

A SREBRENICA PRIMER
MYTH AND REALITY



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Myth and Reality

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CHAPTER I: SREBRENICA AND ICTY RECONSIDERED

There are few remaining issues from the 1992 – 1995 Bosnian war that require such comprehensive and urgent reexamination as Srebrenica. The point about Srebrenica where most reasonable people would unhesitatingly agree is that it was a major war crime and human catastrophe. But beyond that, perceptions differ radically and positions on the details diverge sharply. Morally and politically, much depends on the significance assigned to Srebrenica. Has the standard monoethnic victimology narrative associated with the official account of Srebrenica much to do with reality?

Slightly over two decades after the events of July 1995, Srebrenica has been endowed with the standard characteristics of a powerful myth. Prof. Edward Herman has called it the greatest triumph of propaganda emerging from the Balkan wars at the end of the twentieth century.¹ Emotions and symbolism have largely supplanted regard for facts as the tale's basic anchor. The empirical approach that normally is practiced in similar situations involving history or jurisprudence (let alone the objective criminological investigation which Srebrenica properly requires) in this particular case have been suspended and replaced by a set of dogmatic and politically inspired axioms and assumptions. The "truth" of those assumptions is constantly reaffirmed by endless repetition. If there appear the slightest public doubts or questions, the partisans of these quasi-dogmatic assertions are quick to manifest indignation, and sometimes even virulent fury. Both the legal character of the actual events and the number of victims that were involved have undergone a process of "sacralization"² that has most skeptics effectively browbeaten. The quick and furious reaction of Srebrenica political correctness brigades whenever even the slightest question is raised, or

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doubt is expressed, straying from the approved parameters of discussion, efficiently chills practically every attempt to conduct a rational and empirically focused investigation.³

Why must the official truth of Srebrenica be so closely attended by what Churchill so aptly called “a bodyguard of lies”?

1.1 How the idea for this book took shape

An open and unfettered discussion of what happened in Srebrenica, and its implications, should be the goal of every responsible person and morally aware intellectual. Regrettably, however, there has been an ominous increase in the number of attempts to not just foreclose, but if possible ban free inquiry into Srebrenica. Some notable examples can be pointed out.

+ On January 15, 2009, a stealth nocturnal session of the European Parliament was organized to deal with this topic, with hundreds of parliamentarians not present.⁴ Only a half hour was set aside for a pro forma “discussion”⁵ on a complex resolution about Srebrenica, a time frame grossly disproportionate to the gravity of the subject both in terms of the actual time allowed and the quality of the “deliberations” that could be expected to take place under such severe temporal restrictions. The European Parliament in Strasbourg nevertheless passed a one-sided⁶ Resolution proclaiming July 11 an EU-wide Srebrenica genocide remembrance day.⁷ Of the numerous irregularities that characterize the passing of this Resolution, it is sufficient to cite just two. The European Parliament chose to circumvent its own rules of procedure by disregarding the inconvenient requirement that measures up for adoption should be reviewed first by the appropriate committee in a “transparent” and therefore presumably public setting, with all interested parties having an opportunity to state their views. Only after such a step, which is customary in general parliamentary practice, is a measure referred back to the plenary session for a vote.⁸ Nothing of the sort occurred in the European Parliament with regard to Srebrenica. No less disturbing, the drafters of the resolution, apparently indifferent to the diversity cant, to which they are officially committed, chose to make the tone of their resolution unabashedly monoethnic, blandly assuming that the only victims in Srebrenica were by definition Muslims.⁹

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The European Parliament resolution called on parliaments of all EU member states (and countries of the Western Balkans, even if they were not EU members) to pass similar resolutions, thus taking a huge step toward a European political consensus behind the official Srebrenica narrative. Though stopping short of recommending punishment for doubters, such a politically monolithic position in favor of a one-sided, political version of Srebrenica events would obviously have a strongly dissuasive effect on all future critical research, skepticism, and in particular – dissent.

+ But where the European Parliament was perhaps too delicate to tread, some self-styled “pro-European” factions in the parliament of Serbia were only too happy to stomp. On July 10, 2009, a minor parliamentary grouping broadly allied with the ruling coalition submitted its “Srebrenica Declaration”¹⁰ for approval by the Serbian National Assembly. It did not just slavishly repeat the formulaic doctrines of their Strasbourg colleagues, but actually took the further step of calling for the practical outlawing of Srebrenica inquiry and discussion and for harsh punishment of offenders.¹¹

+ More recently, in 2015, Alexander Dorin, a Swiss publicist and author of several volumes questioning the validity of major aspects of the official Srebrenica narrative was arrested in Basel and held incommunicado in a Swiss prison for three and a half months before finally being released. No formal charges were pressed. But for that matter, neither was a persuasive legal justification provided for this extraordinary incarceration. One may assume that this affair was contrived as a warning to other non-conformists and would also have a chilling effect on critical inquiry into what actually transpired in Srebrenica and the background of those events.

+ In April 2010 a little noticed landmark legal operation was undertaken in Switzerland to silence an insignificant Francophone cantonal bi-monthly newspaper and to intimidate everyone else who might entertain the notion of following its errant example. The Bosnia-Herzegovina chapter of the Swiss NGO “Société pour les peuples menacés” filed a criminal complaint against La Nation, a publication located in the obscure canton of Vaud, near Lozane, with a circulation of 4,000, and not exactly the New York Times of Switzerland, of course. The newspaper’s offense: in a series of articles it published it is alleged to have disputed “the genocide in Srebrenica and the murder of more than 8,000 Muslims”; further, it was faulted for

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denying crimes “which the Serbs committed” in concentration camps; it questioned the figure of “mass rapes” that, again, are officially said to have been committed by Bosnian Serbs; and, finally, it gave a free run to inconvenient curiosity by raising the issue of who was really behind the “market shelling in Sarajevo”. The formal basis for the complaint was Article 261 bis of the Swiss Criminal Code. However, according to Phillip Grant, president of the Swiss chapter of the Society, the actual basis was that “the authors use the same arguments that Radovan Karadžić advances in his defense at The Hague” where “the suffering of the victims is denied, while exonerating the perpetrators”.¹²

The filing of this malicious legal action, undisguisedly motivated by the desire to inflict severe retribution on the media that strays from the official script on Srebrenica, marks a new moral low for the worldwide Srebrenica lobby.

+ Inspired by similar initiatives abroad, Western financed and aligned “NGOs” and politicians in Serbia have also made it their business to urge criminal prosecution for doubting the official Srebrenica narrative. The Serbian “Helsinki Committee” came out with just such a proposal in July of 2012, in honor of that year’s Srebrenica anniversary. Vojvodina provincial politician Nenad Čanak has advocated the adoption of such a measure for a long time. In April of 2016 a law banning the questioning or denying of genocide (cleverly disguised as primarily targeting Holocaust denial) was introduced in the parliament of Bosnia and Herzegovina. It was blocked by deputies from the Republic of Srpska, who “smelled the rat” and made the apparently accurate political diagnosis that the real objective of the Bosnian Muslim proponents of this law was to acquire a legal tool to effectively ban critical inquiry into Srebrenica.¹³

In the end, in November 2016 the Serbian parliament adopted a loosely-worded “genocide denial” addendum to Article 387 of the country’s Criminal Code. No prosecutions have as yet taken place, but the legal stage is now set.

The absurd lengths to which punitive legal projects targeting various sorts of “denial” can go was recently illustrated by Prof. Michael Kraft of Green Bay University in Wisconsin, USA. Prof. Kraft’s field is science, not law, so he may not have heard of the First Amendment to the Constitution of the United States. In a media opinion

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piece Kraft seriously suggested that “those who intentionally misled the public about climate change should be held accountable.”¹⁴ It seems that climate change denial is now being placed alongside Srebrenica genocide denial as an icon of political correctness.

One might reasonably wonder: why is truth in such dire need of legal protection? Lies and misrepresentations, however, just might be.

Ultimately, emulating their EU Parliament colleagues, the Serbian parliament [Skupština] in 2009 passed its own Srebrenica resolution but, faced with widespread public outrage, in slightly less draconian form, with modifications introduced to mollify public opinion. Nevertheless, the country's highest representative body called on Serbia's state and citizens to assume “responsibility” for the Srebrenica massacre. Aside from the moral and political consequences that are inherent in such a unilateral assumption of responsibility¹⁵ on Serbia's part, there is also another and very tangible factor that Serbia's already destitute taxpayers and their legislators would be well advised to consider. The hasty and politically motivated admission could fuel demands by Bosnian Muslims for Weimar-style reparations from Serbia.

1.2 The role of The Hague Tribunal

Clearly, active attempts are being made to politicize Srebrenica, to intimidate dissenters and to put a lid on all unfettered inquiry into the matter, and—perhaps most ominous of all—to arrive at binding conclusions about what happened in July of 1995 by prescription instead of by investigation. During its questionable judicial proceedings in Srebrenica-related cases¹⁶ the International Criminal Tribunal for the Former Yugoslavia [ICTY] failed to provide sufficient clarity on what had actually occurred. Its chambers could not even settle on a figure representing a reliable number of victims, although they all heard basically the same witnesses and evidence. In the Krstić case the Trial Judgment (2001) spoke of “7,000 to 8,000 men” (Par. 487). Several years later, in the Popović trial (2010), “the Trial Chamber has found that, from 12 July to late July 1995, several thousand Bosnian Muslim men were executed” (Par. 793). Further on the Chamber says that it “it has found that at least 5,336 identified indi-

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viduals were killed in the executions following the fall of Srebrenica, and this number could well be as high as 7,826" (Ibid., footnote 2862). A similarly cavalier attitude toward figures was displayed in the Tolimir case (2015), where in the Appellate Judgment "4,970 victims" are indicated (Par. 718).

The numbers game continued on the Karadžić Trial Judgment (2016) where reference is made to "5,115 individuals found by the Chamber to have been killed" (Par. 5590 and 5605). Finally, in the Mladić Trial Judgment (2017) the Chamber came full circle back to the Krstić formula, finding that, after all, "between 7,000 and 8,000" Srebrenica victims were executed (Par. 3042).

By lending an aura of judicial respectability to politically pre-determined findings packaged in the respectable garb of court "judgments,"¹⁷ what ICTY did achieve was perhaps the very opposite of "justice and reconciliation" highlighted in its original mission statement. Instead of helping to settle at least some of the major dilemmas surrounding Srebrenica and instead of providing a reliable factual framework for further investigation, it has managed only to muddy the waters even further. In the eyes of a growing number of critical observers who refuse to be intimidated, the clumsy and arrogant Tribunal has made the official Srebrenica narrative even less plausible.

These are some of the principal reasons why a new approach to Srebrenica is so urgently needed. We must encourage calm and rational rethinking of these important issues because in general discourse and public perception they have been systematically degraded by politics, corrupt jurisprudence, and propaganda.

1.3 An attempt at calm and civilized discussion

The fundamental question is whether it is possible to analyze Srebrenica in a reasonable and non-hysterical manner. Can Srebrenica be discussed as a historical and juridical, and of course criminological issue, but detached from politics? Convincing arguments can be put forward to demonstrate the feasibility of such an approach.

As Vladimir Putin pointed out in a seemingly different, but

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basically analogous, context: "...individual episodes are taken out of the general historical background...and considered fragmentarily, regardless of the cause and effect relationship." That amounts to a distortion of history, he added very aptly, and "it is indicative that history is often slanted by those who actually apply double standards in modern politics."¹⁸ In a wry, but not in the slightest unwarranted reference to some excesses from the past which seem to be enjoying a remarkable resurgence today, he drew a striking parallel. The way some current phenomena are being treated, he said, bears comparison to Stalin's Short history course, a tendentious account which was characterized by the deletion of inconvenient facts and "the imposition of stereotyped and completely ideology-based versions of reality."¹⁹

While made on an occasion unrelated to Srebrenica, Putin's analysis applies with remarkable precision to Srebrenica as well. Let us therefore review briefly the authorized version of "Srebrenica" in that very light.

Two decades later, the official version promotes a crudely schematized and, if not ideological in the classical sense, then certainly extremely cynical political version of events. It goes something like this. Intoxicated by Slobodan Milošević's concept of Greater Serbia, and driven by genocidal hatred of their Muslim neighbors, Bosnian Serbs (whose status as a native people in Bosnia and Hercegovina is never explicitly recognized, U.S. Secretary of State Warren Christopher having seriously thought in 1992 that they had just recently crossed over from Serbia proper in order to occupy Muslim territory) decided not just to defeat their opponents militarily, but also to finish the job by exterminating them physically. The Srebrenica massacre of July of 1995 was the culmination of that genocidal project. For no other discernible reason, except a desire to remove their enemies forever, Bosnian Serbs executed "8,000 Muslim men and boys"²⁰ and forcibly deported the remaining women, children, and elderly of the Srebrenica Muslim community. It was a military operation which was specifically designed for extermination, but incidentally also to humiliate the United Nations and to defy the "international community."

Indeed, this summary conveys better than any serious polemical statement ever could how an enormous human tragedy was comically oversimplified. But by now this has become the established,

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stereotyped version of reality, to paraphrase the Russian president. It is actually regarded as a very credible summary of the facts by a number of serious political, journalistic, and even legal thinkers of our time. The fact that such a caricature should even require a reasoned response is a sad tribute to the enormous perception-shaping power of propaganda and it reminds us also of how corrupt our politics and public life have become.

Whatever one may think of this influential, and (for the moment, at least) seemingly well established caricature, it must be confronted because of its seemingly axiomatic status, while at the same time its practical impact is enormous. We are faced with the complex task of dismantling a system of fabrications that was skillfully constructed over the preceding two decades with little or no effective opposition. It may justly be observed that the myth of Srebrenica could not even be adequately discussed in isolation from its principal institutional enabler, the International Criminal Tribunal for the Former Yugoslavia at The Hague. These two closely related subjects – Srebrenica and ICTY – are two sides of the same coin.

The reason for insisting on such a view are clear and compelling. It was ICTY which, by abusing its quasi-judicial authority, aggressively embraced what amounts to a war propaganda line. Without the subsequent judicial imprimatur of a body of such ostensible stature, the genocide element of the Srebrenica story would eventually probably have fallen by the wayside, being quietly dropped as so many other crude wartime fabrications were once the conflict was over and they had served their immediate purpose.²¹ But by adding to it the simulacrum of judicial authority, ICTY elevated propaganda to the next level, investing it with the aura of adjudicated facts. These “facts” now seemed properly established through the deliberations of an international legal body that, in one sense, may be ad hoc while in another appearing to be an organ of the United Nations, however questionably constituted. In order to be effective, the deconstruction of the official Srebrenica narrative must, therefore, follow a pincer movement: a thorough reexamination of Srebrenica’s principal institutional buttress is as important as the careful scrutiny of the spurious tale itself.²²

1.4 Overview of Moscow Srebrenica/ICTY symposium lectures

The first serious interdisciplinary scholarly inquiry into the Srebrenica narrative and its interrelationship with the trials taking place before ICTY, the ad hoc Tribunal set up at The Hague to deal with this and other matters arising from the conflict in the former Yugoslavia during the 1990s, albeit with a political brief not to be confused with objective judicial proceedings, took place at the Russian Academy of Science in Moscow in April of 2009. Over twenty scholars from various countries assembled to read papers at the international symposium entitled “International Tribunal For the Former Yugoslavia: Activity, Results, Impact”.²³ Some of the presented papers merit particular attention.

Professor Alexander Mezyaev reopened the fundamental (and never fully exhausted) question of the Tribunal’s legitimacy.²⁴ The Tribunal’s legitimacy was subjected to critical scrutiny from several angles, starting with its founding document, UN Security Council Resolution 827 (1993). After pointing out a number of legal defects in the principal cases heard by the Tribunal (Milošević, Šešelj, Krajišnik, Milutinović et al.), Mezyaev concluded that ICTY’s credentials are inherently suspect and that its judgments are therefore essentially deprived of juridical validity. In highly concentrated and effective form, Prof. Mezyaev removed the legal props from under ICTY.

Two of the Tribunal’s principal legal constructs, Genocide²⁵ and Joint Criminal Enterprise, were dealt with by Dr. John Laughland and American attorney Nathan Dershowitz,²⁶ respectively. Laughland argued that genocide, as currently applied by various international war crimes tribunals, retains a very tenuous link to the concept as originally enunciated in the 1948 Genocide Convention. For all practical purposes, it has become a political instrument of regime change strategies. This is a “judicial process which is rapidly spinning out of control,” he argued. With the experience gained in the Krajišnik case, Nathan Dershowitz dissected the other key pillar of ICTY’s jurisprudence, the concept of Joint Criminal Enterprise. According to him, JCE is in practice an “amorphous concept” not recognized by the Tribunal’s own statute, and it thus violates the norm that there can be no criminal liability without a preexisting statutory prohibition.

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One dubious result of the application of this principle, which Dershowitz discussed in some detail, is that under it Momčilo Krajišnik was convicted and sentenced to a long prison term although he was not charged with having personally committed a single war crime.

As dubious as some of ICTY's doctrines, such as Genocide and Joint Criminal Enterprise, may be, in select cases (where, with disturbing regularity, their application follows a pattern obviously to the disadvantage of Serbian defendants) the institution's failure to follow standard prosecutorial practice is difficult to reconcile with a politically neutral approach.²⁷ In his lecture on the role of the Mujahedin during the war in Bosnia, Dževad Galijašević pointed out the anomaly that the perpetrators of appalling crimes from the ranks of these "international brigades," armed, trained, and brought into the war theater by Western interests, were neither investigated nor charged by ICTY. That omission is all the more odd because their presence in Bosnia was acknowledged and their crimes were properly noted in ICTY's own sentences which were passed on several Bosnian Muslim military leaders.²⁸

The process whereby the Tribunal produces²⁹ evidence was the subject of a very personal report by Mme. Jelena Guskova who testified as a witness in several important ICTY cases. Her account of the witness' sense of helplessness in the face of the Tribunal's coercive institutional machinery, coming from a highly experienced, intelligent, and articulate person who is certainly difficult to intimidate, gives some idea of how statements and admissions are extracted from more vulnerable individuals.

Moving closer to Srebrenica, Prof. Svetlana Radovanović, demographer who testified as an expert witness in several ICTY cases, challenged vigorously the scientific credentials and the methodology employed by Tribunal's Demographic Unit, which is embedded within the Office of the Prosecutor. That Unit generates the bulk of the "data" and "scientific rationale" which is then spun to support the prosecution's mass killing and ethnic recomposition theories.³⁰ Prof. Radovanović argued that many of these practices, which ICTY chambers routinely allow and whose results they readily embrace, are in fact outcome-driven improvisations previously unknown to demographic science. To the extent that these improvised methods serve to buttress the alleged statistical dimension of the official Srebrenica

narrative, she contended that they should be regarded with the utmost caution, or dismissed outright.

2.1 Systematic destruction of the Serbian community in Srebrenica

But in addition to the mendaciously told story of Muslim suffering in Srebrenica in July of 1995, there is also the suppressed story of the tragic fate of at least one thousand Serbian civilians who were murdered in cold-blood by Muslim forces during the 1992-1995 conflict in that part of Bosnia. Throughout the war, the Muslim army and its civilian auxiliaries were using Srebrenica enclave as a staging area for ferocious attacks on surrounding Serb settlements, leaving in their wake dozens of pillaged and destroyed villages, most of which remain in ruins to this day. During roughly two out of the three wartime years preceding July 1995, Srebrenica was supposed to be a demilitarized, UN protected zone. It was UN protected, but as for demilitarized, it was nothing of the sort.³¹

Srebrenica Historical Project's research team has been systematically collecting data about these attacks and their consequences. As shown in M. L. Yambaev's lecture at the Moscow conference in 2009, this campaign, aiming at the destruction of Serbian villages in the region of Srebrenica, was spearheaded by the 28th Division of the Muslim army under the command of Naser Orić. According to testimony given at the Milošević trial by UNPROFOR³² Bosnia commander Gen. Philippe Morillon,³³ Orić was acting under the direction of the Muslim authorities in Sarajevo and was operationally and in all other relevant respects subordinated to them.³⁴

Data in the Appendix, compiled by the Srebrenica Historical Project research team, contain an overview and basic information about these attacks on Serbian settlements surrounding Srebrenica.

The reason why the Muslim side and their international sponsors are anxious to keep the grisly details of this campaign of death and destruction out of sight and off the record is not difficult to discern.³⁵ Even acknowledging the fact would render their Srebrenica narrative, structured upon unprovoked victimhood, extremely suspect. That might suggest a psychological basis for revenge with

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genocide no longer the only or even a tenable explanation for the carnage inflicted on Muslims in July of 1995.³⁶ The claim of unique Muslim suffering in Srebrenica would be undermined, with enormously unwelcome political consequences for its promoters. The conflict in the Srebrenica war zone would finally be seen for what it actually was: a no-holds-barred ethnic war without much regard by either side for the stipulations of the Geneva Convention.

3.1 Forensic and “crown witness” evidence

Once emotional rhetoric is stripped away, what remains as the material evidence for the official Srebrenica story turns out to be rather thin. It can be reduced to two tangible components: (1) the forensic evidence exhumed from the various primary and secondary Srebrenica gravesites, which is the only corpus delicti in existence for the massacre and which must therefore serve as the principal point of departure for any meaningful discussion of the nature and scale of what happened; and (2) the testimony of veteran ICTY witness and self-admitted execution participant Dražen Erdemović which, if credible, is the only available visu et auditu account. Should this evidence be substantively challenged, in empirical and juridically relevant terms not much would remain of the official version of Srebrenica.

The forensic evidence was disposed of by Dr. Ljubiša Simić. The evidence itself is nothing new because it had been used by ICTY prosecutors in several Srebrenica cases since the Krstić trial. The only novelty is that now, for the first time, it was being subjected to serious (and relentless) analysis. Dr. Simić pointedly avoided the superficial approach which defense experts had been practicing until then with regard to this crucial evidence. Prosecution forensic evidence contains over three thousand five hundred proper-looking autopsy reports, presumably for each and every one of the victims exhumed by ICTY prosecution forensic experts. Each of these reports is labeled by ICTY prosecution forensic experts a “case.” There are 3,658 such “cases”. Ten to fifteen pages of autopsy description materials are attached to each “case.” The relaxed and not so diligent approach favored by defense experts had been to randomly select a few dozen cases as representative samples, subject them to close analysis, and then point out their shortcomings in an attempt to discredit the

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forensic evidence as a whole. The weakness of this approach is rather obvious. In a few dozen cases the prosecution can cheerfully concede errors and calmly continue to insist that the remaining hundreds (or thousands) of cases constitute sufficiently probative evidence of a massacre, allegedly approaching the nature and scale required for genocide.

To deprive the prosecution of such an argument (or to concede it to them, should the evidence turn out to be in their favor), Dr. Simić performed the arduous task, involving the close reading of over 30,000 pages of forensic material, examining thoroughly each and every single “case” that ICTY prosecutors had put in evidence in their Srebrenica trials. The results of his analysis are very illuminating, to put it charitably.

First of all, he reached the conclusion that 3,658 reported “cases” does not equal 3,658 exhumed bodies. If it did, that would of course put the prosecution at least half way to its numerical target and within striking distance of the magic figure of “8,000 executed men and boys of Srebrenica.” But as his analysis has indisputably shown, one autopsy report in ICTY’s forensic evidence does not necessarily stand for the body of one killed or executed person. It may represent, and in many cases it does, just a body fragment, or even a single bone. To be fair, one does not recall the Tribunal ever having explicitly made the misleading claim that each autopsy case represents a single body, but there is a strong (albeit tacit) suggestion to that effect. It is so deeply ingrained on the subliminal level that although unstated, this misconception is easily confused with an actual fact.³⁷

But this is by no means the end to the surprises generated by the close scrutiny of the prosecution’s crucial (and until now only superficially examined) Srebrenica forensic evidence. It turns out that in about 44% of the “cases”, or a total of 1,583 of the available ICTY autopsy reports, not only was there absolutely nothing resembling a complete body from which meaningful forensic conclusions might be drawn,³⁸ but what was termed a “case” may have consisted of no more than a body fragment, often a single bone, incapable of generating any forensic conclusions at all. In fact, even the prosecution’s own forensic experts concede that in 92,4% of reports from this large category, consisting of body fragments, the cause of death could not be determined. Curiously, the admitted inability of prose-

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cution's own experts in close to half the exhumed cases to make a professionally sustainable determination of the cause of death does not seem to have bothered successive ICTY chambers. It did not deter them at all from making the now manifestly unsupported finding that more or less as many victims were, in fact, executed as the prosecution claimed in the indictments, and that the crime occurred in exactly the manner the prosecution asserted it did.

Dr. Simić's analysis also demonstrates that the slightly over 50% of the exhumed remains which do permit the drawing of some forensically significant conclusions present also an unexpected feature. There is no uniform pattern of injury picture suggesting execution, so that even these "cases" do not necessarily support the prosecution's case. The 442 who were found with blindfolds and/or ligatures could reasonably be presumed to have been victims of execution. But there were also in this group hundreds of victims in other categories that clearly require more nuanced treatment. Remains with only a bullet wound (655) may be compatible with the hypothesis of execution, but there is no absolute proof of that in every single case because such a pattern of injury is also compatible with death in combat. As for the remains (477) which show evidence of a combination of bullet wounds and metal fragments, or only of the latter, with this pattern of injury the possibility of execution can reasonably be excluded altogether. For these, the hypothesis of death in combat is far more likely. Finally, there is the considerable number of bodies (411) whose condition does not allow for the formulation of any reasonable cause of death hypothesis whatsoever, and that is precisely what in these "cases" ICTY forensic experts' reports concluded.

The apparent heterogeneity in the condition of Srebrenica mortal remains is something that would not be expected if all or most victims had been executed. That significantly undermines the hypothesis of a uniform cause of death. If we combine victims with blindfolds and ligatures, 442, with the 655 "cases" with bullet wounds only (which could be consistent with execution, though not unequivocally probative of it), the total number of victims whose condition and pattern of injury at the time of exhumation were consistent with execution would be 1,097. That is less than a third of the "cases" in the ICTY prosecution forensic evidence, and far short of the official figure of about 8,000.

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A control analysis was also conducted by Dr. Simić to determine the total number of persons in the exhumed Srebrenica mass graves, irrespective of the cause of death or other relevant factors. The method Dr. Simić selected was simple: he counted all the right and left femur bones, which happen to be one of the sturdiest skeletal components.³⁹ When paired, the femurs yield a total of 1,919 exhumed Srebrenica-related dead encompassing all causes.⁴⁰ That is about 6,000 short of the officially alleged 8,000 figure. But about 8,000 is the figure which must be properly documented if the authorized version of Srebrenica events is to be sustained.

Dr. Simić's analysis of the forensic evidence has reframed fundamentally the terms and parameters of the debate about Srebrenica. It is no longer possible to refer to fanciful numbers, unsupported by physical evidence.

If the mute evidence of exhumed human remains is on the whole very unhelpful to the official Srebrenica story,⁴¹ the court testimony of "star witness" Dražen Erdemović seems to be even less so. Erdemović is a bizarre wartime passepartout who served stints in the armies of all three ethnic groups which took part in the Bosnian fighting and who ultimately ended up as a member of the so-called 10th Sabotage Detachment of the Bosnian Serb Army [VRS]. The unit in which Erdemović served at the time when he allegedly took part in the Srebrenica massacre is itself an oddity. While said to be hierarchically integrated within VRS, precise information about the superior military unit or command to which it was subordinated is unavailable. Heavily implicated in Srebrenica killings, the 10th Sabotage Detachment does not seem to have a clear and verified place in any known order of battle. It seemed to have been a sort of special operations and reconnaissance unit that pops in and out of various situations. Equally curious was its composition. In the midst of an ethnic conflict marked by extreme ferocity, it was an ethnically mixed homicidal fraternity with soldiers in its ranks representing all of Bosnia's warring communities, Serbs, Croats, Muslims, and even a Slovene!⁴² Erdemović himself, be it noted, was an ethnic Croat serving in the Bosnian Serb army.

Quite understandably, these unusual details were bound to attract attention. They caught the eye of Žerminal Čivikov, a long-time Deutsche Welle correspondent who happened to live in The Hague and was an habitué of ICTY proceedings, particularly while

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the Milošević trial was still in progress. Struck by some of the more bizarre aspects of Erdemović's testimony, Čivikov began to ask some probing analytical questions. The result is his book, *Der Kronzeuge*.⁴³

Čivikov goes methodically through the inconsistencies of Erdemović's evidence, as well as some of the witness' specific claims which can only be regarded with incredulity. One such claim is that at the Pilice execution site Erdemović and his unit had managed to execute about 1,200 prisoners in just under 5 hours. Given the manner and pace of execution, as described by Erdemović, Čivikov calculates that close to an entire day would actually have been required for such a task. In the end, the exhumation of the Pilice mass grave, performed under the auspices of the prosecution's forensic teams, yielded the remains of only 137 potential victims. Yet once again, without a murmur ICTY chambers accepted evidence of very debatable quality even though it had a direct factual bearing on a major issue. And Erdemović, be it noted, is the prosecution's key percipient witness and an alleged participant in the criminal events. A large portion of the official Srebrenica narrative therefore depends upon his credibility.

There is no doubt that in July of 1995 the population of Srebrenica did suffer significant human losses. However, in addition to prisoner executions, which did take place, there was also another, perhaps quantitatively even more significant cause of demographic losses among the estimated 40,000 population of the enclave in July of 1995. That was the decimation, resulting from clashes with Bosnian Serb forces, of the combined military and civilian column of Muslim army's 28th Division, which was retreating, over Serb-held territory, from Srebrenica to Muslim-controlled Tuzla. That involved crossing a distance of about 60 kilometers under combat conditions and over treacherous mountain terrain.

3.2 Legitimate Combat Losses Disguised as Executions

Eyewitness evidence shows that the Muslim column retreating from Srebrenica was engaged in combat. Statements given to debriefing officers in Tuzla, after mid-July 1995, by Srebrenica survivors who successfully broke out of the enclave paint a picture of a partially armed military/civilian column which suffered losses as it

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crossed numerous minefields and took considerable combat casualties in ambushes set by Serbian forces. An assessment of the scale of those casualties is important because in July of 1995, in addition to executions, combat was the other significant cause of death on the Muslim side in the Srebrenica theater. Both causes of death were statistically significant and both occurred almost simultaneously in a relatively small area. The two causes of death are distinct because under international law combat casualties are legitimate losses which do not entail criminal responsibility, while execution of prisoners is a punishable war crime.

What is the scope of these combat casualties and how do they compare to the provable number of execution victims?

1. One available contemporary and authoritative source in this regard is the report of a UN official in Tuzla, Edward Joseph, dated July 17, 1995, directed to Michel Moussalli at the UNPROFOR Tuzla office. Joseph refers to the arrival in Tuzla of "Srebrenica men" and comments that "five to six thousand crossed into BiH 2 Corps controlled territory in the southern Sapna area last night (16 July)." He then continues: "Up to three thousand were killed on the way, mostly by mines and BSA engagements. Unknown others were captured. Some committed suicide. Unknown others went to Žepa."⁴⁴

2. Prosecution military expert Richard Butler claimed in his testimony at the Popović trial that he had not made an analysis of BH military casualties.⁴⁵ He denied having studied in great detail the issue of what casualties the column might have suffered as a result of landmines.⁴⁶ He also denied having made any accounting of the military engagements which could have given rise to casualties on the Muslim side.⁴⁷ Under cross-examination, however, Butler agreed that since the column had a mixed military-civilian character, it did have the status of a legitimate military target.⁴⁸ Based on his "knowledge of the situation", Butler also conceded that "the number [of casualties] would have been high for any particular combat engagement."⁴⁹ Pressed to offer his own reasonable estimate of column losses, given those combat engagements, Butler replied: "I am not aware of any specific number, but that particular number of 1,000 to 2,000 sounds reasonable, given the context of the combat that I am aware of."⁵⁰ His casualty estimate was confined to the period of July 12–18, 1995.⁵¹ On September 19, 2011, in testimony in the Jević et al. case before the Court of Bosnia and Herzegovina in Sarajevo, in

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response to the same question, Butler raised his estimate to “between 2,000 and 4,000” Muslim combat casualties.

3. There are additional estimates in the “UNMO HQ Daily Sitrep,” dated July 18, 1995.⁵² The document was prepared by a Captain Hassan. It is a BH-wide situation report, summarizing reports from UNPROFOR observers located in different areas of the country. On p. 19, under the heading “Other significant/relevant information,” Hassan summarized reports from the Srebrenica area. The report states that on July 10–11, between 12,000 and 15,000 men had left the enclave, of whom about 3,000 were armed. It is estimated that 3,000 “are believed to have been killed by minefields, snipers, and ambush conflict with BSA.” A specific BSA ambush in Konjević Polje is mentioned. In a comment, it is added that these figures are likely to be exaggerated and should be divided by ten. No explanation is given for this recommendation and in light of other evidence on the subject there is no compelling reason to go along with it.

4. Testimony in the Krstić trial by ARBiH General and Chief of Staff Enver Hadžihasanović deals with the losses of the 28th Division column during the breakout from Srebrenica. Hadžihasanović’s official position makes him a competent and knowledgeable witness on this particular topic. Besides revealing that 3,175 members of the column did manage to reach territory under the control of the Second Corps of the Bosnian Muslim Army, in his Krstić testimony Hadžihasanović also stated that 2,628 officers and soldiers of the 28th Division were killed in action during the breakout.⁵³ In regard to total Muslim casualties, without offering any breakdown, Hadžihasanović referred to a range “between 8,300 and 9,722” persons.⁵⁴

Hadžihasanović’s testimony in the Krstić trial created a strong presumption that he regarded most of these 2,628 officers and men as combat casualties. In the transcript, he is recorded as having used the word “killed” instead of “executed,” although the latter would have been more logical if he believed that they had been shot as prisoners. In his description of the column’s progress, Hadžihasanović indicates a clear awareness that it was involved in significant combat activity and, therefore, must have suffered corresponding casualties:

... some APCs and a tank, I believe, arrived and the Serb forces pierced the column on that spot. So the first third of the column

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managed to cross the asphalt road, and they were waiting to see what would happen with the rest of the column. However, throughout that day, the second half of the column was exposed to heavy shooting and shelling, and during the night, they probably thought that other members of the column would also cross the road, but nobody did so [and] they decided to move on. I know that because the Chief of Staff who told me about this was with that portion of the column. (Krstić, Transcript, p. 9529.)

So on the 13th of July, they continued on their way across the Udrc mount in the direction of Kalesija, that is towards the Kalesija-Zvornik asphalt road. On that part of the road, they were ambushed on several occasions. There were fatalities and casualties there.... (Krstić, Transcript, p. 9529.)

They tried to move closer to the front lines but they were ambushed again so they had to go back and they spent the night there. In the afternoon hours of the 15th of July, they selected a large group of people who then fought with the Serbs at one point in time, but they were unable to do anything. (Krstić, Transcript, p. 9529-9530.)

5. Carl Bildt, a peace negotiator during the war and a High Representative in Bosnia following the end of the conflict, also offered an estimate of column casualties. In his memoirs, published shortly after the signing of Dayton peace accords, he offers the following assessment:

In five days of massacres, Mladić had arranged for the methodical execution of more than three thousand men who had stayed behind and become prisoners of war. And probably more than four thousand people had lost their lives in a week of brutal ambushes and fighting in the forests, by the roadside and in the valleys between Srebrenica and the Tuzla district, as the column was trying to reach safety...⁵⁵

6. Also of some interest is a contemporary BBC Radio 4 report of July 17, 1995:

In another development, Bosnian government troops have accused the Serbs of trying to slaughter units of their army which fled after the fail [corrects himself] the fall last week of Srebrenica. The allegations have been made by some of the three thousand soldiers who reached Tuzla today after fighting their way through

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enemy lines. They say the Serbs ambushed their retreating column killing hundreds if not thousands of soldiers. It's not been possible to confirm their claims.⁵⁶

7. Another knowledgeable estimate of the column's losses deserves serious consideration. In the Norwegian documentary *Srebrenica: A Town Betrayed* (2011), directed by Ola Flyum and David Hebditch, there is an interview with John Schindler, a former US intelligence officer and until recently professor at the U.S. Naval War College. According to Schindler, Bosnian Muslim combat casualties during the breakout of the Srebrenica column were "about 5,000 men" while he estimates that "about 2,000" prisoners were executed.⁵⁷

Just as with the reports made by direct participants in the march from Srebrenica to Tuzla, great caution should be exercised also when assessing the numbers claimed by foreign observers and experts. The common denominator of their estimates of the column's casualties, however, is that they were substantial and that they range from 2,000 to 5,000. That constitutes a sizeable portion of the human losses suffered by the Muslim side, even if the lower or some median figure were accepted. Whatever final conclusion about the number of combat casualties is reached, that figure must be distinguished from extra-judicially executed Srebrenica victims, who — unlike those in the column — were prisoners killed contrary to the laws and practice of war.

Appreciation of the scale of combat casualties is important not in order to minimize the human tragedy of Srebrenica, but to give the other major source of human losses — execution — proper legal status and definition.⁵⁸ The enormous losses suffered by the retreating mixed military/civilian column, however regrettable they may be, are entirely legitimate from the standpoint of the law of warfare. It is therefore incorrect under any circumstances to conflate combat casualties with executions, since only the latter is prosecutable as a war crime.

3.3. Misrepresentation of DNA Evidence about Srebrenica

The International Commission for Missing Persons,⁵⁹ also known as ICMP, is a major generator of impressions that perpetuate the official Srebrenica narrative. In ICTY Srebrenica-related trials its claims are presented as credible scientific conclusions. In fact, ICMP is systematically deluding both the court and the public about the true capabilities of DNA technology in order to foster the illusion that its laboratories hold the key to the solution of the Srebrenica puzzle. On the 16th anniversary of the Srebrenica massacre, ICMP claimed that it had “closed 5,564 cases of Srebrenica victims” and that “only about 1,500 remain to be resolved.”⁶⁰

However, that announcement was completely at odds with known science. By calling persons that, using DNA techniques, it had allegedly identified – “Srebrenica victims,” ICMP was taking a clear position that they were executed prisoners of war (victims, rather than legitimate combat casualties) and also that their deaths are related to Srebrenica events in July of 1995. Both suggestions are false. DNA technology serves only to identify mortal remains or to reassociate disarticulated parts of the same body. It has absolutely nothing to say about the manner or time of death. ICMP has no means to differentiate “victims,” i.e. executed prisoners, from casualties, persons who perished in combat and whose death, therefore, is not a war crime. Nor does ICMP, or any DNA laboratory, have the means to establish that the death of persons whose remains may have been identified occurred within the time frame of the July 1995 Srebrenica events. They could have died anywhere, at any other time.⁶¹

When ICMP asserts that in its laboratories it is accomplishing things that are scientifically impossible, that suggests one of two conclusions: Either ICMP was specifically set up to disinform the public and the courts under the guise of cutting edge science,⁶² or it is an organization of charlatans which therefore should urgently be shut down.

As has become customary when any significant aspect of Srebrenica events is under consideration, little is as it appears to be. ICMP’s alleged data, as presented, are without any scientific relevance to the evidentiary purpose for which they are being used by the Prosecution in the Hague Tribunal. That, however, has not dis-

couraged any of the ICTY Srebrenica chambers which heard ICMP claims from uncritically incorporating them into their judgments.

3.4 “Srebrenica Genocide” In Initial Muslim Army Reports

“Srebrenica Historical Project” associate Andy Wilcoxson has made mincemeat of the claim that Serbian forces captured 7,000 to 8,000 Muslim prisoners in the aftermath of the takeover of Srebrenica on July 11, 1995, which is what they should have done in order to be able to execute that number, as alleged.⁶³ He demonstrated that viewed in the light most favorable to ICTY Prosecution, evidence put before the Hague Tribunal supports the conclusion that at most about 3,500 Muslims were captured by Serbian forces. That caps the number of illegal executions that could have taken place, and it stands at a level significantly below the official Srebrenica narrative claim.

A closely related but very important issue is the reticence of retrospective post-July 11, 1995, Muslim reports about Srebrenica mass prisoner executions and genocide. Discussion of this very important topic is missing. While there are references to Serbian crimes and prisoner executions, contrary to natural expectations, these reports make no reference to the alleged recently committed Srebrenica “genocide”.

It is striking that Western governments and their associated institutions got onto the Srebrenica genocide story within days of the alleged event in mid-July 1995, while Bosnian Muslims, whom one would have expected to be the first to raise the alarm, trailed far behind in their reaction. (There is no record, for instance, of Izetbegović raising the issue of Srebrenica genocide during the Dayton peace conference in November 1995, four months after the event, by which time he already should have had in his possession serious evidence that he could have used for tactical advantage during the negotiations.) General “genocide allegations” by Bosnian Muslims began in 1992, as soon as the war broke out and even before any significant number of people were killed on any side. Understandably, that was a propaganda tactic designed to keep the Serbs off balance and on the defensive. That is clearly distinguishable from specific, Srebrenica-related genocide complaints which could

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not have arisen before July 11, 1995. But in fact, an unnaturally long period of time elapsed after the fall of Srebrenica before genocide complaints were voiced by Bosnian Muslims.

There follows a brief review of all known post-July 11, 1995 reports on Srebrenica originating from Moslem sources.⁶⁴

1. Major Ramiz Bećirović was the commander of the 28th Division column which conducted the breakthrough from Srebrenica to Tuzla. His debriefing statement was given in Tuzla to the ARBiH Second Corps Security Department on 11 August 1995.

The closest that Major Bećirović comes to using the word "genocide" is on p. 2: "Nijaz MASIC and N. ALIC worked on gathering information on the genocide in Bratunac and Srebrenica, but I don't know what happened to the documentation that they compiled." Contextually the reference is to the overall data gathering process about crimes committed against Muslims from the beginning of the war, not specifically to Srebrenica-related events in the second half of July of 1995.

Bećirović makes plain the fact that Srebrenica "demilitarization" was in fact a sham: "After we got those two agreements on the demilitarization of Srebrenica, we had to disarm completely. We barely managed to secure some older weapons in disrepair to hand over to UNPROFOR while the troops hid the rest at their homes. It was a custom for the troops to keep their weapons at their homes and only exceptionally were they handed out to other troops at the line. It was never permitted to have weapons grouped in one place." (Page 5) Elaborate ruses were employed to mask the fact that Muslim forces within the enclave were armed:

"On the occasion of our breakthrough, the heavy weapons remained, while we took infantry weapons with us. The ammunition for infantry weapons was immediately destroyed because UNPROFOR told us they had no technical conditions for safeguarding them, while other ammunition was damaged because of the poor conditions under which it was kept. We always had to have several troops on the line who had to hide because UNPROFOR would take them into custody and confiscate their weapons. When the Dutch came, they filmed our troops with cameras to prove to us that we had weapons, so we had problems proving that we had no weapons." (Page 5) Describing "the transfer of materiel and technical equip-

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ment" that was carried out in cooperation with the ARBiH General Staff, Bećirović elaborates that "[A]s part of this organized transfer, we got some 20 Zoljas [hand-held rocket launchers], a small quantity of hand-grenades and a small quantity of ammunition for 7.62 rifles... later, at our request, materiel and technical equipment was brought in by helicopter." (Page 5)

Bećirović's description of his last mission from Muslim-controlled territory to the Srebrenica enclave in June 1995 is highly indicative of the real situation in the supposedly demilitarized UN-protected enclave: "According to our account, around 1,300 to 1,400 families of fallen soldiers were to receive 50 German marks each, and the parents of the fallen victims were paid out Bairam [Muslim religious holiday] gifts in the amount of 50 German marks. About 200 families were supposed to be paid 50 German marks each in the 280th Brigade, so that around 1,100 families were paid, although I don't know how many parents received this compensation." (Page 8) He then adds: "I know that a total of some 260,000 German marks were distributed, since there were around 1,300 to 1,400 families." (Page 9)

The number of families in Srebrenica slated to receive "martyrs' monetary awards" matches almost exactly the number of BiH army soldiers listed as killed in action (1,333) in Naser Orić's book published before the town fell. Since its publication and time frame reference (April 1992 – September 1994) predates the July 1995 genocide, it is reasonable to ask where these admitted battle casualties were buried and what assurance there is that their remains are not interred at the genocide victims' Memorial in Potočari.⁶⁵

On page 15 of his debriefing Bećirović confirms that the retreating 28th Division column engaged in combat all along the way. "Fire was opened on the moving column" he says and he received reports "that there were dead and wounded."

While it may be argued that Bećirović was involved with the retreating column and was not in a position to directly observe possible prisoner executions elsewhere, by 11 August he could have learned enough about it from intelligence sources and other refugees in Tuzla to be able to comment. The absence of any specific reference to the mass execution of his captured soldiers is most intriguing, to say the least.⁶⁶

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2. "Analytical summary of the causes of the fall of Srebrenica and Žepa," dated 23 February 1996 is a Report by the Military security directorate of the Army of Bosnia and Herzegovina to Main Staff commander, Gen. Rasim Delić. Again, those looking for either impassioned or coldly analytical references to "Srebrenica genocide" will be disappointed.

On p. 4 it is stated matter-of-factly that "a number of soldiers and civilians surrendered without resistance, after which the Chetniks [derogatory term for Serb forces] committed frightful crimes against them." Further on it is written that the "Chetnik occupation of Srebrenica and the crimes they committed against the people of this region...had an impact on the morale and the self-confidence of the defenders of Žepa." There are, however, no specific references to post-July 11, 1995 mass prisoner executions although by then military intelligence should have gathered enough information about it to fill a hefty dossier. Not only is the main event in the Srebrenica theater completely ignored in this intelligence report but, oddly, it is the relatively uneventful fall of the tiny enclave of Žepa that receives disproportionate attention, on 5 out of a total of 8 pages.⁶⁷

3. "Analysis and chronology of events in Srebrenica" is undated in its ICTY version but it is properly marked with Tribunal page numbers which indicates that it is accepted by that authority as at least a prima facie authentic document. From internal evidence it is clear that it probably was composed in the second half of July 1995 or later because it makes reference to a Second Corps Security Department document dated 20 July, 1995.

On p. 1 it is stated that after entering Srebrenica the "aggressor was executing 28th Division personnel on the spot," certainly a war crime but of unspecified magnitude, describing opportunistic rather than organized and systematic killing which, as described, hardly rises to the level of genocide. Also that "some of the prisoners were taken to the playing field in Konjević Polje," which certainly is a fact corroborated by other evidence.

Further on mention is made of "ambushes designed to block [the progress of the column] which was moving toward free territory of the Republic of Bosnia and Herzegovina in groups of 200, 300, and 500 mostly armed males" and that "the aggressor... continues to per-

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petrate genocide against the Bosnian population of Srebrenica – slaughters, mass executions, rapes, separation of families, and exodus of helpless people.” (Page 1) While the word “genocide” is used it is given a very general meaning consonant with the thrust of Bosnian Muslim propaganda since the beginning of the war. It is significant that mass execution of prisoners captured in mid-July 1995, as a specific act rising to the level of genocide, is not highlighted, contrary to what one would expect under the circumstances.

Interesting tidbits follow. Serbian losses in combat engagements with the column are said to be “much greater” than during the takeover of Srebrenica. (Page 2). So much for UN supervised demilitarization and the presumed “helplessness” of Srebrenica defenders. It is also alleged as a specific fact that between 720 and 1,400 Bosnian Muslims were killed by Serbian forces in Potočari. If information was available to the authors about the Potočari killings, albeit imprecise, why were they unaware of the much more massive prisoner executions that allegedly occurred in other places? That, at least, would be the obvious question since those other, presumably far more massive, executions are not mentioned in this report at all.

As far as the progress of the column is concerned, we learn (page 4) that “during July 16 about 30 wounded and about 2,000 made it through the corridor...” while on July 17 “about 4,000 to 4,500 soldiers arrived as well.” (Page 5)

The apparent lack of concern for the thousands of allegedly executed prisoners and for the genocidal character of that crime is the more intriguing in light of the keen awareness, expressed on pages 5 and 6, of the potential of all Srebrenica-related crimes to be exploited in the media.

In the “Conclusion” to this Report (page 8) there is no mention whatsoever of the mass execution of prisoners which has come to be known as the “Srebrenica genocide.” Principal attention is focused on the pros and cons in the debate about whether or not the enclave could have been successfully defended. Finally, there is an Annex with the breakdown of 45 tons of arms and ammunition that were sent to the enclave in contravention of the demilitarization agreement.⁶⁸

4. “Analysis of events in Srebrenica and the breakthrough of 28th Division units” was prepared by the command of the 28th Division at

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the request of the commander of the ARBiH Second Corps in Tuzla. It was forwarded to the Corps command on 24 July, 1995 under file number 02/1-727/55.

This Report also features much interesting information. It seems to confirm, for instance, that the spearhead of the Serbian attack from the direction of Zeleni Jadar consisted of “four tanks T-55 and infantry of the strength of one brigade” (p. 01854506). That hardly sounds like an irresistible force and one wonders why the Red Arrow anti-tank missiles mentioned in the equipment supply lists were not used to good effect.

An order of the Tuzla-based 24th Division to units under its command to prepare by noon on July 12 to go into action to relieve the oncoming column from Srebrenica is cited, but there is no follow up information on what action, if any, was taken. We know now that no effort was made from the direction of Tuzla to assist the Srebrenica column, and one wonders why. The Report confirms that, approximately at the time it was composed (24 July, 1995), a total of 29,336 Srebrenica refugees were recorded and accommodated in Tuzla (p. 01854507). That tallies with data recorded by international organizations around the same time. The World Health Organization noted the safe arrival of 34,341 Srebrenica refugees to Muslim-controlled territory as of 29 July 1995 and UNPROFOR HQ Sector North East – Tuzla Air Base recorded the arrival of 35, 632 Srebrenica refugees as of 4 August 1995.⁷⁰

In contrast to speculative figures for the Srebrenica “genocide” death toll⁷¹ circulating in the media, available solid data about the number of Srebrenica survivors presents a different picture. Few would dispute that WHO and UNPROFOR figures of Srebrenica refugees registered on Muslim territory in Tuzla, shortly after the Serbian takeover of the enclave on July 11 1995, are credible statistics which are entitled to due weight in any serious reconstruction of events.

The figure for refugees cited in the Report under consideration tallies seamlessly with the contemporaneous record of international agencies in the field. Demographic evidence of the progressively increasing number of recorded survivors in the latter half of July and the beginning of August 1995, originating from a combination of Bosnian Muslim and international sources, narrows down the possi-

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ble number of Srebrenica Muslim losses from all likely causes (execution and military action) after July 11 1995. That has significant implications because the total population of Srebrenica enclave at the time of its fall is widely acknowledged to have been around 40,000.⁷² That would seem to put a cap on the possible number of victims at about 4,500. Since we now know that several thousand were legitimate combat casualties during the massive breakout from Srebrenica to Tuzla, that suggests that the number of executions could be in the 1,000 to 1,500 range. That, in turn, tallies with the evidence of ICTY prosecution forensic experts. The Srebrenica autopsy reports prepared by these teams support an execution figure of slightly over 1,000.

Returning to the Report, what is startling is that such a high level overview of Srebrenica events should not include any mention of the "main event," i.e. mass execution of thousands of captured prisoners that became known as the Srebrenica genocide, particularly since in the cover letter a request is made to bring it to the attention of the "chairman of the Presidency, Mr. Alija Izetbegović."⁷³

5. There is also a report entitled "Fall of Srebrenica," dated 28 July, 1995 and prepared by the Tuzla branch of the State Security Service. It contains items of interest with a bearing on some of the more emotional but unfounded claims of the Srebrenica lobby: "There were not many women and children in the column. There were possibly around 10 women." (Page 1D23-0554) At least that stands in stark contrast to the allegations often made by lobby propagandists that the number of women and children slaughtered by Serbian forces ran into the hundreds.

This Report also confirms a fact that is already amply documented by other sources but it is never superfluous to reaffirm it. The column was involved in active combat and its casualties are the other major source of Muslim losses, besides executions, in the critical period after the takeover of Srebrenica:

"After the column had progressed three to four kilometers from the rest point, it came under fire. The men were overcome with panic, fleeing forwards, backwards, to the sides, and for about 10 minutes the firing was directed at one part of the column, and then it moved along the whole column. There were men killed and wounded at the front and rear of the column." (Page 1D23-0554)

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But the “main event” after the fall of Srebrenica again gets no mention at all.⁷⁴

6. General Rasim Delić, commander of the Bosnian Muslim armed forces in July, 1995 addressed the Bosnia and Herzegovina National Assembly on 30 July, 1996 about the reasons for the fall of Srebrenica from the military point of view. The points he made in his comprehensive report are of interest both for what he said and what he failed to mention.

In General Delić’s view the main reasons for the enclave’s collapse were internal conflicts, specifically:

“Divisions caused by internal power struggles;

Bad relations between Interior Ministry and Army officials;

The killing of dissidents and political rivals [Vahid Šabić, Akif Huskić, Salihović Hamdo]; War profiteering and criminal operations;

Poor organization of defence forces [Territorial Defence and BH Army] and internecine rivalries for leadership positions.” (Page 01854596)

When commenting on the impact of “demilitarization”, Delić himself puts the word in quotation marks:

“‘Demilitarization’ created conditions which made army-building in that area quite difficult.” (Page 01854596)

How does one engage in army-building and at the same time honestly implement demilitarization? Delić explains:

“When in April of 1994 first arms and ammunition convoys began to arrive, we organized deliveries of arms and ammunition to Srebrenica and Žepa in such a way that it would not jeopardize their ‘demilitarized and protected zone’ status.” (Page 01854596)

According to Delić’s estimate about 23 tons of supplies were flown into the “demilitarized” enclave which “ensured the defensibility of the free area of Srebrenica.” (Page 01854597)

There follows a breakdown of the military assistance flown into Srebrenica [not counting Žepa] up to the May 1995 supply helicopter downing. (Page 01854598) He then continues:

“Even Goražde did not receive that much materiel and Sarajevo was being defended with less in 1992 and 1993. In order to improve

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[Srebrenica's defense capability] we did the following: On return flights we brought in soldiers and officers to attend courses to learn to use new MTS and to be taught to better perform their duties, and Commanders and brigade chiefs of staff were being brought in to receive documents and to confer on possible combat missions around Srebrenica." (Page 01854598)

It is clear that one of Delić's main unspoken goals in addressing the deputies was to absolve the army and by implication himself of responsibility for Srebrenica's fall. ["What can we say about the resistance when in spite of having so much anti-armor weapons they failed to destroy a single tank?... To put a halt to some speculations, I must say that the Second Corps did what it could." (Page 01854600)] Accordingly, he blames the local leadership for errors of judgment and failure to follow instructions. In the process he adds a criticism that may have far-reaching significance:

"They failed to act in accordance with plans formulated in advance which would not have saved Srebrenica but would have enabled the evacuation of the people." (Page 01854600)

In light of the impressive evidence assembled in the Flyum/Hebditch documentary "Srebrenica: a town betrayed"⁷⁵ of a Serb–Moslem land swap deal involving Srebrenica, and of Delić's possible slip of the tongue, one must wonder: Does this imply that the Sarajevo leadership had an evacuation plan? That is something that they have always vehemently denied, insisting, along with ICTY, that the evacuation of civilians must be viewed strictly as part of a Serb ethnic cleansing campaign.

In conclusion, Delić cites four main reasons for the fall of Srebrenica but he also studiously ignores the biggest Srebrenica story of all – genocide:

"Betrayal on the part of the international community, which made Srebrenica difficult to defend;

Political and military disunity;

The powerful impact of Serb and UNPROFOR propaganda so that already by the Spring [of 1995] the population was ready to evacuate Srebrenica; and

Failure to offer resistance proportionate to the available MTS,

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terrain advantages, and the motivation to defend the people." (Page 01854600)

A review of Muslim post-event retrospectives on Srebrenica discloses valuable facts and insights confirming much that we already know and opening new lines of inquiry. But the topic that they systematically avoid is the most interesting and intriguing part of the story. These reports are dated from 24 July 1995 to 30 July 1996 and cover a one year time span following the fall of Srebrenica. Where is the expected discussion of the execution of thousands of Muslim prisoners, the allegation that now constitutes the core of the Srebrenica genocide narrative? There was plenty of time during this period to sift and supplement the perhaps initially sparse evidence of genocide that we are now being told was of "planetary dimensions". (The controversial Serbian imam Muamer Zukorlić proposed recently that Srebrenica be elevated to the status of no less than a "world metropolis of the human conscience.") Why was none of that awareness in evidence in the military, security, and political analyses composed in the immediate aftermath or within a reasonable time period after these dramatic events transpired?

If anything remotely resembling the summary execution of 8,000 prisoners, in a manner which rises to the level of genocide, had occurred it is disingenuous to suggest that Bosnian Muslim authorities, in their pro foro interno reports, could have simply missed it. Such an explanation is particularly unpersuasive in light of the fact that ICTY chief investigator Jean-René Ruez received his marching orders to go to Srebrenica within a week of the takeover and was already in Tuzla on 20 July, 1995, with instructions to initiate an investigation of possible genocide.⁷⁶ Was the Tribunal at The Hague better informed of facts on the ground than were the Bosnian Muslims who were actually there and is it reasonable to assume that ICTY had a greater moral interest in sorting the matter out than they did?

For the moment, precise answers to these questions are not available. However, it is possible to point out this odd lacuna in the way that Srebrenica events were portrayed internally in Bosnian Muslim documents. They are the party that arguably should have been the most interested in putting the genocide issue in the forefront of its internal reports. A tentative explanatory hypothesis for this can be ventured.

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The Muslim side was distracted by war settlement arrangements, but there is little doubt that in some form the issue of Srebrenica did play the important role of a political chip in their end-game strategy. But they probably were not the party which conceived the “Srebrenica genocide narrative” that ultimately became a permanent feature of international political discourse and practice, and they certainly never had the logistical means to impose it on a global level.

The political opportunities “Srebrenica genocide” presented, on a scale much wider than the Bosnian Muslims’ provincial Balkan arena, were more likely to have been noticed and initially acted upon by their Western sponsors. As evidenced by the promptness with which they reacted to exploit those opportunities, they did perceive them quite early. (As noted, Ruez was on the job in Tuzla just days after the fall of Srebrenica with the unambiguously defined task of finding evidence that would enhance the role of the Hague Tribunal and block Karadžić’s personal participation in the forthcoming peace negotiations, by furnishing a rationale for a genocide indictment against him.) On August 10 at the UN, Secretary Albright did not miss a beat, waving misleading aerial photographs, charging genocide, and threatening military intervention against Bosnian Serbs in a foreshadowing of the serial R2P “humanitarian interventions” that ensued with the “no more Srebrenica” chant always in the background. Meanwhile, several internal Bosnian Muslim reports were being written with no reference at all to the alleged genocide that was driving Western institutions and political figures into a moralistic frenzy and inciting them to various forms of “robust” world-wide military action.

More systematic research needs to be done to establish and compare the length of time that elapsed between mid-July 1995 events in Srebrenica and when the genocide narrative took definitive shape in Western and Bosnian Muslim public discourse, respectively. The evidence at this point suggests that Western propaganda mechanisms were primed to spring into action as soon as that could decently be done without arousing suspicion of prior knowledge or collusion with the perpetrators of prisoner executions. For the Bosnian Muslims, on the other hand, the Srebrenica genocide narrative, as a well defined and specifically aimed political weapon, appears to have been a strategic afterthought. They were, however,

happy to jump onto their sponsors' propaganda bandwagon once it got rolling and to capitalize politically on the "genocide" narrative when they fully grasped the advantages. Even so, however, their response was unexpectedly sluggish and delayed.

3.5 Inaccessible and unverifiable evidence

In the various court cases where facts relating to Srebrenica were adjudicated no exhaustive and transparent analysis of DNA evidence was ever conducted. For instance, DNA evidence was offered in the ICTY case Popović et al., but – in closed session. And even so, it was done under conditions that were designed to be the most unfavorable for the defense. Defense teams were deprived of both the time and the resources to subject the proffered DNA evidence, such as it was, to thorough independent professional scrutiny. The Tribunal's rationale for such extraordinary restrictiveness was that public insight into this data would constitute a "callous" act which might injure the dignity of the victims and even inflict great pain on their surviving relatives. The feelings and interests of persons, and entire communities, who – as a result of the acceptance of such dubious and independently untested evidence – might be burdened by decades of prison time or would have to carry the stigma of the heinous crime of genocide apparently did not greatly concern the chamber. Each and every request to ICMP by private parties facing serious accusations, or by research organizations, to be allowed access to DNA samples for the purpose of independent verification is invariably met by the same polite response: What is requested is a potential violation of privacy and it is therefore denied without the signed consent of each of the victim's relatives in every individual case. So far nobody has ever obtained the required written consent.

It appears that at ICTY the entirely laudable goal of privacy protection has been taken a bit too far, even to the point of absurdity. Seemingly it extends even to the Hague Tribunal prosecution. There are, in fact, solid reasons to suppose that not even the Office of the Prosecutor has properly examined the DNA evidence generated by ICMP which it has nevertheless been happy to offer to the chamber as the material basis for the conclusion that in Srebrenica a crime of genocidal magnitude was committed. How else to interpret the

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response of prosecutor Hildegard Uertz-Retzlaff to a demand made by the accused Karadžić to independently examine the DNA evidence in his case: "ICMP has not shown the DNA to us either. It is not correct that they gave it to us, but not to others."⁷⁷

3.6 Abuses in the Karadžić case

A careful reading of the ruling issued by the Karadžić chamber, which intimated that the defense might be allowed to examine a small number of samples (300 out of over 6,000), something that was hastily praised as an important step forward in relation to the situation as it stood previously, reveals that even such a small concession was conditional and had built into it the possibility that the defense might still receive virtually nothing.⁷⁸ For, first of all, in making its ruling the chamber did not discard in principle the position championed by ICMP that DNA analyses may be shown to others only with the relatives' written permission. The implicit retention of that position, the potential effect of which is always to deny to the defense the opportunity to independently check one of the most significant elements of proof in the prosecution's case, is in itself outrageous and constitutes a grave violation of the procedural rights of the accused person. In its ruling the chamber merely states that "ICMP has agreed to obtain the consent of the approximately 1,200 family members who provided samples relevant to the 300 cases selected by the Accused, so that the Accused's expert can then conduct the necessary analysis."⁷⁹ It is left unexplained in the court's decision what would follow if those 1,200 relatives, or a substantial number of them, simply refused to sign the requested permission. If we take it as a matter of principle that their permission is required⁸⁰ we must also accept the possibility that they might refuse to grant it. The defense would then be back to square one and the alleged "movement" in its favor would turn out to be just another illusion.

If in relation to DNA evidence, which since the Popović trial has moved center stage practically displacing traditional forensics, with its detailed autopsy reports, as the prosecution's main evidentiary tool and which,⁸¹ we are told, constitutes the last word of science on the subject, the principal players – prosecution, chamber, and defense – are all operating in the dark, how much credence can find-

ings of fact based on unseen and untested proof realistically command? Based in significant part on ICMP data, the Hague Tribunal chamber in the Popović case made, and proceeded to incorporate into its judgment, factual and legal findings of far reaching significance that rest substantially upon evidence which is billed as the last word of science but was admittedly beyond the purview of those charged with assessing it.

4.1 ICMP's history of non-compliance with professional licensing requirements

The degree of indulgence that the Hague Tribunal has shown to ICMP is truly astonishing. During the Popović trial it was disclosed that until October of 2007 ICMP was operating without professional certification from GEDNAP, the international agency that approves DNA laboratories. That fact was freely admitted by ICMP's director of forensic studies, Thomas Parsons, under cross examination.⁸²

However, even then, while testifying under oath, ICMP's witness did not state the whole truth. On July 20, 2010, our NGO "Srebrenica Historical Project" sent an inquiry to Professor Bernd Brinkman, chairman of GEDNAP at that time, seeking information on whether his organization had ever issued a professional license to ICMP and whether ICMP was officially registered to perform laboratory DNA testing. Professor Brinkman's reply was as follows:

"We do not have the ICMP Tuzla laboratory on our list of GEDNAP participants. That means that the Tuzla laboratory is unknown to the organizers of GEDNAP Proficiency Tests."

Professor Brinkman then offers a detail which gives the whole ICMP charade away:

"However, there are two ICMP laboratories which participate in the GEDNAP Proficiency Tests (i.e., from Sarajevo and Banja Luka)."⁸³

It should be noted that the Sarajevo facility is ICMP's administrative office and that what ICMP maintains in Banja Luka is a small specialized laboratory. The most likely reason it is located in Banja Luka is to create the appearance that in selecting its venues ICMP is not neglecting the Republic of Srpska. But GEDNAP inspection and certification of those two locations is without any practical signifi-

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cance because the bulk of the routine DNA work is being performed elsewhere, in the secretive Tuzla facility, including the premises of the Podrinje Identification Project, where neither the Hague defense, nor the Hague prosecution or apparently the inspectors of the world body which professionally licenses DNA laboratories have ever set foot. That means that from a professional standpoint ICMP's principal operational facility in Tuzla continues to evade and defy standard licensing procedures today just as prior to 2007 all three ICMP facilities in Bosnia had been doing for years. And since ICMP laboratory operations in Bosnia are to be shut down by the end of 2017 and moved to the Netherlands, the entire matter has conveniently become moot now.

The bulk of the significant work performed by ICMP, the thousands of alleged DNA matches which ICMP tirelessly invokes in its public relations stunts and in courtrooms – the alleged evidence which in the Hague and before the State Court of Bosnia and Herzegovina serves as the material foundation for verdicts establishing mass executions of genocidal proportions – all that is in fact taking place in ICMP's impenetrable Tuzla laboratories. To repeat, that sole operationally significant facility was never visited by international inspectors, nor was the quality of its work ever professionally reviewed. Most importantly, it never received a professional certificate entitling it to engage in the work it is doing. That means that the laboratory which plays a key role in generating the illusion that the enigma of Srebrenica is on the verge of being solved actually operates in the gray zone of professional illegality.

4.2 Biased personnel selection

According to the "Financial Times"⁸⁴ (London) 93% of ICMP personnel are Bosnian Moslems. To complete the picture, current ICMP chairman is Thomas Miller, former US ambassador in Bosnia and Herzegovina,⁸⁵ the director-general, Kathryn Bomberger is also from the US, and her assistant until October 2017 Adam Boys is from the United Kingdom. Will the other Bosnia-Herzegovina ethnic communities ever get their fair share of representation on the staff of ICMP? When will the representatives of other countries within the international community, about 190 in total, obtain an opportunity to

take part in the work of the International Commission for Missing Persons on the executive level? Why couldn't the chairman be from Argentina, the director from Ethiopia, and her assistant from India?

4.3 A challenge to ICMP

In the public interest, the NGO "Srebrenica Historical Project" has issued the following challenge to ICMP with questions which call for detailed answers from its scientific experts:

[1] Is it correct that the most DNA analysis can be expected to establish is the identity of mortal remains and that additionally it may also be useful to reassociate parts of the same body, but that DNA is utterly useless in furnishing information about the manner and time of death, which happen to be the key issues in a criminal investigation such as Srebrenica? If that is correct, except for the comfort that it may offer to the victims' families, aren't ICMP's identifications and findings useless for resolving substantive issues associated with Srebrenica because DNA analysis cannot differentiate a person who was criminally executed from an individual who perished in legitimate combat? Furthermore, is it correct to say that ICMP cannot furnish an answer to the question of whether death occurred in July of 1995, during some phase of the Srebrenica operation, or before or after that?

[2] Regardless of the answers to the preceding questions, why is ICMP concealing the names of the persons that it has allegedly identified? By publishing their names it would at least make it possible to authenticate and drastically reduce the length of the spurious Bosnia missing persons' lists which are making rounds? Judging by its name, is that not ICMP's primary task?

[3] When will ICMP make its biological samples available to independent laboratories so that the matching results that it claims to have achieved might be independently tested and so that the public and the courts would no longer be expected to take them on faith, as used to be the custom with certain dogmas in the Middle Ages?

[4] When will ICMP open up the premises if not of its laboratory in Tuzla, which has been shut down, than at least its new facilities in the Netherlands, where work formerly done in Tuzla is to be con-

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tinued, to international inspectors? Would that not facilitate independent verification of the quality of its work, which might also lead to the issuance of a professional certificate without which no DNA laboratory which aspires to credibility can function?

[5] When will ICMP, in the context of Srebrenica, cease using the term “missing” as if its meaning were the same as “executed”? Why is ICMP facilitating the misperception that DNA technology can accomplish more than the identification of mortal remains and why is ICMP implicitly misinforming the public and the courts that it can establish the manner and time of death, when that is false? And if it is false, then why is ICMP engaged in generating and perpetuating the misleading impression that its technology can demonstrate that the persons it has allegedly identified and are presumed missing were actually executed prisoners of war, who were killed shortly after July 11, 1995 in the vicinity of Srebrenica?

5. 1 Major Dilemmas

Recapitulating the major dilemmas of Srebrenica, they are as follows.

1. If Srebrenica was indeed a U.N. protected demilitarized safe zone, how was it possible for it to be used as a launching pad by Muslim army forces inside it for attacks against Serbian civilians in villages and military positions, as confirmed, among other sources, by the Secretary General of the United Nations in both of his Reports?⁸⁶ The United Nations were responsible for the “demilitarized” zone and for the implementation of the agreements which made its creation possible, but judging by the Secretary General’s reports, they had full knowledge that what was going on within it was incompatible with the agreed upon terms. For some inexplicable reason, a political decision was made to turn a blind eye and do nothing about it.

2. How is it possible that, although they were well aware that the Muslim side’s abuse of Srebrenica enclave’s status had given rise to a serious sense of grievance, accompanied by a strong thirst for revenge on the Serbian side, U.N. observers and the other interested international parties during the period preceding July 1995 failed to

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act to put a stop to the carnage and depredations carried out by Naser Orić's forces from within the Srebrenica enclave?⁸⁷

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 reach Tuzla as part of the 28th Division column? Many of them are said to have been quietly reassigned to other units of the Muslim army or resettled elsewhere.⁸⁸ Their continued official status as "missing" has served the Muslim side as a reserve army of phantom "victims," available to fill quantitative gaps. As it turned out, that was very convenient given the decreasing likelihood, with the passing of time, that the full complement of 8,000 bodies needed to support the official account will ever be found.

4. Indeed, where are the bodies or credible forensic analyses of body parts⁸⁹ 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 for the production of physical evidence when demonstrating the crime of murder? Why have exhumations of Srebrenica mass graves and post-mortem examinations remained exclusively in the hands of an interested party, ICTY Prosecution, instead of being conducted by impartial bodies and forensic experts?

5. The approximately 6,300 "Srebrenica genocide victims" buried at the Potočari Memorial Center invite many complex questions. The burial procedure is entirely under the control of Muslim religious authorities, which normally should be the case. However, by invoking a Muslim religious doctrine that supposedly bars non-Muslims from having anything to do with the burial of remains belonging to members of the Muslim faith, religious authorities are creating a serious secular verification problem.⁹⁰ For all practical purposes, that means that the secular authorities – and the international public – are expected to accept on faith whatever they are told about the number of buried victims, the condition of their remains, and the accuracy of forensic findings about the cause and manner of death.⁹¹ That raises a serious issue. Since ICTY forensic teams terminated their exhumation activities in 2001, mass grave exhumations have been conducted under the auspices of ICMP and the Sarajevo-dominated Missing Persons' Commission. They claim to have found thousands of new victims in areas previously unexplored by ICTY

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teams. Around July 11 of each year these victims are brought out with great fanfare for burial at the Potočari Memorial Center.⁹² However, no one can be sure of the identity of the persons being buried, or what their connection to Srebrenica might be. Indeed, even if there is any connection at all in some cases. It would be legitimate to ask if anyone at all in Srebrenica succumbed to natural causes during the course of the war, prior to the events of July of 1995? Was anyone there killed prior to that critical period or died in any manner whatsoever other than as a victim of genocidal execution? Is every single death in or around Srebrenica, whenever or in whatever manner it may have occurred, by definition attributable to genocide?

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 that we are told is inside because Muslim religious doctrine requires that at least 75% of the body be present before a religious funeral can take place. But this assurance raises more questions than it answers. As the results of Dr. Simić's critical review of ICTY forensic evidence indicate, out of 3,568 "cases" for which Tribunal forensic teams produced post-mortem reports, 1,583, or 44,4%, consist of body fragments or just a few bones. It would assist us greatly to find out whether Muslim religious burial rules were followed in such instances as well. If they were, were any of these fragments ever specifically rejected for burial in Potočari because they did not constitute a body that could receive a proper burial according to religious rules? The same applies, and perhaps to an even greater degree, to remains so fragmented that even international experts who were working for the Prosecution were unable to make a determination of the manner or cause of death. Have any such human remains been buried as victims of genocide in Potočari? Until the purportedly religious obstacles are removed, normal international investigative procedures are introduced, and unhindered access is granted to sort out the facts at the Potočari Memorial site, we will not know the answers to these important questions. As a result, doubts about the true number of victims and the integrity of the burial procedures will persist.

7. Where are the famous satellite photos that US Secretary of State Madeleine Albright advertised as the definitive proof that a crime of huge proportions occurred around Srebrenica? Why are they being kept under seal for up to fifty years? If they were made avail-

able to the public and to neutral forensic experts for review now, would that not benefit everybody because many persistent doubts could quickly be resolved?⁹³

8. Why is the focus of all Srebrenica investigations pointedly away from direct perpetrators?⁹⁴ Authorities have known the identities and whereabouts of most members of Erdemović's group of executioners since Erdemović revealed their names during his own ICTY proceedings in 1996, yet no effort was made to apprehend or even to question them until the publication of Čivikov's book "The Crown Witness" in 2008. That raises the question of what beans could the members of the 10th Sabotage Detachment named by Erdemović have possibly spilled, and to whose embarrassment? Was someone afraid that, confronted with the testimony of his co-perpetrators, the Srebrenica "crown witness" could be so discredited that he might be revealed as a false witness?

9. Is the conduct of the Srebrenica-Žepa military operation in July of 1995, viewed as a whole, compatible with the hypothesis of genocide? In addition to the chamber's convoluted conclusion in the Tolimir trial that in Žepa the killing of three local officials was sufficient to constitute genocide following the Serb takeover of the enclave in late July of 1995, we are also expected to believe that what generally began as a regular military operation against Srebrenica at the start of the month,⁹⁵ degenerated around July 11, after a meeting of Serbian military officials in a Bratunac⁹⁶ hotel, into a genocidal project complete with the required *dolus specialis*. In Srebrenica it supposedly reached its apogee with the execution of 8,000 victims, but when less than a fortnight later the alleged genocide was extended to Žepa it resulted in the total of just three victims. That raises questions. Does genocidal intent come and go irregularly and with varying intensity? What accounts for the absence of any order or plan which would confirm the existence of the alleged intention to exterminate these two Muslim communities? What explains the apparent difference in the treatment of two similar groups of defeated Muslims, one in Srebrenica and the other in Žepa, where three persons were killed and about five thousand let go, if the entire time Serbian forces were indeed motivated by genocidal intent?

The official narrative does not add up.

5.2 The pernicious effects of upholding the myth

There are at least three important reasons why Srebrenica must be subjected to relentless critical analysis until we are fully satisfied that we have arrived at the truth.

1. Legal. The integrity of the international legal system will be seriously impaired if the results reached by political instruments such as ICTY are allowed to stand unchallenged. Acquiescence in its shoddy practices will lower standards generally and a dangerous precedent will be set, sending the message that international legal institutions are a farce and that they may be utilized with impunity by whoever happens at the moment to exert hegemonic influence in the world. If the institution that the former President Milošević, in his idiosyncratic but in this case unintentionally perfect English, called “the false tribunal” is allowed the benefit of its pretenses, the future of international jurisprudence will not be brilliant. Properly constituted international legal organs, which do operate with due regard for the established principles of international jurisprudence, will be tainted by association.

2. Historical. When corrupt politics and journalism are reinforced by corrupt jurisprudence, the result—for a period of time at least—is a phony historical record. That phony historical record then serves as the backdrop for phony analyses and tedious moralizing about the supposed policy errors that made a horror like Srebrenica possible.⁹⁷ There is, of course, not an iota of honesty or sincere self-criticism in that theatrical performance.⁹⁸ The real purpose of the hypocritical self-flagellation is to create a quasi-moralistic rationale for pre-emptive and proactive “Right to Protect” [R2P] strikes anywhere on earth. This phony rationale allows aggressors to claim that their predatory acts, committed with complete disregard for the norms of international law, are in fact justified because they were undertaken in response to the humanitarian imperative of preventing another “Srebrenica” that was about to occur. The practical result of this mendacious humanitarian moralizing, behind which are said to be the “lessons of Srebrenica,” are the slaughter of Fallujah, the torture chambers of Guantanamo, the occupation and destruction of Iraq and the murder of an estimated one million of its inhabitants, the martyrdom of the people of Afghanistan, the wanton destruction

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of Libya, and the ongoing carnage in Syria, to mention just a few examples.⁹⁹ Those are just some of the “uses of Srebrenica” (as Diana Johnstone has put it) on the geopolitical stage. Locally, however, it has another use, which is no less pernicious, as an instrument of political blackmail and moral pressure on a small and brave nation whose refusal to be cooperative upset the timetable of the present-day hegemon, just as the reckless defiance of its forebears 70 years ago seriously interfered with the plans of the would-be hegemon of that epoch. Srebrenica is one of the principal moral and political instruments now used to control Serbia’s spineless political elite and to try beat the Serbian people systematically into submission. The creation and imposition of a phony historical record of the related events is sine qua non for the success of that project.

3. Moral. But of all the cynical abuses of Srebrenica, by far the most outrageous is the moral. It has been used to tar an entire nation with the most repugnant crime that can be committed. A mighty machinery of propaganda, politics, and jurisprudence has been activated for the sole purpose of creating a shameless bluff and then validating it through the interacting political and quasi-legal institutions of a ruthless and predatory world order. The presumed beneficiaries of this moral charade, Bosnian Muslims, are in fact nothing of the sort. Just as the residents of the enclave of Srebrenica were abandoned and betrayed in 1995 by their leadership in Sarajevo in a callous endgame transaction, so Bosnian Muslims as a group are being manipulated on the global chessboard by their solicitous Western “protectors,” most of them not having a clue about it.¹⁰⁰ The result was incitement to mutual carnage across Bosnia, with particular ferocity in the area of Srebrenica, deeply poisoning relations between neighbors and setting the stage for long term regional instability which, conveniently, can now be managed only through the intervention of foreign arbitrators. Srebrenica is a multipurpose fabrication.

In sum, the pernicious myth manufactured by the creators of Srebrenica has generated dangerous precedents of phony jurisprudence, phony history, and a phony international “morality.” It is one of the primary tasks of alert intellectuals and all people of good will to make certain that they do not get away with it.

5.3 In search of solutions

It is the common misfortune of all the protagonists of the Yugoslav disintegration drama, once it became clear that the Yugoslav federation could not continue, that they were unable to produce leaders of wisdom and vision capable of managing without violence and bloodshed the inevitable transition to some new arrangement. What was needed was a realistic regional solution that would retain in some form most of the benefits of the former union, while modifying or discarding its drawbacks and obsolete elements. The unnecessary conflict that was unleashed as a result of foreign interference and covert incitement, and in equal measure due to the incompetence and opportunism of local leaders, did not serve the interest of any ethnic group in the region.¹⁰¹ The attitude of Balkan leaders toward their followers as little more than cannon fodder is illustrated in the allegation that was made by Srebrenica wartime municipal functionary, Ibran Mustafić, that the enclave was sacrificed by Sarajevo authorities deliberately for propaganda and political advantage.¹⁰²

The ultimate role and the deepest meaning of Srebrenica, not of course the actual event that happened in time and space, but its mythologized substitute created by a combination of brilliant propaganda and political perfidy, is to set the stage for permanent and irreconcilable enmity between Serbs and Muslims, the two principal groups who inhabit Bosnia and Herzegovina. With the perpetuation of that enmity foreign arbitrators armed with their usual carrots and instruments of coercion will securely and permanently entrench themselves. All hope for sovereignty and peaceful development for the communities of Bosnia and Herzegovina will thereby vanish for a long time. That enmity will not only go on, it will intensify, if the autistic leadership of the Muslim community in Bosnia continues to insist self-righteously on victimhood in genocide, while using that spurious assertion as a lever for seeking political compensation in the form of drastic reduction in status, or the outright abolition, of the Serb entity, the Republic of Srpska. The vast majority of the Serbian community will be happy to admit that the mass execution of Muslim war prisoners occurred and that it was a shameful crime, but they will never be coerced into agreeing that it amounted to genocide, nor will they ever concede the inflated figures cited by the Muslim side and

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its Western partners. Least of all will they consent to the self-destruction of their autonomous government. And most important, they will never forget or, to the extent that it is within their power, allow the world to ignore the retributive symmetry between the Muslims' three day martyrdom in July of 1995, and their own Golgotha at the hands of marauding Muslim bands, slitting their brethren's throats and mercilessly devastating their villages, during the time in which they held the upper hand for the three years preceding the tragic events of 1995.¹⁰³ They will not give up the Republic of Srpska without a fight because in light of their collective experience over the last several centuries the Republic of Srpska is to them what Israel is to the Jewish people.

What is needed, and this is largely lacking on both sides, is leadership with courage and vision able to face short-term criticism within their respective communities but sufficiently bold to take difficult policy decisions that would prove beneficial in the long term. In order to stabilize relations and to secure the blessings of inter-communal peace and reconciliation, certain minimum steps must be implemented.

On the Muslim side, the unsustainable position of insisting on genocide will clearly have to be dropped. Some accommodation will have to be made with the empirical facts, which simply do not lend themselves to such an interpretation. A positive response will have to be given sooner or later, but the sooner the better, to the ideas put forward by neutral parties such as Judge Kristof FLÜgge at one point and the internationally recognized legal expert on genocide, Prof. William Schabas.¹⁰⁴ The absurd and insulting refusal to recognize and honor innocent Serbian victims in the Srebrenica war theater between 1992 and 1995, for the bogus reason that this would imply "putting victims on the same footing," will have to be dropped.¹⁰⁵

On the Serbian side some bold initiatives are also overdue. The government of the Republic of Srpska, this time acting *motu proprio*, and not as in the past in response to outside pressure, should organize a blue ribbon international commission of experts to conduct a comprehensive contextual analysis of events in and around Srebrenica between 1992 and 1995 and issue its official findings. A clear and unambiguous statement should be made that what happened to Muslim prisoners of war in 1995 was a serious crime, the statistical dimensions and legal character of which should be defined

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accurately and without equivocation. The Orthodox Church also needs to be heard on this subject. It should condemn without quibbling all war crimes committed by Serbs and express its moral support for prosecuting fully all the perpetrators. It should include in its list of crimes specifically the mass execution of war prisoners in Srebrenica, whoever might ultimately turn out to have been involved in its commission.¹⁰⁶ Although a relatively long period of time has elapsed since the event, concrete proof should be offered of Republic of Srpska's commitment to justice by indicting and bringing to court as many of the actual perpetrators of the crime as are within reach of its judicial institutions. That means the war criminals who were directly involved in the commission of the Srebrenica crime, either by ordering prisoners to be taken illegally to execution sites instead of being transported to prisoner of war camps, or by actually pulling the trigger when the prisoners were lined up to be shot. Such a step would send to all Bosnian communities, and to the world at large, a clear signal that the Republic of Srpska is serious about obtaining justice in the matter of Srebrenica. But more than that, it will serve notice also that the Republic of Srpska is prepared to pursue that goal in the refreshingly innovative way of seeking to punish the actual killers.¹⁰⁷ Such a bold approach would, of course, be in marked contrast to ICTY's politically motivated prosecutions usually targeting officials distant from the crime scene, based not on any direct links to the crime but on nebulous legal doctrines such as joint criminal enterprise and command responsibility.

5.4 Further steps

Two fundamental conclusions may be drawn. The first is that the entire corpus of Srebrenica jurisprudence must be subjected to a comprehensive critical review, followed by the necessary corrections. The second is that the government of the Russian Federation must take a more active position on both issues.

Dr. Ljubiša Simić's thorough analysis of the forensic material which happens to be not just the main, but the only tangible evidence of the crime committed in Srebrenica, has effectively removed the props from under the prosecution's case. There are fewer than 2,000 bodies in ICTY prosecution's evidence, of whom under 1,100

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exhibit a pattern of injury which is consistent with the crime charged, execution. That is not even close to the propaganda figure of 8,000 which is in general circulation and which successive ICTY tribunals, with some variations, have accepted as a fact but without any evidence at all. It is, however, very close to the number of Serb civilians who were slaughtered between 1992 and 1995 by the same military units to which the prisoners executed in July of 1995 belonged. The International Criminal Tribunal for the Former Yugoslavia did not react to the slaughter of Srebrenica Serbs or to the suffering of the Serbian community in Srebrenica, other than to cynically acquit Naser Orić, the coordinator of those crimes, on the technical grounds that his command role in their perpetration could not be demonstrated to the court's satisfaction.¹⁰⁸

The failure of successive defense teams in various Srebrenica cases to analyze and effectively challenge the prosecution's manifestly defective forensic evidence is outrageous enough. But putting aside unprofessional lapses by the defense, which is serious enough given the issue's historical dimensions and its political and legal implications, the breakdown in professional responsibility on the side of the prosecution and the chambers is shocking.

As officers of the court, prosecutors have a responsibility to carefully examine their evidence before in good faith submitting it to the court as relevant and probative. Instead, they misleadingly labeled hundreds of bones and body fragments as "cases," thus strongly implying (though never quite saying so openly) that each of these cases represented one executed person. We now know that this is not true. Further, in support of their claim of summary executions, they offered hundreds of "cases" which were bogus because the pattern of injury suggests a completely different conclusion. If they had been capable of reading, and if they had read their own evidence in good faith, the prosecutors would have realized that in close to half of their "cases" their own forensic experts had concluded that no inferences about the cause and manner of death could be drawn. Since they were thus on notice – or they at least had the possibility of becoming informed simply by reading their own experts' findings – that a substantial part of the evidence was not probative of their case, under Rule 68 (i) of the Tribunal's Rules of Evidence and Procedure the prosecutors had a duty to bring that fact to the attention of the defense, as potentially helpful to the latter's case.¹⁰⁹

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The chamber was equally derelict in its duty. Under ICTY rules, it has both the power to call witnesses and some limited investigative authority.¹¹⁰ The forensic evidence was crucial to the findings of fact in all Srebrenica cases, starting with Krstić. If the judges had bothered to review prosecution evidence, and if they had read intelligently the post-mortem reports that were submitted to them, even as medical laymen they might have reached different conclusions. They could have been led to ask some critical questions and had they done so might also have taken some further important steps. For example, they could have decided to engage forensic experts of their own to independently examine this evidence and to report to the Chamber on its findings.¹¹¹ But similarly to the prosecution, Srebrenica trial chambers at ICTY also failed in the performance of their professional duty.

The only remedy at this point is to reopen this key segment of the Srebrenica case and to hold a mini-trial where the material evidence would be subjected to a comprehensive analysis from both the forensic and the juridical points of view.¹¹² The outcome of that analysis should serve as the basis for the reconsideration of all ICTY Srebrenica judgments, from Krstić on. All aspects of those judgments which are inconsistent with the results of the review should be thrown out and the remaining findings and sentences should be modified accordingly.

With regard to ICTY and Srebrenica, an enormous burden of moral and political responsibility rests upon the government of the Russian Federation. It cannot remain indifferent to the propaganda and political misuses of Srebrenica, if for no other reason than because the precedents that were set there are now being turned against Russia. Allegations of „mass graves“ in Donetsk and Aleppo, following almost exactly the Srebrenica playbook, are now being floated by Western media and the responsibility is being imputed to Russia.¹¹³

The government of the Russian Federation therefore must insert the results of Srebrenica research into the fabric of its foreign policy and act in accordance with the logical conclusions which follow from that. There are at a minimum two. First, the International Criminal Tribunal for the Former Yugoslavia is not only an illegitimate institution, but also a precedent-setting instrument which constitutes a threat to all sovereign states, including potentially the Russian

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Federation itself. Consequently, at the next available opportunity the government of the Russian Federation should use its diplomatic prerogatives in the Security Council to call the work and further existence of ICTY vigorously into question. Second, in the meantime it should use its position and international authority in the appropriate UN bodies to organize support for a directive to be issued to ICTY to conduct an impartial and professional reexamination of all Srebrenica forensic evidence.

Mme. Elena Guskova of Moscow-based "Center for the Study of the Contemporary Balkan Crisis" may have been right when she stated that the time is not yet ripe to write about Srebrenica, presumably implying that it is premature to draw definitive conclusions about it. We may indeed, if we so wish, defer our final conclusions, but it is always the right time to ask intelligent and probing questions. The fact that many years later we still do not have clear and persuasive answers to these questions should make us cautious about the official version of Srebrenica and more determined than ever to get to the bottom of it.

CHAPTER II: THE DEVASTATION OF SERBIAN SREBRENICA

2.1 SERBIAN SREBRENICA

THE TABOO. The suffering of Serbian Srebrenica is a taboo topic. Nobody dares to speak or write about it publicly. Is there a statute that makes that illegal? No, not yet. There is a far more subtle and more perfidious form of repression which makes any such discussion, above a whisper, virtually impossible. It is enforced by a comprehensive blockade in the public information media, in collusion with the corrupt world of politics.

One result of that culpable silence is that the Serbian victims of Srebrenica are invisible. The obliterated Serbian settlements, whose Golgotha Dr. Ljubiša Simić brings to the notice of the world's indifferent public in the essay that follows, once it is deleted from awareness ceases as well to exist as a moral issue. Just as, during the 1992 – 1995 conflict in Bosnia and Herzegovina, they were wiped out physically, to the shame of a hypocritical world they have remained in that condition to the present day.

What is the reason for such conspicuous indifference by those who react with apoplectic moral fury at the news of the most minor human rights violation in the remotest corner of the planet?

In the same precise and professional way that he diagnosed the condition of Serbian Srebrenica, with photographs that are worth a thousand words, Dr. Ljubiša Simić reveals just as compellingly the cause of that lamentable situation:

“The fact that Serbian villages continue to be unreconstructed does not tell us that Western agencies love Muslims and hate

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Serbs. At play is no more than an overlapping of political interests. Were European development and reconstruction funds to start rebuilding Serbian villages, they would find it difficult to deny that those villages had been destroyed. That would suggest the conclusion that it was the Muslims who had destroyed them, which – in turn – would lead to the conclusion that Muslims also committed heinous crimes in the region. As a result, the claim that only one community is guilty, in this case the Serbs, would collapse.”

The taboo imposed on Serbian Srebrenica protects not only the perpetrators, but also their collaborators, in Bosnia and farther afield. Without that taboo, the entire edifice of the official Srebrenica narrative, along with all the political implications that derive from it, would disintegrate like a house of cards. That is the reason for the determined effort, which shrinks not from the employment of even the basest means, to maintain at any and all cost a one-sided story leaving no room for a Serbian mothers’ tears or memorial for Serbian victims.

THE CRIME. During the entire period of the war, 1992 – 1995, Serbian villages around the town of Srebrenica were (to use one of the favorite phrases of the Hague Tribunal) the target of widespread and systematic attacks, conducted by Muslim armed forces, using the enclave of Srebrenica as their privileged sanctuary. The fate of Srebrenica’s Serbs is but a microcosm of their fate in Bosnia and Herzegovina as a whole during the conflict. Serbs living in Srebrenica and the nearby villages were killed in the hundreds; they were abused, expelled from their homes, and kidnapped to serve as hostages or for exchange. The majority of their villages were burned down and Serbian personal property was plundered.

The attacks were indiscriminate and they targeted Serbs as such, without any effort to ascertain the involvement or the attitude of the victim in relation to the conflict which had engulfed Bosnia and Herzegovina, least of all to determine whether the victim represented any military threat to the Muslim side. It is important to point out that local Muslim forces in Srebrenica were not acting on their own, but were closely linked by political and military chains of command to the regime of Alija Izetbegović and its Presidency in Sarajevo. Note should be taken of the very candid opinion on this subject expressed by Gen. Philippe Morillon, UN force commander in Bosnia at the time:

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Naser Orić obeyed. He was the head of a band. From the enclave he was conducting guerrilla warfare, and he considered himself a fighter in the service of the Presidency.¹¹⁴

That “government” publicly portrayed itself as “multicultural” and “multiethnic” and many in the West were fooled by its skillful propaganda. At the same time, the Srebrenica representatives of that “government” were implementing a pitiless three-year pogrom which did not take any account of the fact that their victims were simple peasants who differed from their Muslim neighbors only by being Serbs and Christians. That was, by any measure, a unique case where an internationally recognized, and even lauded “government” was employing its military to slaughter a part of the population which, when addressing the international community, it hypocritically claimed as its own citizens. The devastated Serbian settlements portrayed in the photographs – a Serbian Carthage in the dying days of the dark twentieth century – demonstrates clearly why Serbs in Bosnia and Herzegovina demand to be the masters of their own fate and why they are entitled unconditionally to that reasonable demand.

THE RESPONSIBILITY. If a crime must not be allowed to go unpunished, and that view has been argued forcefully since the end of the Bosnian conflict, then the question must be asked: Who is responsible for this crime? Who will answer for the wiping out of the Serbian community from huge swaths of territory of Srebrenica municipality?

In Serbian Srebrenica, in addition to the destruction of human lives, there was also simultaneous destruction of the material conditions of human existence, in every viable form. As the photographs clearly show, and each of them is indeed worth at least a thousand words, where in peace there once dwelt vibrant human communities with their homes, schools, cultural centers, clinics, children’s playgrounds, and other facilities normally to be expected, now there are to be found only abandoned piles of debris covered with weeds and sorrow. Those innocent human beings who, over the centuries, together with their diligent ancestors, were living and working on their own land, being born and dying, planting and harvesting their crops, were not merely driven off their homesteads. Many of them were driven out of this world as well. At the same time, all the material elements critical for their livelihood and conditions necessary for the sustenance of their communities were brutally and mercilessly

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destroyed. Those who then did not pay the ultimate price, now have nowhere to return.

Someone must take responsibility for that. For that monumental crime, which symbolically was committed against the whole of mankind, someone must urgently be called to account.

The Golgotha of Serbian Srebrenica had at least one positive and morally purifying effect. It tore the humanitarian mask off the visage of international do-gooders who swarmed into Srebrenica after war's end with bags full of money and other tangible offerings, demanding that their beneficence be directed to one community to the explicit exclusion of the other. Just as during the war Serbian victims were invisible on the international radar screen, now that the horrors of the war are over, for the apostles of humanitarianism their surviving relatives continue their invisible existence.

Let those international organizations, if they so wish, feign humanitarianism because – to be quite honest – they do not in fact owe anything to anybody. They are not the perpetrators of these crimes. They are merely the theatrical public relations beneficiaries of the havoc's consequences.

There is no doubt, however, that responsibility does lie with the perpetrators of these crimes. Among them, many have been identified but none has been punished. Facing criminal responsibility is a critical step not just for the direct perpetrators, but is also beneficial to their community. The criminal prosecution of individuals appeases justice but only partially and, from the standpoint of the surviving victims, perhaps somewhat too abstractly. For the greatly wronged Serbian community, it is the practical, not the abstract issues that must be seriously dealt with. Who will indemnify it for the enormous damage it has suffered and who will ensure restoration, to the extent that it is possible, of the conditions which prevailed before the crimes were committed? That means, at a minimum, two things. Firstly, the devastated, decimated, and expelled Serbian community must be given the means to sustainably reestablish itself in the villages which it had inhabited for centuries and where it has an unconditional right to be. Secondly, the attackers must be deprived of lasting benefit from the crimes they committed by being denied permanent success in wiping their neighbors and their homes off the face of this earth.

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Since the perpetrators of these crimes were the field representatives of the Sarajevo “Presidency” and its “government”, it is logical that responsibility for the crime and its consequences ultimately falls on the legal successors of those institutions. In this case, that is the entity now known as the Federation of Bosnia and Herzegovina. For this is authentically a state crime, not just aberrant conduct by individuals.

THE SHAME. The horrific sights depicted in Dr. Ljubiša Simić’s photographs, which he comments on movingly in the accompanying text, portray not just a repugnant crime but also, for all of mankind, an enormous shame. It is incumbent upon us, however, to clarify one thing. Irrespective of the formal affiliations of the perpetrators, those pictures do not represent Islam, nor do they have anything to do with it. Islam is a great and humane faith and the source of a brilliant world civilization whose splendor and depth are quite beyond the capacity of deluded Srebrenica “Muslims” to fathom. Primitive destroyers must not be admitted to the same league with the architects of Alhambra and the Tash Mahal. These crimes could not have been committed or endorsed by anyone who is familiar with the values of Islam, who is inspired by its teachings, or who is genuinely acting in its name.

But all that having been said, what happened remains a crime which must not go unpunished and its victims must not be left without consolation. It is now the turn of international institutions and of Bosnia and Herzegovina judicial agencies to act.

2.2 Serbian villages, then and now, by Dr. Ljubiša Simić

More than 20 years have gone by since the attacks on Serbian villages in the region of Srebrenica, Bratunac, and Skelani. Since then, the surrounding landscape has not changed much and, in general terms, it would be fair to say that their appearance has deteriorated. The villages in this area appear more ruined and ghostly than they were back then, when their inhabitants were subjected to devastating attacks and massively expelled from their centuries-old homesteads.

It seems that today there are even more unanswered questions

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than there were twenty and some years ago, but regrettably there are far fewer answers. Many events which took place in that region remain obscure, or they have been overshadowed by what happened in July of 1995. The truth should have come out in the end, but it did not. It is that, for the most part, Serbian villages have remained in the same dismal state in which their Muslim neighbors had left them after a series of unprovoked and relentless attacks, mostly in 1992 and 1993.

The first issue that strikes the observer is the Serbian community's strange reticence to speak about their experiences during the 1992 – 1995 war and to share the story of their suffering with the rest of the world. They rationalize their silence by pointing out that after peace was concluded in 1995 the Serbian community was the target of an effective, thoroughgoing media war. Not only in Bosnia, but in the world at large, a climate of opinion was artificially nurtured where there was little room for empathy for their plight.

While touring these villages, one has the impression of abandonment and alienation. In some of them, time continues to stand still and the rhythms of life are imperceptible. Empty, barren, and isolated, they mutely greet each year as it comes and see it off as it departs. They also narrate the tale of human suffering and of the persecution of an innocent people. Those homesteads are now home to wild animals and stray dogs. There are no children left in these communities, or they are too few to be noticed. Schools were destroyed, but nobody is investing into their reconstruction because there is no one left to attend them. Here and there, you might run into a remodeled church, but as a rule its doors will be locked. There is not a living soul anywhere near, and the Orthodox diocese considers that it suffices to open the doors a few times a year, for the major holidays.

One of the first villages that we visited was Podravanje. It is located about 30 kilometers from Srebrenica. When we came to visit it was under a cover of snow, and it barely showed any signs of life. Our hostess, Milojka Bibić, gave us a comprehensive account of the attack on Podravanje, which took place on September 24, 1992, from the direction of the neighboring Muslim villages. She is the only survivor of the formerly numerous Bibić family. Her two brothers, father, and mother, were not so lucky. She found one slain brother with his limbs broken, while the other was decapitated. On that sinister day, the Muslims destroyed the entire village, torched the inhabitants'

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homes, and killed the cattle and every villager who had remained behind. The ritualistic murders which took place in that village deserve to be mentioned. Severed Serbian heads were stuck on fence posts. In some cases, the persons whose heads were cut off were over 80 years-old, which speaks a great deal of the monstrosity of this crime, as well as a bit about the perpetrators.

The fate of Podravanje inhabitant Drago Mitrović is eloquent testimony to this mindless cruelty. During the occupation in World War II, he was a child and his throat was slit by neighbors of the Muslim faith who had enlisted in the ranks of the Ustashi collaborators. But while the relatively superficial wound miraculously healed, damage to the vocal chords left him permanently mute and with an ugly scar. During the last conflict, however, the Muslim neighbors managed to finish the botched job they started during World War II. The unfortunate man, who had to live with aphasia (inability to speak as a consequence of the attempted throat-slitting during the preceding war), was hunted down by Naser Orić's forces from Srebrenica during their 1992 attack on Podravanje and this time around they managed to slaughter him. The grandsons of those who tried to slit the unfortunate man's throat during the last world war showed more skill the second time and they successfully finished the job. It is as if in the interim they had been taking lessons from their fathers and grandfathers. Even several decades later, their World War II knives had evidently remained sharp.

Somewhat closer to Srebrenica, the village of Brežani was attacked on June 30, 1992. To this day, the effects of violence are visible on the houses. In the center of the village, there is a small Orthodox cemetery which still exhibits signs of vandalism. Once they took over the village, and after expelling the Serbian population, the Muslims turned their attention to Serbian cemetery headstones. They knocked them down and gouged out the eyes of the dead who were depicted in the photographs. After the locals were finally able to return, one of the graves was found wide open. During the attack, the entire village was devastated. The bones of Serbian children were scattered all over the village and they had to wait almost nine months for a proper burial since between June of 1992 and March of 1993 the village was under Muslim control. During that period, the bodies of slain Serbs were left to stray animals to feed on the remains. Signs of physical violence were found on some of the bodies. Clearly, for some

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of the attackers it was not enough to kill a person; they also needed to leave their personal mark on the corpse. Today, the village has barely 50 inhabitants, while once there were over 200. Among the victims, in addition to women, there were also children and some elderly persons. The youngest person killed on that day was 14, the oldest 88 years-old.

The road now takes us to Bukova Glava. We proceed on foot, because the condition of the main road does not permit access by automobile. The path takes us mainly through the forest and finally we arrive at this tiny outpost, separated from the rest of civilization and situated in the midst of a beautiful landscape. The first thought that occurs to us is a question: Who might have been so offended by this off-the-beaten-path and strategically, and in every other way insignificant place, to come over and inflict on it such a grim fate? There is not much to see, except for ruins and a handful of elderly people trying to breathe some semblance of new life into their village but – it so seems – with negligible prospects of success at the end of their life span, and without any young people returning to help them. In the immediate vicinity, there is also the village of Mala Turija, and somewhat farther, Pribičevac. Both of those villages experienced an identical fate: they were totally destroyed.

Everyone familiar with the region of Srebrenica will know whereof we speak, as soon as we mention the village of Zalazje. During World War II, in 1943, local fascist collaborators killed over 90 inhabitants of this village, mainly children and women. A collective ossuary and memorial, erected in 1962, attest to those events. Half a century later, on July 12, 1992, that scenario was repeated, and Serbian homes were destroyed and their inhabitants were put to the knife once more. Not far from Zalazje is the village of Obadi, and further on lies Andrići, a village that is no longer to be found on the world's map. Indeed, although the village was wiped out, life here abounds, but in a different form. Each year, numerous apple trees persistently offer up their bounty as they await the return of their owners. Obviously, apple trees are more determined than the local politicians have been during all these years in their attempts to maintain some semblance of normal life. All over, there are apples to spare, seemingly in quantities not seen anywhere else. For the moment, they happen to be the only life form here and the only witnesses to heinous crimes. The village cannot be reached using the now nonex-

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istent former road. Determined travelers must make their way through the forest if they wish to appreciate what is left of Andrići. Once in Andrići, what they would see are the remnants of foundations of razed homes which are now overgrown with weeds, as well as bushes and other similar kinds of vegetation.

At the other end of Srebrenica municipality is the village of Krnići. The road to that village takes us through the fully renovated and revitalized Muslim village of Tokoljaci.

Krnići used to be known for the considerable number of learned people who had been born there. Until 1959, it had the status of a municipality. In the middle of the village are the remains of the Cultural Center which was completely destroyed and burned down during the attack. In the Cultural Center, the Muslims burned alive the village teacher, Vasa Parača, born in 1912, who taught not only local Serbs, but Muslims as well. He was a man who during his lengthy career as an educator served members of both communities. In addition to the Cultural Center and the schoolhouse, all Serbian households were also targeted by the marauding attackers. As a result, not a single home survived the attack of July 5, 1992. Today, not a soul lives in Krnići any longer. Inhabitants who managed to survive the attack have found refuge in Serbia, Hungary, Russia, and in other locations throughout Europe.

It is difficult to talk about Srebrenica without mentioning the village of Karno. In the center of that village stands a 19th century monastery dedicated to the Protection of the Mother of God. This is a place that was mentioned and described by the Nobel prize winning author, Ivo Andrić, who held the people of this village in great esteem. Unfortunately, this – as well as the neighboring Serbian village of Medje – are today both depopulated. The destroyed Serbian homes in the area have practically blended in with surrounding nature. In a few years, hardly any signs will remain to indicate that human beings had ever lived here and that this land was Serbian.

And just as you think that the bitter chalice of suffering for the local Serbian people was full, you experience a surprise in the form of the village of Ratkovići. The village is situated in the midst of several completely renovated Muslim villages. On one side of it lie Osmaće, Podkorijen, Dedići, and Poznanovići, on the other – Moćeвиći. These Muslim villages are brimming with life and are full

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of happy children running around. Alongside the asphalt and the mended gravel roads, we see renovated schools, houses, and an entire infrastructure offering a sustainable life to the inhabitants. In contrast to those villages, Ratkovići cannot be reached by any conveyance. In order to come to the village, you must walk several kilometers on foot, up a muddy road. In the village there is not even electricity. As for infrastructure, it is superfluous to even talk about it.

We can therefore say without hesitation that it would be difficult to find, anywhere else, a people who had been treated with comparable callousness.

I am unaware that anywhere in Europe such a double standard is practiced toward communities who live side by side in such a relatively small geographical space. Whatever happened to the noble ideas about justice and equality that foreign diplomats never tire of preaching? This example lays bare the hypocrisy of a good part of Europe, and of America as well, because their reconstruction agencies have refused to invest a single penny into the renewal of this Serbian village, or of Serbian villages in this region in general. To put it starkly, they are not interested in suffering, if it is Serbian. One even gains the impression that they are not particularly pleased when any reference is made to it. The political climate in their countries favors others in this region, and Serbs are simply nonexistent in that equation.

Finally, after walking several kilometers, we found ourselves in the hamlet of Gornji Ratkovići. The first thing that you notice is the size of the village. Before the war, the village had the status of a local community and it was indeed one of the largest in the area. That fact is illustrated by the presence of several cemeteries in the hamlet of Donji Ratkovići.

It seems almost superfluous to make a special point of the fact that we did not encounter a single local in this village. The village is totally barren and empty. While you tread the muddy road, you feel the silence pressing down upon you from all around. There is not a sound to be heard and you see only the thick fog which has descended upon the remaining ruins. That makes the scene more ghostly still. True, there is a single home in the village that one of the locals had rebuilt, but it is uninhabited. The owners found refuge on the other shore of the Drina River.

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The village was attacked on June 21, 1992. While pillaging and plundering, the Muslims torched every single home they could lay their hands on and they killed every villager who failed to run away, or who might have attempted to prevent the destruction of his homestead. Surely, there must also have been those among them who had faith in their Muslim neighbors and for that reason did not abandon their homes. That trust cost them their lives and it also imparts a valuable lesson to the younger generations.

On the monument which was later erected to honor the victims, you can even see the names of persons who were entering the ninth decade of their lives. Even so old and helpless, they were targeted in the Muslim pogrom. Some of them, like the paralyzed grandmother, Desanka Stanojević, were burned alive inside their own homes.

The other aspect of the tragic fate of this village are its homes, or to be more exact the remnants and foundations of what used to be homes, because not a single dwelling was spared in the attack. With our camera, we made a record of more than 50 completely obliterated Serbian homes. Some of them we could not approach closely because of the thick vegetation; others in fact exist no more because the ravages of time have removed and wiped them out forever from these parts.

It should be noted that before the war Ratkovići had over 300 inhabitants. Today, not a single one is left. A portion of the inhabitants were killed, another portion were expelled, and their homes – as the photographs demonstrate – were completely destroyed, leaving the village practically dead. The village started down that martyr's path over two decades ago, thanks to its Muslim neighbors. But, strangely, the village continues along in much the same shape today, not anymore because of the Muslims but thanks to those who have shut their eyes and turned their heads away from the heinous crime that occurred here.

When we are talking about crimes in the area that were committed by members of the Muslim community, we cannot sidestep the village of Kravica, which is spread over a considerable area and includes several settlements and hamlets. All those neighboring locales experienced the same fate as Kravica itself; they were attacked on Orthodox Christmas Day in January 1993. The attack was carried out from three directions; it was well organized and had been

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planned for some time in advance. The entire area which lies above the village of Kravica belongs to the large village of Brana Bačići, with several of its hamlets strewn all across the foothills. All the hamlets (Donji Bačići, Štulici, Velika Njiva, Rušići) were completely obliterated, the homes torched, and most of the population expelled.

That the wickedness of those who conducted the attack seemingly knew no bounds is shown by the fate of a monument left over from World War II. During the 1993 attack, a memorial was desecrated that long ago had been erected to honor Mileva Mladjenović. In 1944 she was slaughtered together with her one year-old daughter and her mother-in-law. Their throats were slit by the local Ustashi collaborators. Even though the memorial is not located even close to any inhabited area or in a conspicuous place, the Muslims, who occupied the zone for several months after their 1993 Orthodox Christmas Day attack on Kravica, did not leave it in peace. With bullets and a dull object, they damaged the picture of the dead person on the memorial headstone. Perhaps the headstone desecration was some small comfort for the descendants of those who slit the throat of a year-old child for no other reason than that it was Serbian. In the last war, there apparently were some who could not resist honing their grandparents' rusted knives, which had been lying dormant for half a century.

Villages in the area of Skelani fared no better. The series of obliterated Serbian villages in that area of the Srebrenica district is quite lengthy. Regrettably, some of them are no longer accessible because the roads which formerly led to them are overgrown with thick weeds. In some of those villages there is not a soul living anymore. On one occasion, while we were on our way to Skelani, we crossed paths with an elderly man astride a horse. As the local guide explained it, he is the sole human being still left living in what remains of his village and every so often he rides his horse down to Skelani to buy basic provisions. Somewhat further on is the village of Božići. Whether it was because of its name (linguistically, the word "Božići" suggests Christmas), or for some other reason, the village was totally destroyed. Like so many other villages, it was attacked at a moment when the locals had no clue what was coming. It was while the wheat harvest was in full swing, on August 5, 1992, that Muslim neighbors attacked, killed a number of the inhabitants, put homes to the torch, and carried away the wheat.

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One of the village inhabitants made a special impression by pointing to the foundation of his destroyed former home and explained to us that it had survived the First and the Second World Wars, but that it did not fare as well and did not manage to outlive the attack of the Muslim neighbors this time around.

We should also mention some of the other nearby villages, such as Klekovići, Pribojevići, Arapovići, Gaj, Jezero, Bradići, among a number of others, where Serbs used to live and which today are burnt piles of debris.

There is no end to tales that could be told about these wretched Serbian villages. For the most part, they have one feature in common. They were destroyed systematically, following essentially the same, standard pattern.

The process of their slow withering away since then has not been reversed to this day. As a result, most of these villages today look considerably worse than immediately after the war years.

Today, upon the foundations of what used to be Serbian homes, rather than children what you see are weeds, and they are conquering Serbian land relentlessly, meter by meter. On some sites, where there used to be a family home there remain now only heaps of scattered bricks and broken masonry. In most cases, the foundation stones are covered with tall vegetation which makes them almost unrecognizable during spring and summer months.

There are countless questions that come to mind, seemingly as many as there are devastated villages and homes. What seems to be lacking are clear answers or is it, perhaps, that conditions are not yet ripe to disclose them? I believe that the future will ultimately tell us who is responsible for the exodus of the Serbs and for the obliteration of their roots, as well as for the cloud of reticence which is suspended over the entire region and which prevents both the domestic and the foreign public from learning the truth about the fate of Srebrenica's Serbs.

During the post-war period, countless organizations became involved in reconstruction and refugee return. Many of them have refused to invest a single penny into the return of Serbian refugees or the reconstruction of their dwellings. They rationalize their policy by saying that there is no hard evidence of Serbian suffering. That shallow rationale only encourages those whose goal is to expel even

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the handful of remaining Serbs. Proof of that are the broken windows on the facade of a modest home that was rebuilt for a family of displaced Serbs who returned to the village of Jezero. It is located side by side with a splendid turnkey housing complex constructed exclusively for Muslims by a British donor agency. The burning question is clear: after all the horrors of the past, who still dares to cast stones at Serbian homes, and is it really possible that Serbs are still not secure on the land of their ancestors, the land where they have been living for centuries?

Up to the present, a bit over 500 Serbian homes have been rebuilt. That is an insignificant figure by comparison to the number of homes that were reconstructed for the other community. When account is taken of the fact that the majority of destroyed homes in the villages surrounding Srebrenica belonged to Serbs, this disparity becomes even more blatant. Reconstruction money for the region is measured in the millions of dollars. Regrettably, Serbs have received no more than crumbs from the community reconstruction cake set aside by Europe and the international community for the revitalization of the Drina Valley region.

From the political perspective, it is understandable that for most Western reconstruction agencies to become involved in the restoration of Serbian villages would be to play with fire. Rebuilding upon the foundations of Serbian homes would be tantamount to admitting that it was the Muslims who destroyed what used to be there. That further suggests that they had committed brutal crimes and that they ought to be held accountable for their wartime conduct alongside the other communities of Bosnia and Herzegovina, instead of receiving a generous amnesty and being treated as the victims of that war. Unfortunately, there are those who find the truth unacceptable and who will, therefore, firmly shut their eyes to the suffering of the Serbian people. Whose interest dictates that Serbs must not be mentioned in the context of victims? Why is it that, in disregard of obvious and dismaying facts, the burden of guilt for the ravages of war must be borne exclusively by Serbs?

Whatever the answers may be, the future of Serbian villages and their inhabitants is uncertain. As photographic evidence demonstrates, their condition shows no measurable improvement in relation to the turbulent war years. Except for patience and hope, these people do not have much else. As they themselves put it, what they find

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the most offensive is the fact that not only during the war, but also in the period of peace that followed, they did not receive a fair hearing from anybody. They find it incomprehensible that anyone would attempt to turn them into war criminals and that the international public knows next to nothing about their plight.

Whoever would bother to take a closer look at the photographs will immediately grasp what misery those people have had to endure.

It is unfortunate that to this day not a single individual among those who were burning and pillaging Serbian villages was made to face justice. In a few sporadic cases, when that was attempted, punishment was successfully evaded. It seems that collective guilt with which an attempt is being made to burden one people does not leave much room even for symbolic punishment of individual perpetrators from the ranks of the other. It therefore remains a very acute question whether justice will ever make itself felt here. Abandoned and left to their own devices, local Serbs have but slight prospects to right the injustices which have been inflicted upon them. Their cries are not even capable of reaching the other shore of the Drina River, let alone some more distant audience.

Their survival presents a great challenge for future generations. That is one of the reasons this travelogue was written: to wrest those obliterated villages from oblivion, to convey the unjust suffering of their inhabitants to the world, and to tear down the walls of silence by which they have been surrounded all these years and to which human injustice has condemned them.

That, precisely, is our goal and *raison d'être* of "Srebrenica Historical Project". It is to comprehensively, factually, and empirically confront and deconstruct the myths about Srebrenica disseminated during the last two decades.

Dr. Ljubiša Simić

ENDNOTES:

1 ZNet: The Politics of the Srebrenica Massacre, July 7, 2005.
<http://www.zmag.org/znet/viewArticle/5892>

2 Diana Johnstone: Srebrenica revisited: Using war as an excuse
for more war.
<http://www.counterpunch.org/johnstone10122005.html>

3 The sensitivity of these watchdogs to the slightest deviation from their approved party line was demonstrated graphically during an interview with Noam Chomsky given to TV BH1 (Sarajevo) program Pošteno govoreći (Honestly speaking) in January of 2006. Prof. Chomsky's refusal to say that what happened in Srebrenica was genocide made him the target of open disrespect by program host Duška Jurišić and provoked demeaning comments by audience members.

4 On January 15, 2009, the European Parliament passed a Srebrenica Resolution in a nocturnal plenary session. Out of 751 deputies, 587 were in attendance. Technically, there may have been a quorum but it was hardly the level of participation one would have expected on an issue of such moral significance.

5 The Srebrenica Resolution "debate" was the last agenda item for that day's session, which concluded at 23:35 pm. The "debate" on an issue of such gravity was scheduled to last no more than a half hour, with a steamroller of 27 members taking the floor to manifest their approval, and only 2 their opposition, hardly the example of a robust discussion.

6 See P. Iskenderov: Serbian administration betraying Karadžić? Strategic Culture Foundation: <http://en.fondsk.ru/article.php?id=2420>

7 It is curious that as finally adopted the Resolution concedes that many aspects of the Srebrenica puzzle remain unsolved, but that

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was not an obstacle to taking a firm conclusory stand on all key Srebrenica issues, although the evidence admittedly was far from assembled.

8 See European Parliament Rules of Procedure, Rule 114 (2): <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NON-SGML+RULES-EP+20080218+0+DOC+PDF+V0//EN&language=EN>

9 Many sources could be cited to show that in Srebrenica there were numerous civilian victims on the Serbian side. Just three should suffice. Admitting that the Bosnian Muslim army within the UN protected enclave never carried out the demilitarization agreement, ICTY prosecutor P. McCloskey in the Blagojević and Jokić trial (IT-02-60-T, 14. May 2002, p. 307) said that Muslim forces “conducted operations outside the enclave, attacking and terrorizing Serbian villages and creating general havoc.” The Report of the Netherlands Institute for War Documentation concluded that Muslim forces “attacked 79 Serbian places in the Srebrenica and Bratunac region” whose “inhabitants were slaughtered and their homes plundered, torched, or devastated.” (NIOD Report, Part I, The Yugoslav Problem and the Role of the West, 1991-1994, chapter 10: <http://www.srebrenica.nl> Finally, if one picture is worth a thousand words, the following pictorial monograph by Dr. Ljubiša Simić, which may be viewed at <https://www.scribd.com/document/46616151/The-Martyrdom-of-Serbian-Srebrenica-1992-1995-Ljubisa-Simic-Stephen-Karganovic> depicts the condition of Serbian villages around Srebrenica today, more than 20 years after they were devastated.

10 http://blog.b92.net/user_stuff/upload/109/8109.pdf

11 While ostensibly relying on its sponsors’ eccentric interpretation of a number of international charters and conventions and Serbia’s domestic laws, the Declaration urges restrictions on freedoms of expression and assembly and would prohibit questioning the genocidal character of the Srebrenica massacre, or even disputing the validity of ICTY verdicts to that effect. The Declaration’s sponsors overlooked that even an ICTY judge, and Karadžić pre-panel member, Kristoph Flügge, at one point saw fit to question the use of “genocide” as a description of what happened in Srebrenica in July of 1995, suggesting instead “mass murder” as a term that “would eliminate some of the difficulties we face in arriving at legal definitions.” (See

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Der Spiegel, <http://www.spiegel.de/international/spiegel/0,1518,druck-635205,00.html>)

12 See: Societe pour les peuples menaces, dossier de presse, April 19, 2010 and Balkan Insight, April 19 2010

13 The Serbian "Helsinki Committee," reacting to former President Tomislav Nikolić's publicly expressed reservations in July of 2012 about Srebrenica's status as genocide, promptly reacted by calling for "genocide denial" legislation in Serbia; also, see Blic [Belgrade], Čanak: Uskoro predlog za sankcionisanje negiranja zločina, May 28,2007.

14 The New American, April 14, 2016: Warren Mass, Professor wants to use RICO to punish "climate change deniers."

15 In its decision in the Bosnia and Hercegovina v. Serbia and Montenegro case (<http://www.icj-cij.org/docket/index.php?p1=3&k=8d&case=91&code=bhy&p3=5>) , ICJ concluded that Serbia did not commit genocide, did not conspire to commit it, and was not complicit in it. The Serbian parliament, therefore, voluntarily assumed responsibility for allegations that the highest international judicial body had dismissed.

16 Krstić, Obrenović, Blagojević and Jokić, Popović et al., Tolimir, Karadžić, and Mladić.

17 Prof. Antonio Cassese, one-time President of ICTY, when commenting on the confirmation of Dr. Radovan Karadžić's indictment, effectively admitted the influence of politics on what should have been an impartial judicial procedure. "The decision represents a decisive step," he said. "Let us see who will sit down at the negotiating table now with a man accused of genocide...that gentleman will not be able to take part in peace negotiations" [Naša Borba (Belgrade), July 27, 1995] Indeed, the indictment eliminated Dr. Karadžić from the Dayton peace process, making Cassese's remark, more fitting for a politician than a judge, a self-fulfilling prophecy. Later, on October 30, 1996, while testifying before the European Parliament Subcommittee on Human Rights, Mr. Cassese went even further in the same vein, wondering publicly why Yugoslav President Slobodan Milošević had not been indicted, though his name was on a list of war criminals offered by U.S. Under-Secretary of State Lawrence Eagleburger. Once again, Cassese was oblivious to his proper role as a judge, acting instead as a prosecutor. [Pierre Hazan:

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Justice in a Time of War: The true story behind the International Criminal Tribunal for the Former Yugoslavia, 2004, p. 62]

18 Gdansk speech given by the then-Premier Putin on the 70th anniversary of the beginning of World War II, September 1, 2009. See: <http://www.premier.gov.ru/>

19 Ibid. The Council of Europe Parliamentary Assembly Resolution of September 9, 2009, in its analysis of the aftermath of the 2008 war in the Caucasus, provides a textbook example of an attempt to impose this type of pseudo-reality. See: Conclusions, par. 62, where the Russian Federation is audaciously denounced for not having “complied with the majority of key demands made by the Assembly,” conveniently forgetting that the Assembly has neither the authority nor the means to impose any of its “demands” on Russia.

20 A clear example of the “schematized version of events” such as Putin had referred to, as well as a factually inaccurate account of what actually occurred.

21 Srebrenica would probably have joined “mass rapes,” Nazi-style concentration camps, and other unsubstantiated allegations which were quietly dropped or allowed to be forgotten once the Bosnian conflict ended in 1995, as were World War I propaganda stories about German troops eating the flesh of Belgian children for breakfast.

22 Dr. Jelena Guskova, head of the Moscow-based “Institute For the Study of Balkan Conflict”, put it quite well: the task is to “dethrone (развенчать) the Tribunal.”

23 See Activity of the International Tribunal For the Former Yugoslavia: Content, Results, Impact [Belgrade-Moscow, 2010]; complete proceedings at <http://abunodisceomnes.welcomcollection.org/wp-content/uploads/2015/03/Moscow-Conference-Proceedings-2010-Source-Srebrenica-Historical-Project.pdf>

24 It should be noted that the only confirmations of the Tribunal’s legitimacy that we have comes from the Tribunal’s own appellate chambers in the few cases in the early stages of the Tribunal’s existence when this issue was allowed to be raised. Obviously that means that the Tribunal was sitting in judgment of its own case, a very improper judicial procedure. Later on, defense teams

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which might again have raised the issue of legitimacy, realizing the circular manner in which this objection was being handled, no longer even bothered to raise the issue.

25 Genocide, of course, is the subject of an international legal convention and is not, strictly speaking, a construct of The Hague Tribunal. But the Tribunal's peculiar interpretation and application of the concept (e.g. in the Krstić case) in that limited context makes it practically an ICTY "construct."

26 Nathan Dershowitz and his brother Alan authored a formal submission on Joint Criminal Enterprise on behalf of Momčilo Krajišnik during the appellate phase of that case.

27 Prosecutorial discretion is an established principle. However, when it is consistently exercised as no more than a shield from accountability for the benefit of one party while at the same time aggressively pursuing another, questions about the possible presence of other motives may legitimately be raised.

28 Specifically, the Hadžihasanović, Kubura, and Delić cases. Those who are inclined to doubt the political independence of ICTY might wonder whether this failure to prosecute might be related to concern that the accused could expose their Western sponsors in open court, describing the latter's systematic violation of UN resolutions prohibiting outside interference and arms shipments to parties involved in the Bosnian war.

29 Or manufactures, as some would argue.

30 In cases where the defendants are Serbs, that is almost par for the course.

31 The trial chamber in Krstić stated in its Judgment that it "heard credible and largely uncontested evidence of a consistent refusal of the Bosnian Muslims to abide by the agreement to demilitarize the 'safe area.'" Krstić, Judgment, par. 24. According to deputy UNPROFOR commander in Srebrenica, Major Robert Franken, Srebrenica was never demilitarized while under UN protection and Muslim armed forces there were organized in military formations which were regularly supplied with weapons. (See testimony of Robert Franken at the trial of Slobodan Milošević, November 13, 2003.)

32 United Nations Protection Force, UN peacekeeping troops.

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33 As commander of UN forces in the area, Gen. Morillon had his own view of the conflict: "Portraying the Serbs as evil and everybody else as good was not only counter-productive but also dishonest. According to my experience, all sides were guilty but only the Serbs would admit that they were no angels, while the others would insist that they were. With 28,000 forces under me and with constant contacts with UNHCR and the International Red Cross officials, we did not witness any genocide beyond killings and massacres on all sides that are typical of such conflict conditions." See testimony of General Morillon, *Prosecutor v. Milosevic*, 12 February 2004, p. 32042, lines 11-18.

34 Asked whether he could confirm the link between Orić and the Sarajevo leadership, Morillon replied: "Yes... Naser Orić obeyed. He was head of a band. He was waging guerilla war in the enclave, but he himself considered himself to be a combatant in the service of the Presidency."

35 General Morillon said the following about the methods employed by Naser Orić's forces during their raids on surrounding Serb villages: "I think you will find this in other testimony, not just mine. Naser Orić was a warlord who reigned by terror in his area and over the population itself. I think that he realised that those were the rules of this horrific war, that he could not allow himself to take prisoners. According to my recollection, he didn't even look for an excuse. It was simply a statement: One can't be bothered with prisoners." *Ibid.*, p. 31966, lines 5-10.

36 "I feared that the Serbs, the local Serbs, the Serbs of Bratunac, these militiamen, they wanted to take their revenge for everything that they attributed to Naser Orić. It wasn't just Naser Orić that they wanted to... take their revenge on, they wanted to avenge their dead on Orthodox Christmas. They were in this hellish circle of revenge. It was more than revenge that animated them all. Not only the men. The women, the entire population was imbued with this... [I]t was pure hatred...[S]uch hatred cannot be worse than it is towards neighbours and brothers." *Ibid.*, General Morillon's Milošević trial testimony, p. 31975, lines 8-18.

37 This is an example of the Tribunal's subtle manipulation of key facts with full deniability ensured in case they are ever—as they now have been—caught in the act.

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38 “Meaningful” in this instance signifies being capable of answering questions about the cause and manner of death.

39 Since the human skeleton has over 200 bones of various shapes and sizes, the latter can easily be arranged to create the impression of more individuals than there actually are. But since every person has only two femurs, the number of paired femur bones gives us a reliable approximation of the total number of individuals present, reducing to a minimum the possibility of manipulating the count in that regard.

40 There were slightly more left femur bone (1,923), meaning that four were missing their right pair, and in addition there were 28 femur bone fragments.

41 Meaning the dogmatic assertion that 8,000 people were lined up and shot. However, a prisoner massacre of significant proportions actually occurred.

42 Testimony of Dražen Erdemović in Prosecutor v. Popović et al., ICTY, 7 May, 2007. In his open court testimony, Erdemović named his fellow Detachment members and accomplices, so that their identities and whereabouts were known. Yet for years no criminal investigation into the role of these direct perpetrators of a horrific crime had been initiated. This must be another in a string of inexplicable Srebrenica anomalies.

43 Germinal Čivikov: Der Kronzeuge [Crown Witness], Edition Brennpunkt Osteuropa, 2009.

44 EDS number R043-3424

45 Popović et al., Transcript p. 20248, lines 24-25, p. 20249, lines 1-2;

46 Ibid., p. 20248, lines 1-5

47 Ibid., p. 20243, lines 17-22.

48 Ibid., p. 20244, lines 22-25 and 20245, line 1.

49 Ibid., p. 20250, lines 23-25.

50 Ibid., p. 20251, lines 6-8.

51 Ibid., p. 20251, lines 12-14.

52 EDS number R003-8723.

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53 <http://www.icty.org/x/cases/krstic/trans/en/010406ed.htm>

54 Prosecutor v. Krstić, April 6, 2001, Transcript, p. 9532, lines 16 – 21.

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

56 http://ccgi.yugofile.co.uk/v2/player.php?movie=http://www.yugofile.co.uk/qt/1995071-_22Bull.mov

57 Srebrenica: A Town Betrayed, “<http://tv.globalresearch.ca/2011/07/srebrenica-town-betrayed>, from 51:14 to 52:02 minutes.

58 It should be recalled that in his analysis of mass grave exhumation data, Dr. Ljubiša Simić identified hundreds of cases with patterns of injury (bullets and metal fragments, or only the latter) which are consistent with combat activity, but incompatible with execution. That strongly suggests that victims from both categories were buried together indiscriminately, and that ICTY did not make any effort to separate them or, equally important, to make a legal distinction which, as a judicial institution, it was obliged to do.

59 <http://www.ic-mp.org/>

60 *Oslobodjenje* (Sarajevo), July 11, 2011, p. 3

61 Under cross-examination during the Karadžić trial, that was frankly admitted by ICMP Director of forensic studies, Thomas Parsons; see: Prosecutor v. Karadžić, trial session, 22 March, 2012, Transcript p. 26633.

62 That is not an entirely fanciful hypothesis. The International Commission on Missing Persons (ICMP) was established in 1996 at the G7 Summit in Lyon, France, at the suggestion of US President Bill Clinton. Its chairman since then was always an appointee of the US State Department. See, <https://www.icmp.int/news/icmp-framework-agreement-an-overview/>

63 Andy Wilcoxon, “What Happened at Srebrenica in 1995? Analysis of the Evidence,” Global Research, August 4, 2012, <http://www.globalresearch.ca/index.php?context=va&aid=32199> ; also, “Estimating the Number of Srebrenica Massacre Victims, Realistically”, Serbianna, July 28, 2013. http://serbianna.com/analysis/archives/2281?utm_source=feedburner&utm_medium=feed&utm

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_campaign=Feed%3A+SerbiannaAnalysis+%28Serbianna+Analysis%29

64 Stephen Karganovic, "A very odd and unexpected silence regarding the 'Srebrenica genocide'", Global Research, August 28, 2012, <http://www.globalresearch.ca/a-very-odd-and-unexpected-silence-regarding-the-srebrenica-genocide/32491>

65 Naser Orić, Srebrenica svjedoči i optužuje, 1992 – 1994, Ljubljana, 1995. Orić lists 1,333 pre-July 1995 "martyrs" by name with date and place of birth and date and place of death. For complete list, see op. cit., pages 211 – 244.

66 ICTY ERN no. 0185-4518-0185-4532-ET.doc/al

67 ICTY ERN no. 11854425 - 11854433

68 ICTY ERN no. 11854425 – 11854433.

69 World Health Organization, Tuzla Field Office, ICTY EDS no. 00412061 (3D39-0413)

70 UNPROFOR HQ Sector North East – Tuzla Air Base, ICTY EDS no. 00412059 (3D39-0411)

71 ICTY chambers' Srebrenica victims estimates range from a high of 7,000 to 8,000 in the Krstić and Mladić cases to 4,970 in the Tolimir case.

72 That is the overall estimate of debriefed Dutch battalion soldiers, Debriefing on Srebrenica (Assen), 4 October 1995, Section 2.33, EDS 00349926, as well as of the ICTY Appellate Chamber in the Krstić case, Par. 15.

73 ICTY ERN no. 01854595 – 01854601.

74 ICTY file no. 1D23-0548 – 1D23-0556.

75 Srebrenica: a Town Betrayed, <http://tv.globalresearch.ca/2011/07/srebrenica-town-betrayed>

76 Interview with Jean-René Ruez, Le Point, no. 1862, 26 May 2008.

77 ICTY, Prosecutor v. Karadžić, Status conference, 23 July, 2009, p. 364, lines 21 – 23.

78 Although the Karadžić chamber is verbally committed to allow the defense to check 300 DNA reports, it continues to adhere

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to ICMP's position that independent sample verification without the written approval of relatives should not be permitted: „NOTING that the ICMP has stated that it cannot provide its entire database of genetic profiles obtained from blood samples taken from family members of missing persons to the Accused without obtaining the consent of each family member who provided such a sample, and that this process would take significant time in view of the volume of samples taken“, see ICTY, Prosecutor v. Karadžić, “Order on selection of cases for DNA analysis,” 19 March, 2010., p. 2.

79 ICTY, Prosecutor v. Karadžić, “Order on selection of cases for DNA analysis,” 19 March 2010, p. 2.

80 That is not correct because the Tribunal is endowed with jurisdiction over all aspects of the criminal case, including compulsory production of evidence, if only it chooses to make use of it (See Rules 54 and 68 bis, ICTY Rules of Procedure and Evidence). The court has an obligation to employ its power to make available to the accused all evidence that is relevant to the case against him.

81 Small surprise there, given the highly disappointing results yielded by traditional methods. About 1,920 bodies of persons who died of a variety of causes, including combat casualties, falls embarrassingly short of the 8,000 “executed men and boys” goal.

82 ICTY, Prosecutor v. Popović et al, February 1, 2008, Transcript, p. 20872.

83 Correspondence reproduced in S. Karganovic, ed.: “Deconstruction of a virtual genocide: An intelligent person’s guide to Srebrenica” [Den Haag-Belgrade, 2011], p. 230-232; http://www.serbianna.com/features/Srebrenica_Historical_Project.pdf

84 December 11, 2007; <http://www.ft.com/intl/cms/s/0/c4474d94-a6f1-11dc-a25a-0000779fd2ac.html#axzz1RjlqNP8c>

85 <https://www.icmp.int/press-releases/ambassador-thomas-miller-appointed-new-chairman-of-the-international-commission-on-missing-personsambasador-thomas-miller-imenovan-za-novog-predsjedavajuceg-medunarodne-komisije-za-nestale-osobe-icmp/>

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

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87 "...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.

88 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 in Tuzla. According to Wieland, none of them declared having actually witnessed the commission of a war crime. (London Telegraph, July 24, 1995)

89 To be reasonable, we must grant that under the circumstances 8,000 intact bodies are unlikely to ever be found. But the skeletons, and parts of skeletons, that have been found ought not to be manipulated to produce the illusion of more victims than there actually are. Dr. Simić's approach of counting femur bones, which we know that everyone has only two, is an illustration of a credible approach to counting the victims.

90 It goes without saying that religious sensitivities must be respected whenever reasonably possible. However, a massive crime scene in Europe should be treated according to prevailing secular European standards. That means that all avenues of inquiry likely to facilitate solving the crime must be pursued.

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

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92 As the supply of legitimate Srebrenica execution mass graves began to dry up, and bodies and body parts needed to back up the 8,000 genocide victims claim were becoming more scarce, the Muslim-controlled Missing Persons Commission focused increasingly on several locales, including one called Kamenica. They played down the fact that Kamenica was along the path of the withdrawal of Muslim army's 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*, 20/11/08; *Radio Sarajevo*, 17/07/09; *Fena*, 15/09/09; *Radio Slobodna Evropa*, 10/12/08, to cite just a few. Although Sarajevo-based Muslim sources do not advertise it, neither do they deny 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 breakout from Srebrenica in July of 1995." (*Slobodna Bosna*, "Bajram u dolini masovnih grobnica," http://www.genocid.org/print.php?type=A&item_id=96)

93 The official reason given for the photos' confidentiality is that showing them publicly could compromise intelligence gathering methods. That rationale is untenable because methods used in 1995 are obsolete today.

94 Contrary to the popular impression, "crown witness" Erdemović was not apprehended as a result of ICTY prosecutors' diligent and targeted efforts. He was initially arrested by Yugoslav authorities in 1996 following a barroom brawl in Novi Sad, Serbia. Apparently anxious to avoid the Yugoslav judicial system, he came up with his Srebrenica story and demanded to be handed over to the Hague Tribunal for further processing. The request was granted based on the ICTY supremacy clause.

95 A "professional military operation," in the view of the Krstić appellate chamber. See *Krstić Appellate Judgment*, par. 239.

96 *Krstić Appellate Judgment*, par. 85.

97 See *Newsday*, "War criminals in the US," March 12, 2006: "Last year, on the 10th anniversary of the massacre, British foreign secretary Jack Straw acknowledged the failure and apologized. 'For it is to the shame of the international community that this evil took place under our noses and we did nothing like enough,' he said. 'I bit-

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terly regret this and I am deeply sorry for it." Straw atoned for his inaction at Srebrenica in 1995 four years later by becoming one of the most aggressive supporters of NATO's illegal aggression against the Federal Republic of Yugoslavia.

98 The penitent "statesmen" and public figures engaging in these soul-wrenching exercises of moral theater represent, of course, countries which in recent history have been responsible for the destruction of tribes, nations, and civilizations on a scale far exceeding even the most wildly exaggerated Srebrenica death toll.

99 The illegal three-month bombing campaign against the Federal Republic of Yugoslavia in 1999, on the cynical pretext that its purpose was to prevent the imminent genocide of Kosovo Albanians, is another example of conduct contrary to international law which cost thousands of lives, caused much destruction, and is directly traceable to the "Srebrenica rationale."

100 The fact that they were led into war by their leader Alija Izetbegović on the promise that they would emerge as the dominant element in independent Bosnia and Herzegovina, but in the end had to settle for under a quarter of the territory, and even that in a dysfunctional union with the Croats, says enough about how Bosnian Muslims have fared in the conflict. And if they have any sense of Islamic solidarity, they should be outraged by the clear cause-and-effect relationship between the phony Srebrenica "genocide" scenario, and the very real slaughter of hundreds of thousands of Muslims in other countries which would have been difficult to accomplish without the humanitarian intervention pretext of which the supposed "lessons of Srebrenica" are the fundamental component.

101 That is clear in the case of those ex-Yugoslav republics which have suffered the ravages of war and massive destruction. It may be less obvious but is nevertheless also true of others, like Slovenia and Macedonia, although they seemingly escaped the effects of the conflict. From a prosperous and equal republic within the Yugoslav federation, Slovenia became a province of the European Union, where all major decisions are being made in a capital much more distant than Belgrade and where even the initial benefits of prosperity are now in doubt, as the global economic crisis takes its toll. As for Macedonia, its helplessness in the face of Albanian expan-

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sionism targeting half of its territory, including the capital of Skopje, is a heavy price to pay for supposed independence.

102 Ibran Mustafić: *Planirani haos* (Sarajevo, 2008). According to Mustafić, p. 388, after the war's end the director of the Muslim secret service, AID, very strongly "suggested" to him not to discuss Srebrenica publicly or he would be "liquidated."

103 See report of the Netherlands War Research Institute (NIOD): "Throughout the remainder of 1992 the Serbs remained on the defensive in this region. Overall, Muslim fighters from Srebrenica attacked 79 Serbian places in the districts of Srebrenica and Bratunac. They 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. There was a preference to launch these attacks on Serbian public holidays (those of Saint George, Saint Vitus and the Blessed Peter, and Christmas Day), probably because least resistance was expected. Yet it simultaneously contributed to the development of profound Serbian grievances. Many of these attacks were bloody in nature. For example, the victims had their throats slit, they were assaulted with pitchforks or they were set on fire. 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 original 9,390 Serbian inhabitants of the Srebrenica district, only 860 remained, mainly in the four villages of Skelani, Crvica, Petrica and Lijesce. Serbian attempts to defend other villages met with little success. The Serbs in the district of Bratunac were largely driven back to the town of the same name. Faced with a constant shortage of troops, the authorities of the Republika Srpska (Serb Republic) showed little interest in defending the area. On the other hand, the Muslims of Srebrenica could not count on the authorities in Sarajevo showing much interest in them. Confronted with the remark that the Muslims in Eastern Bosnia had also committed atrocities, the Bosnian vice-president, Ganic, said, 'The Muslims along the Drina have never received support from us. They obtained their own weapons.'" NIOD Report, Part I: The Yugoslavian problem and the role of the West 1991-1994; Chapter 10: Srebrenica under siege.

104 See interview with ICTY Judge Kristof Flüggé, *Der Spiegel*, July 7, 1995; for Prof. Schabas' opinion on the applicability of the con-

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cept of genocide to Srebrenica, and summary of the views of the scholarly community on that subject, see: <http://humanrightsdoctorate.blogspot.com/2009/07/judge-flugge-of-icty-on-genocide-in.html>

105 In an interview on BBC's Hard Talk, Bosnia and Herzegovina Presidency member Haris Silajdžić insisted that mentioning innocent Serb civilian victims was unacceptable because it gave them a status equal to the Muslims and somehow "relativized" the crimes of which the latter were victims. Silajdžić and all who share his views should be reminded that in the civilized world it is considered that in death all innocent war victims are absolutely equal, whatever community they may happen to belong to.

106 The Serbian side cannot expect that its justified criticisms of the passive conduct of the Croatian Catholic hierarchy in the face of Ustashi atrocities during World War II will be taken seriously unless the Orthodox episcopate demonstrates a capacity to condemn evil acts committed by wayward members of its own flock.

107 Oddly enough, that approach has not been tried to any significant extent so far.

108 Orić was sentenced to two years in prison, but acquitted on appeal.

109 ICTY Rules of Evidence and Procedure, Rule 68 (i): "The Prosecutor shall, as soon as practicable, disclose to the defence any material which in the actual knowledge of the Prosecutor may suggest the innocence or mitigate the guilt of the accused or affect the credibility of Prosecution evidence." In the present instance, this rule was clearly breached. Whether one is guilty of 8,000 or significantly fewer deaths is a relevant issue. Whether the prosecution evidence stands for disarticulated body fragments from which no forensic conclusions can be drawn, or for bodies in a state of relative completeness from which reasonable inferences about the manner and cause of death may be drawn, clearly affects the nature and credibility of the prosecution's case.

110 See, ICTY Rules of Evidence and Procedure, Rule 98, "Power of chambers to order production of additional evidence".

111 The Krstić trial judgment offers numerous illustrations of the games which the Chamber played in order to lend an air of plau-

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sibility to its teleologically predetermined decision. On the one hand, the chamber says that according to a “conservative” determination by experts there were a minimum of 2,028 bodies in the exhumed graves (par. 80). It does not identify the experts nor does it indicate the methodology that they used. The Chamber recognizes (par. 76) that few blindfolds and ligatures were recovered in gravesites in the Nova Kasaba and Konjević Polje areas, which were incidentally the scenes of intense combat. The Chamber also “does not rule out the possibility” that a percentage of the bodies in the gravesites may have been of men killed in combat (par. 77). But the Chamber then refrains from taking the legally logical step of excluding those combat casualties from the count of war crime victims. Instead, in the same paragraph it proceeds to the unsupported conclusion that “overall” the prosecution’s forensic evidence is consistent with the testimony of witnesses about mass executions. How can witness testimony be given greater weight than physical evidence when they are inconsistent? Faced with a drastic shortage of exhumed bodies, a fact that tended to make its obligatory finding of genocide somewhat shaky, the Krstić Chamber put its faith in the “preliminary examinations conducted by the OTP [i.e. Office of the Prosecutor]” according to which “it is expected” that once 18 additional unexhumed suspected graves were opened “the total number of bodies found and linked with Srebrenica will significantly increase.” (Par. 80) Finally, in footnote 166 of its Judgment the Chamber notes without critical comment the Prosecution’s estimate given in the year 2000 that “probed but as yet unexhumed gravesites” contain 2,571 bodies, and “that the total number of bodies detected in the mass graves is 4,805.” It is not disclosed whether this refers to actual bodies or mere “cases,” but at this point that is irrelevant. Almost two decades have passed since the year 2000 when these estimates were made, but not a trace of those “detected” 4,805 executed persons has been found. These factually unsupported Prosecution “estimates,” plus the Chamber’s shoddy logic, formed the basis for the finding of genocide in the Krstić case. It was then simply taken over by inertia and incorporated as an adjudicated fact in succeeding Srebrenica cases.

112 ICTY Rules of Procedure and Evidence offer that possibility; see Rules 119, Request for review, and 120, Preliminary examination.

113 See France 24 English Service, May 25, 2016;

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https://www.youtube.com/watch?v=R7Sy9nsF6-8&feature=em-share_video_user

114 Naser Orić was commander of Muslim forces in the Srebrenica enclave. For Gen. Morillon's testimony, see Prosecutor v. Milosevic, February 12, 2004, p. 32045, lines 1–4.

POST SCRIPTUM

The Srebrenica Massacre as Paradigmatic Media Spin

Every July 11 the anniversary of the massacre in Srebrenica is observed. The annual spectacle takes place at the Srebrenica Memorial Center in the community of Potočari. The facilities are specially constructed for that purpose. The observance regularly features most of the rather insignificant individuals purporting to be political leaders in the region and notables from the Western-dominated portion of the world. Their speeches, which never vary substantially, are infused with the predictable platitudes. In the years to come, we can invariably expect more of the same.

The spectacle provides an excellent setting for a consideration of the Srebrenica narrative from the standpoint of the media. After slightly over two decades of conditioning, there is no longer a need to specially remind the general public of the two memes that automatically come to mind at the mention of the word "Srebrenica": "genocide" and "8,000 executed men and boys." That is striking proof that the Srebrenica media spin has been a resounding success. A few reflections are in order on how that came about and why.

First, the issue of Srebrenica should be put in a general framework. As with most unspontaneous events - special operations mounted to achieve some political effect - Srebrenica is a purposely multilayered affair. As Prof. Edward Herman, an American scholar who has devoted an inordinate amount of time to dissecting Srebrenica, has put it, far from being a straightforward story "Srebrenica symbolizes the triumph of propaganda at the end of the twentieth century." To this sobering injunction we can add the extraordinary thought recently expressed by Judge Jean-Claude Antonetti of the International Criminal Tribunal for the Former

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Yugoslavia in his dissenting opinion in the Tolimir case, which focused on Srebrenica:

“If the relatives of those killed were to ask me who ordered the killing of their dear ones and why, I would not know what answer to give them.”

This statement is an amazing admission of opacity, considering the fact that ICTY has been in existence for over two decades, has been collecting evidence about Srebrenica since 1996, and has convicted over a dozen defendants of involvement in the Srebrenica affair, meting out harsh sentences, including life imprisonment. Former president of the Republic of Srpska Radovan Karadžić and Bosnian Serb Army commander Ratko Mladić are just the latest example.

Secondly, shouldn't an attempt be made to find the most suitable form to organize the information about the events in Srebrenica that we do have, actually or potentially? The “levels of information” model proposed by the British scholar, Prof. Anthony Sutton, seems very appropriate. His typology is rather nicely applicable to Srebrenica.

On the first level, we are facing the official version of the politically significant event. That is the portrayal of the facts in the form which is the most compatible with the interests of powerful or influential forces which benefit from the dissemination of a certain narrative, or at least reduces damage to their interests to a minimum. The official narrative usually consists of a carefully filtered selection of facts and a few oversimplified assertions. (In the matter of Srebrenica, it is the ceaseless repetition of the memes of “genocide” and “8,000 executed men and boys”.) This approach aims principally at the emotions and perception management and it is devoid of critical analysis.

The first level, therefore, consists of those elements that power centers which control the flow of information consider useful for the public to find out. As Prof. Sutton puts it with English dry humor, any resemblance to the truth is unintentional.

The second level of approaching the truth about what actually happened has to do with a critical assessment of the official narrative. Assertions from the first level are challenged, but still mainly within the factographic confines set by the creators of the official

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narrative. Depending on the complexity and controversy of the research topic, in order to invest the official narrative with a semblance of credibility *nolens volens* a certain amount of authentic information is released, albeit selectively torn out of context and tendentiously presented. At this stage, therefore, the critical assessment of the evidence is mainly in the form of an immanent critique.

The sustainability of the official conclusions and supporting data base is checked against the evidence, or the premises, made available to us by the same official sources. Inconsistencies, *lacunae*, and discrepancies between the official conclusions and the evidence upon which they are allegedly based can be very informative and useful for the critical project. They may have very significant implications for the credibility of the official “truth” in the matter. Insights gained by the use of this negative methodology, the only one possible under the circumstances, can be very significant even when all its limitations are taken into account.

However, they are more likely to answer questions such as “what didn’t, or couldn’t have happened” in the given case rather than shedding light on the more important questions of “what did actually happen, how, and why?”. So we return again to the amazing statement by Judge Antonetti that was quoted earlier. Immanent critique may put the official narrative in reasonable doubt, and it might even serve as a sufficient justification for rejecting it altogether. But that does not help to achieve the ultimate goal of the research project, which is to satisfy the desire to learn the final and all-encompassing truth in a particular matter.

For that we must depend on the third level. The more complex and sensitive the underlying issue, the longer this level of information remains inaccessible to those who seek exhaustive explanations and final answers. It consists of a broad and unfiltered spectrum of new, original, and relevant data that lead to insights and conclusions immensely more significant than those that can be reached by the method of negative criticism. At this level we can finally understand the background, context and real motives for the event, gaps from the second level are filled, and the seeming contradictions generated by fragmentary data are resolved.

An illustration of the importance of third level information was offered recently by the declassification of National Security Archive

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documents pertaining to NATO expansion understandings reached between the Western block and the Soviet Union in the early 1990s, as the Cold War was drawing to a close (https://nsarchive.gwu.edu/briefing-book/russia-programs/2017-12-12/nato-expansion-what-gorbachev-heard-western-leaders-early#_edn3). The primary source documents, many of which have now been made public, significantly alter perceptions nurtured by propaganda and political spin about promises that were made to the Soviet leadership at the time, most of which now seem to have been deliberately deceitful.

Here we are dealing with a qualitatively new kind of facts which promote deeper insights. Such facts not only tend to discredit the official narrative but – and potentially this is far more dangerous – they might explain the motives behind it and substitute it altogether, which is why facts at this level are usually kept under long-term embargo. Much key Srebrenica evidence, including aerial photos, are under lock and key for the next several decades. Third level data are extremely difficult to access, one of the difficulties being information what archives or storage facilities they are kept in.

The distinguishing feature of third level information is that frequently it changes radically the perceptions projected at the first level, and significantly supplements and contextualizes the insights gained at the second level.

The current status of Srebrenica research is at the second level of information. We do not know where the data bunkers of the third level are located and even if we were to find out for the moment they are impenetrable.

Before briefly discussing the results of some empirical research into the media portrayal of Srebrenica, there are two important reasons why the media projection is so fiercely defended and virtually immune to criticism at the mainstream level.

First of all, and Diana Johnstone's simple and incisive concept of the "uses of Srebrenica" is very applicable here, the official narrative serves the Bosniak political establishment in Sarajevo as a mobilization tool and national identity building device. "Srebrenica genocide," based on a common threat, shared suffering, and shared enemy, all very primitive but effective mechanisms for creating and consolidating social cohesion, is the founding myth of the recently engineered

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Bosniak Muslim identity. That is why the Sarajevo leadership cannot compromise on it, because were it to do so the artificial barriers it is constructing to wall its constituency off from Orthodox neighbors, in order to maximize control over it, might founder and collapse under the obvious weight of common ethnicity, common language, mostly common mentality and customs, and largely common history. The self-perpetuating governing class in Sarajevo might find itself displaced and irrelevant if commonalities were to be recognized, given due weight, and allowed to supersede the differences. That is why they insist on every possible difference and division, real or contrived. Srebrenica genocide of Muslims allegedly at the hands of Orthodox Serbs is their argument-in-chief.

The second important party keenly interested in the perpetuation of the first level Srebrenica narrative is what may broadly be defined as the Atlanticist alliance, including “all the usual suspects” in the US political establishment, NATO, EU, and the rest of that power block. There is much circumstantial evidence that the Srebrenica massacre of July 1995, on a scale far more modest than was ultimately claimed, was improvised in order to provide cover for the Western-organized and backed Croatian Operation Storm, which was launched the following month, in August 1995, on the heels of the Serb takeover of Srebrenica. US ambassador in Zagreb at the time, Peter Galbraith, made the significant admission several years ago that “without Srebrenica there would not have been Operation Storm.”

A careful study of the chronology of events coupled with official utterances suggests that several years passed before Western policy makers realized the additional potential of Srebrenica as a rationale for “humanitarian interventions” against sovereign states, which became the now famous R2P doctrine. This doctrine’s first application, with the moralistic cry of “not another Srebrenica” was in 1999 in Kosovo, where the Albanian minority supposedly was in danger of being exterminated by the Serbs. Another application of the doctrine, using the same invented pretext, followed in Iraq, where Saddam Hussein was allegedly at the point of exterminating Kurds. Libya and Syria followed. In each of these campaigns, undertaken to destroy governments unfriendly to Western political interests, emotional reliance on the Level One misrepresentation of what happened in Srebrenica was the motivating factor and relentless media promotion

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was the key element contributing to its political success.

Here, it is important to note two things. First, this alliance between political Sarajevo and Western power centers is not principled, but of a purely tactical nature. Their interests simply happen to overlap at the point that we call "Srebrenica." Secondly, the partners are anything but equal, certainly not in the important arena of media control. Without the logistical support of Western controlled media, Sarajevo would have managed to achieve very little – most probably nothing – in the way of imposing the official Level One Srebrenica narrative on most of the world.

From this, there follows an important corollary. When the strategic picture changes and the Western factor no longer considers it in its interest to continue placing its media facilities at Sarajevo's disposal to propagate the "genocide" and "8,000 men and boys" Srebrenica narrative, the Level One story will collapse. Unfortunately, with its legendary shortsightedness Sarajevo does not seem to have prepared a Plan B to anticipate that scenario. But when and if that happens, depending on the geopolitical reasons for the falling out, perhaps in the context of a "clash of civilizations" with the world of Islam, Sarajevo must brace itself for more unpleasant developments. Level Three data may unexpectedly be made accessible and, as a result, the entire Srebrenica edifice could come crashing down.

Before presenting broad conclusions, a review of empirical evidence about how some major segments of the Western media have dealt with Srebrenica would be in order. Two significant surveys have been conducted, one of the American media by Prof. Edward Herman, and the other of the British media by Philip Hammond.

In his essay "U.S. Media Coverage of Srebrenica," Prof. Herman reviews 95 print media articles that had "Srebrenica" in their title, published in six major U.S. media outlets between April 1992 and November 2004. Sixty three of the articles were in the two leading newspapers, the New York Times (28) and Washington Post (35), ten were in the Boston Globe, seven in the Christian Science Monitor, four each in Newsweek and in USA Today. Seventy one of the 95 articles were published in mid-July 1995 or after and therefore deal with events in and around Srebrenica around the time when the "Srebrenica massacre" took place. The remaining 24, of which 14 were

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in the Washington Post, focus on an earlier Bosnian Serb siege of Srebrenica, in the Spring of 1993.

The results of the survey show that, as Prof. Herman, puts it, “the main features of these articles are their formulaic character, their uniform adherence to a quickly established Western party line, their limited use of sources, and their failure to provide context or ask challenging (and sometimes obvious) questions.”

Specifically, twenty-one news stories of the 71 that date from mid-July 1995, with only minor variation refer to the killing as “the worst massacre in Europe since World War II,” and a majority give a figure for the missing or executed “Muslim men and boys” ranging from 2,500 to 8,500. The smaller figure was given early but was quickly dropped in favor of 7,500 – 8,500, which was based on initial and unverified Red Cross estimates of people claimed to be missing. That contrasts starkly with the eventual downward adjustment in claimed numbers of people killed in 9/11 and in Croatia’s Krajina region in August 1995, as well as the more recent claims of civilian deaths in the Darfur region of Sudan which were radically revised downward once the apparent political goal of separating that oil rich province from the rest of Sudan had been achieved. The evidence that many Muslims were killed in fighting while conducting a military style breakout from Srebrenica and that many had made it safely to Bosnian Muslim controlled territory was largely ignored. Also ignored was the failure to find bodies and to provide forensic evidence supporting anything close to 7,500 to 8,500 execution figures.

In his survey “U.K. Media Coverage of Srebrenica” Philip Hammond considers reports in four major British publications and reaches remarkably similar general conclusions about “party line” reporting on Srebrenica by the British media. However, he found two interesting stylistic difference between American and British accounts. In Great Britain, contrary to the picture of one-sided, genocidal attack by Serbs against defenseless Muslims, which emerged later, there was initially some reporting of fighting between Serb and Muslim forces around Srebrenica which may have resulted in legitimate casualties. Another difference Hammond notes is “how often Srebrenica is presented, less as a defeat for the Bosnian Muslims, than as a defeat for the West” and he terms that “striking.” Some additional differences identified by Hammond are that initially in Britain attention to context seems to have persisted longer, although

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it definitely started to decline after the initial period in mid-July 1995, and estimates of the missing and presumed dead varied widely and developed into an orthodoxy only slowly over a period of weeks.

Shifting the focus of the British survey from 1995 to 2001, Hammond finds three major points of interest: first, the role of ICTY in interpreting what happened in Srebrenica is heavily stressed; second, related to this, Srebrenica is now unequivocally labeled as "genocide", with frequent parallels drawn with the Second World War; and, third, the alleged proof of the massacre is mentioned by referring to the corpses in the morgue in Tuzla, where they were collected prior to burial.

Hammond finds that one of the most notable features of coverage of Bosnian Serb operations around Srebrenica is that the event is rarely understood or explained by the British media in the context of civil war. One indication of that is the negligible number of articles that mention the local Srebrenica Bosnian Muslim commander Naser Orić. Between 1995 and 2004, Orić is mentioned in only nine articles in four papers. The predominant image projected of him is of a Robin Hood character, ignoring allegations of his role in organizing assaults and committing atrocities against Serb civilians in the surrounding villages.

Hammond concludes that whatever initial efforts to achieve reportorial balance may have been made, by late July 1995 British "coverage had already descended to the superficial and the biased." From that point on, British reporting tended to merge with the American, stressing an uncritical, party line account of what happened in Srebrenica.

We are now ready to draw several conclusions about Western media coverage of Srebrenica. How paradigmatic it is remains to be confirmed. A good start would be a comparative study that would include a survey of Western media treatment of some other similarly contentious contemporary narratives.

The first conclusion that the evidence suggests (although it remains to be tested by looking at other comparable narratives) is that the more politically important the narrative, the more intense is the media solidarity behind its fundamental premises. Srebrenica in that sense is clearly very important, in terms of its role as a key

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rationale for a number of Western political projects and operations.

Second, the media phalanx around the Srebrenica narrative suggests that there is very little space for autonomous reporting or critical analysis in contemporary Western journalism. Western media versions of the downing of MH17 or the alleged Russian invasion of the Ukraine, which show very little variation from the narratives put out by official government sources, are very suggestive in that regard. Such content uniformity would be more readily expected in a totalitarian than in a democratic society.

Third, with regard to Srebrenica if not (as yet) other protected core narratives that have been raised to the level of orthodoxy, when all else fails there is a clear willingness to resort to repression in order to keep the party line intact. Bosnian Muslim spokesmen, possibly acting as Western proxies, have called for the imposition of legal prohibitions on “denying genocide” in Srebrenica and criminal punishment for the offenders. Under strong political pressure the European Parliament and parliaments of several European countries have voted resolutions officially affirming the status of Srebrenica as genocide, and an unsuccessful attempt was made by Great Britain in 2015 to introduce a resolution in the UN Security Council to politically cement Srebrenica’s status as genocide. It failed because of a veto by the Russian Federation. Such tactics can only have a chilling effect on challenges to what is increasingly becoming a protected and unquestioned narrative, exempted from critical inquiry.

Our NGO, “Srebrenica Historical Project”, has thoroughly investigated all aspects of the Srebrenica massacre, we have assisted in the preparation of Srebrenica court cases, and testified as expert witnesses. Though necessarily incomplete and still at “information level two”, the factual matrix that our research establishes makes it clear that the beyond all doubt media narrative concerning Srebrenica is not just erroneous. It is a deliberate spin in the service of a political agenda.

ANNEX I: Srebrenica: An historical overview

The first historical record of the region presently known as Srebrenica dates back to the period of Roman administration, during the first centuries of our era. The Romans established a miners' colony, Domavium. From there silver ore was shipped to the mints in Salona in the southwest and Sirmium in the northeast, using the Via Argentaria. Monuments of diverse cultural and historical heritage going back to antiquity, including a number of Roman burial stones around the village of Brana Bačići, ruins of medieval walls and remains of medieval Bosnian fortifications, such as Donji and Gornji Srebrenik and Djurdjevac, together with 43 locations containing the remains of 815 medieval necropolises – in Serbian, stećak – suggest the rich historical panorama of Srebrenica.

During the middle ages, in the 13th and 14th century, the region that included Srebrenica was part of the Banate of Bosnia, and, subsequently, the Bosnian Kingdom. The earliest reference to the name of Srebrenica was in 1376, by which time it was already an important Balkan trade center, due to silver mines in the area. By that time, a large number of merchants of the Republic of Ragusa (present day Dubrovnik) had established themselves there. They controlled the domestic silver trade and maritime exports, almost entirely out of the port of Ragusa. During the 14th century, many German miners moved into the area. There were often armed conflicts for control of Srebrenica because of its mines. According to Czech historian Konstantin Jireček, from 1410 to 1460 Srebrenica switched hands several times, being Serbian five times, part of the Bosnian kingdom four times, and Ottoman three times. The mines of Bosnian Podrinje and Usora were part of the Serbian principality prior to the Ottoman conquest. In the modern times reserves of another important ore, bauxite, were discovered in the region, which additionally enhances its economic significance.

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Under Ottoman rule, which was consolidated in the second half of the 15th century, the Republic of Ragusa and its merchants lost influence in and around Srebrenica. At the same time, Srebrenica's economic importance began to decline, as did the proportion of Christians in the population. The local Franciscan monastery was converted into a mosque. However, the large number of remaining Christians caused the conversion to Islam to proceed relatively more slowly than in other areas of Bosnia.

In the modern period, during the First Serbian Uprising against the Turks (1804–13), Osat, an area within the district of Srebrenica, was briefly liberated from the Turkish rule under the leadership of Kara-Marko Vasić from Crvica, a village near Skelani. Local rebel leader Vasić asked Karadjordje, who led the uprising across the Drina River in Serbia, to dispatch auxiliary forces to help liberate Osat. Karadjordje put one of his officers, Lazar Mutap, in charge of the reinforcements sent to the locals in Bosnia. In 1808, the Ottomans managed to retake Osat, and by 1813 the rebellion was entirely subdued.

Continuous Ottoman abuses in Turkish-ruled Bosnia culminated in 1875 in a general rebellion by the Serbian Orthodox population, which broke out in the village of Nevesinje in Herzegovina. The instability which resulted after Ottoman authorities resorted to harsh measures in order to suppress the uprising, and the concern of European powers, including Russia, for the safety of the Christian population led to the convening in 1878 of the Congress of Berlin, which allowed Austria-Hungary to take administrative control of Bosnia and Herzegovina, although the territory theoretically still remained under Ottoman suzerainty until 1908. During the thirty years that followed, until the end of World War I, Bosnia and Herzegovina, including Srebrenica, were under Austro-Hungarian rule. In 1918 they became part of the newly established Kingdom of Yugoslavia.

During World War II, after Yugoslavia was attacked and dismembered by the Axis powers, Bosnia and Hercegovina was incorporated by the puppet "Independent State of Croatia," which conducted harsh discriminatory policies against minorities, among whom Serbs, Jews, and Roma were the principal extermination targets. During World War II, the Serbian population in the region of Srebrenica suffered massively. Of the Serbs living in the town of Srebrenica, only one

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young girl survived by the war's end. During the Orthodox Holy Trinity feast celebration on June 14, 1943, for example, the Ustashi, as the Croat-Muslim armed militia of the Axis puppet state were known, murdered in Srebrenica over 150 Serbs, one Jewish family, and a local Muslim who was married to a Serbian woman, including his entire family. In the village of Zalazje, near Srebrenica, 97 Serb inhabitants were massacred.

As a result of wartime losses suffered by the Serbian Orthodox population in Srebrenica and the environs, the post-war demographic balance shifted massively in favor of the local Muslim community (the presence of Catholic Croats, the third constituent ethnicity in Bosnia and Herzegovina, had by that time in Srebrenica become statistically negligible, for unrelated reasons).

In 1992, as Yugoslavia began to disintegrate and Bosnia and Herzegovina was proclaimed an independent state, an intense inter-communal conflict broke out between Serbs and Muslims, reflecting their sharply different visions about the country's future. Its ruthlessness was particularly pronounced in the region of Srebrenica.

**ANNEX II: Serbian Srebrenica villages attacked
by Muslim forces**

Village or hamlet under attack:	Date of attack:
ЧУМАВИЋИ/ ČUMAVIĆI	May 1992
БЉЕЧЕВА/ ВЉЕЧЕВА	6-5-1992
ГНИОНА/ GNIONA	6-5-1992
СТУДЕНАЦ/ STUDENAC	May 1992
ВИОГОР/ VIOGOR	15-5-1992
ОСРЕДАК/ OSREDAK	15-5-1992
САРАЧИ/ SARAČI	May 1992
КОВАЧИЦЕ/ KOVAČICE	May 1992
ЈЕРЕМИЋИ/ ЈЕРЕМИЋI	May 1992
ПЕТРОВИЋИ/ PETROVIĆI	May 1992
ОРАХОВИЦА/ ORANOVIĆA	15-5-1992
БОРОВАЦ/ BOROVAC	May 1992
БОЈНА/ ВОЈНА	May 1992
РАЈНЕ/ RAJNE	May 1992
ВИТЛОВАЦ/ VITLOVAC	May 1992
СОЛОЋУША/ SOLOČUŠA	May 1992
ЧИЧЕВАЦ/ ČIČEVAC	20-5-1992
ГОСТИЉ/ GOSTILJ	24-5-1992
КИПРОВО/ KIPROVO	15-5-1992
ПРИБОЈЕВИЋИ/ PRIBOJEVIĆI	25-5-1992
ЈАСЕНОВА/ JASENOVA	May 1992
БУКОВА ГЛАВА/ BUKOVA GLAVA	May 1992
ПРИБИЋЕВАЦ/ PRIBIĆEVAC	May 1992
ВУКОСАВЉЕВИЋ/ VUKOSAVLJEVIĆ	May 1992
МАЛА ТУРИЈА/ MALA TURIJA	May 1992
ТУРИЈА/ TURIJA	May 1992

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ГАЈИЋ/ GAJIĆ	May 1992
БРЕЖАНИ/ BREŽANI	30-6-1992
ПРИМАЛАЦ/ PRIMALAC	May 1992
КНЕЗОВИ/ KNEZOVI	May 1992
ЛУБНИЦА/ LUBNICA	May 1992
МАРКОВИЋИ/ MARKOVIĆI	May 1992
РАДОШЕВИЋИ/ RADOŠEVIĆI	20-5-1992
КАРНО/ KARNO	20-5-1992
МЕЂЕ/ MEĐE	15-5-1992
РАДАЧЕВИЋИ/ RADAČEVIĆI	20-5-1992
МЕДЕ/ MEDE	May 1992
ЦРНИ ВРХ/ CRNI VRH	20-5-1992
ПОСТОЉЕ/ POSTOLJE	23-5-1992
ПОДРТО/ PODRTO	23-5-1992
ГРУБАНОВИЋИ/ GRUBANOVIĆI	10-5-1992
ДОЛОВИ/ DOLOVI	15-5-1992
ОПАРЦИ/ OPARCI	1-6-1992
ДАРОШНИЦА/ DAROŠNICA	6-6-1992
РАДЕНИЋИ/ RADONIĆI	8-6-1992
ПЕТРОВИЋИ/ PETROVIĆI	8-6-1992
ЦРКВИНЕ/ CRKVINE	June 1992
РАЧИЋИ/ RAČIĆI	27-6-1992
ДУЧИЋИ/ DUČIĆI	21-6-1992
ДВОРИШТА/ DVORIŠTA	21-6-1992
РАТКОВИЋИ/ RATKOVIĆI	21-6-1992
МАГУДОВИЋИ/ MAGUDOVIĆI	27-6-1992
БРАЂЕВИНА/ BRAĐEVINA	27-6-1992
РУЉЕВИЋИ/ RUĀJEVIĆI	27-6-1992
ВРАНЕШЕВИЋИ/ VRANEŠEVIĆI	27-6-1992
КАЛУДРА/ KALUDRA	21-6-1992
ПОЛИМЦИ/ POLIMCI	21-6-1992
ЈАСИКОВАЧА/ JASIKOVAČA	27-6-1992
ЛИПЕНОВИЋИ/ LIPENOVIĆI	27-6-1992
ДОЛОВИ/ DOLOVI	27-6-1992
ГОРЊИ МРАТИНЦИ/ GORNJI MRATINCI	27-6-1992
ДОЊИ МРАТИНЦИ/ DONJI MRATINCI	27-6-1992

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КРЊИЋИ/ KRNJIĆI	5-7-1992
ЗЕЧИЋИ/ ZEČIĆI	5-7-1992
ЗАЛАЗЈЕ/ ZALAZJE	12-7-1992
АЖЛИЦА/ AŽLICA	12-7-1992
ШПАТ/ ŠPAT	12-7-1992
ЗАГОНИ/ ZAGONI	12-7-1992
МАГАШИЋИ/ MAGAŠIĆI	20-7-1992
ХРАНЧА/ HRANČA	25-7-1992
ОБАРАК/ OBARAK	25-7-1992
ГРУЈЧИЋИ/ GRUJČIĆI	25-7-1992
ЗАВИГАНИ/ ZAVIGANI	25-7-1992
МЛЕЧВА/ MLEČVA	25-7-1992
СЕОНА/ SEONA	25-7-1992
ПРИБОЈЕВИЋИ/ PRIBOJEVIĆI	5-8-1992
БЛАЖИЈЕВИЋИ/ BLAŽIJEVIĆI	5-8-1992
МОШИЋИ/ MOŠIĆI	5-8-1992
КЛЕКОВИЋИ/ KLEKOVIĆI	5-8-1992
БОЖИЋИ/ BOŽIĆI	5-8-1992
Г. КОСТОЛОМЦИ/ G. KOSTOLOMCI	5-8-1992
КОЛАРИ/ KOLARI	5-8-1992
КРСТАЧА/ KRSTAČA	16-9-1992
СТУБЛОВИ/ STUBLOVI	16-9-1992
ЂУРИЋИ/ ĐURIĆI	16-9-1992
ТОПЛИЦЕ/ TOPLICE	14-8-1992
ЛАШЧИЋИ/ LAŠČIĆI	18-8-1992
ЈАГОДЊА/ JAGODNJA	August 1992
ТУК/ TUK	5-10-1992
Г. РИЈЕКА/ G. RIJEKA	5-10-1992
ЈАРЧЕНОВИЋИ/ JARČENOVIĆI	5-10-1992
ПОДСЕЛО/ PODSELO	5-10-1992
ФАКОВИЋИ/ FAKOVIĆI	5-10-1992
Г. ФАКОВИЋИ/ G.FAKOVIĆI	5-10-1992
ДИВОВИЋИ/ DIVOVIĆI	5-10-1992
РАДИЈЕВИЋИ/ RADIJEVIĆI	5-10-1992
БОЉЕВИЋИ/ BOLJEVIĆI	5-10-1992
КУТИЈАШИ/ KUTIJAŠI	5-10-1992

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ТОПЛ. ОПАРЦИ/ ТОРЛ. ОПАРСИ	June 1992
ТЕГАРЕ/ TEGARE	26-8-1992
ОРЛИЦА/ ORLICA	26-8-1992
ГАЈ/ GAJ	8-12-1992
ЖИВКОВИЋИ/ ŽIVKOVIĆI	8-12-1992
ЗГУЊА/ ZGUNJA	10-12-1992
СИКИРИЋИ/ SIKIRIĆI	14-12-1992
С. ЛОЗНИЦА/ S. LOZNICA	14-12-1992
КУЊАРАЦ/ KUNJARAC	14-12-1992
БЈЕЛОВАЦ/ BJELOVAC	14-12-1992
НЕШКОВИЋИ/ NEŠKOVIĆI	16-2-1992
КОШТАНОВИЦЕ/ KOŠTANOVICE	16-12-1992
САСЕ/ SASE	16-12-1992
ДОЊЕ САСЕ/ DONJE SASE	16-12-1992
ЈЕЖЕШТИЦА/ JEŽEŠTICA	7-1-1993
ЛАЗАРИЋИ/ LAZARIĆI	7-1-1993
ШИЉКОВИЋИ/ ŠILJKOVICI	7-1-1993
МАРИЋИ/ MARIĆI	7-1-1993
КРАВИЦА/ KRAVICA	7-1-1993
ДОЛИЈАНИ/ DOLIJANI	7-1-1993
Д. БАЋИЋИ/ D. BAĆIĆI	7-1-1993
Г. БАЋИЋИ/ G. BAĆIĆI	7-1-1993
Д. БРАНА/ D. BRANA	7-1-1993
Г. БРАНА/ G. BRANA	7-1-1993
БАЊЕВИЋИ/ BANJEVIĆI	7-1-1993
БЕГИЋИ/ BEGIĆI	7-1-1993
ОЋЕНОВИЋИ/ OČENOVIĆI	7-1-1993
АНЂИЋИ/ ANĐIĆI	7-1-1993
ЧОЛАКОВИЋИ/ ČOLAKOVIĆI	7-1-1993
ПОПОВИЋИ/ POROVIĆI	7-1-1993
ОПРАВДИЋИ/ OPRAVDIĆI	7-1-1993
МАНДИЋИ/ MANDIĆI	7-1-1993
РАДЕЉЕВАЦ/ RADELJEVAC	7-1-1993
БРАДИЋИ/ BRADIĆI	2-1-1993
ЈАКЕТИЋИ/ JAKETIĆI	6-1-1993
ДРМНИК/ DRMNIK	16-1-1993

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КУШИЋИ/ KUŠIĆI	16-1-1993
ДВИЗОВИЋИ/ DVIZOVIĆI	16-1-1993
САВИЋИ/ SAVIĆI	16-1-1993
ПОПОВИЋИ/ ПОРОВИЋИ	16-1-1993
МАЛТА/ MALTA	16-1-1993
РОСУЉЕ/ ROSUJE	16-1-1993
ЋОСИЋИ/ ĆOSIĆI	16-1-1993
ВИСОЧНИК/ VIŠOČNIK	16-1-1993
ПАВКОВИЋИ/ ПАВКОВИЋИ	16-1-1993
СТАЈЧИЋИ/ STAJČIĆI	16-1-1993
ПРИБИДОЛИ/ PRIBIDOLI	16-1-1993
АРАПОВИЋИ/ АРАПОВИЋИ	16-1-1993

Annex III: Photographs of devastated Serbian villages in the district of Srebrenica, 1992 – 1993



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Annex IV: Demographic documents

Official record of Srebrenica refugee arrivals to Muslim controlled territory in late July and early August 1995



WHO

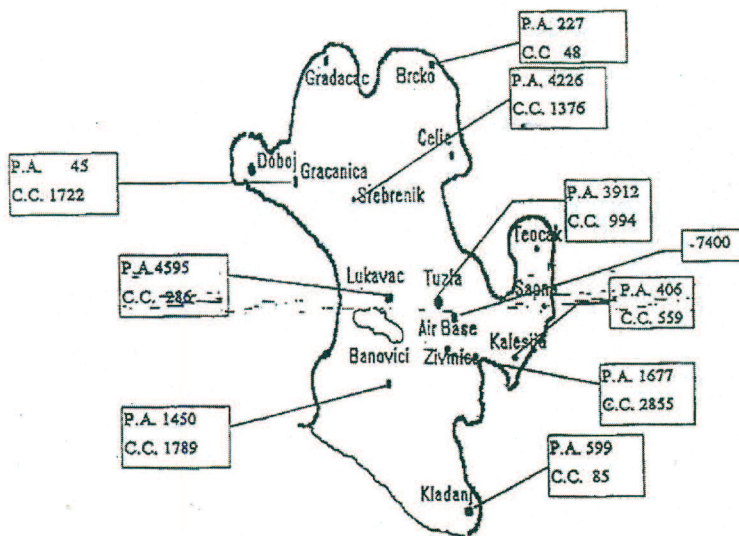
Tuzla Field Office

29/07/95

Health of recently displaced people from Srebrenica to Tuzla-Podrinje Canton

Figure 1. Mapping of estimated population in private accommodation and collective centers (source of data: MoH and UNHCR)

TOTAL:	34341
PRIVATE ACCOMMODATION(PA):	17137
COLLECTIVE CENTERS(CC):	9804
AIRBASE:	7400



00412081

Rudarika 73 75000 Tuzla Tel/Fax 387(75)821 619

FO: USSEPT: 3D39-0413

Document A: WHO registered refugees, July 29, 1995

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UNITED NATIONS



PROTECTION FORCE

HQ SECTOR NORTH EAST - TUZLA AIR BASE

GS, CIVIL MILITARY OPERATIONS

TO: Commander, SNE

DATE: 4 August 1995

SUBJECT: Srebrenica Displaced Persons Situation Update

did *Retained*
Out dated
P

The following points are made as an update to the current humanitarian situation in SNE concerning the Srebrenica Displaced Persons.

- a. TOTAL NUMBER IN SNE AOR: 35,632 (approx)
 - HOUSED IN PRIVATE ACCOMODATION: 17,383
 - HOUSED IN COLLECTIVE CENTERS: 9,749
 - TUZLA AIR BASE CAMP: 6,500
- b. AGE STRUCTURE OF SREBRENICA DISPLACED PERSONS:
 - AGE 0-3: 10.2 %
 - AGE 4-6: 10.0 %
 - AGE 7-13: 14.13 %
 - AGE 14-18: 10.8 %
 - MEN OVER 18: 15.40 %
 - WOMEN OVER 18: 40.0 %

c. PLAN FOR MOVEMENT OF DISPLACED PERSONS POPULATION FROM TUZLA AIR BASE TO COLLECTIVE CENTERS IS COORDINATED WITH BIH CIVIL DEFENSE STAFF THROUGH AND BY UNHCR HEAD OF OFFICE. DISPLACED PERSONS WILL BE TRANSPORTED WITH BIH TRANSPORT AND MOVED TO ACCOMODATIONS WHICH HAVE BEEN REPAIRED OR RENOVATED BY EITHER SEA, IRC, IGASE, OR NRC OVERSIGHT. ONCE MOVE IS COMPLETED (EXPECTED DATE ON/ABOUT 18 AUGUST) TUZLA AIRBASE CAMP WILL BEGIN DECONSTRUCTION OF FACILITIES LOCATED AT THE AIR FIELD.

P DCO

1. Coming from Srebrenica
approx 4-500 will left

reception points:

Kladanj (1500-2000)

Kitljica (2000-2500)

Tuzla region boundaries in 7000 (?) Not confirmed

Former LD DIV (POG) does exit as LD Div for the 'time being'; possibly concentrated in Kladanj, partly in Grahovica. It will be prepared to execute a mission as a mobile reserve in the FOR & CORP *P*

00412059

GUY SANDS
Major
Chief, GS

3014 4568912 01 12

7-00

1121 7-00

REPORT 01-01-0001

3D39-0411

GLOSSARY

10th Sabotage Detachment: A multiethnic unit said to belong to the Bosnian Serb Army which was constituted in 1994 under circumstances of unclear regularity. The ostensible purpose of the unit was to perform reconnaissance and sabotage tasks behind enemy lines for the Bosnian Serb forces. Its documented record of military operations before July 1995 appears to be rather thin. After the fall of Srebrenica on 11 July 1995, a small group of its soldiers appeared at Branjevo-Pilica, where some of the captured Muslim prisoners were brought. Dražen Erdemović identified eight Detachment soldiers (himself included) as members of the firing squad which executed them.

28th Division: Initially set up in 1992 in the Muslim-controlled Srebrenica municipality as the 8th Operational Group, in 1994 it was renamed 28th Division of the Army of Bosnia and Herzegovina. This military force was based in Srebrenica throughout the conflict, 1992 to 1995, although after April 1993 the enclave was supposed to be a demilitarized zone under UN protection. The 28th Division was commanded by Naser Orić, the local Srebrenica warlord.

Army of Bosnia and Herzegovina (ARBIH): After Bosnia and Herzegovina seceded from Yugoslavia in April 1992, and the mostly Serbian-populated areas of the country in turn refused to recognize the new government that was set up in Sarajevo and proclaimed their own Republic of Srpska, the Sarajevo government organized its army under this name.

BH, also Bosnia and Hercegovina: A republic located in the central region of the former Yugoslavia, composed largely of three constitutive ethnic and religious groups: Muslims, Serbs, and Croats.

BSA: Bosnian Serb Army, the military force of the Republic of Srpska during the Bosnian conflict, 1992 – 1995.

Demilitarization: An agreement was signed by the warring sides in Bosnia and Herzegovina under UN auspices on 20 April 1993, with

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further additions taking effect on 8 May 1993, to implement the 16 April UN Security Council resolution declaring Srebrenica one of five Bosnian „safe zones.“ The demilitarization agreement provided for the Bosnian Muslim military force within the Srebrenica enclave to hand its weapons and ammunition to the UN battalion that was to be stationed there in return for the Serbian side halting all offensive military operations against the enclave. The enclave was never in fact demilitarized.

DNA: Deoxyribonucleic acid, a molecule that carries the genetic instructions used in the growth, development, functioning and reproduction of all known living organisms. DNA genetic information is unique to each individual and is used in criminological investigations for identification purposes.

Dražen Erdemović: An officer in the 10th Sabotage detachment which took part in executions of Muslim prisoners in Pilica-Branjevo on 16 July 1995. Erdemović was one of the Croat members of this multinational unit in the midst of an ethnic conflict who played a key role in developing the Srebrenica narrative. After being arrested in Yugoslavia and extradited to the Hague Tribunal in 1996, Erdemović turned prosecution witness in exchange for a negligible three-year sentence for the 70 to 100 murders that he admitted to having committed during the massacre. Erdemović is a regular prosecution witness in all Srebrenica trials. His credibility was challenged by Bulgarian author Germinal Čivikov.

EDS: Electronic disclosure system, in-house data bank containing case related files and documents at ICTY.

Galbraith, Peter (1950 -): American author, academic, commentator, politician, policy advisor, and former United States diplomat. US ambassador in Croatia, 1993 – 1998.

GEDNAP: Acronym for German DNA Profiling. Licenses DNA laboratories and conducts proficiency tests organized by the Stain Commission, a Joint Commission of Institutes of Legal Medicine and Forensic Sciences in Germany. GEDNAP inspects and licenses biological laboratories engaged in DNA work.

Guskova, Jelena (1949 -): Russian historian and head of the “Center for the study of the contemporary Balkan crisis” of the Russian Academy of Science. Expert in Balkan history and politics.

ICMP: International Commission for Missing Persons, an organization created at the initiative of US President Bill Clinton in 1996 at

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the G-7 Summit in Lyon, France. After the conclusion of the Dayton Peace Agreement, which ended the fighting in the former Yugoslavia, ICMP was given a mandate to help account for the approximately 40,000 persons reported missing as a result of the fighting from 1991 to 1995. ICMP's laboratory in Tuzla, Bosnia, plays a key role in identifying Srebrenica victims by matching their DNA samples with those of surviving relatives. In 2017 ICMP has announced plans to close its facilities in Bosnia and Herzegovina.

ICTY (International Criminal Tribunal for the Former Yugoslavia): An ad hoc court set up by the Security Council of the United Nations in 1993 to charge and try individuals suspected of committing serious war crimes during the military conflict in the former Yugoslavia during the 1990s. The legitimacy of the court under the UN Charter and the impartiality of its proceedings have been subjects of intense dispute. The Tribunal will have ceased operating at the end of 2017 and its remaining tasks will be discharged by a Residual Mechanism.

Izetbegović, Alija (1925 – 2003): Bosnian Muslim politician and author of the "Islamic Declaration" who in 1990 became the first Chairman of the Presidency of Bosnia and Herzegovina and remained in that post throughout the Bosnian conflict.

Karadžić, Radovan (1945 -): Bosnian Serb politician who served as President of the Republic of Srpska during the Bosnian War. Indicted by the Hague Tribunal for war crimes, including genocide in Srebrenica. In 2016, Karadžić was convicted by the trial chamber and sentenced to 40 years in prison. The case is currently on appeal.

Krajišnik, Momčilo (1945 -): Bosnian Serb political leader who, along with Radovan Karadžić, co-founded the Serbian Democratic Party in Bosnia after the reintroduction of the multi-party system in 1989 and following the dismantlement of communism in the former Yugoslavia. Between 1990 and 1992, he was Speaker of the People's Assembly of Bosnia and Herzegovina, and later of the Republic of Srpska. Convicted of a variety of war crimes by the Hague Tribunal and released in 2014, he served two-thirds of a 20-year prison term.

Krstić, Radislav (1948 -): Major General in the Bosnian Serb Army and commander of its Drina Corps during the critical part of Srebrenica events in July of 1995. Convicted of being accessory to

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genocide and on appeal sentenced to a 35-year prison term by the Hague Tribunal.

Milošević, Slobodan (1941 – 2006): Yugoslav politician and president of Serbia and Federal Republic of Yugoslavia during the late communist and post-communist period. Charged by the Hague Tribunal with a variety of war crimes in Kosovo, Croatia, and Bosnia during the conflict in the former Yugoslavia in the 1990s. Died in detention in 2006 under suspicious circumstances. His trial was never concluded and he passed away not convicted.

Missing Persons Institute (Institut za nestale osobe BiH): Founded in 2005 by the Council of Ministers of Bosnia and Herzegovina, with a mandate to assist families of persons missing as a result of wartime combat to locate and identify the remains of their relatives. The Institute is based in Sarajevo and has been collaborating closely with ICMP in the exhumation and identification of Srebrenica victims.

Mladić, Ratko (1943 -): Colonel-General in the Bosnian Serb Army (previously, officer in the Yugoslav National Army) and commander of Bosnian Serb military forces during the conflict, 1992 – 1996. Indicted by the Hague Tribunal for a variety of war crimes, including genocide in Srebrenica. On 22 November 2017 ICTY trial chamber found General Mladić guilty of a variety of charges, including genocide in Srebrenica, and sentenced him to life imprisonment. Appeal is pending.

Morillon, Philippe (1935 -): French general and, following retirement, until 2009 member of the European Parliament. As Commander of UN peace keeping forces in Bosnia (UNPROFOR) in March 1993 led a convoy into the besieged enclave of Srebrenica where he was briefly taken hostage by Bosnian Muslim forces who accused him of insufficient efforts to protect them from the Serb advance. Morillon testified at the trial of Slobodan Milošević in 2004.

MTS: Materijalno tehnička sredstva, war materiel in Yugoslav military terminology.

Netherlands Institute for War Documentation (NIOD): Research institution financed by the Dutch government to collect and publish data about military conflicts in which the Netherlands were involved. Its seat is in Amsterdam. NIOD maintains a collection of documents about Srebrenica because of the presence of a Dutch UN battalion, 1994 – 1995 in the enclave. In April 2002 NIOD published a volumi-

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nous expert report on the events in Srebrenica in 1995 and their historical background for use by the Dutch government and parliament.

Operation Storm (Operacija Oluja): Military operation undertaken by Croatian armed forces in August of 1995 to retake parts of the Krajina region that for the preceding three years were under the control of local Serbs who refused to accept the rule of a Croat government that they accused of reviving many of the discriminatory policies of the Nazi-sponsored „Independent State of Croatia“ during World War II.

Orić, Naser (1967 -): Former Bosnian Muslim Army military officer with the rank of brigadier who commanded Army of the Republic of Bosnia and Herzegovina forces in the Srebrenica enclave in eastern Bosnia during the Bosnian war. Orić was tried and in 2008 acquitted of war crimes by the Hague Tribunal. Currently, Orić was subsequently tried before the State Court of BH in Sarajevo for offenses not charged at the Hague and acquitted in 2017. The Prosecution has announced its intention to appeal the acquittal.

Popović et al. trial: Vujadin Popović was lieutenant-colonel in the Bosnian Serb Army and the security officer of its Drina Corps, in whose area of responsibility Srebrenica events occurred in July 1995 . Popović and six other defendants were tried and convicted of Srebrenica-related crimes and in 2015 Popović's life sentence was confirmed on appeal.

Potočari Memorial Center: Cemetery in the village of Potočari, six miles from Srebrenica town, where several thousand victims of Srebrenica events in July of 1995 are buried. Every year on July 11 a memorial service is held with relatives and local and foreign dignitaries in attendance. The foundation overseeing the construction of the Memorial was established in 2001.

R2P: Right to protect, the „humanitarian intervention“ doctrine inspired by the alleged failure of the international community to prevent Srebrenica killings in 1995. The R2P doctrine holds that the right of Western powers to intervene to prevent what are claimed to be severe human rights violations in other countries overrides the right of states to sovereignty.

Sitrep: Situation report, in the terminology of UN observers and institutions in the field.

Srebrenica enclave: The area demarcated as the UN protected

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zone after the signing of demilitarization agreements in April and May of 1993.

Tolimir, Zdravko (1948 – 2016): Head of Intelligence and Security at the Main Staff of the Bosnian Serb Army. Convicted of Srebrenica related war crimes by the Hague Tribunal and sentenced to life imprisonment. Died in detention.

Udrč: Mountain range between Srebrenica enclave and Muslim-controlled territory around Tuzla in the path of the 28th Division column breaking out of Srebrenica after 11 July 1995.

UNMO: United Nations Military Observer, UN officer tasked with collecting field information.

UNPROFOR: United Nations Protection Force, official designation of UN peacekeeping units stationed in war zones during the conflict in the former Yugoslavia.

Ustashi: Pro-Nazi collaborationist militia units in the so-called „Independent State of Croatia“ that was set up by German and Italian occupiers following the invasion of the Kingdom of Yugoslavia in April of 1941. The puppet state of Croatia included the territory of present-day Bosnia and Herzegovina. Many Bosnian Muslims joined the Ustashi, participating in their crimes, and some also joined the elite German SS „Handžar Division“ which fought in support of the German army in other European war theaters, as well as in Bosnia.

VRS: Vojska Republike Srpske, Serbian acronym for the Bosnian Serb Army.

Žepa: Small Muslim enclave a short distance from Srebrenica which was captured by the Bosnian Serb Army on 25 July 1995. Although the Serb takeover of Žepa followed Srebrenica's by just a few days and was essentially part of the same military operation, for a long time it was completely overlooked by the Hague Tribunal as a genocide site until the trial of General Tolimir. The oversight was duly corrected when in 2012 the Tolimir chamber found that the killing of three local Muslim officials from Žepa by the Serbs effectively constituted genocide because it allegedly left the local community leaderless and therefore unsustainable.

Zvornik: Eastern Bosnian town of about 15,000 inhabitants (1991 census), located 54 km to the north of Srebrenica. Most of the July 1995 execution sites were situated in the vicinity of Zvornik.

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