



**SREBRENICA:
THE GUIDE FOR THE PERPLEXED**



SREBRENICA
HISTORICAL PROJECT
WWW.SREBRENICA-PROJECT.COM





INTRODUCTION

Einstein's Theory of Relativity may freely be disputed. Everyone is also permitted to criticize the Bible and to some extent the Holy Ku'ran. Only Srebrenica is off limits. Critical reflection is regarded as execrable heresy.

We choose to ignore that prohibition. That is why we have created the following presentation. Our goal is not to challenge the significance of Muslim victims in Srebrenica but to point out the many questionable aspects of the official narrative about what happened there. There were also Serbian civilian victims of Srebrenica, but they are unfairly left out of this narrative. The undeserved suffering of all innocent persons is important and worthy of attention. The suffering of one set of victims should not be set apart and amplified, while human beings on the other side are demonized and their suffering is systematically diminished, all in the pursuit of a political agenda.

Moses Maimonides explained thus the object of his work: "...to afford a guide for the perplexed," i.e. "to thinkers whose studies have brought them into collision with religion", "who have studied philosophy and have acquired sound knowledge, and who, while firm in religious matters, are perplexed and bewildered on account of the ambiguous and figurative expressions employed in the holy writings."

Taken metaphorically, it is remarkable how Maimonides' twelfth century notions are easily and naturally projected to our contemporary



circumstances. They are applicable perfectly to the deeply dogmatic and almost medieval discourse that prevails on the topic of Srebrenica. Today, questioning or criticizing received wisdom on that subject may provoke unpleasant personal consequences not unlike those visited upon non-conformist thinkers in Maimonides' day who were perceived as "colliding with religion". One may, if one wishes, extend the parallel even further. The cult of Srebrenica also has its "holy writings", in the form of judgments of the Hague Tribunal and the binding political resolutions of eminent political bodies keenly interested in historical truth and moral enlightenment, such as the European Parliament. And just as in Maimonides' time, there are today also some "who have studied philosophy and have acquired sound knowledge" but are "perplexed and bewildered" by the doctrine those authorities impart.

Here are some of the reasons for their perplexity and bewilderment.



QUESTIONS

1. If Srebrenica was indeed a UN protected demilitarized safe zone, how was it possible for it to be used as a training ground and launching pad by Muslim army forces inside it against Serbian civilian villages and military positions outside?¹ The United Nations, which was in charge of the “demilitarized” zone and responsible for the implementation of the agreements by which it was set up, judging by the Secretary-General’s statements, was under no illusions about what was going on, but for some inexplicable reason it made a political decision to turn a blind eye and do nothing about it.

2. Although they were well aware that the Muslim side’s abuse of Srebrenica enclave’s demilitarized zone status to continue with military operations had given rise to a serious sense of grievance and a strong thirst for revenge on the Serbian side, UN observers and representatives of interested international parties failed to act in order to put a stop to Naser Orić’s forces’ carnage and depredations?² How was that possible?

¹ UN Secretary General Reports of 16 March 1994 and 30 May 1995.

² “...the Srebrenica enclave increasingly acquired the status of a ‘protected area’ for the ABiH, from which the ABiH could carry out hit and run operations against, often civilian, targets. These operations probably contributed to the fact that at the end of June the VRS was prepared to take no more, after which they decided to intervene: the VRS decided shortly after to capture the enclave. In this respect, the ‘illegal US sponsored’ Black Flights to Tuzla and the sustained arms supplies to the ABiH in the eastern enclaves did perhaps contribute to the ultimate decision to attack the enclave. In this connection it is not surprising that Mladić and other Bosnian Serbs constantly complained about this, but usually received no response to their complaints...” See NIOD (Netherlands War Research Institute) Report, Srebrenica — A Safe Area? Appendix II — Intelligence and the war in Bosnia 1992–1995: The role of the intelligence and security services, Chapter 4, Secret arms supplies and other covert actions.



3. Why has there never been any accounting of the identity and subsequent career of the thousands of Muslim males who after the takeover of Srebrenica on July 11 verifiably did make it alive to Tuzla as part of the 28th Division column? Many of them were said to have been quietly reassigned to other units of the Muslim army or resettled elsewhere.³ Their continued official status as “missing” has provided the Muslim side with an army of phantom “victims” available to fill quantitative gaps in the “8,000 executed men and boys” narrative.

4. Indeed, where are the bodies⁴ to support the claim of 8,000 execution victims? Have the rules of criminal investigation been suspended just to accommodate Srebrenica prosecutors and genocide partisans, eliminating the requirement of producing physical evidence when demonstrating the crime of murder? Has the process of post-mortem examinations of Srebrenica mass grave remains ever been reviewed by an impartial team of forensic experts?

5. The approximately 3,500 “Srebrenica genocide victims” buried at the Potočari Memorial Center invite many complex questions. The burial procedure is entirely under the control of the Muslim religious authorities, which normally ought not to be a problem. However, by invoking a Muslim religious doctrine that supposedly bars non-Muslims from having anything to do with the burial of members of the Muslim faith, those authorities are creating a serious verification problem.⁵ For all practical purposes, that means that they expect secular authorities—and the world at large—to accept on faith what-

³ UN High Commissioner for Human Rights, Hubert Wieland, with five assistants, interviewed a large number of these Srebrenica Muslim refugees after they had made it to Muslim-controlled territory. It is an interesting detail that, according to Wieland, none of them declared having actually witnessed the commission of a war crime. (*London Telegraph*, July 24, 1995)

⁴ Under the circumstances, 8,000 relatively intact bodies are unlikely to ever be found. But the skeletons, and parts of skeletons, that we can expect to find, ought not to be manipulated to create the illusion of more victims. That is why Dr. Ljubiša Simić’s approach of counting femur bones, of which we know that everyone has only two, is an example of a credible approach to the calculation of the probable number of victims.

⁵ It goes without saying that religious sensitivities must be respected whenever reasonably possible. But such a massive crime scene in the middle of Europe must be treated primarily according to secular European standards that routinely apply in such situations. That means that all avenues of inquiry which likely to bring us closer to the truth and to help us solve the crime must in principle be kept open.



ever they are told about the number of buried victims, the condition of their remains, and the correctness of the forensic findings about the cause and manner of death.⁶ This raises serious difficulties. Since ICTY forensic teams ended their exhumation activities in 2001, the Missing Persons' Commission controlled by the Muslim-dominated government in Sarajevo has been in charge of mass grave exhumations. They claim to have found hundreds of new victims in areas previously unexplored by ICTY teams. These victims are now being brought out with great fanfare for burial at the Memorial Center around July 11 of each year.⁷ But no one can be sure about the identity of the individuals who are being buried, or if they have any connection to Srebrenica. Indeed, even if there is a connection. Did anyone in Srebrenica during the war, prior to July of 1995, succumb to natural causes? Was anyone there, prior to July of 1995, killed in military operations? Is every single death in or around Srebrenica, whenever or in whatever manner it may have occurred, automatically attributable to genocide?⁸

6. We are assured that the body bags which are being buried according to Muslim custom in July of each year do contain the physical evidence we were told is inside. Muslim religious doctrine requires that at least 75% of the body be there before a religious funeral can take place. But the practical implementation of what this custom re-

⁶ It should be noted that on the "secular" side, these matters are usually handled by the Missing Persons' Commission, which up until the present time has been under the control of Mr. Amor Mašević, a functionary with close ties to the Sarajevo Muslim political and religious establishment.

⁷ As the supply of legitimate Srebrenica execution mass graves began to dry up, and bodies needed to back up the 8,000 genocide victims claim were in short supply, the Muslim-controlled Missing Persons Commission focused, for instance, on a locale called Kamenica. They played down the fact that Kamenica was on the path of withdrawal of the Muslim army 28th Division in July of 1995 and that a major clash with Bosnian Serb forces took place there, with numerous Muslim casualties. For the flurry of Kamenica exhumation reports, see *Dnevni Avaz*, 24/11/08; *BH Vijesti*.

⁸ Concerning Kamenica, see reports of *Radio Sarajevo*, 17/07/09; *Fena*, 15/09/09; *Radio Slobodna Evropa*, 10/12/08, to cite just a few. The Muslim side do not advertise it, but they do freely admit the fact that Kamenica victims are combat casualties: "...84 bodies were exhumed from the first Kamenica mass grave. These bodies belonged to those who did not survive the break-out from Srebrenica in July of 1995." (*Slobodna Bosna*, "Bajram u dolini masovnih grobnica," http://www.genocid.org/print.php?type=A&item_id=96)



quires raises a new set of questions. A large percentage of exhumed human remains consists of body fragments and parts. Dr. Ljubiša Simić's review of ICTY forensic evidence demonstrates that out of 3,568 "cases" for which Tribunal forensic teams wrote post-mortem reports, 1,583, or 44,4%, consist of body fragments or just a few bones. Were Muslim religious burial rules followed in those instances as well? If so, is there a record that those incomplete remains were specifically rejected for burial in Potočari? The same applies to the 92% of those remains which were not only in an incomplete and highly fragmented condition but for which forensic experts, who were working for the prosecution, were unable to determine the manner or cause of death. If any of them were buried as victims of genocide in Potočari they clearly should not have been. Until the purportedly religious obstacles are removed, normal European investigative procedures are applied, and unhindered access is granted to sort out the facts at the Potočari Memorial Site, we will not know. And, of course, questions about the true number of victims and about the integrity of burial procedures will continue to be raised.

Those questions have gained new impetus in light of significant discrepancies in the findings of various chambers about the number of Srebrenica victims. From the Krstić [2001] to the Popović trial [2010] at ICTY, the standard estimate of executed victims in Srebrenica was 7,000 to 8,000. In the recent Tolimir trial judgment, however, that figure was put at 4,970.⁹ Similarly, in all previous Srebrenica trials dealing with Branjevo farm executions, victim estimates were based on the claims of Dražen Erdemović, one of the perpetrators who made a plea bargain with the Prosecution. The accepted figure was 1,200 victims, notwithstanding the fact that the number of bodies exhumed at the crime scene was 115. However, at the trial of accused co-perpetrators Franc Kos and three associates in Sarajevo, the Chamber found [2012]

⁹ *Prosecutor v. Tolimir* (ICTY), Trial Judgment, Par. 1184. The new Srebrenica genocide death toll happens to be roughly equal to the 4,700 innocent civilians that US Senator Lindsay Graham says have so far been killed by American drone attacks in the various Middle Eastern and Central Asian war theatres. Expressing regret, Sen. Graham commented "Sometimes you hit innocent people, and I hate that, but we are at war..." [*The Telegraph* (London), February 21, 2013.]



the number of victims to be “up to 800”.¹⁰ In all these trials chambers heard essentially the same witnesses and were shown the same evidence, yet they reached disparate conclusions. That suggests that they are operating without any serious methodology and that all their conclusions should therefore be viewed with healthy skepticism.

7. Where are the famous satellite photos that US Secretary of State Madeleine Albright advertised as the definitive proof that a crime of huge dimensions did occur around Srebrenica? Why are they under seal for fifty years if they are of such enormous probative value? If they were made available to the public and to neutral experts for critical analysis now, would that not benefit everybody because many persistent doubts about Srebrenica would quickly be resolved?¹¹

8. Why has the focus of Srebrenica investigations consistently been away from the direct perpetrators and organizers of the crime? Authorities were aware of the identities and whereabouts of most members of Dražen Erdemović’s¹² group of executioners for a decade after Erdemović’s revelations, yet no effort was made to apprehend or even to question them until the appearance of *The Star Witness*,¹³ Germinal Čivikov’s incisive expose of Erdemović’s flawed evidence. When some of them finally were arrested, one of the accused co-perpetrators [Marko Boškić] pled guilty in return for a relatively light ten-year sentence. The remaining four, who were unwilling to cooperate, were given a farcical trial in Sarajevo which was kept strictly within the

¹⁰ *Prosecutor v. Kos at al.* (State Court of Bosnia and Heryegovina), Trial Judgment, Par. 340.

¹¹ The laughable reason given for insisting on the photos’ confidentiality is that showing publicly them might compromise intelligence gathering methods. That rationale is an insult to the intelligence of the public because the methods used in 1995 are long obsolete.

¹² Dražen Erdemović was a member of the Tenth Sabotage Detachment, a multinational unit of unclear origin that was operating in the Bosnian civil war during 1994 and 1995. After being brought before the Hague Tribunal, Erdemović signed a plea bargain. In return for agreement to testify for the Prosecution he was given a light five-year sentence although he admitted taking part in the massacre of Muslim prisoners at Branjevo Farm and personally killing between 70 and 100 of them. His controversial evidence was dissected by Bulgarian journalist and long-time *Deutsche Welle* correspondent Germinal Čivikov.

¹³ Germinal Čivikov, *The Star Witness* (translated from German by John Lauchland), Belgrade 2010, http://www.srebrenica-project.com/DOWNLOAD/books/Star_witness.pdf



bounds of personal responsibility and not allowed to inquire any further. The commander of the unit responsible for the execution of prisoners, Milorad Pelemiš, is still at large and giving media interviews. No effort is being made to apprehend him or to establish from whom he received execution orders.

9. Is the conduct of the Srebrenica-Žepa military operation in July of 1995, viewed as a whole, compatible with the theory of genocide? To take that position, we must believe that what at the start of the month of July 1995 began as a regular military operation, by around the 11th, after a meeting of Serbian military officials in Bratunac, had degenerated into a genocidal project complete with the sudden appearance of the legally required *dolus specialis*. That remarkable transformation within a few days supposedly led to the execution of 8,000 Muslim prisoners captured at Srebrenica. But once Žepa's turn came ten days later, the operation apparently reverted to more or less regular military form, without major departures from the rules and customs of war or mass slaughter. Until the recent ICTY trial of General Tolimir no effort was made a decade and a half after the fact to obtain judicial confirmation for the charge that genocide also occurred in Žepa. Under intense political and media pressure, the Tolimir trial court found that it did, but the only grounds for such a conclusion it could cite was the killing of three Žepa municipal officials in positions of leadership. Their removal, the Chamber argued, constituted genocide because it significantly impaired the local community's capacity to survive.¹⁴ The coherence of that conclusion is a matter for debate.

With regard to both Srebrenica and Žepa there are serious questions. Does genocidal intent, as in Srebrenica, come and go in irregular intervals? What accounts for the absence of any Serbian order or plan setting forth the alleged intention of exterminating the Muslim community, even within the limited confines of the municipality of Srebrenica? What explains the apparent difference in the treatment of two similar groups of defeated Muslims, one in Srebrenica and the other in Žepa, if at that time Serbian forces were motivated by genocidal intent? In Srebrenica, casu-

¹⁴ *Prosecutor v. Tolimir* (ICTY), Trial Judgment, Par. 782.



alties were numerous. In Žepa they were minimal, and only by the implausible use of judicial *legerdemain* could the conclusion be reached that it also was a place where genocide occurred.

10. Combat casualties. The status of the 12,000 to 15,000 strong military/civilian, mostly male column which left Srebrenica enclave on foot late on July 11, 1995, headed for Muslim-controlled territory in Tuzla, is a key factor in the controversy over what happened. ICTY Prosecution military expert Richard Butler conceded the mixed character of the column, which under international law makes it a legitimate military target.¹⁵ Testifying in the Popović case, Butler reiterated that position.¹⁶

The legal character of the column and the extent of its casualties are of the utmost importance because in an effort to reach the magic figure of 8,000, combat losses inflicted on the column are conflated with execution victims. That approach is improper because the column's casualties are legally legitimate and result in no criminal liability whatsoever. Referring to the column, Jean-Rene Ruez, chief ICTY prosecution investigator, stated that,

A significant number [of Muslims] were killed in combat. The Zvornik Brigade of the VRS Drina Corps had organized ambushes and that is when it had the most casualties during the entire war. Many were killed while trying to make it through minefields. An unknown number probably committed suicide in fear of being tortured before being put to death. It cannot be excluded that some had shot those who may have wanted to surrender.¹⁷

In fact, based on statements given by surviving column members who reached Tuzla,¹⁸ which are available in the ICTY electronic data

¹⁵ Richard Butler, *Expert report*, par. 3.21, November 1, 2002, EDS (Tribunal data base) number 03072366.

¹⁶ *Prosecutor v. Popović* (ICTY), T. p.20244, lines 19–25, p. 20245, line 1.

¹⁷ *Monitor* newspaper [Montenegro], April 19, 2001. EDS (Tribunal data base) number 06038344.

¹⁸ For a sustained analysis and discussion of witness statements on column casualties, see: Stephen Karganović and Ljubiša Simić, “Srebrenica: Deconstruction of a Virtual Genocide” (Belgrade 2010), available on the internet at: <http://www.srebrenica-project.com/in->



base,¹⁹ many of the engagement sites have been identified and there are eyewitness estimates of casualties.²⁰

These casualties were estimated by prosecution military expert Richard Butler, when testifying in the Popović trial, to have been 1,000 to 2,000 for the period of July 12 to 18, 1995, and raised to between 2,000 and 4,000 at a subsequent trial.²¹ In a July 17, 1995, UN internal report it is estimated regarding the column that “up to three thousand were killed on the way, mostly by mines and BSA [Bosnian Serb Army] engagements.”²² In the “UNMO HQ Daily Sitrep” for July 18, 1995, speaking of the column it is estimated that 3,000 were “believed to have been killed by minefields, snipers, and ambush conflict with BSA”.²³ All these estimates and reports, while lacking absolute precision, nevertheless converge on the conclusion that during its breakthrough from Srebrenica to Tuzla the 28th Division column did suffer significant casualties along the way.

The technical problem which the column presents is two-fold. First, it creates the need for separate analysis and treatment for casualties incurred during legitimate combat which cannot be fitted into the Procrustean bed of genocide, as the neat and simple Srebrenica narrative requires. Politically and psychologically the column’s casualties greatly alter the simplistic picture that has been relentlessly emitted over the years. Secondly, the casualties involved are statistically significant because they are in the thousands and they cannot be linked to war

[dex.php?option=com_content&view=article&id=90:any-lieutenant-colonel-will-do&catid=12:2009-01-25-02-01-02](http://www.srebrenica-project.com/index.php?option=com_content&view=article&id=90:any-lieutenant-colonel-will-do&catid=12:2009-01-25-02-01-02)

¹⁹ See Stephen Karganović: “Analysis of Muslim Column Losses Due to Minefields and Combat Activity,” Proceedings of the International Symposium on ICTY and Srebrenica, p. 376–391 (Belgrade-Moscow 2010). Available on the internet at: http://www.srebrenica-project.com/index.php?option=com_content&view=category&layout=blog&id=21&Itemid=19

²⁰ In the Krstić judgment, it is conceded that the column was subjected to “heavy shooting and shelling,” par. 65. The Chamber did not dispute the conclusion, stipulated by prosecution and defence experts, that “the column qualified as a legitimate military target”, par. 163.

²¹ *Prosecutor v. Popović* (ICTY), T. P.20251, lines 6–8, and 12–14. A few years later, under cross-examination at the *Jević et al.* trial before the Court of Bosnia and Herzegovina in Sarajevo, Butler increased his estimate of 28th Division column combat casualties to “between 2,000 and 4,000”. *Jević et al.*, September 19, 2011.

²² ICTY electronic data base number R043–3424.

²³ ICTY electronic data base number R003–8723.



crimes. Given the severe dearth of incontestable execution victims, the presence of thousands of these legitimate Srebrenica casualties is at worst an embarrassment, but at best an opportunity. The opportunity is to blend them in with execution victims, thus eliminating the problem and at the same time helpfully raising the victims' total, even if it still remains short of the target figure of 8,000.

Hague Tribunal chambers have opted to seize the opportunity. They generally admit that the column was shelled with artillery and hand grenades, presumably causing widespread casualties, and that some members of the column committed suicide.²⁴ But then these casualties are minimized in relation to execution victims. The Popović Chamber, for instance, argues that in its composition the column was indistinguishable from the women, children, and elderly Srebrenica enclave inhabitants who had gathered at the UN base in Potočari. After thus attempting to obscure the legal distinction, the Chamber goes on to draw the natural conclusion: the column (and by implication its casualties) was part of the “widespread and systematic attack against the civilian population.”²⁵ That opens the door for plausibly merging combat casualties with illegal execution victims, thus conveniently boosting the “genocide” count.

There is no subtle or refined legal analysis here, but the conclusion does serve the Hague Tribunal's practical purpose. By erasing the legal distinction between the two groups, it also did away with the necessity for bothersome account-keeping in terms of who was unlawfully executed and who was a legitimate casualty. Given the severe shortage of execution victims and the preferential option for upholding genocide, the Chamber's pragmatic solution is understandable. But it is certainly not to its credit professionally any more than its misrepresentation of what can be expected from DNA results.

11. Legitimate losses. Can a reasonably reliable accounting of legitimate combat losses on the Muslim side in the aftermath of the fall of Srebrenica on July 11, 1995 be made? Our NGO, Srebrenica Historical

²⁴ For an example, see Popović Trial Judgment(ICTY), par. 381.

²⁵ Popović Trial Judgment (ICTY), par. 782.



Project, has published data from 33 statements made by surviving participants in the 28th Division breakout in which 19 locations along the column's path where combat with Serbian forces took place are named. It sheds much light on that issue. According to these eyewitnesses, the column from Srebrenica sustained extremely heavy combat casualties. The fact that "a significant number of Muslims died in combat" was affirmed by the chief investigator of the Office of the Prosecutor of the Hague Tribunal, Jean-Rene Ruez.²⁶ Ruez went on to say that "as far as those who died in the woods are concerned, we must consider that they were killed in battle."²⁷ That means that under international law there is no criminal liability for their deaths. ICTY military expert, Richard Butler, stated under cross-examination in the Popović trial that in his professional opinion up to 2,000 Srebrenica Muslims in the column probably perished in combat during this breakout.²⁸ There are other estimates as well, such as Army of Bosnia and Herzegovina chief of staff Enver Hadžihasanović's of 2,628 combat casualties²⁹ and peace negotiator Carl Bildt's of "more than four thousand."³⁰

The precise number of combat casualties may never be determined but the combined evidence of eyewitness testimony and assessments by experts and officials in a position to know suggests that they were enormous.

That poses some very important questions. When exhumations take place, are we being misled to believe that what are actually the remains of people killed in combat belong to execution victims? What mechanism, if any, is in place to differentiate these legally very distinct categories? If, on the other hand, these combat casualties are criminal acts, why hasn't anybody at ICTY or before the war crimes court in Sarajevo ever been charged with shooting at the column? If these casualties are not culpable, what assurance do we have, apart from victims

²⁶ Interview in the "Monitor", April 19, 2001.

²⁷ Ibid.

²⁸ *Prosecutor v. Popović et al.* (ICTY), January 23, 2008, Transcript, p. 20251.

²⁹ *Prosecutor v. Krstić* (ICTY), April 6, 2001, Transcript, p. 9532.

³⁰ Carl Bildt, *Peace Journey: The struggle for peace in Bosnia*, Weidenfeld and Nicolson, London, 1998., p. 66.



with blindfolds and ligatures, that death was inflicted unlawfully instead of as a result of legitimate combat? The burden of proof, let us recall, is always on the prosecution.

12. DNA. The forensic evidence is more unhelpful than helpful to the Prosecution's claim that there were about 8,000 execution victims in Srebrenica. Ten years later, there was no trace of even the 4,805 bodies that in its trial judgment the Krstić court gullibly stated had been "detected" in unexhumed Srebrenica mass graves.³¹ Body counting and forensic analysis in the classical sense had reached an embarrassing dead end.

In the *Popović* case, the Chamber therefore decided to make an end run around the issue and to shift its emphasis from autopsy reports to a new technique—DNA:

Based on the evidence, the Trial Chamber has found that at least 5,336 identified individuals were killed in the executions following the fall of Srebrenica. However, noting that the evidence before it is not all encompassing, the Trial Chamber is satisfied that the number of identified individuals will rise. The Trial Chamber therefore considers that the number of individuals killed in the executions following the fall of Srebrenica could well be as high as 7,826.³²

The reference to "identified individuals" suggests the source of the Chamber's data: the International Committee for Missing Persons (ICMP), an NGO with US ties with local headquarters in Tuzla.³³ ICMP claims to have so far identified 6,414 Srebrenica victims.³⁴ Superficially, that sounds like genuine progress in the critical area of victim identification. The problem, however, is that during the *Popović* trial, where it was

³¹ *Prosecutor v. Krstić* (ICTY), Trial Judgment, Par. 80, footnote 166.

³² *Prosecutor v. Popović et al.* (ICTY), Judgment summary, <http://www.icty.org/x/cases/popovic/tjug/en/100610summary.pdf>

³³ *Prosecutor v. Popović et al.* (ICTY), Trial Judgment, par. 638 and passim.

³⁴ ICMP, "ICMP makes 13,000 DNA-led identifications of missing persons from Bosnia-Herzegovina", 26 March 2010, <http://www.ic-mp.org/press-releases/icmp-makes-13000-dna-led-identifications-of-missing-persons-from-bosnia-herzegovinaicmp-ostvario-13000-dnk-identifikacija-osoba-nestalih-u-bosni-i-hercegovini/>.



officially unveiled, ICMP's DNA data was presented in closed session and under conditions that were severely constraining for the defense. The accused were given neither time nor adequate resources to challenge this evidence by subjecting it to thorough scientific analysis. ICMP strenuously opposes outside inspection and verification of its results on the grounds that it might cause additional pain to the survivors. It therefore conditions release to anyone of its raw data on obtaining the sample donors' written permission. Needless to say, in the tense and hostile Balkan context, that is virtually the same as denying access.

ICMP's penchant for secrecy in fact seems to go quite far. After Radovan Karadžić's open court complaint that his defence was subjected to discriminatory treatment as a result of ICMP's refusal to show their data, to everyone's surprise prosecutor Hildegard Uertz-Retzlaff revealed that ICMP was no more forthcoming even to the Prosecution:

The ICMP did also not provide the DNA to us. It is not that give it to us and not to others.³⁵

It is amazing that even a vigorous proponent of this evidence such as the ICTY Prosecution should have been denied the opportunity to properly review it.

While the Chamber did hear ICMP Director of Forensic Science Thomas Parsons' oral presentation of the DNA data³⁶ it is not clear whether even the Chamber had actually seen the supporting evidence. Assuming that it had a glimpse of it, the record does not show that the Chamber bothered to enlist any expert assistance in order to gain a better grasp of its meaning.

Acceptance and uncritical reliance³⁷ on ICMP's unexamined evidence constitutes a bold act of faith in the twenty-first century.

Even if protestations of privacy on behalf of the survivors who donated blood samples are credited at face value, now that a 5,336

³⁵ *Prosecutor v. Karadžić* (ICTY), Status conference, Transcript, July 23, 2009, p. 364, lines 21–23.

³⁶ *Prosecutor v. Popović et al.*, Trial Judgment, par. 639.

³⁷ *Prosecutor v. Popović et al.*, Trial Judgment, par. 624.



identified victim figure has been enshrined in the official court Judgment,³⁸ it would seem convenient and very helpful to allay doubts were the first and last names of all the 5,336 individuals involved to be published. That should offend no one's sensibilities as thousands of names of alleged Srebrenica victims have already been carved into a huge slab of stone at the Potočari Memorial Centre, where they can be seen by everybody. In terms of enhanced transparency, the publication of these names would also be quite helpful. It would make further verification of the authenticity and status of these victims possible. Another benefit would be increased trust in the court's professionalism and the validity of its findings. No such list, however, is appended to the Judgment.

But the Chamber's biggest problem is not its failure to name the identified individuals (identification means assigning a first and last name to each individual, as opposed to just giving the total number of alleged identifications). Nor is it even the cavalier prediction (made by the Popović Chamber) that "the number of individuals killed in the executions following the fall of Srebrenica could well be as high as 7,826", a prognosis for which there is no apparent basis and which is distressingly reminiscent of a similar failed forecast made by the Krstić Chamber in 2001 that almost 5,000 unexhumed but "detected" bodies were on the verge of being discovered.³⁹ It is, rather, the Chamber's apparent ignorance of how DNA works and of what it can and cannot do.

That ignorance is reflected in the ICTY chamber's finding that "at least 5,336 identified individuals were killed in the executions following the fall of Srebrenica", which scientifically is an impermissible statement to make. By matching samples taken from the deceased person to biological material donated by the potential blood relative, DNA procedure can establish, with various degrees of accuracy, the deceased's probable identity. But from the standpoint of criminal liability

³⁸ In the Popović case [2010], the Chamber attributed 5,336 victim identifications to successful DNA matches while confidently maintaining that by the use of the same technology the standard figure of 7,000 to 8,000 will ultimately be proved. In the Tolimir judgment [2013], the demonstrable victim figure is put at 4,970.

³⁹ *Prosecutor v. Krstić*, Trial Judgment, Par. 80, footnote 166.



for the murder, it can do no more than that. It cannot help to determine the time and manner of death. The deceased, whose first and last name may have been established as a result of successful DNA matching, could have been killed in combat or in an accident, or could have died of natural causes. The casual suggestion made by the Chamber, that the 5,336 identified individuals “were killed in the executions following the fall of Srebrenica” is scientifically unsupportable by using DNA evidence and, as any biology student could inform the court, it is absurd on its face. No one can make such a claim based on DNA data without exposing themselves to enormous ridicule.

But the Chamber had to make that arbitrary determination because unless the pompously announced DNA identification evidence were made to appear to support Prosecution’s time and manner of death claims, it would be manifestly useless for purposes of conviction.

It can be argued that the Chamber acted unwisely by embracing the DNA approach without at least consulting a biology student about its legitimate scope before doing so. Once the misleading use of DNA is noticed, ICTY will discover a marked further decline in its credibility. The standard forensic approach which is based on autopsies may not have generated the hoped for 8,000 victims, but in a situation of this nature it generates at least some legally useful evidence. The standard approach did yield 947 potential execution victims (442 with blindfolds and ligatures, plus 505 with bullet injuries). In terms of legally relevant criteria, the methodological shift to DNA is incapable of demonstrating a single culpable death. It seeks to impress with the aura of high tech, but like any bluff it can last only as long as it remains unchallenged and, in this case, unexamined.

13. Serbian victims. An important issue pertaining to Srebrenica that is almost never talked about are the Serbian victims. The trick of excluding them is performed by simply narrowing down the relevant Srebrenica chronology to three days in July of 1995, while completely ignoring events during the preceding three years.

In the three-year period before the massacre of Muslims in 1995, several dozen Serbian villages surrounding Srebrenica town were attacked and devastated by Muslim army forces from within the en-



clave.⁴⁰ According to the Dutch Institute for War Documentation (NIOD), these attacks “...followed a certain pattern. Initially, Serbs were driven out of ethnically mixed towns. Then Serbian hamlets surrounded by Muslim towns were attacked and finally the remaining Serbian settlements were overrun. The residents were murdered, their homes were plundered and burnt down or blown up.” As a consequence, “it is estimated that between 1,000 and 1,200 Serbs died in these attacks, while about 3,000 of them were wounded. Ultimately, of the 9,390 Serbian inhabitants of the Srebrenica district, only 860 remained...”⁴¹

Why are these substantial figures rarely reported or given even fleeting attention in discussions about Srebrenica, although they are undoubtedly an integral part of the overall picture and their relevance to the events of July of 1995 is indisputable? First of all, because this is precisely what generated the “accumulated hatred” that was clearly sensed by the UNPROFOR commander in Bosnia, General Philippe Morillon, which he referred to as the consequence of these “terrible massacres.”⁴² Second, perhaps because these pogroms created a motive for taking revenge on the perceived malefactors when that became possible in July of 1995. The latter point clearly upsets the genocide appellation because it posits a compelling alternative explanation of the motive.

The urgency of keeping the slaughter of the Serbian population of Srebrenica off both the public and the judicial radar screens is reflected in the virulent denunciation of any attempt to bring it up. It is angrily dismissed as “relativization of genocide”. But in fact it is those who shove another community’s victims under the rug who are engaged in blatant relativization. To recognize absolutely the equal value and dig-

⁴⁰ See Ljubiša Simić, *The martyrdom of Serbian Srebrenica* [Belgrade, 2010]: <http://www.srebrenica-project.com/DOWNLOAD/books/monografija/MonografijaWEB1.pdf> ; <http://www.srebrenica-project.com/DOWNLOAD/books/monografija/MonografijaWEB2.pdf> ; <http://www.srebrenica-project.com/DOWNLOAD/books/monografija/MonografijaWEB3.pdf> ; <http://www.srebrenica-project.com/DOWNLOAD/books/monografija/MonografijaWEB4.pdf> ; <http://www.srebrenica-project.com/DOWNLOAD/books/monografija/MonografijaWEB5.pdf>

⁴¹ NIOD Report, Part 1: The Yugoslavian problem and the role of the West, 1991 / 1994; Chapter 10: “Srebrenica under siege”.

⁴² *Prosecutor v. Milosević* (ICTY), February 12, 2004, Transcript, p. 32031.



nity of all human lives, and not just those who belong to one group, especially in a conflict as senseless as the recent one in Bosnia, is the only fair and decent approach.

14. The prehistory of Srebrenica. The expression “prehistory of Srebrenica” was first used by the Norwegian film director Ola Flyum in his noted documentary, “Srebrenica: A town betrayed.”⁴³ It does not refer to events which took place in the Neolithic but to the machinations and sordid political deals on many levels which, beginning in late 1993, set the stage for the tragedy of the Muslim people of Srebrenica. That is another largely hidden dimension of this vastly complex narrative.

It begins in September of 1993 in Sarajevo, at a time when the military situation looked particularly grim for Alija Izetbegović and his Muslim-dominated government. A meeting of the ruling party, SDA, was convoked, including a delegation from the UN protected enclave of Srebrenica. According to one of the participants and eyewitnesses, Hakija Meholjić, Srebrenica chief of police at that time, during a pause in the proceedings Izetbegović summoned the delegates from Srebrenica in order to convey to them a startling proposition: in an alleged conversation Izetbegović had had with President Clinton, the latter suggested that if the Serbs could be enticed to capture Srebrenica, which by then had already become a potent international symbol, and “slaughter” 5,000 Muslims there, skeptical public opinion in the United States would be so outraged that it would acquiesce to a military intervention on the side of Izetbegović’s government in Sarajevo. To sweeten the deal, the men from Srebrenica were told that arrangements had already been made that in the ultimate territorial swap the Serbian suburb of Vogošća would be ceded to the remaining inhabitants of Srebrenica as compensation for their losses.⁴⁴ The authenticity and the implications of this shocking scheme are extensively explored by Ola Flyum in his documentary.

⁴³ <http://tv.globalresearch.ca/2011/07/srebrenica-town-betrayed>

⁴⁴ Hasan Hadžić, *5000 Muslim Lives for Military Intervention, Dani* (Sarajevo), June 22, 1998, <http://www.ex-yupress.com/dani/dani2.html>



Before dismissing Meholjić's testimony, it is worthwhile to consider some corroborative "coincidences." It emerges from the *Debriefing*⁴⁵ of the Dutch battalion that not only was there no demilitarization within the enclave, as stipulated in the April 1993 agreement which set it up as a UN protected zone, but that throughout the period of the Dutch presence (February 1994 — July 1995) the enclave was actually used with impunity by the Muslim army within it as a springboard for attacks on the surrounding Serbian areas.⁴⁶ One may wonder if these attacks were designed to provoke just the sort of violent Serbian response that could serve as a catalyst for the desired intervention. As the war was obviously approaching its final phases, in anticipation of the final settlement it became necessary to arrange territorial loose ends. In April 1995 the Muslim commander in Srebrenica, Naser Orić, and his top military assistants were recalled to Sarajevo, allegedly for "additional training," leaving the enclave without effective leadership. In late June of 1995, forces from the enclave staged a raid on the Serbian village of Višnjica, which finally exhausted the patience of the Serbian side, and it dusted off plans for a military operation against the enclaves of Srebrenica and Žepa. But the correlation of forces was very unusual. Serbian attackers had assembled about 400 front-line men and four tanks,⁴⁷ who were facing on the other side the Muslim army's 28th Division comprising about 5,500 soldiers. In the opinion of UN military observer Carlos Martins Branco,⁴⁸ the refusal of the previously combative Srebrenica Muslim contingent to fight was inexplicable since both their numerical advantage and the rough terrain were ideal for defensive action and clearly favored the defenders. But instead, the military-age men assembled in the village of Šušnjari and from there under-

⁴⁵ Report based on the *Debriefing on Srebrenica*, 4 October 1995 <http://www.slobodan-milosevic.org/documents/debrief.pdf>

⁴⁶ Report based on the *Debriefing on Srebrenica*, October 4, 1995, par. 2.43 and 2.46.

⁴⁷ The total Serbian force was estimated at about 1,500 men. That is the estimate of Major Wright of the UN Observer Mission, on p. 5 of his July 26, 1995 report "Postscript to Srebrenica," EDS file designation R0050422. In his report Major Wright estimates the overall strength of the Serbian attackers at about 1,500 and a few tanks, and the strength of the Bosnian Muslim army in the enclave at around 4,000. In his view, numerical superiority combined with the advantages offered by the terrain should have facilitated a successful defense.

⁴⁸ See <http://www.globalresearch.ca/index.php?context=va&aid=731>



took a 60 kilometer trek through minefields and Serbian ambushes to Tuzla. Naturally, had they stood their ground and fought there would have been distinct political drawbacks. For example, that would have revealed the fact that they were well armed and thus risked compromising their victim status. As for the women, children, and elderly, they were left behind and deposited at the UN compound in Potočari. Quite possibly that was done as a convenient bait to the Serbs to perpetrate the anticipated massacre, but whatever the ultimate motive behind it may have been, on the whole nothing sinister occurred. The 20,000 or so enclave residents dumped in Potočari were put by the Serbs on buses and evacuated safely to Muslim territory.

What could have been the purpose of the massacre of Muslim prisoners of war? Who was the intended beneficiary? That is one of the key Srebrenica mysteries which demands a rational explanation. As the ICTY chamber in the Krstić case sensibly noted: "...the decision to execute these Bosnian Muslim men is unfathomable in military terms."⁴⁹ The chamber then proceeds to quote the view of the prosecution military expert Richard Butler to the effect that it is hard to envision a better negotiating chip than several thousand prisoners in Potočari under the supervision of the UN and the International Red Cross.⁵⁰

None of these key Srebrenica research topics is ever explored in a sustained and scholarly (or honest) fashion by the advocates of the institutionalized narrative. The gaps in the official account and the unresolved issues that we have pointed out make it imperative to keep asking critical questions and not to be intimidated by the agenda driven Srebrenica lobby.

⁴⁹ *Prosecutor v. Krstić* (ICTY), Trial judgment, Par. 70.

⁵⁰ *Prosecutor v. Krstić* (ICTY), Trial Judgment, Par. 70.



BOOKS ABOUT SREBRENICA

1. Stephen Karganović, ed., *Deconstruction of a Virtual Genocide (An intelligent person's guide to Srebrenica)*, Den Haag — Belgrade 2011.
Internet edition:
http://www.srebrenica-project.com/DOWNLOAD/books/Deconstruction_of_a_virtual_genocide.pdf
2. Germinal Čivikov, *Srebrenica: The Star Witness* (Translated by John Laughland), Belgrade 2010.
Internet edition:
http://www.srebrenica-project.com/DOWNLOAD/books/Star_witness.pdf
3. Edward Herman, ed., *The Srebrenica Massacre : Evidence, context, politics* (Foreword by Phillip Corwin), 2011.
Internet edition:
http://www.cnj.it/documentazione/Srebrenica/SrebrenicaMassacre_rev.3.pdf



Contacts:

Postbus 90471
2509LL
Den Haag, The Netherlands
+31 64 878 09078 (The Netherlands)
+381 64 403 3612 (Serbia)
Web: www.srebrenica-project.com
E-mail: srebrenica.historical.project@gmail.com

Контактни:

Postbus 90471
2509LL
Den Haag, The Netherlands
+31 64 878 09078 (Холандија)
+381 64 403 3612 (Србија)
Интернет презентација: www.srebrenica-project.com
E-mail: srebrenica.historical.project@gmail.com