

# **Report on the Number of Missing and Dead from Srebrenica**

By

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## **Summary**

We have been asked by the Office of the Prosecutor to validate the number of missing persons in connection with the fall of the enclave of Srebrenica. In the process of preparing the report we analysed the reliability of available data sources of missing persons from Srebrenica, which included studying the history, methods and procedures used for collecting the data. A crucial task has been to identify Srebrenica victims utilising the specific knowledge of the Office of the Prosecutor as to the dates and places that Srebrenica victims went missing from.

We compared data from the database of missing persons on the territory of Bosnia and Herzegovina of the International Committee of the Red Cross (ICRC) and the Ante Mortem database of the American humanitarian organisation Physicians for Human Rights (PHR) to arrive at a consolidated list of missing persons. We then analysed the individual records of missing persons from this consolidated list in order to identify the number of persons that went missing.

We furthermore compared the ICRC and PHR lists of missing persons with the OSCE Voters' Registers for Bosnia and Herzegovina for the 1997 and 1998 elections. This was done in order to investigate whether persons registered as missing on the ICRC and PHR lists were registered to vote. As the general assumption is that the persons on these lists of missing persons are dead, the purpose of this comparison was to explore the possibility that persons reported as missing could still be alive. Finally, data were compared with files from the 1991 Census of Bosnia and Herzegovina containing relevant information for all inhabitants of the country in 1991. This information was utilised to investigate whether potential cases of persons appearing both on the ICRC and PHR lists of missing persons and on the Voters' lists were actually identical. Information from the Census was additionally used to verify whether persons on the missing lists were actual persons who were alive in 1991.

As the result of our work, we conclude that a minimum of 7,475 persons from the Srebrenica enclave are missing and presumed dead. Our analysis also shows that only a very small number of the persons registered on the ICRC and PHR lists of missing persons could be alive. We could only identify a maximum of 15 cases where persons registered as missing could be alive, according to information from the OSCE Voters' Registers and that provided by the tracking section of the ICRC in Sarajevo. Furthermore, we have found no proof that persons registered as missing are fictitious.

## **Background**

When the enclave of Srebrenica fell on 11 July 1995 a number of men tried to escape by walking through the forest, and many of them were killed on the way or after surrendering or being captured. Others were separated from their families in Potočari and later executed. Several women, children and old men were also killed. Many dead bodies were buried in mass graves, which were often dis-

turbed soon after, while others were left in the forest. The total number of victims is not known. ICTY exhumations have uncovered about 1,900 bodies so far<sup>1</sup>, of which only a few have yet been identified.<sup>2</sup>

Several organisations collected data on persons missing after the fall of Srebrenica, including the International Committee of the Red Cross (ICRC) and Physicians for Human Rights (PHR). ICRC registered missing persons "... *to help families establish the fate of their relatives who remain missing.*"<sup>3</sup> Similarly, the American-based PHR registered missing persons with extensive details on them to assist in identifying exhumed bodies, and to help families to find out what happened to their missing relatives. Their list, the Ante-mortem database (AMDB), is in principle a compilation of data on people believed to be dead.

While PHR concentrated mainly on persons missing from Srebrenica after the fall of the enclave in July 1995, ICRC registered missing persons from all of Bosnia and Herzegovina throughout the war period 1992-1995. Both organisations collected data primarily from close family members but occasionally accepted reports from more distant relatives and from friends and neighbours. Both organisations have been registering persons known to be dead but whose bodies have not been found. ICRC has published a separate list of persons known to be dead (generally previously registered as missing)<sup>4</sup>. ICRC has published several versions of its list of "missing persons" whereas PHR has not.

The objective of this report is to use these two sources of missing persons, as well as other data, to arrive at a reliable estimate of the number of people who were killed or who are still missing after the fall of Srebrenica. At the same time we have looked at attempts to discredit the ICRC list of missing persons.

The methods used to do this have been to:

- evaluate the quality of the data sources, particularly of the missing persons,
- compare the lists with other sources of data on individuals from the Srebrenica area, from both before and after the war, and
- compare the lists of missing persons with each other.

## **Definition of terms for Srebrenica victims**

In this report, the terms 'missing' and 'disappearance' are used interchangeably, as is also the case with the data of ICRC and PHR. To qualify as a Srebrenica-related missing person, i.e. a person missing in connection with the fall of the enclave on 11 July 1995, the following definitions were applied:

- *Date of disappearance:* This phrase refers to the date a missing person was last seen alive.<sup>5</sup> It is, however, not necessarily the date the person may have been killed. Only those who are reported as missing between 11 July and 31 August 1995, from locations in or near the enclave, are in-

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<sup>1</sup> "Report on the anthropology examination of human remains from Eastern Bosnia in 1999", by José Pablo Baraybar, ICTY, Den Haag, December 8<sup>th</sup> 1999.

<sup>2</sup> By 7.2.2000 73 bodies have far been identified, according to the Podrinje Identification Project (PIP) in Tuzla. Of these, 45 were exhumed by ICTY teams, while the remaining were exhumed by local teams. A previous list, provided to us on 27.10.1999, included the names 70 identified bodies.

<sup>3</sup> From the introduction to *Missing persons on the territory of Bosnia and Herzegovina*, Fourth edition issued on 30.06.1998 – by alphabetical order, International Committee of the Red Cross. Place of publication not given (probably Sarajevo).

<sup>4</sup> Death has been established based on eyewitness accounts and/or evidence provided by the family.

<sup>5</sup> This could either be the date the informant her/himself last saw the person alive, *or* a date based on information provided by an eyewitness through the informant.

cluded in our analysis. Additionally, a few cases of persons missing on later dates (September 1<sup>st</sup> to December 31<sup>st</sup> 1995) from locations related to the fall of the enclave have been included.

- *Place of disappearance:* This phrase refers to the place a missing person was last seen alive.<sup>6</sup> Again, this is not necessarily a reference to where the person may have been killed. A person may, for example, have left Srebrenica on 11 July and started to walk through the forest, been picked up by the RS Army and transported to a place, say Nova Kasaba, where he was executed. The place of disappearance in this example could be any of Srebrenica, “Forest” or Nova Kasaba, depending on who saw him last alive. For this project a list was compiled of “missing”-locations related to the fall of the enclave. This compilation was done in close co-operation with investigators knowledgeable of refugee flows from the enclave, and after consulting with people from the area on difficult cases<sup>7</sup>.

PHR asked a specific question on the fall of the enclave, “Did he/she disappear after the fall of Srebrenica in July 1995?”, and the answers to which were provided to us for each Srebrenica-related person. We have used this information in conjunction with date and place of disappearance.

ICRC did not pose any precise question to the families but defined Srebrenica-related victims on the basis of the story given by the informant, which usually starts with: “During the fall of Srebrenica” or “After the fall of Srebrenica”.<sup>8</sup>

## Quality of the ICRC and PHR lists of missing persons

ICRC started the registration soon after the fall (in July 1995), primarily to register persons believed to be in detention. At that time the memories of the people escaping from Srebrenica were still fresh. On the other hand the people were very distressed and suffered from emotional and physical fatigue, and were usually not in possession of identification papers or other documentation showing the exact particulars of the disappeared persons. Because of the chaotic situation some people reported as missing were later found to be living,<sup>9</sup> but ICRC removes such cases from the list of missing persons.

PHR started their registration process somewhat later, in July 1996. It includes some very detailed questions about the missing persons, such as special physical characteristics and clothing, which was often emotionally difficult for the informants to answer. At the same time, the informants were often more prepared for the interview situation, with many providing identification papers for the missing persons.

Although the objectives and the procedures for the two registration activities seem somewhat different it is our conclusion that the type of cases registered were very similar. Both activities were done to trace missing persons; more than 95 per cent were registered by close relatives; and registration of persons known to be dead was accepted in several cases. The PHR list has fewer cases than ICRC most likely because they started later and worked actively to register persons in only two areas (Tuzla and Sarajevo).

Fully four versions of the ICRC list of missing persons for Bosnia and Herzegovina have been published, versions 3 and 4 in January 1997 and July 1998, respectively. We matched these two, to-

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<sup>6</sup> This could either be the place the informant her/himself last saw the person alive, *or* information provided by an eyewitness through the informant.

<sup>7</sup> See the attached list and map of locations for details. Note that the data reflected on this list/map are derived from the PHR list only.

<sup>8</sup> Fax to ICTY from ICRC, Sarajevo, 7.12.99.

<sup>9</sup> The “*Total number of persons for whom a tracing request regarding Srebrenica fall was opened by the family*” is 7421, of these the fate has been clarified for 85, with 22 determined to be alive and 63 to be dead. Source: “Tracing requests Missing in BiH (updated on 29/09/99)”, International Committee of the Red Cross, Sarajevo.

gether with a list of dead persons published together with version 4 of the ICRC list in July 1998,<sup>10</sup> and arrived at 19,403 persons for all BiH, after correcting for a few obvious inconsistencies. About 40 per cent of these were Srebrenica-related, based on the criteria given above.

The PHR Ante-Mortem Database (AMDB) we used was updated in July 1999 but we also received some additional information from PHR in May and October 1999, totalling 7,269 persons, about 80 per cent being Srebrenica-related.

Both organisations collected data on surname, first name, father's name, sex, date and place of birth, date and place of disappearance. Some information was only recorded by ICRC, such as municipality of disappearance, and other information only by PHR, such as ethnicity.

In both lists there are many empty fields. In the ICRC list the least frequently completed items are date of birth (65.4% complete) and date of disappearance (89.6%). The *year* of these events is included for almost everybody, however. For the PHR list the least complete items are date of birth (78.2%) and place of disappearance (80.7%). The other variables are recorded for almost everybody – but that does not necessarily mean that they are always correct. Errors are particularly common in the spelling of names of persons and places. Moreover, from comparing the two lists we know that there are many errors, although mostly small, in variables such as date of birth. Such errors are common all over the world in data collected through questionnaires in surveys, censuses and elsewhere. It is, therefore, not surprising that there are many errors in variables concerning tragic events collected in a chaotic and traumatic situation.

We cannot generally say that one of the lists of missing persons is of better quality than the other. Each of the two has its strengths and weaknesses - together they corroborate each other and provide more reliable information than either used separately.

## Methodology

Our approach has been to match data from the lists of missing persons from ICRC and PHR, compare the data with the OSCE lists of voters for the 1997 and 1998 elections and, if necessary, compare information with the 1991 Census. When comparing various lists with data on individuals our approach has been to use the Access database program to search for records on one list that match records on the other list. If key variables are identical in the two lists the matched records are assumed to represent the same person, otherwise not. This would have been a fast and easy procedure if all individuals on each list were uniquely determined by one or more variables, such as an ID number, but this is not the case with all lists available to us. Although a unique ID number was introduced in Yugoslavia in 1981, it is not used by ICRC and PHR in their databases. Moreover, when it is used, such as in the 1991 Census and the OSCE Voters' Register, it is sometimes missing or wrong.

The matching of two lists was always begun by searching for records with identical names and date of birth. It is very unusual that two different persons have identical names *and* are born on exactly the same date, especially if we are only considering the population of a limited area, such as a municipality or Eastern Bosnia. Quite often, however, names are spelled differently or the date of birth is recorded slightly differently – or missing altogether in one or both lists (as discussed in footnote 11). Consequently, for persons not matched in the first round we made the search criteria gradually broader for one or more variables, for example by including only the *year* (and not the full date) of birth, or only the *initial* of the first name, in addition to the surname. The results of such matches

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<sup>10</sup> Prior to the publication of version 4 of the ICRC list, families had the opportunity to register missing relatives that were not assumed to have survived, as dead.

have, however, to be inspected visually to decide if the matches are likely to be of the same person or not, by looking at the other available information, such as municipality and place of birth or residence. For example, the place of birth may be given as a municipality on one list and a small hamlet, located in the municipality, on the other list. It would be very complicated, if possible at all, to automate such checks.

For difficult cases we checked the 1991 Census for more information about the persons in question, for example when one of the lists has information on an item which is also included in the Census but not on the other list, such as ID number or place of birth. The spelling of names was also checked in this way, often by looking at the names of other family members contained in the Census files.

Matching records from the ICRC and PHR lists of missing persons with the OSCE Voters' list presents a special problem, since only a limited number of variables are included in *all* of these lists. The father's name, for example, which is important for identifying people in BiH, is recorded in the lists of missing persons but not in the Voters' list, whereas the opposite is the case for the national ID number (*matični broj*). Thus, when we attempted to match records from these sources a large number of potential matches were often found since there were not always enough variables common to the two data sources to distinguish between real and false matches, for example when the full date of birth was lacking. To allow for errors in the date of birth we also searched for matches of records with a difference of up to several years in the year of birth. Such matches were not accepted, of course, before the likelihood of a match was confirmed after comparing information on other items, for example on various locations such as place of birth, residence or disappearance on the missing persons lists, *and* current municipality or municipality of voting in the Voters' list. A match of missing people and registered voters was not accepted if the locations were clearly inconsistent, for example if a person was born, lived and went missing in Eastern Bosnia according to the missing lists, but registered to vote in and for a municipality in a completely different part of the country, according to the Voters' list.

The use of data from the 1991 Census has been crucial in concluding whether a pair of potential matches of records from two different lists represents the same person. When, for example, a set of matched records from the PHR/ICRC lists and the Voters' list were also identified in the Census file, both the ID number and the father's name were checked in order to ascertain whether the matched records represented the same person. In some cases only one of a pair of matched persons was identified in the Census and not the other. In such cases the match was rejected if the father's name as recorded in the Census differed significantly from the father's name as recorded by ICRC/PHR. If only the person from the ICRC/ PHR list was found in the Census file the match was rejected if the Census ID number differed significantly from the Voter's list ID number. There were no examples of matches where neither of the persons was found in the Census.

To record the quality and basis for a match a parameter was assigned to each matched person depending on the criteria used for the match. This parameter was used to study the number of accepted matches according to the type and quality of the match.

## Matching lists of missing persons with post-war Voters' registers

The ICRC and PHR lists of missing persons were compared with the 1997 and 1998 Voters' lists, finding a total of nine Srebrenica-related matches.<sup>11</sup> The identities of these nine persons have been checked with the 1991 Census for Eastern Bosnia.<sup>12</sup> We are convinced that the matches are matches of the same people and not a mix-up of persons with the same name and identical or similar date of birth.<sup>13</sup>

Since dead people cannot register to vote, these matches imply that the nine persons are either wrongly registered as missing, or that their identities have been misused when registering to vote. Another possibility is that their names should have been taken off the list but have not been so, for miscellaneous reasons. The survival of some people may not have been reported to ICRC, for example, because they do not want their survivorship to be disclosed. Six of the nine persons were reported independently *both* to ICRC and PHR, decreasing the likelihood that the inconsistencies are due to fraudulent registration of missing persons.<sup>14</sup>

In any case, the number of such inconsistencies is very small, only 0.1 per cent of the approximately 7,500 missing persons. This indicates that there cannot have been any large-scale campaign of registering living persons as missing.

Almost all persons who were in the Srebrenica enclave when it fell came originally from the surrounding municipalities. Supportive of this is the fact that of the 358 persons that we looked for in the Census file, fully 93.3 per cent were found to be living in one of these municipalities in 1991. The reason why the remaining 6.7 per cent were not found could either be a result of insufficient information, or because they were enumerated outside these municipalities in 1991. Additional evidence about the origin of the people in the enclave is that of the 210 people on an ICTY list of people known to have been in the enclave before it fell, including victims and survivors, all but one lived in the six municipalities before the war: 57% in Srebrenica, 22% in Vlasenica, 19% in Bratunac, and the remaining 2.5% in Rogatica, Han Pijesak, Zvornik and Živinice. This strengthens our approach using the Census file for the area to check the identities of difficult cases.

Furthermore, the high proportion of missing persons found in the Census proves that the persons on the missing lists are not fictitious. The samples of 358 missing persons and 210 victims and survivors may be considered to be random samples, although not in a strict probabilistic sense, i.e. that the sample was drawn randomly from a larger population. We do not see that the samples are biased in a way that is essential to the conclusions drawn here.

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<sup>11</sup> The comparison was done separately with three different combinations of data sets, including data for all of Bosnia and Herzegovina (BH): ICRC 3 and Voters' Register 1997; ICRC 4 and Voters' Register 1998 (done by OSCE Sarajevo); and PHR AMDB and Voters' Register 1998.

<sup>12</sup> A special census file for Eastern Bosnia was compiled for this purpose, including the municipalities of Bratunac, Han Pijesak, Rogatica, Šekovići, Srebrenica, Vlasenica and Zvornik.

<sup>13</sup> We found four additional genuine matches of persons disappearing in 1992 (2 from Bratunac, 1 from Srebrenica, and 1 from Zvornik). We also investigated thoroughly the identities of three additional matches, which revealed that each pair of matched records represented two *different* persons. We found, for example, that there were two persons with identical first names, last names and dates of birth, but different father's names, and another example of two persons having the same first names, surnames and father's names, but with different dates of birth and ID numbers.

<sup>14</sup> Four of the nine have the same family name, Gabeljić, and registered to vote, surprisingly, in Serbia (Šabac). Of the other five, two lived in Tuzla, one in Srebrenik, one in Germany and one in Austria when they registered to vote.

## Comparison of the two lists of missing persons

We matched and merged the ICRC and the PHR lists of missing persons, arriving at a *consolidated list of missing persons* for all of Bosnia and Herzegovina, including all ICRC and PHR records but with only one record for each person.<sup>15</sup> For records with excessively limited information, we compared the available data with the 1991 Census to decide if two records from each list represent the same person. If we did not find explicit evidence in the Census that two such records existed for two different persons, the records were accepted as being for the same person.

7,490 records on the consolidated list are Srebrenica-related, according to the strict criteria defined above, see Table 1.<sup>16</sup> In addition to expanding the total number of missing persons, the combination of the two sources have corroborated the available data as well as provided information when data are missing in one of the sources. For example, 75.5 per cent of the Srebrenica-related records on the consolidated list have full dates of birth, against 53.5 per cent and 79.1 per cent on the ICRC and PHR lists, respectively.

To be accurate, the nine missing persons who were found on the Voters' Registers 1997 or 1998 have been deleted from the total number. Moreover, we have also subtracted the six missing persons from Srebrenica who have been found to be alive since ICRC published its version 3 in January 1997.<sup>17</sup> Some or all of the six, whose identities are unknown to us, may be the same people as the nine mentioned above. Thus, the number of cases where persons registered as missing could be alive is between 9 and 15, i.e. a maximum of 15.

**Table 1. Srebrenica-related missing and dead persons**

	Number of records
On both ICRC and PHR lists	+5,712
On ICRC list only	+1,586
On PHR list only	+192
<i>Srebrenica-related missing persons registered by ICRC and/or PHR</i>	<i>7,490</i>
Found in Voters' Registers 1997 and 1998	-9
<i>Srebrenica-related victims, excluding persons found in the Voters' Registers</i>	<i>7,481</i>
Found alive by ICRC since Jan. 1997 (identities unknown to us)	-6
<i>Srebrenica-related victims</i>	<i>7,475</i>

Thus, we have found that at least **7,475** persons are dead or missing after the fall of Srebrenica, according to our conservative criteria. This number does not, however, include 148 cases of missing persons who may be Srebrenica-related according to either the ICRC or the PHR lists, but where the information are in conflict with regard to date and place of disappearance.

Moreover, the number does not include the unknown number of persons *not reported as missing*. This situation could arise for a number of reasons: there is nobody to report the missing because the entire family was killed; single persons without any surviving relatives; people too sick or old to be able to do the reporting; people too pessimistic or disillusioned to find it worth while to do the re-

<sup>15</sup> The consolidated list includes 19,692 persons missing from all of BH, where 6,980 records are found on both lists, 12,423 on the ICRC list only, and 289 found on the PHR list only.

<sup>16</sup> We have included 63 persons reported to have disappeared in September 1995 and 39 persons disappearing during October-December 1995. We have also included 68 persons who are reported to be missing from the Srebrenica area in July 1995 but without exact day, because we believe that all, or almost all, of them disappeared on or after 11 July. Supporting this inclusion is the fact of the 6,727 persons who, according to the ICRC list, went missing from Srebrenica in July 1999 *with* a known day of disappearance, only 0.5 per cent went missing before the 11<sup>th</sup>.

<sup>17</sup> According to a fax from ICRC, Sarajevo on 7.12.99, six of the 22 Srebrenica-related cases determined to be alive (as mentioned in footnote 9) were registered as missing in versions 3 and 4, which we based on our work on. The 22 cases found to be alive include everybody reported to ICRC since the first version of the ICRC list was published.

porting; family members who emigrated too soon after the fall of the enclave to be captured by the registration activities of ICRC (although the missing could also be reported from abroad); and persons not identified as Srebrenica-related because the information contained in the lists was lacking or incorrect. There may also be a few cases of people who were not reported as missing because their families were convinced that their relatives were dead and did not think it was worth while, or were not allowed by ICRC to do so.

Thus, the actual number is likely to be higher than 7,475 but we do not know how much. We have not, however, come across many examples of people missing or killed after the fall of the enclave who had not previously been reported as missing<sup>18</sup>. One indication of the high degree of completeness of the ICRC list is that PHR registered only 192 additional Srebrenica-related persons not on the ICRC list after a thorough search. Moreover, only a few of the bodies exhumed in Srebrenica-related graves and later identified, were not already on the ICRC and PHR lists.

Of the 7,481 missing persons there are 5,555 Bosniacs (Muslims) and 1 Serb. The ethnicity is unknown for the remaining 1,925 persons, because ethnicity was recorded only by PHR and not by ICRC. 753 persons, or 10.1 per cent of the total, are women, children and old men, see Table 2. The youngest are two girls, who were aged 8 and 9 when they disappeared. The sex and age distribution is shown in figures 1 and 2 in annex 1.

**Table 2. People missing from Srebrenica by sex and age group<sup>19</sup>**

Age group	Number	Per cent
Men <16	76	1.0
Men 16-60	6,727	89.9
Men >60	629	8.4
Men, age unknown	1	0.0
Women <16	2	0.0
Women 16-60	20	0.3
Women >60	26	0.3
<b>Total</b>	<b>7,481</b>	<b>100.0</b>

<sup>18</sup> According to the list of 70 identified bodies provided by PIP (Podrinje Identification Project) on 27.10.1999, 68 persons are Srebrenica-related. Only two of these are registered neither with ICRC nor with PHR. According to PIP, one disappeared on the way between Srebrenica and Tuzla and the other on the way between Srebrenica and Kladanj. They were found in graves in Jelah in Bratunac, and Jezernica in Turalići, respectively and although the exact dates of disappearance are unknown, it is highly likely that these are Srebrenica-related cases. The only additional identified body from the grave of Jezernica in Turalići, is of a Srebrenica-related person who disappeared after the fall of the enclave. I.e., on the list of 68 Srebrenica-related identified bodies, only 2.9 per cent are not reported to ICRC or PHR. If we assume that the proportion of non-reported missing persons is the same for all who disappeared after the fall of the Srebrenica, the estimated number of persons who were not reported would be 217 based on the current number of 7,475. The two non-reported bodies are not included in our minimum estimate of 7,475 missing persons, however, since we do not have sufficient information about the exact time of disappearance to decide that they are Srebrenica-related.

<sup>19</sup> As mentioned above the table includes six missing persons known to have survived, according to ICRC, but with ages and identities unknown to us.

## Attempts at undermining the ICRC list of missing persons

Finally, we have investigated several claims attacking the credibility of the ICRC list by Serbian institutions and individuals.

- **Lacking the date of birth:** “For 60 percent of people from the list there is no information such as date of birth, which is quite impossible, for they have been reported missing by their closest family members ...”<sup>20</sup> It is, however, not correct that the date of birth is lacking for 60 per cent of the persons missing from Srebrenica. Among the people on the ICRC list reported to be missing from Srebrenica and related places, such as Potočari, the *year* of birth is lacking for nobody, the *month* of birth for 44.4 per cent and the *day* of birth for 46.5 per cent.<sup>21</sup> Moreover, it is not at all surprising that the informants did not recall the exact date of birth during such traumatic circumstances.
- **Missing persons who vote:** “On the list of 3,016 missing persons officially recorded in the registers of the International Red Cross, the names of 350 persons whose identity has been established with certainty appear on the electoral list of September 1996.”<sup>22</sup> There was, however, no registration of voters as such for the 1996 elections, instead the 1991 Census was used<sup>23</sup>. Thus, it hardly surprising that many missing people were found on the “list of voters”, i.e. the 1991 Census. We would expect that almost all of these would be found on the Census list, but because the Centre only compared names beginning with letters A-K, and only records with complete information on both lists (about 1/2 on each list), only a fraction (about 1/8) would be expected to be found. In fact, we estimated the *expected* number of such matches with the *Census* list to be 360, which is almost identical to the actual number of 350 claimed by the Centre. This supports our conclusion that the Research Centre did their comparison of the ICRC list with the *1991 Census* - and not with a list of voters registered after the fall of Srebrenica.
- **Radovan Karadžić, my defence:** In the book *Radovan Karadžić, my defence*<sup>24</sup> it is claimed that several persons reported as missing on the ICRC list also appear on the Voters’ list. The book lists only 17 persons by name, claimed to be “picked out at random” of a total of 3,016 “dead men from Srebrenica who are at the same time put on the official roll for the elections in the Srebrenica municipality!” Eleven of the 17 names are found on either the 1997 or the 1998 Voters' list, but when the date of birth and ID number of these were checked with Census records, it became obvious that none of the persons mentioned in the book can be identical to persons on the Voters' list, i.e. they are different people. This corroborates our finding about the very limited fraud using Srebrenica names to register for voting.
- **People on the missing list who died from natural causes:** It is argued that the names of 76 persons on the ICRC list were Muslims killed in previous combat operations or who died from natural causes, and were buried at the cemetery of Kazani between 1992 and early 1995<sup>25</sup>. We did not, however, find any of these names on the ICRC list with the same or approximately the same date of birth.

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<sup>20</sup> Report submitted to the Tribunal by the “Law Projects Center Yugoslavia”, Belgrade, on 30.06.1998.

<sup>21</sup> In our list of 7,481 Srebrenica-related missing persons the date of birth is missing for 24.5 per cent.

<sup>22</sup> “Centre of Research into War Crimes Committed Against the Serbian People”, Belgrade, in a report called “Les Disparus qui Votent” (missing persons who vote). The report was submitted to ICTY on 13 April 1999 by Marie Mattei.

<sup>23</sup> Letters from OSCE to ICTY dated 17 September and 29 October 1999.

<sup>24</sup> Dejan Lukić, *Radovan Karadžić, My Defence*, ETNOS. ISBN 86-431-0046-6. Place and time of publishing not given.

<sup>25</sup> Report provided by Professor Ivanišević. The report was submitted to ICTY on 13 April 1999 by Marie Mattei.

## Are the missing persons dead?

The ICRC and PHR lists are primarily lists of missing and not dead people. It is generally assumed, however, that most if not all of these people are dead.<sup>26</sup> But what is the evidence of this? In addition to witness statements, books, documentaries etc, we know the following:

- Of the approximately 1,900 bodies exhumed so far only a few have been identified. Of the 70 names on a list of identified by the Podrinje Identification Project on 27.10.1999, which may be considered to be a random sample in this connection, 66 appear on our list of 7,481 Srebrenica-related missing persons. Of the remaining four, two are listed as having disappeared in 1992 and two are believed to have gone missing after the fall of the enclave.
- The age distributions of the Srebrenica-related missing persons and the exhumed bodies are very similar (figure 3), indicating that the exhumed bodies are a random sample of the persons assumed to be killed after the fall of the enclave. It is not surprising that there are some differences between the distributions, however, considering the uncertainties involved in estimating the age of an exhumed body, especially since the estimates are often based on fragments of bodies (see the report referred to in footnote 1). There is also uncertainty due to the fact that the exhumed bodies is only a *sample* of the missing persons (sampling variance).
- Only 22 Srebrenica-relevant persons of a total of 7,421 persons have been found to be alive by ICRC since they started registering them in July 1995, and only six since January 1997, in spite of strong efforts by ICRC to find survivors<sup>27</sup>.
- Only nine Srebrenica-related missing persons can be found on the Voters' Registers 1997 and 1998, which strengthens the argument that very few of the persons missing from Srebrenica survived.

These points support a conclusion that the missing people are dead.

## Summary and conclusions

After analysing and matching several versions of the ICRC and PHR lists of missing persons, and also comparing them with the pre-war Census list and two post-war lists of registered voters, we conclude that:

At least **7,475** persons are missing in connection with, the fall of the Srebrenica enclave on 11 July 1995, according to our conservative criteria. Also, an unknown number of persons were probably not reported as missing, for various reasons. Our estimate is lower than the commonly referred to range of 8 - 10,000 killed persons, which need not be wrong but which we do not find that sufficient evidence has been provided for. Thus, the actual number of killed and missing is likely to be higher than 7,475 and this figure should be considered a *minimum estimate*.

In support of this conclusion, the number of 7,475 is very close to the number of Srebrenica-related cases published recently by ICRC, 7,399<sup>28</sup>.

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<sup>26</sup> The same conclusion has been drawn by ICRC: "In February 1996, the ICRC's conclusions were made public for the first time: that the vast majority of the missing men had been killed after capture and that many others had been killed in armed confrontations while fleeing the enclave or in lieu of arrest." Source: ICRC Special Report "The issue of missing persons in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia". The date of publication not given but it is probably 1 February 1998.

<sup>27</sup> See footnotes 9 and 16.

There is no evidence that any significant number of the Srebrenica-related missing persons have survived. On the contrary, all available information indicates that all - or almost all - of them are dead: Only six survivors have been identified since January 1997 in spite of strong efforts by ICRC and others to find survivors; only nine Srebrenica-related missing persons can be found in the Voters' Registers 1997 and 1998; a large number of bodies have been found in mass graves near Srebrenica – 1,909 so far; of 70 identified exhumed bodies 66 are found on our list of Srebrenica-listed missing persons and of the remaining four, two appear on the ICRC list as having disappeared in 1992.

Almost all of the missing persons are men (99.4%), but many of the men are young boys under 16 (76 persons) or old men above 60 (629 persons). Only 48 of the missing persons are women, the youngest being 8 years old at the time of disappearance. Of the 5,556 persons for whom ethnicity is known from the PHR list, all but one are Bosniacs (i.e. Muslims), the single exception being a Serb.

Our study shows that the missing persons are real, and not made-up, persons who lived in the Srebrenica area before 1995. Of a sample of missing persons more than 90% appeared in the Census 1991 files for Srebrenica and five neighbouring municipalities, and almost everybody who was in the enclave before it fell lived in these seven municipalities (footnote 12).

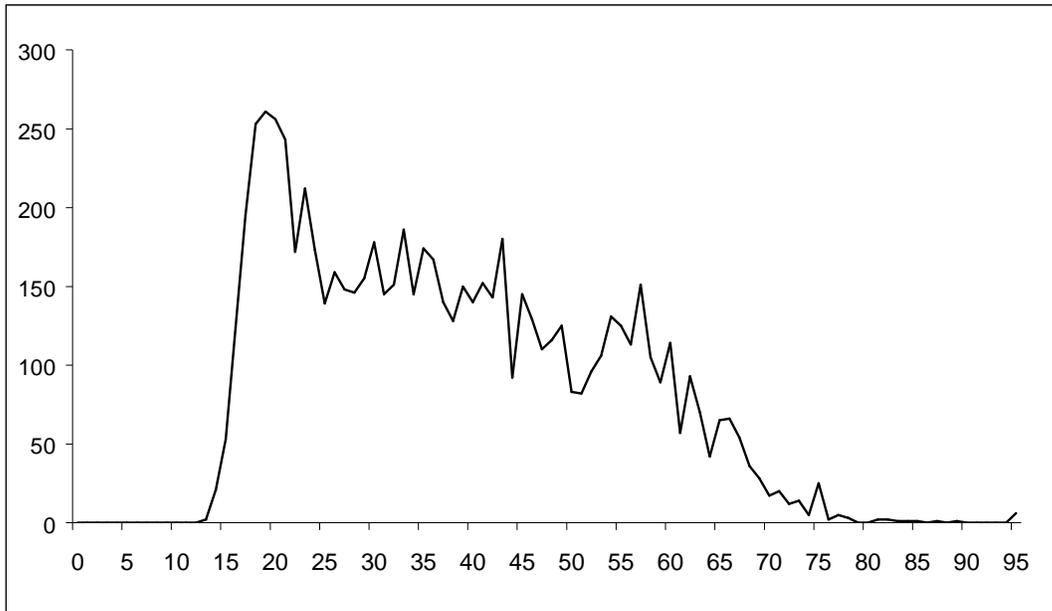
Finally, our analyses strongly reject claims that many persons on the ICRC list were entered wrongly. There is no indication of large-scale fraudulent registration of missing persons, although there may be a few cases of persons who are listed as missing but who should have been removed from the list. Moreover, there is no evidence of large-scale fraudulent use of Srebrenica missing persons' identities in the registration of voters in 1997 and 1998.

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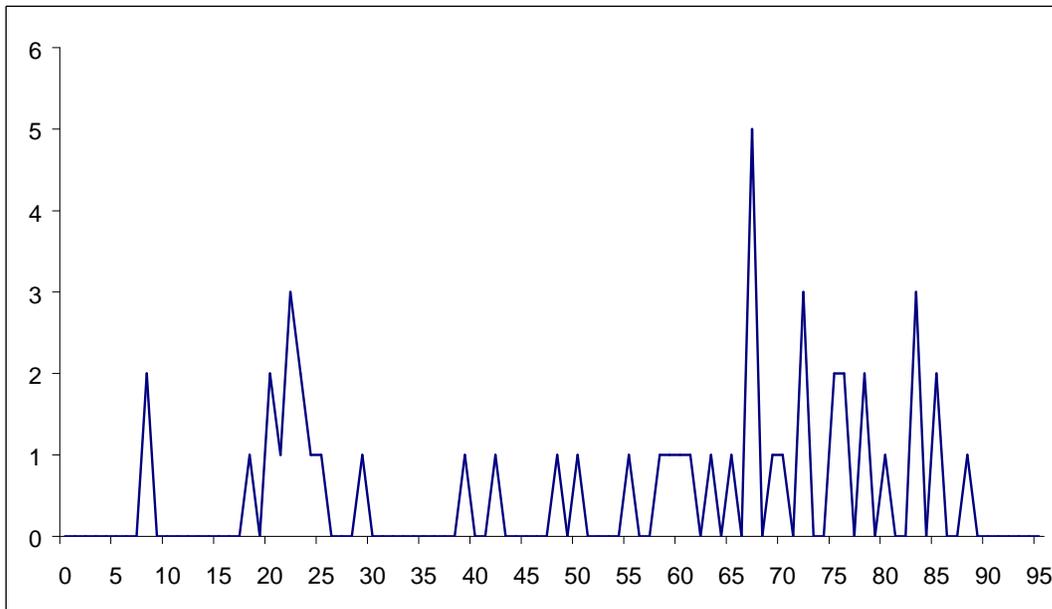
<sup>28</sup> 7,421 less 22 cases determined to be alive, according to "Tracing requests Missing in BiH (updated on 29/09/99)", International Committee of the Red Cross, Sarajevo. The ICRC number includes, however, also some persons who went missing from Srebrenica *before* the fall of the enclave and some people whose disappearance is related to the fall of the enclave but who were reported missing from places far away from Srebrenica. 7,289 persons in our number of 7,481 come from the ICRC database.

## ANNEX – FIGURES

**Figure 1. Missing men from Srebrenica by age at disappearance**



**Figure 2. Missing women from Srebrenica by age at disappearance**



**Figure 3. Age distribution of missing persons and exhumed bodies. Per cent.**

