the safe haven for Muslims. 2) Bosnian Muslim Esida Mejhanovic, 72, from the town of Bratunac, prays in July 2003 above a picture of family members lost in the Bosnian war. She was attending a funeral in Srebrenica for 282 Bosnian Muslim men whose remains had been identified.

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