

# Investigating Genocide – Srebrenica

The investigative experience of AFP members is extensive and diverse. For one member, a personal journey took him beyond the AFP to apply his skills and knowledge in a significant war crimes investigation. In this article Federal Agent Dean Manning provides a personal account of his time as an Investigator and Team Leader with the International Criminal Tribunal for the Former Yugoslavia (ICTY). Prosecuting the perpetrators of the horrific crimes that occurred during the Balkan war would not be possible without the dedication of people such as Federal Agent Manning.

During his opening statement in the trial of General Krstic for his part in the Srebrenica genocide, United Nations (UN) prosecutor Mark Harmon stated:

**'This is a case about the triumph of evil, a story about how officers and soldiers of the Bosnian Serb army, men who professed to be professional soldiers, men who professed to represent the ideals of a distinguished and Serbian past, organised, planned, and willingly participated in genocide or stood silent in the face of it. The authors of these foul deeds have left a legacy that has stained the reputation of the Serbian people and has disgraced the honourable profession of arms. In their wake, they murdered thousands of defenceless men and boys and shattered the lives of generations of Bosnians.'**<sup>1</sup>

## 1991 – History unfolds

Until 1991, Bosnia and Herzegovina commonly referred to as Bosnia or BiH, was a part of the Republic of Yugoslavia. As the break-up of Yugoslavia progressed, the three main ethnic groups of Bosnian Serbs, Croats and Muslims, began a

<sup>1</sup> Opening Statement 13 March 2000 Krstić (IT-98-33) 'Srebrenica-Drina Corps'.

bloody war which lasted into 1995. A Muslim enclave called Srebrenica was created in April 1993 by United Nations (UN) Resolution<sup>2</sup>, and a Dutch UN battalion provided security for the area. The enclave grew to encompass several hundred kilometres, which included the village of Potocari, and housed up to 30,000 people. It was completely surrounded by Bosnian Serb Forces with entry via armed checkpoints only. Despite the UN's mandate to demilitarise Srebrenica, Bosnian Muslim forces launched armed raids from the enclave into the surrounding Serbian villages.

Bosnian Serb forces eventually attacked, and on 11 July 1995, General Ratko Mladic (the head of the Bosnian Serb military) and his troops entered Srebrenica. The city itself was largely abandoned as the women, children and some elderly men had fled to the nearby village of Potocari. However, up to 15,000 men and boys had gathered in the area of Susanjari within the enclave where they formed a huge column

<sup>2</sup> On 16 April 1993, the Security Council of the United Nations ('UN'), acting pursuant to Chapter VII of its Charter, adopted Resolution 819, in which it demanded that all parties to the conflict in BiH treat Srebrenica, Zepa, Gorazde, and Sarajevo (and their surroundings) as 'safe areas' which were to be free from any armed attack or any other hostile act.

with the intention of fighting through to Muslim held territory.

As General Mladic marched into Srebrenica he was recorded by a Serb television journalist exhorting his troops to take revenge on the Muslims. Tens of thousands of women and children, and some elderly men were located in and subsequently removed from, Potocari. They were transported by buses to other Muslim held territories. The remaining men and boys from Potocari were taken prisoner under the guise of screening them as war criminals. They were transported to schools, football fields and other holding areas, and were later joined by men and boys from Susanjari who had surrendered or been captured.

Over the next several days, all 7,500 men and boys were executed in a planned and coordinated military endeavour that was supported by elements of local civilian and police authorities.

The murders were committed in the zone for which the Drina Corp held responsibility, commanded by a General Krstic. These men and boys were imprisoned and killed in local schools, warehouses, community halls, farms, dams and rivers.

The execution points and related mass



Right: Kravica Warehouse  
Below: General Mladic in Srebrenica



“ ... As General Mladic marched into Srebrenica he was recorded by a Serb television journalist exhorting his troops to take revenge on the Muslims ... ”

graves stretched from as far as the Branjevo Military Farm in the north to Zeleni Jadar in the south. At least 44 large mass graves were created with more being identified as investigations continued.

Less than ten men and boys survived these massacres and were able to relate their experiences to investigators and during subsequent trials.

Details of similar crimes were also provided to investigators by some brave Serbian soldiers. One of these was Drazen Erdemovic, who confessed his part in the killing of at least a thousand men and boys at the Branjevo Military Farm. When Erdemovic and his men were ordered to kill hundreds of other men and boys in a community hall in the village of Pilica, they refused, citing exhaustion. Erdemovic's commander made him sit in a café opposite the hall and listen as the execution took place. Another senior Serb officer related how he and his troops were ordered to execute hundreds of men held at a school in his district. He and his men refused this order despite real threats to their lives from senior officers' intent on committing genocide.

To accommodate all of these bodies, at least ten primary mass graves were created using military and civilian earth

moving equipment. The creation of these graves was captured in aerial images by the United States Government, which eventually released these images to the public and later provided them for evidence in the ICTY Trials.

In one image of the Branjevo Military Farm, not only is earth moving equipment visible, but the tracks of the buses used to bring the victims to their death can also be seen. In the trial of General Krstic, the soldier Erdemovic detailed the killings at the farm with reference to these aerial images, pointing out where he and his squad set up their weapons and where the victims had been lined up.

Following the public release of the aerial images, the offenders launched a secret operation in September and October 1995 to open the mass graves and relocate the bodies to smaller graves. The primary graves were opened at night. The bodies were loaded into trucks and transported to even more remote locations. As a result, 34 secondary mass graves were created. This callous disturbance of the graves meant the bodies were further broken up and disassociated. The remains of these victims were spread across primary and secondary gravesites as well as within graves.

In subsequent trials, military commanders were to argue that the bodies located within the graves were killed in military operations. They were however unable to explain why such extraordinary effort was made to hide these graves. The attempts to hide these crimes did leave evidence in both primary and secondary sites which the ICTY was able to collect. Many thousands of artefacts, identification documents, and other forms of evidence recovered from these graves are now being used to support the prosecution of offenders.

As at December 2007, up to 4000 victims from the Srebrenica graves had been identified via DNA analysis performed by the International Commission on Missing Persons (ICMP) based in Sarajevo. Hundreds of identifications are still being made each month. The ultimate aim is to identify each victim and return the remains to the families.

The ICTY continues to investigate these crimes, and has prosecuted military commander General Radislav Krstic, former Yugoslav President Slobodan Milosevic and other senior military, political and civilian figures. Milosevic was charged with ultimately directing the genocide. General Mladic and Bosnian



Serb political leader Radovan Karadic, have also been indicted for the Srebrenica genocide. More than a decade later they remain at large.

### Optimism in the face of adversity

In August 1998, I commenced work at the ICTY which is based in The Hague, Netherlands. The ICTY was established by the Security Council resolution on 23 May 1993 in the face of serious violations of international humanitarian law committed since 1991 in the territory of the former Yugoslavia.

I had requested a leave of absence from the AFP with the intention of returning within a year or two at the most. In the end, I stayed for six years, and worked on the investigation of what has been described as the worst massacre in Europe since World War II. This investigation concentrated on the 1995 Srebrenica massacres and was known as *Operation Casper*.

I was part of a small team of investigators, lawyers, analysts, interpreters and support staff who became known as 'the ghost team'. For most of the early and hectic days we were lucky to have Senior French Police Officer Jon Rene Ruez, or JR, leading the team. JR was, and continues to be, passionately determined to show the world what happened at Srebrenica and to bring the offenders to justice.

My part in the investigations began a few weeks after arriving. I travelled to Bosnia on a familiarisation trip, visiting the ICTY mortuary, execution and mass graves sites, and observed the first work on



exhuming the mass grave at Zeleni Jadar 5 in the region of Srebrenica.

The mortuary was in the small town of Visoko, about an hour from Sarajevo, and the facility was located in a half-finished building within the town's extensive cemetery. In the first few years, I would visit Visoko often. On those days spent at the mortuary we would break for lunch at either of two restaurants located within the cemetery. It was a slightly jarring experience to leave the hundreds of bodies and walk a few metres to a restaurant serving full meals and, if you wanted, a glass of beer.

My first visit to the Visoko morgue with its unmistakable smell was daunting. I had attended a number of autopsies in my work in the ACT and remember thinking it would be like the Kingston morgue, only bigger. In effect it was, but the sheer number of bodies and the scope of the task was overwhelming. The team at the morgue included pathologists and anthropologists as well as radiologists, crime scene officers and other experts. The bodies, clothing and personal belongings of the victims were cleaned, examined and photographed in an almost production line manner which was the only way to cope with the huge numbers of victims involved.

The condition of the bodies often limited the evidence that could be gained from external examination. Therefore examination of the bones by anthropologists was an important tool, enabling the identification of bullet strikes and other wounds causing death.



Following forensic examination the bodies were stored in refrigerated containers or in the morgue's 'cool' room. However, as the facility was incomplete this part of the building was unfinished, with no cooling system and no doors. It was a confronting moment to realise that the hundreds of large dirty white plastic body bags containing bodies were stored in an open room where summer temperatures would often reach the high nineties.

Due to the limited number of refrigerated containers available, some of this work meant moving hundreds of bodies within containers as we checked the details. I still recall to this day, entering a container and moving and stacking body bags from one end of the container to the other. It was important to return the bodies in as respectful a manner as possible, and for us this meant checking all the bags to ensure the bodies, clothing and related personal effects were recorded correctly.

Despite this adversity I was able to experience the best of the human spirit. As we walked daily from the morgue to the restaurant we would pass the clothes washing station that was managed by two local Bosnian men. Their task was to wash the clothes removed from the bodies as well as clean the general artefacts located within the graves. The men would often find identification, money or personal belongings among the clothing and, on the odd occasion, body parts. One of the men worked with us for many years and always greeted me with a wave and a smile as he worked at





his grim task. I heard later that he, like so many others, had lost his brother in the Srebrenica massacre.

### Crucial evidence reveals links between graves

The first mass grave which I visited was located in the mountains above Srebrenica along a remote stretch of road surrounded by minefields. Zeleni Jadar 5 was a medium sized secondary grave. The majority of the mass graves were named after the area in which they were found and numbered consecutively. Hence, Zeleni Jadar 5 was the fifth of seven mass graves located along the Zeleni Jadar road.

At the time, I met Professor Richard Wright who had been involved in the former Australian Government's War Crime Investigations unit and performed mass grave exhumations previously. Richard was the head archaeologist for the ICTY, a position he retained for several years and is still involved in presenting his findings to the ongoing trials. I learned a great deal from Richard, his successors and their teams as they exhumed thousands of bodies.

Each new mass grave was examined in a systematic manner. The area would be cleared by specially trained canines (de-mining dogs) and then cordoned off for the safety of those nearby. The ICTY provided armed UN Security Officers who would live at the site for the duration of the work. Security in the outer perimeter would be provided by members of the NATO led Stabilisation Force. Travel to the graves was carried out under armed



Above left: Zeleni Jadar 6 Mass Grave; Above right: Orahovac Mass Grave  
Opposite page: Branjevo Military Farm; Kozluk Mass Grave; Pilica Dom

military escort, often adding three or four hours before and after an already long and demanding day.

The general area of a grave was identified with reference to the aerial images, and then several centimetres of soil were scraped off the surface by mechanical digger. The area of the mass grave could then be clearly seen by the distinct discolouration of the soil surrounding the bodies. Work would then begin on revealing as much of the grave as possible, highlighting the groupings of bodies caused by being dumped into the grave from trucks, or revealing marks in the grave wall and floor caused by the earth moving equipment as the graves were created.

Bodies were then numbered, photographed and their positions logged before being stored in refrigerated containers for transport to the Visoko morgue. Large amounts of related evidence were also located and many of these items assisted in proving links between graves as well as identifying the execution sites.

The manner in which these graves were created and filled with victims is confirmed by a survivor from the Kravica Warehouse massacre. This man described his experience of being

jammed into the warehouse with hundreds of others whom he knew, including almost all of the male members of his family. Following the shooting, he lay among the dead listening as a few other survivors cried out around him before they eventually fell silent.

He then went on to describe a bulldozer scooping bodies from the entrance to the warehouse and dumping them into trucks. To gain access to the rest of the warehouse and the bodies the bulldozer tore down part of the entrance doorway and wall. The broken parts of the building were then transported, along with the bodies, to the two large mass graves at Glogova. As we exhumed these graves we found numerous parts of the warehouse including a large section of the front door. We also found these parts of the building in the Zeleni Jadar graves - thus linking these secondary graves to the primary graves at Glogova and then to the killings site at Kravica Warehouse.

### The first person convicted of genocide in Europe

In 2001, we returned to Zeleni Jadar, locating and opening the secondary mass grave of Zeleni Jadar 6. This grave was in a national park formerly used as a hunting park by Yugoslav President Tito, and brown bears are still hunted there today.

According to the ICTY 'its mission is fourfold:

- to bring to justice persons allegedly responsible for serious violations of international humanitarian law
- to render justice to the victims
- to deter further crimes
- to contribute to the restoration of peace by holding accountable persons responsible for serious violations of international humanitarian law.

While working on this grave, the verdict in the General Krstic trial was handed down. We stood near the open pit and listened as Krstic was convicted of genocide and sentenced to 43 years imprisonment. Later that day as I was driving through Srebrenica, I found myself looking for some reaction or contrition on the faces of the people living there. Instead I saw sad and tired people. They were simply trying to survive in a depressed and depressing place and I realised they too were victims of the war.

#### **Justice and restoration of peace**

In 2004, after giving evidence in

three trials including that of the former Yugoslav President Slobodan Milosevic, I finally left the ICTY. I have since given evidence in a further three trials, and continue to provide updated reports on the forensic work conducted by the ICTY. I have also provided information on the identification of victims via the ICMP DNA identification project.

I have learned a lot from my work with the ICTY and made good friends - both Serb and Muslim. I saw the best and the worst of people. But most important of all, I will always remember the great strength and dignity of the people I dealt with and how

those people, while struggling to rebuild their lives, were still prepared to help others.

I believe passionately that the work done by JR, Mark Harmon and the ghost team has made a difference. This work has added to the understanding of what happened at Srebrenica. It has brought high-level offenders to justice and helped some grieving families deal with their loss.

#### **Since World War II a number of international courts and tribunals have been established to deal with criminal offences that go beyond the ability of national courts. These courts and tribunals include:**

International Military Tribunal (IMT)

– established in Nuremberg, Germany by the Allies to try senior members of the Nazi regime and European Axis powers.

The International Military Tribunal for the Far East (IMTFE) – established to try matters relating to crimes against peace, war crimes and crimes against humanity committed by leaders of the Japanese Empire. The President of the IMTFE was Sir William Webb, a Justice of the High Court of Australia.

International Tribunal for the Former Yugoslavia (ICTY) – established by Resolution 827 of the UN Security Council in 1993 to try individuals for

grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war, genocide and crimes against humanity committed since 1991 in the territory of the former Yugoslavia. The ICTY aims to complete all trials by the end of 2009 and appeals by 2010.

International Criminal Tribunal for Rwanda (ICTR) - established by Resolutions 955, 977, 978 and 1165 of the UN Security Council in 1994 to try offences committed in Rwanda associated with the genocide that occurred in 1994. Cases are expected to be completed by 2008 and all work completed by 2010.

Special Court for Sierra Leone – established by Resolution 1315 of the UN Security Council at the behest of Sierra Leone's President. The Special Court is set up to "try those who bear greatest responsibility" for the war crimes and crimes against humanity committed

in Sierra Leone after 30 November 1996 during the Sierra Leone Civil War. The former host of *Hypotheticals* on the ABC, Geoffrey Robertson QC was a judge of the Special Court.

Extraordinary Chambers in the Courts of Cambodia - established by the Cambodian Government in conjunction with the UN to try crimes relating to the genocide committed in Cambodia in the 1970's by the Khmer Rouge. Hearings have commenced in February 2008. <http://www.eccc.gov.kh/>

Special Tribunal for Lebanon – established by Resolution 1664 of the UNSC to try those suspected of the 2005 assassination of Lebanese Prime Minister Rafik Hariri. The Special Tribunal differs from other international courts in that it is a terrorist trial being conducted under Lebanese law, not international law. [www.stleb.org](http://www.stleb.org)