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## 2 Bosnian Muslim Families Sue Dutch Over Srebrenica Massacre

By [MARLISE SIMONS](#)

PARIS, May 12 - Survivors of a 1995 massacre in Bosnia appeared in a Dutch court on Thursday to start proceedings aimed at obtaining compensation from the Dutch government because its soldiers failed to protect them. The outcome of the civil suit could affect the legal liability of nations providing troops for United Nations peacekeeping operations.

The suit, which is still in a pretrial stage, has been brought by two Bosnian Muslim families whose members were killed while they were in the United Nations "safe haven" of Srebrenica as Serbian and Bosnian Serb forces overran the area.

The few hundred lightly armed Dutch soldiers who were part of the United Nations forces in Bosnia said they had neither the manpower nor the weapons to defend the estimated 30,000 Muslims who had sought refuge in the town. The Serbs killed up to 8,000 unarmed Muslim men and boys there, an operation since defined as genocide by the United Nations war crimes tribunal.

The large-scale slaughter with Dutch troops in the vicinity has haunted the Netherlands. There have been several investigations into the decisions made by its government and soldiers regarding Srebrenica.

One government resigned in 2002, saying it accepted political responsibility for the failure of its forces to protect those seeking refuge. The United Nations also said it had failed to protect Srebrenica in a 1999 report issued by the secretary general.

But the Dutch lawyers representing the Muslim families said that accepting political and moral responsibility was not enough.

"The big legal question is to establish liability, and the Dutch government and the United Nations have both turned that down," said Liesbeth Zegveld, one of the lawyers. "There is a legal gap here. There have been grave human rights crimes and the victims should have remedy and receive damages."

The lawyers have tried to press their case for more than two years and have been turned away by at least one court. But a district court in The Hague has agreed to hold hearings to determine if there are sufficient grounds to bring a case against the government. If it goes forward, the lawyers said, other families from Srebrenica, some of whom live in the Netherlands, could join the suit at a later stage.

The first hearings focused on the family of Rizo Mustafic, an electrician working at the time for the Dutch forces. Although local employees were entitled to be evacuated from the area along with the Dutch soldiers when the enclave fell to the Serbs, lawyers for the Mustafic family said, Mr. Mustafic was erroneously not placed on the evacuation list. He was forced to leave the military compound and was separated from his family by Bosnian Serb soldiers. He has not been seen since, nor have his remains been found.

His wife, Mehida, and his two children were granted asylum in the Netherlands, along with numerous other Srebrenica survivors. They were in court on Thursday but did not speak to reporters.

A lawyer for the government said the victims' families should seek compensation from Serbia, "the people who committed the murders," and not from the Netherlands.

But investigators at the district court suggested that there were other reasons for the hearings that went beyond monetary claims. One lawyer said that in all previous investigations numerous witnesses had been heard. But few, if any, survivors have had a chance to speak.

"Perhaps we would not have sued if the families had been listened to," Ms. Zegveld said. "They want to be taken seriously. That does not start with asking for money, but with being heard."

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