The Ban Fell, the Book Stood

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Abstract In 2016 the Court of Appeal of The Hague lifted a complete publication and speaking ban imposed in 2015 on the Dutch non-fiction book *De doofpotgeneraal* (*The Cover-up General*), explicitly dismissing doubts about the meticulousness with which it was written. This essay traces the affair the book documents: a military intelligence operation surrounding suppressed photographic evidence of the 1995 Srebrenica genocide, the infiltration of a civilian workplace in Delft, and an almost three-decade pattern of institutional silence. It sets out how the book served as evidence in the Mothers of Srebrenica's litigation against the Dutch State, which culminated in the Supreme Court's 2019 ruling on partial state liability, and it documents the contradictory positions taken by successive ministers. The essay argues that the persistent refusal of the ministries involved to respond substantively is itself the story: documented truth facing institutional denial.
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The events in this affair are so unusual that virtually every fact in this essay is backed by a source.

1

A Unique Precedent

On 12 April 2016, the Court of Appeal of The Hague issued a landmark ruling: it lifted both the full ban on *The Cover-up General* and the speaking ban on its author. Both had been imposed four months earlier by the preliminary relief judge of the District Court of The Hague, on the application of a former employee of the Military Intelligence Service (MID) who appears in the book.[1]

The Court of Appeal did more than restore freedom of speech: "Unlike the preliminary relief judge, the Court of Appeal holds that these inaccuracies [concerning the personal details of the claimant] are also insufficient to cast doubt on the meticulousness with which [author Edwin Giltay] proceeded in writing the book".[2] The former employee had also demanded that Giltay declare his own work pure fiction in three national newspapers. The court established that her role in the book, contrary to what she suggested, is not "purely invented" or "complete fiction".[3]

This combination of a total ban reversed and the judicial rehabilitation of the author is virtually unequalled. The Banned Books Museum calls it "a very rare example in our collection of an author who successfully challenged a book ban".[4] That same judgment, moreover, sums up the book's core claim, in the court's own words, that "the roll of film with photographs that a soldier of Dutchbat [the Dutch UN battalion] took in Srebrenica was not destroyed by accident, but was deliberately withheld by the MID". The court did not establish the truth of this claim, but did rule that it belongs in "a debate of public interest" and that a ban would impair "the fundamental freedom of expression at its core".[5]

In Dutch legal history, this precedent is unique. While writers like the nineteenth-century Dutch author Multatuli triumphed over attacks on specific passages, *The Cover-up General* is, as far as is known, the only Dutch book whose full ban[6] was judicially reversed.

The only two inaccuracies in the book that the court found undisputed, an age and the spelling of a name, looked more like tradecraft than a mistake by the author: it is not unusual for intelligence personnel to depart from their real personal details.[7] For instance, the claimant reproached the author for spelling her name as Overduin, while he had taken

that spelling from an investigation by the Ministry of Defence,[8] and a letter had moreover surfaced that she herself had signed as Overduijn.[9] Officially, her name was different again: Overduyn.[10]

The judgment has entered the legal literature (RAV 2016/75,[11] NJF 2016/242[12]) and has since been cited by other courts in press freedom cases. The Rotterdam District Court, for instance, referred to it in proceedings that Chan Santokhi, then President of Suriname, had unsuccessfully brought in 2024 against a book about corruption in government circles.[13] The legal victory, however, is only part of the story. What makes this case so significant is what *The Cover-up General* brings to light, and how the government has responded. Or more precisely, how it hasn't.

2

The Government Contradicts Itself

The Dutch government's response to this book, whose ban the Court of Appeal lifted, reveals a striking internal contradiction. At the end of 2020, the Ministry of Justice criticised the publisher of the second edition. Giltay then asked the Ministry by letter whether *The Cover-up General* also fell into the category of fake news, conspiracy theories or anti-government propaganda and, if so, in which passages. The Minister replied in 2021 that those classifications were "in no way based" on the content of the book.[14] He named no passages. The Ministry of Justice thus pointed to nothing in the book that would justify such a label. Yet in 2018, the Minister of Defence dismissed it as a book in which "fact and fiction do indeed become intertwined".[15] This confronts the public with an impossible choice.

The failure to speak with one voice touches on a constitutional principle: the Dutch Constitution charges the Council of Ministers with promoting the coherence of government policy.[16] Yet here two ministers of the same cabinet take divergent positions on the same work, while as early as 2016 the court saw no reason to doubt the author's meticulousness. According to one minister, the fake news label is in no way based on the book; according to the other, fact and fiction become intertwined in it.

Who is correct: the Minister of Justice, or the Minister of Defence, who has refused to provide clarification for decades? In 2017, the Standing Committee on Defence of the Dutch House of Representatives unanimously asked the Minister of Defence for a response to the letter in which Giltay had repeated the book's allegations.[17,18] The Minister replied to the House, but on the intelligence affair he remained silent. Can a government serve as arbiter of truth when its own ministers contradict each other?

3

What the Book Reveals: The Srebrenica Cover-up

What prompted this institutional silence? *The Cover-up General* documents in precise detail how a Dutch military intelligence operation spiralled out of control. This operation involved surveillance of civilians at their workplace and the withholding of photographic evidence related to the 1995 Srebrenica genocide. Over 8,000 Bosniaks (Bosnian Muslims) were murdered at the time, after Dutch UN troops failed to protect their enclave. The title is the nickname of the army general who stepped down in 2002 after the official inquiry report on the fall of the enclave. The book names him.[19] The film roll, on which Lieutenant Rutten had photographed the bodies of murdered men,[20] had, according to experts, been deliberately destroyed.[21]

The book recounts how this operation began in 1998 with the infiltration of Giltay's civilian workplace in Delft, the cable firm Casema, by

military intelligence officer Barbara Overduyn. She approached Giltay, who had applied to the navy shortly before, and, as she herself later stated, advised him "to write an unsolicited letter of application to the MID".[22] On that occasion, she spoke openly about internal opposition within her intelligence service to the suppression of the Srebrenica photos. The roll, she said, had not been ruined: it was simply "stored in the archives of the MID".[23]

According to the book, Overduyn's assignment to recruit Giltay was primarily a ruse: in his department she herself could be watched, after doubts had arisen about her performance. A second infiltrator, unmasked in the book as the wife of the general of the title, secretly noted which state secrets Overduyn divulged there, and stole an access card herself. Using it, a photographer gained entry to the Casema building to capture Overduyn at work there. With those notes and photographs, Overduyn and her superior, who, like her, opposed the suppression of the Srebrenica photos, were put under pressure at the MID to resign. That, according to the book, is how the internal opposition was broken.[24]

After Giltay complained to the National Ombudsman about, among other things, the MID's conduct at Casema,[25] Overduyn accused him of being "irritating", "maladjusted" and "completely insane".[26] According to a source in intelligence circles quoted in the book, his complaint aroused her jealousy: she is said to have felt thwarted in her ambition to become a whistleblower herself.[27] She made her statements in an investigation the MID opened into itself. That the service would investigate itself was agreed at the MID on 26 January 1999, between its deputy head and the Ombudsman's case officer.[28] In his response to the Ombudsman, Minister of Defence Frank de Grave adopted the report of that internal investigation, drawn up on the instructions of that same deputy head, as his official position. In doing so, he shifted the focus: to a complaint about Defence he replied with a judgement on the complainant's character.

If this essay turns to the author here, it is not because his case weighs more heavily than that of the bereaved. It is because the Dutch State made it personal, and because discrediting the messenger has for almost thirty years been the way to keep the message at bay: where did the Srebrenica photographs go?

Giltay reported the ministerial statements about him as libel to the Chief Public Prosecutor in June 1999.[29] Two weeks later, the Minister removed both the Head of the Military Intelligence Service and his deputy from their posts over a "serious error of judgement".[30, 31] The two had not informed their Minister of an investigation by the service itself into right-wing extremist conduct by Dutchbat soldiers in Srebrenica. That deputy was the very one on whose instructions the report on Giltay had been drawn up.[32]

When Giltay, on the advice of lawyer Gerard Spong,[33] also sought to file a criminal complaint with the police in July 1999, the detectives refused to record it. In March 2000, the district chief upheld Giltay's grievance about this on two points and offered his apologies.[34] Only then, in June 2000, was the complaint of slander and libel recorded by The Hague police.

In that complaint Giltay also put on record what Overduyn had said about the photographic material: "Unprompted, she stated that the failure of the so-called failed development of the photographs taken was a fabrication, and that she had seen the photos herself".[35] If that is true, the film roll was not destroyed until after the photos had been printed. Three months after his complaint, Giltay was notified by letter that the investigation "has produced no result" and was "shelved" in the records.[36] The letter says nothing about the photographs.

Giltay then sought the help of Her Majesty Queen Beatrix. An intervention followed: the head of state referred his letter to the Minister

of the Interior for handling.[37] This prompted The Hague's mayor, Wim Deetman, who was in charge of the police force, to formally acknowledge to Giltay that his force had acted wrongly towards him. Giltay had been promised that he would see the response to his grievance about the refused criminal complaint in draft beforehand, and that had not happened.[38, 39]

As far as the documents show, nothing has ever been done with Overduyn's statements about the photographs. The Minister's characterisation, by contrast, remains online today, in the National Ombudsman's public report of 1999.[40] This despite considerable evidence to the contrary: a Defence assessment from 1998 that attested to a strong character,[41] professional references from multinationals, including IBM and Deloitte,[42, 43, 44, 45] and the court's recognition that there is no reason to doubt Giltay's meticulousness.[46]

Although the characterisation has never been retracted by Defence, Minister of Defence Ank Bijleveld bluntly denied in 2018 that the Ministry had ever spoken of Giltay in such terms.[47] That this description was in fact used is recorded not only in that Ombudsman report.[48] Since August 1999, it has been set down in black and white in the files of the Public Prosecution Service,[49] and on the court record since 2002. When Giltay complained to the Court of Appeal of The Hague about the failure to prosecute, the court noted that Overduyn, "employed at the MID", had indeed declared that Giltay was "completely insane".[50]

4

A Cover-up with an International Dimension

While the libel case remained a domestic matter, the cover-up surrounding the photographic material reached into the international courts. At the International Criminal Tribunal for the former Yugoslavia in The Hague, the roll of film came up in the trial of Radovan Karadžić, the Bosnian Serb leader who was sentenced to life imprisonment in part for the genocide in Srebrenica. Testifying there in 2011 was Johannes Rutten, the lieutenant of Dutchbat III who on 13 July 1995 photographed the bodies of executed Bosniaks at Potočari. That testimony records that on his return he handed his roll of film over to the MID. He had subsequently been told that the photos had failed to develop.[51]

It was counter-intelligence Major De Ruyter who took receipt of the roll.[52] The NIOD report, the official inquiry into the fall of Srebrenica commissioned by the cabinet, records that, during training, he had already told the battalion that the population of the enclave consisted of "nothing but scum".[53] The same major conducted the February 1999 interview with Overduyn from which emerged the ministerial position that Giltay was "completely insane".[54] On 6 December 2002, he testified under oath before the Parliamentary Committee of Inquiry on Srebrenica about the fate of that same roll.[55] The dehumanisation of the Muslim population, the vanished evidence and the branding of Giltay as insane thus share not only a ministry, but a single official.

Rutten's roll is not an isolated case. In late 2016, lawyers Klaas Arjen Krikke and Michael Ruperti announced that, on behalf of more than two hundred members of Dutchbat III, they would seek a court order for access to photographic material: prints of at least eight rolls of film. These, they said, lie in the archive of the Military Intelligence and Security Service (MIVD), as the MID is now called.[56] Whether that application was filed has never become public.

Under Chapter VII of the UN Charter, all states, the Netherlands included, were obliged to cooperate fully with the tribunal, up to and including the production of evidence.[57] When Giltay asked the tribunal about the rolls,[58] the Office of the Prosecutor replied on 3 October 2017 that it had no knowledge of the "8 photo

rolls".[59] Images taken by Dutchbat soldiers did play a part in the genocide trials, but the prosecution knew nothing of the rolls in the MIVD archive.

How much weight the Dutch failure in Srebrenica carries was settled politically long ago: in 2002 the entire cabinet resigned following the NIOD report.[60] The rolls of film belong to that same dossier. De Ruyter maintained at his hearing before the parliamentary committee of inquiry that Rutten's roll had failed during development: it was, in his words, an accumulation of "situations in which Murphy's law struck", in short "just bad luck".[61] The NIOD had already concluded that the film roll had failed through "a human error", and that the suspicion of intent did not hold up "for lack of concrete evidence".[62]

According to the same report, the roll also contained "shots of the separation of men and women and the role of Dutchbat soldiers in it".[63] The NIOD considered it unlikely that those photos were a motive for destroying the roll. Whoever destroyed it for that reason would after all first have had to see the photos, the institute reasoned.[64] The report makes no mention of Giltay's complaint of 2000, in which he recorded that, according to Overduyn, the development had not failed and that she had reportedly seen the photos herself.[65]

Well before the NIOD report, the official account was already contested, even within the armed forces themselves. General Hans Couzy, who in 1995 commanded the Dutch army, to which Dutchbat belonged, gave his own version in 1998, as the army's former commander: the MID wanted to develop the roll in-house. The idea, he said, was that it would be "a hundred per cent safe" there. That it was ruined there, of all places, he called "a story that naturally no one ever believes".[66] Colonel Charlef Brantz, in July 1995 acting commander of the UN sector under which Dutchbat fell, by his own account voiced his doubts about his own army's explanation as early as August 1995, on the Dutch current affairs programme NOVA. An organisation that takes itself seriously, according to him, cannot afford "to handle that material in such a careless manner".[67]

Hans Laroes, former editor-in-chief of NOS News (Dutch public television news), also wrote in his 2014 epilogue to *The Cover-up General* about the story that the roll had failed during development: "Nobody I talked to believed any of it. There was no journalist around who did not doubt the official line, with a hint of cynicism".[68] The 2015 total ban covered his epilogue too. Thus, even his widely shared scepticism was silenced at the time.

5

More Than a Banned Book

The international attention *The Cover-up General* received reflects not only curiosity about a banned title, but also concern about what it reveals: evidence of institutional cover-up in the aftermath of the Srebrenica genocide. In July 2015, the Mothers of Srebrenica cited it as an illustration of precisely the cover-up pattern it describes. In their statement of appeal against the Dutch State, it appears in the passage on the destruction of photographic and video material.[69]

That was no coincidence: their lawyers had followed the book from the outset.[70] Simon van der Sluijs attended the launch of the first edition in November 2014. As early as February 2015, he and his colleague Marco Gerritsen put their weight behind it in an endorsement: "Edwin Giltay describes how his rights were sacrificed by the State to keep the lid on the cover-up surrounding the Srebrenica roll of film. Once again, this feeds the suspicion that the State is responsible for making the notorious roll of film disappear".[71]

Even before *The Cover-up General* appeared, it had won support from an unimpeachable quarter: former Minister Jan Pronk, who took political responsibility for the failure of the Dutch UN mission in Srebrenica, called it "meticulously written and well documented".[72] The State did not refute the book's content in the Mothers' lawsuit. Military intelligence circles, however, did contest it. By her own account, Overduyn approached the Ministry of Defence, which turned out to be aware of the work but decided not to take action itself.[73] Overduyn, who described her role in the book as invented, then demanded a full book and speaking ban, which the District Court imposed in December 2015.[74] Prohibited were not only distribution, publication and reprinting, but also further promotion of the book "at lectures, book presentations and other public utterances". Any breach carried a penalty payment of up to €100,000. The ban thereby affected even Giltay's freedom to speak about his own life.

Giltay defended himself with media lawyer Jurian van Groenendaal at his side,[75] after which the Court of Appeal overturned the ban in 2016. In 2019, in the Mothers' case, the Supreme Court set Dutch liability at ten per cent of the damage suffered by the surviving relatives of approximately 350 men who were sent away from the Dutchbat compound on 13 July 1995.[76]

For the surviving relatives it came to a fraction of what they had claimed; only two years earlier the Court of Appeal had put liability at thirty per cent.[77] In that same statement of appeal their lawyers had already written that there is "at the very least the appearance that the State, through the intervention of the military intelligence and security service, deliberately destroyed or is withholding the photos in question from the notorious film roll".[78] For the claim that Rutten's film roll had not failed, they referred to four pages from *The Cover-up General*.[79]

The book's impact extends far beyond the courtroom. The censorship backfired: the attempt to ban it propelled the story around the world.[80, 81] Giltay added eight chapters on the battle against censorship to the second edition,[82] and two more to the third. Over four hundred publications and mentions of the book have now appeared, from newspapers and broadcasters to reference works and forums, and from Brazil to Indonesia.[83, 84] That attention is not a tribute but a question, asked time and again, that the Ministry of Defence leaves unanswered: what did the Military Intelligence Service have to hide?

6

Three Affairs

At a single civilian workplace in Delft, the trails of three affairs in post-war Dutch history converged: Srebrenica, the IRT affair (a 1990s Dutch policing scandal) and a secret honey-trap programme. These were not parallel dossiers. They intersected there. The book thus focuses "only in part" on the withholding of the infamous roll of film[85] and recounts in detail what went on at that workplace.[86]

The first trail is that of Srebrenica and has already been discussed above: Overduyn's infiltration of a small department of Casema, in 1998.[87, 88, 89]

The second begins with a woman who also worked there and had ended up in a life-threatening situation. She had fled her provincial town to escape that danger, as Giltay heard in 1998. Moreover, as he learned in 1999 from an entirely different source, she had been placed in a witness protection programme by the Ministry of Justice. So as not to endanger his former colleague, Giltay gave her a fictitious name in his book and kept silent about that programme for twenty-seven years. He did write in the book that he had omitted "some of the disclosures", for his own safety "and that

of others".[90] This left unsaid what could have clarified the affair. After all these years, this essay does mention the programme, and no more than that: it keeps her name and further details to itself.

Through no fault of her own, the woman had become caught up in a corruption scandal surrounding the IRT affair, in which police and prosecutors infiltrated organised drug crime. While the Ministry of Justice had supported her as a protected witness in building a new life, the Ministry of Defence subsequently turned her workplace in Delft into a covert observation post for an intelligence operation. In other words, the left hand of the State compromised what the right hand was supposed to protect.

The fact that this intelligence operation was taking place directly alongside the 'protected' civilian was explained away to Giltay in 1999 by a source in intelligence circles as mere coincidence. Yet the same source let him know that the witness's presence had fuelled the MID's interest in the department.[91] That points to prior knowledge rather than coincidence. The service would then have known in advance who worked there. In any case, the threatened witness, too, came under observation. The question arises whether the operation in that department did not also serve this purpose: monitoring this woman, given her role as a witness in a state corruption case.

The third trail leads to the Dutch Domestic Security Service (BVD). The book, doubts about whose meticulousness the Court of Appeal of The Hague dismissed,[92] also describes a separate honey-trap programme run by the BVD: a trap in which a service has foreign diplomats seduced so that it can then put them under pressure. The programme had to be kept from Parliament. Giltay was sounded out in 1992 about taking part in it.[93] In 1998, Overduyn advised him at work to apply to the MID, as she herself later stated.[94] In this way, according to the book, the MID did what the BVD had done in 1992: approach him for intelligence work.[95] Thus this trail, too, ends at the workplace in Delft.

In 2015, the Minister of the Interior, Ronald Plasterk, responsible for the BVD's successor, stated that he had taken note of the manuscript. He added: "I shall not respond substantively to this any further".[96] At the author's request, however, he ordered an official investigation by the CTIVD, the oversight committee for the intelligence services. Forty-six days later, he withdrew that order.[97, 98]

The convergence of three affairs may help explain why the State has remained so persistently silent: acknowledging the findings on the Military Intelligence Service would lend credibility to the revelation about the Domestic Security Service, and vice versa. Moreover, conceding that the State neglected its duty of care in witness protection could call the entire programme into question. The result is a government speaking with three voices: rejection (Defence), silence (Interior) and what was in effect a no to the question of whether the book is fake news (Justice).

7

Never a Substantive Answer

This pattern of never giving a substantive answer, at any level, is not a recent development. Although the book held up before the Court of Appeal and resonated internationally, the ministries named within it have never responded substantively to its revelations. The silence began even before publication. On 30 October 2000, Minister of Defence Frank de Grave rejected a rehabilitation request with the closing line: "No further letters from you will be answered".[99]

On 20 November 2010, the author sent a confidential letter[100] to the parliamentary group leaders Job Cohen, Stef Blok and Geert Wilders, at the time also members of the Committee on the Intelligence and Security

Services.[101] Enclosed was a detailed witness report of this affair, an early manuscript version of *The Cover-up General*. What happened to the letter after it was received, Giltay has never learned. Six weeks later, on the night of 31 December 2010 to 1 January 2011, a fire broke out in Giltay's storage unit in The Hague, situated in a locked storage corridor alongside and beneath six flats. The police recorded the fire as arson.[102] His paper dossier was lost in the flames; digital copies, however, have been preserved at multiple locations. A connection to the content of his testimony is unlikely but cannot be ruled out: the perpetrator has never been traced.

More than three years later, in March 2014, the Ministers of Defence and of the Interior received the full manuscript of *The Cover-up General* ahead of publication, accompanied by a formal notification and a deadline for a response. Both ministries signed for receipt.[103], [104] That the manuscript was sent to both Ministers before publication with a request to respond has moreover been on record since 2016 as an undisputed fact in the appeal judgment.[105] The Ministers chose to remain silent. There was no substantive response upon publication, nor when the ban was lifted in 2016 with judicial praise.

In June 2017, the Ministry of Defence rejected a request to retract the 1999 ministerial declaration of insanity, citing the Ombudsman report from that same year and a CTIVD investigation. Both bodies were said to have declared Giltay's complaints about the MIVD unfounded.[106]

Both pillars of this position, however, had been refuted years earlier. The Ombudsman report set out the Minister's response and relied in part on Overduyn's account.[107] That account had been undermined in the lawsuit she herself had brought. The Court of Appeal of The Hague held that her role in the book is not "purely invented" and dismissed the doubts about the author's meticulousness.[108] On appeal, she did not dispute that her claims about him had been disproved by evidence.[109] Moreover, within two months of the report's publication, the Ombudsman himself had already written to Giltay: "It is not the case that the National Ombudsman regards the account of the former MID employee concerned as absolute truth, and your account thereby as untrue".[110]

The second pillar, a CTIVD investigation into Giltay's complaint about the MIVD, did not exist, and this had been on the record since 2009. The chair wrote to Giltay in January 2009 that the committee could not investigate his complaint, because the Minister had not asked it for advice.[111] In October that year, the next CTIVD chair, partly in view of Giltay's correspondence with Defence, saw no reason to answer his outstanding questions.[112] That complaint dated from 1 September 2007, when Giltay, in a registered letter to Minister of Defence Eimert van Middelkoop, asked among other things: "Have you already seen the pictures [of the serious failure in Srebrenica]?"[113] The Minister did not address it.[114] That the CTIVD never investigated the complaint was ultimately confirmed by General Onno Eichelsheim, then director of the MIVD and Chief of Defence since 2021. He wrote to Giltay in October 2017: "The CTIVD has not handled any complaint from you against the MIVD. There is therefore no CTIVD report either".[115]

Also in 2017, the Standing Committee on Defence unanimously decided to ask the Minister for a response. That decision had been preceded by a step taken by Speaker of the House Khadija Arib: she forwarded Giltay's letter to the committee.[116] The official ministerial reply that followed, however, sidestepped the military intelligence affair entirely.[117] Minister Ank Bijleveld, asked about the case in 2018, simply stated: "Defence has no further opinion on that".[118] After the Supreme Court ruled in 2019 that the Netherlands is partially liable for around 350 Srebrenica deaths,[119] in the case in which the Mothers' lawyers relied on the book,

Giltay again heard nothing from Defence. In 2020, he formally invited Defence once more to respond substantively, this time with a view to a translation.[120] The Minister replied that she had "no need" to do so, without giving any legal grounds.[121]

The State is silent not only about the book, but also about the treatment of its author. The book states that disruption measures were taken against Giltay:[122] interventions by which an intelligence service discourages someone's activities or nips them in the bud. A Dutch handbook on investigative practice sets out when a service may resort to such action: against "anti-democratic activities, activities dangerous to the State, or other activities" directed against the interests the law protects. As an example of such a measure it cites "spreading disinformation".[123]

This essay goes no further than observing that what has happened to him since 1998 bears the hallmarks of such measures. Overduyn told a Casema employee that Giltay's background was bad and ordered him to stop associating with Giltay.[124] At the time, the two were in a romantic relationship;[125] Giltay's private life was thus affected as well. The 1999 ministerial characterisation concerned his working life. Maintained ever since, it emerged from the interview with Overduyn conducted by De Ruyter, the counter-intelligence major who also took receipt of the film roll.

None of the three grounds in the handbook has ever been invoked against Giltay. "Danger to the State" was a term he had raised himself, in the same letter in which he asked about fake news, conspiracy theories and anti-government propaganda. The Minister of Justice ruled that term out in writing in 2021.[126] Nor does "anti-democratic" fit a citizen who turned to the Ombudsman, the public prosecutor, the police, the mayor, government ministers, the head of state, the courts and Parliament. That leaves the residual category: other activities directed against the interests the law protects. In 2014, before publication, the manuscript was in the hands of the Ministers of Defence and of the Interior. They were free to argue that state secrets, military security interests or ongoing operations were at stake. They did not do so, not in 2014 and not thereafter, and neither did the Minister of Justice later on:

The State's responses to the book, 2014–2021

Year	Ministry and moment	Did the Minister respond substantively to the book?	Did the Minister invoke a state secret?
2014	**Defence** manuscript with formal notification[127]	No	No
2014	**Interior** manuscript, a week later[128]	No	No
2015	**Interior** repeated notification; CTIVD investigation later withdrawn[129]	No	No
2017	**Defence** rehabilitation request, citing the book[130]	No	No
2017	**Defence** unanimous request by the Standing Committee on Defence for a response[131]	**Partly** A response at the request of the Standing Committee on Defence, but not on the intelligence affair	No

Year	Ministry and moment	Did the Minister respond substantively to the book?	Did the Minister invoke a state secret?
2020	**Defence** repeated invitation to respond substantively[132]	No	No
2021	**Justice** question about terms such as fake news and danger to the State[133]	**Partly** An answer to the question about those terms: in effect, none of them applies to the book	No

In short, seven moments, three ministries, one pattern: not one invocation of a state secret. This silence is not statutory secrecy. It is a choice. When Defence, in June 2017, did give reasons for refusing to retract the declaration of insanity, it invoked not state security but the refuted Ombudsman report and a CTIVD investigation that did not exist.[134] Nor did that reasoning discuss the content of the book. And when the Minister, at the request of the Standing Committee on Defence, did briefly address the book in October 2017, he wrote that what the author means by "psychiatrisation" is unclear.[135] That was four months after his own ministry had refused in writing to retract that declaration of insanity.[136] The film-roll thesis he dismissed by citing the 2002 NIOD report, and on the intelligence affair he said nothing, again without invoking state security.[137]

Of the three grounds for disruption measures, then, one has been ruled out by Justice, one is incompatible with the path Giltay took, and one has never been invoked by any minister.

In 2022, Giltay delivered the third, revised edition in person for the attention of the new Minister of Defence, Kajsa Ollongren, with a covering letter in which he expressed the hope that she would set right the mistakes of her predecessors.[138] No response came from Defence. The silence extends even to the film roll. Although Agfa photo experts in Munich concluded that the roll had been so thoroughly destroyed that this could only have been done deliberately,[139] Defence persists with the narrative of a development error.[140]

8

The Silence Is the Story

This persistence creates an unprecedented asymmetry: on one side is what the author substantiates with documents, on the other a government that does not account for it. That gulf remains unbridged. In a democracy with working oversight mechanisms, one may expect a ministry to engage with a book that withstood judicial scrutiny. Here that does not happen. That the silence continues is not a gap in this story. It *is* the story.

The situation resembles a chess match where one player, facing inevitable checkmate, simply refuses to make another move. What happens when a player neither acknowledges the evidence nor refutes it? They avoid formal defeat, but does that change the outcome? Whoever surveys the board can judge the position for themselves. The silence of the ministries reveals precisely the cover-up mentality this book exposes: an institutional inability to confront uncomfortable truths about controversial intelligence operations, one of which is linked to the greatest failure in modern Dutch history. And the audience grows. Every new publication, in whatever language, gathers new witnesses around the board.

Preserved Forever

In 2023, Giltay once again scored victories over state obstruction. The National Ombudsman had literally locked away Giltay's file "in the safe".[141] In 2018, after the judicial rehabilitation, Giltay had submitted nine specific grievances to the National Ombudsman, backed up by nineteen pieces of evidence. He had also previously delivered copies of his book with extensive additional documentation to the Ombudsman's office, partly at the request of a member of its own staff.[142] The Ombudsman, however, refused to address the grievances on the merits and unilaterally ended the correspondence with a one-page letter: further letters would be archived without reply.[143]

When Giltay requested documents in 2023 under freedom of information legislation, the Ombudsman declined to consider that request. The District Court of The Hague punished this obstruction: it ruled that the institution's blocking of the information request was "manifestly unlawful".[144] What lay in that safe finally came to light in February 2024, after a second request: thirty documents from Giltay's own file.[145]

One of those documents is an internal note from 2017. In it, a member of the Ombudsman's staff wrote that Defence would first have to be asked for its view if the institution wished to let Giltay see a larger part of his file.[146] A second document confirms that in a 1998 assessment Defence had judged him to be a man with a strong personality,[147] a month before Overduyn advised him to apply to the MID.[148]

In December 2023, moreover, the District Court of The Hague had imposed a penalty payment on the Ombudsman.[149] In paying it in 2024, the National Ombudsman miscalculated.[150, 151] Only after Giltay had announced in June 2026 that he would take the matter to the civil courts did the Ombudsman correct the error.[152, 153]

With the court-awarded funds, Giltay financed the translation and free worldwide distribution of the English edition,[154] turning state obstruction into global accessibility. In 2024, this international edition was launched at the Banned Books Museum in Tallinn, Estonia, which added it to its collection alongside the 'banned' Dutch edition.[155] The story kept surfacing in unexpected places. In 2025, Grok, the chatbot of Elon Musk's company xAI, praised the victory against censorship in a post on X.[156] According to Grok itself, this was, to its knowledge, the first time xAI had publicly endorsed a specific book.[157]

In the archives, too, this affair is now irreversibly recorded. In June 2026, the national library, the KB, selected the book's documentary website for inclusion in its web collection,[158] in line with the UNESCO Charter on the Preservation of the Digital Heritage.[159] From 12 July 2026, the day after the Srebrenica commemoration, the site is archived, including the e-books and source documents published there, and thereby preserved beyond the author's reach in the Depot of Dutch Publications. Also in July 2026, both editions were deposited in the open archive hosted by the European research centre CERN in Geneva,[160, 161] so that they remain permanently findable and citable.

The Cover-up General now sits in the collections that preserve the very history it describes: from the Peace Palace in The Hague[162] and the NIOD Institute for War, Holocaust and Genocide Studies in Amsterdam[163] to the National and University Library in Sarajevo[164] and the Srebrenica Memorial Centre in Potočari.[165] In September 2026, the Wiener Holocaust Library in London joined them, cataloguing the English edition under the subject keywords genocide, intelligence services and censorship.[166] In October 2026, the Leibniz Institute for East and Southeast European Studies in Regensburg, Germany, followed.[167]

Giltay's case is included in an ongoing study by Prof. Andrew Hales of the University of Mississippi into the effects of book censorship.[168]

At home, *The Cover-up General* features on the recommended-reading list of the Week van het Verboden Boek,[169] the free-expression campaign which ran from 19 to 27 September 2026. Each new repository and each new mention adds a witness to the same unanswered question, while clarification from the Ministry of Defence is still not forthcoming.

10

Cracks in the Wall

Notably, *The Cover-up General* sits on the shelves of three Defence libraries: the Royal Military Academy, the Royal Netherlands Naval College and the Netherlands Institute of Military History.[170] There, the Ministry of Defence lets its own officers read the book.

Even the Ministry's own examination and its chief witness, Overduyn, have undermined its 1999 declaration of insanity. As early as 1998, its own psychological assessment concluded Giltay had a strong character.[171] That is the opposite of mentally unstable. In 1999, Overduyn had also claimed that Giltay had been dismissed from Casema for "irritating and maladjusted behaviour".[172] Casema itself and the employment agency Randstad, his employer, stated in writing that same year that he had properly performed his duties there as a temporary worker.[173, 174] On appeal in 2016, Overduyn did not dispute that he had refuted her claim with those statements.[175]

Yet the Ministry's response to Giltay's 2017 rehabilitation request was unequivocal: "I therefore consider your case closed".[176] A year later, Minister of Defence Ank Bijleveld told him on Twitter that he was "completely right" about a military term and thanked him for his "alert reaction".[177] Giltay had corrected that term in a reply to her and her Belgian counterpart. The Minister thus publicly praised the attentiveness of the man about whom her Ministry maintains the judgement that he is "completely insane".

This pattern of contradiction extends even to the National Ombudsman. The interview reports from the MID's internal investigation were incorporated word for word into a public Ombudsman report in 1999 as the Minister's official position.[178] Yet a quarter of a century later, in 2024, the institution's own senior legal adviser, Karin Vaalburg, praised *The Cover-up General*. A former lieutenant colonel[179] who represented the Ombudsman against Giltay in related court cases, she wrote in her work correspondence: "My compliments on the very extensive underlying documentation and level of detail in the story!"[180] This written praise came from the very institution whose 1999 report remains online today.

11

End the Silence for Srebrenica

The Cover-up General has been challenged, brushed aside and met with silence. It has not been substantively refuted: in 2017 the Ministry of Defence referred to a NIOD report from 2002, twelve years before the book was published.[181] It is a work of investigative journalism that held up before the Court of Appeal. A genuine controversy exists only when two sides exchange arguments. Here one side put hundreds of documents on the table, while the other persisted in obstruction and silence for almost three decades. Is that a controversy, or documented truth facing institutional denial?

Outside the Ministry of Defence, the book and its author did find a hearing, support or vindication, even within the pillars of the democratic rule of law. This was borne out six times:

1. **Survivors**: Srebrenica survivors cited the book as evidence in their proceedings against the State, in the passage on the destruction of photographic and video material.[182]

2. **Judiciary:** The Court of Appeal lifted the publication and speaking bans and dismissed the doubts cast on the author's meticulousness.[183]

3. **Parliament:** The Standing Committee on Defence unanimously asked the Minister for a response to Giltay's letter.[184]

4. **Ministry:** The Minister of Justice wrote that his criticism of the publisher of the second edition was "in no way based" on the content of the book.[185]

5. **Oversight:** The senior legal adviser of the National Ombudsman, whose institution lost twice to Giltay in court, praised the book's "very extensive underlying documentation" in a work email.[186]

6. **Litigation:** The court ruled that this Ombudsman's blocking of Giltay's information request was "manifestly unlawful",[187] corroborating the pattern of institutional obstruction described in the book.

Nor have the professional references and the military assessment of the author's character, both cited above, ever been refuted. Overduyn, the Ministry of Defence's chief witness, could not rebut any of it. In 2015 she did have the book banned for a time, but on appeal did not dispute that her specific claims about the author had been disproved by evidence.[188] Yet the Ministry of Defence continues to maintain its refuted position even after her death in 2024.[189]

But this is no longer about one whistleblower's credibility. This is about whether a democratic state can continue to contradict its own courts, its own Minister of Justice, its own victims, and the documented historical record. The Ministry's refusal to retract its refuted position is not merely a personal matter: it hampers investigation into the intelligence scandal surrounding the genocide. As long as discrediting the messenger remains state policy, the message itself can never be addressed. Personal rehabilitation is not the end goal, but an indispensable prerequisite for historical accountability.

12

No Other Option Left

On 25 March 2026, the author spoke with Judge Solomy Balungi Bossa of the International Criminal Court. As the main guest, she participated in a public debate at Amare, The Hague,[190] within sight of the Ministry of Defence. In the context of Srebrenica and this book, he asked her what she thought of those who cover up evidence of war crimes. Her answer was unambiguous: "They should be brought to justice".[191]

At stake is accountability for Srebrenica. This book supplied the Mothers of Srebrenica with evidence for their claim that the photographs of the genocide are being withheld.[192] In a 2019 judgment, the Supreme Court of the Netherlands ruled that the Dutch State is partially liable for the deaths of about 350 men.[193] That the book "has played a role in the proceedings that led to the judgment" was acknowledged on 14 October 2026 by the Dutch House of Representatives, through its Legal Affairs Department.[194] The Ministry of Defence, meanwhile, keeps up its radio silence. This creates the impression that institutional self-preservation weighs more heavily there than the historical truth about Europe's only genocide since the Holocaust.

For Srebrenica survivors today, this means over thirty years of struggle since 11 July 1995 to obtain the answers they are owed. For Dutchbat veterans, this means waiting for the release of their photographs, which they took at the time, some at personal risk, and which were subsequently seized.[195] For the Ministry of Defence, this means a deadlocked position in which silence is becoming increasingly costly, legally, morally and geopolitically. That is also literally true. Defending the Srebrenica cases cost the State over 2.6 million euros in fees

to the State Advocate between 2003 and 2021, figures that became public after a freedom of information request by the author.[196, 197]

Truth requires courage, especially when it touches a national trauma. That courage deserves recognition when the truth comes. Transparency ultimately offers the only sustainable way forward: not as a threat to the officials involved, but as a prerequisite for institutions to regain public trust.

There is no other option left: end the silence about Srebrenica. The truth about the genocide deserves no less. The mothers are still waiting.

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Endnotes

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2. Court of Appeal of The Hague, judgment of 12 April 2016, case no. 200.183.987/01, ECLI:NL:GHDHA:2016:870, para. 4.9; deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:GHDHA:2016:870; an unofficial English translation is available at www.dedoofpotgeneraal.nl/doc/arrest-en.pdf (evidence card).
3. Ibid., paras 3.1 and 4.10 (evidence card).
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5. Court of Appeal of The Hague, judgment of 12 April 2016, ECLI:NL:GHDHA:2016:870, para. 4.5; deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:GHDHA:2016:870 (evidence card).
6. District Court of The Hague, judgment of 14 December 2015 (see note 1); uitspraken.rechtspraak.nl/details?id=ECLI:NL:RBDHA:2015:15050 (evidence card).
7. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), p. 161; www.dedoofpotgeneraal.nl/book.pdf.
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12. NJF 2016/242, 'Vrijheid van meningsuiting. Gevorderde verbod op herdruk boek "De Doofpotgeneraal" in appel afgewezen'; places of publication listed at jure.nl/ECLI:NL:GHDHA:2016:870 (evidence card).
13. District Court of Rotterdam, judgment of 6 March 2024, ECLI:NL:RBROT:2024:1770, para. 2.17 and footnote 4; deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RBROT:2024:1770 (evidence card).
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classifications are 'in no way' based on the content of the book; both letters are in the PDF; www.dedoofpotgeneraal.nl/doc/justitie.pdf (evidence card).

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18. *Hart van Nederland*, the news programme of commercial broadcaster SBS6, television item of 14 September 2017 with MP Sadet Karabulut, on the unanimous demand of the Standing Committee on Defence for a substantive ministerial response; vimeo.com/462739433 (evidence card).

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20. International Criminal Tribunal for the former Yugoslavia, *Prosecutor v. Radovan Karadžić*, hearing transcript of 28 November 2011, testimony of Johannes Rutten, pp. 21985–21986; www.icty.org/x/cases/karadzic/trans/en/111128ED.htm (evidence card).

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26. Military Intelligence Service (MID), internal report 'Intern onderzoek GILTAY' [Internal investigation GILTAY], no. Det/51/99, 12 February 1999, containing Overduyn's claims; www.dedoofpotgeneraal.nl/doc/chef-staf-mid.pdf (evidence card).

27. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), p. 95; www.dedoofpotgeneraal.nl/book.pdf.

28. Letter from the Ministry of Defence, Directorate of Legal Affairs, to the National Ombudsman, 2 March 1999, ref. CNO 99/001 (first page only), on the arrangement made at the MID on 26 January 1999; the chief of staff of the MID named in it was also the deputy head of the service; www.dedoofpotgeneraal.nl/doc/barth1999.pdf (evidence card).

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34. Letter from the district chief of the Haaglanden Police to Giltay, 26 March 2000, upholding his grievance on two points and offering apologies; www.dedoofpotgeneraal.nl/doc/laagland.pdf (evidence card).

35. Haaglanden Police, official report of criminal complaint (*proces-verbaal van aangifte*) by Giltay, 12 June 2000 (first page only); www.dedoofpotgeneraal.nl/doc/aangifte2000.pdf (evidence card).

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47. Jeroen Stam, 'Defensie flatert voort' [Defence keeps blundering on], *Novini*, a Dutch online opinion platform, 25 August 2018, in which Minister Bijleveld denies that Defence ever called Giltay insane; www.dedoofpotgeneraal.nl/doc/novini.pdf (evidence card).

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51. Testimony of Johannes Rutten, *Prosecutor v. Radovan Karadžić*, 28 November 2011 (see note 20); www.icty.org/x/cases/karadzic/trans/en/111128ED.htm (evidence card).

52. Parliamentary Committee of Inquiry on Srebrenica, public hearing of De Ruyter, 6 December 2002, Parliamentary Papers II 2002/03, 28 506, no. 5, p. 697, where he states that he personally collected the roll of film from Rutten; zoek.officielebekendmakingen.nl/kst-28506-5.pdf (evidence card).

53. NIOD Institute for War, Holocaust and Genocide Studies, *Srebrenica: een 'veilig' gebied* (Amsterdam: Boom, 2002), p. 1489, on the briefing given by Major De Ruyter, quoting Warrant Officer W. Dijkema; web.archive.org/web/20201111202841/http://publications.niod.knaw.nl/publications/srebrenicarapportniod_nl.pdf (evidence card).

54. Military Intelligence Service (MID), internal report 'Intern onderzoek GILTAY' [Internal investigation GILTAY], no. Det/51/99, 12 February 1999, recording the interview with Overduyn of 11 February 1999 and signed by Major R.F.J.H. de Ruijter; www.dedoofpotgeneraal.nl/doc/chef-staf-mid.pdf. The spelling of his surname varies across the sources: the Parliamentary Committee of Inquiry used 'De Ruyter', while he signs this report with the 'ij' variant. The radio programme *Argos* identified him as counter-intelligence Major Rob de Ruyter and named him together with his liaison officer E. Rave, the same pair who drew up this report. Such variation is a professional practice rather than carelessness in the record: the handbook *Informatie en opsporing* instructs agents that they may act 'under cover of an assumed identity or capacity, for example by using a false name' (D. van der Bel, A.M. van Hoorn and J.J.T.M. Pieters, *Informatie en opsporing*, Zeist: Kerckebosch, 2009), and the names of intelligence officers are in many cases deliberately misspelled, a false spelling being less far-reaching than an entirely new cover identity. See Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), pp. 144 and 161–162; www.dedoofpotgeneraal.nl/book.pdf (evidence card).

55. Parliamentary Committee of Inquiry on Srebrenica, public hearing of De Ruyter, 6 December 2002, Parliamentary Papers II 2002/03, 28 506, no. 5, pp. 695–701; zoek.officielebekendmakingen.nl/kst-28506-5.pdf (evidence card).

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58. Email from Giltay to the Office of the Prosecutor of the International Criminal Tribunal for the former Yugoslavia, 24 September 2017; www.dedoofpotgeneraal.nl/doc/icty2017vraag.pdf (evidence card).

59. Email from Ljiljana Piteša, Media Relations, Office of the Prosecutor of the International Criminal Tribunal for the former Yugoslavia, to Giltay, 3 October 2017; www.dedoofpotgeneraal.nl/doc/icty2017.pdf (evidence card).

60. Parliamentary Committee of Inquiry on Srebrenica, final report, Parliamentary Papers II 2002/03, 28 506, no. 3, p. 7, §1.1.2: following the NIOD report, the second Kok cabinet tendered its resignation on 16 April 2002; zoek.officielebekendmakingen.nl/kst-28506-3.pdf (evidence card).

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62. NIOD Institute for War, Holocaust and Genocide Studies, *Srebrenica: een 'veilig' gebied* (Amsterdam: Boom, 2002), pp. 3027–3028, the conclusion on Rutten's film roll; web.archive.org/web/20201111202841/http://publications.niod.knaw.nl/publications/srebrenicarapportniod_nl.pdf (evidence card).

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64. Ibid., pp. 3026–3027 (evidence card).

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67. Charlef Brantz, *Srebrenica: De Schuldigen* (Soesterberg: Aspekt, 2020), p. 110, on the doubts he voiced on NOVA in the first week of August 1995; www.dedoofpotgeneraal.nl/doc/brantz.pdf (evidence card).

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and conveying the lawyers' early interest in the book; www.dedoofpotgeneraal.nl/doc/aanmelding.pdf (evidence card).

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74. District Court of The Hague, judgment in preliminary relief proceedings of 14 December 2015, case no. C/09/497903 / KG ZA 15/1556, ECLI:NL:RBDHA:2015:15050, operative part (the prohibition and the €100,000 penalty payment); uitspraken.rechtspraak.nl/details?id=ECLI:NL:RBDHA:2015:15050 (evidence card).

75. Clip of the appeal hearing from 'Het verboden boek' [The forbidden book], a television item by *ThePostOnline*, a Dutch news and opinion website, 11 April 2016; vimeo.com/463063058 (evidence card).

76. Supreme Court of the Netherlands, judgment of 19 July 2019, case no. 17/04567, ECLI:NL:HR:2019:1223, para. 4.7.9; deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:HR:2019:1223 (evidence card).

77. Court of Appeal of The Hague, judgment of 27 June 2017, ECLI:NL:GHDHA:2017:1761, paras 68 and 69.1; deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:GHDHA:2017:1761 (evidence card).

78. Mothers of Srebrenica, statement of appeal, 7 July 2015, p. 14 (in Dutch); vandiepen.com/wp-content/uploads/2023/07/15-mvs_grieven_7-7-2015.pdf (evidence card).

79. Ibid., p. 23 (evidence card).

80. Index on Censorship, 'Netherlands: Court bans book on Srebrenica genocide', registering the ban on the Mapping Media Freedom platform (with the European Federation of Journalists and Reporters Without Borders) as a verified press-freedom violation, 24 December 2015; www.dedoofpotgeneraal.nl/doc/indexoncensorship.pdf (evidence card).

81. 'Holandski sud zabranio knjigu o Srebrenici' [Dutch court bans book on Srebrenica], *Radio-televizija Srbije*, the Serbian public broadcaster, 24 December 2015; rts.rs/vesti/svet/2151990/holandski-sud-zabranio-knjigu-o-srebrenici.html (evidence card).

82. Dick van der Veen, 'Geheime diensten en legertop op de pijnbank' [Secret services and army top brass on the rack], review of the second, revised edition, Hebban, a Dutch reader community, 23 November 2016, noting its eight new chapters; hebban.nl/recensie/dick-van-der-veen-over-de-doofpotgeneraal (evidence card).

83. For a selection of the media coverage, see the Appendix at the end of this essay.

84. List of publications about and mentions of *The Cover-up General*, 2014–2026; www.dedoofpotgeneraal.nl/doc/medialijst.pdf (evidence card).

85. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), p. 10 (Introduction); www.dedoofpotgeneraal.nl/book.pdf.

86. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), pp. 19–53 and 72–79; www.dedoofpotgeneraal.nl/book.pdf.

87. Military Intelligence Service (MID), internal report ‘Intern onderzoek GILTAY’ [Internal investigation GILTAY], no. Det/51/99, 12 February 1999, containing Overduyn’s statement that she had worked with Giltay at Casema; www.dedoofpotgeneraal.nl/doc/chef-staf-mid.pdf (evidence card).

88. Barbara Overduyn, LinkedIn profile, 2015, entry ‘Assistant department Intell MIVD, Department of Defence’, May 1995 to December 1998; www.linkedin.com/in/barbara-overduyn-b9b49a1/ (evidence card).

89. Military Intelligence Service (MID), internal report ‘Intern onderzoek GILTAY’ [Internal investigation GILTAY], no. Det/51/99, 12 February 1999, in which the head of the Intelligence Department is referred to as Overduyn’s functional superior in June 1998; www.dedoofpotgeneraal.nl/doc/chef-staf-mid.pdf (evidence card).

90. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), p. 98; www.dedoofpotgeneraal.nl/book.pdf.

91. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), p. 73; www.dedoofpotgeneraal.nl/book.pdf.

92. Court of Appeal of The Hague, judgment of 12 April 2016, para. 4.9 (see note 46); deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:GHDHA:2016:870 (evidence card).

93. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), pp. 46–47 and 81–86; www.dedoofpotgeneraal.nl/book.pdf.

94. Military Intelligence Service (MID), internal report no. Det/51/99, 12 February 1999 (see note 22); www.dedoofpotgeneraal.nl/doc/chef-staf-mid.pdf (evidence card).

95. Edwin Giltay, English synopsis of *The Cover-up General* (see note 24); www.dedoofpotgeneraal.nl/Synopsis%20(en).pdf.

96. Letter from the Ministry of the Interior, 5 February 2015, signed by the Secretary-General on behalf of Minister Plasterk, declining to respond substantively; www.dedoofpotgeneraal.nl/doc/nietreageren.pdf (evidence card).

97. Letter from the Ministry of the Interior, 2 March 2015, referring Giltay’s complaint to the CTIVD for investigation; www.dedoofpotgeneraal.nl/doc/minBZK-1.pdf (evidence card).

98. Letter from the Ministry of the Interior, 17 April 2015, withdrawing the CTIVD investigation; www.dedoofpotgeneraal.nl/doc/minBZK-2.pdf (evidence card).

99. Letter from the Secretary-General on behalf of the Minister of Defence to Giltay, 30 October 2000, ref. CNO 99/001 / 2000004399, rejecting his request for rehabilitation; www.dedoofpotgeneraal.nl/doc/staken.pdf (evidence card).

100. Letters from Giltay to Job Cohen, Stef Blok and Geert Wilders, members of the Committee on the Intelligence and Security Services (CIVD), 20 November 2010, each enclosing his witness report; www.dedoofpotgeneraal.nl/doc/civd.pdf (evidence card).

101. Committee on the Intelligence and Security Services (CIVD), report on its activities in 2010, adopted 16 May 2011, Parliamentary Papers II 2010/11, 32 771, no. 1, p. 2, giving the composition of the committee, including Cohen, Wilders and Blok; zoek.officielebekendmakingen.nl/kst-32771-1.pdf (evidence card).

102. Haaglanden Police, official report of criminal complaint (*proces-verbaal van aangifte*) no. PL1512 2011002721-1, 4 January 2011, recording arson; www.dedoofpotgeneraal.nl/doc/brandstichting.pdf (evidence card).

103. Letter from Giltay to the Minister of Defence, 10 March 2014, delivered in person, with signed acknowledgement of receipt; www.dedoofpotgeneraal.nl/doc/minDef-aanbieding.pdf (evidence card).

104. Letter from Giltay to the Minister of the Interior, 18 March 2014, delivered in person, with signed acknowledgement of receipt; www.dedoofpotgeneraal.nl/doc/minBZK-aanbieding.pdf (evidence card).

105. Court of Appeal of The Hague, judgment of 12 April 2016, ECLI:NL:GHDHA:2016:870, para. 2.5; deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:GHDHA:2016:870 (evidence card).

106. Letter from the Ministry of Defence (mr. J.J. Buirma), 6 June 2017, ref. BS2017018158, refusing to retract the 1999 ministerial characterisation; www.dedoofpotgeneraal.nl/doc/buirma.pdf (evidence card).

107. National Ombudsman, Report 1999/507, section C.5 (see note 40); www.nationaleombudsman.nl/uploads/rapporten/19990507_1998.07789.pdf (evidence card).

108. Court of Appeal of The Hague, judgment of 12 April 2016, ECLI:NL:GHDHA:2016:870, paras 4.9 and 4.10; deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:GHDHA:2016:870 (evidence card).

109. Barbara Overduyn, statement of defence on appeal (*memorie van antwoord*), Court of Appeal of The Hague, 2 February 2016, point 36; www.dedoofpotgeneraal.nl/doc/memorie.pdf (evidence card).

110. Letter from the National Ombudsman to Giltay, 11 February 2000, on his report of 17 December 1999; www.dedoofpotgeneraal.nl/doc/relativering.pdf (evidence card).

111. Letter from the CTIVD, 12 January 2009, ref. 2009/0008, stating that the committee could not investigate Giltay's complaint because the Minister had not asked it for advice; www.dedoofpotgeneraal.nl/doc/ctivd1.pdf (evidence card).

112. Letter from the CTIVD, 27 October 2009, ref. 2009/0212; www.dedoofpotgeneraal.nl/doc/ctivd2.pdf (evidence card).

113. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), p. 127; www.dedoofpotgeneraal.nl/book.pdf.

114. Letter from the Secretary-General of the Ministry of Defence, on behalf of the Minister of Defence, 7 January 2008, ref. C/2007034888, in reply to Giltay's letter of 1 September 2007; www.dedoofpotgeneraal.nl/doc/annink.pdf (evidence card).

115. Letter from Major General O. Eichelsheim, Director of the MIVD, on behalf of the Minister of Defence, 24 October 2017, ref. DIS2017019472: 'The CTIVD has not handled any complaint from you against the MIVD. There is therefore no CTIVD report either'; www.dedoofpotgeneraal.nl/doc/bijlage19.pdf (evidence card).

116. Letter from the Speaker of the House of Representatives, Khadija Arib, 27 June 2017, forwarding Giltay's letter of 1 June 2017 to the Standing Committee on Defence; www.dedoofpotgeneraal.nl/doc/arib.pdf (evidence card).

117. Minister of Defence, letter to the House of Representatives of 13 October 2017, parliamentary document 2017D29046; zoek.officielebekendmakingen.nl/nds-tk-2017D29046.pdf (evidence card).

118. Jeroen Stam, ‘Defensie flatert voort’ [Defence keeps blundering on], *Novini*, a Dutch online opinion platform, 25 August 2018, citing Minister Bijleveld’s refusal to comment; www.dedoofpotgeneraal.nl/doc/novini.pdf (evidence card).

119. Supreme Court of the Netherlands, judgment of 19 July 2019, ECLI:NL:HR:2019:1223; deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:HR:2019:1223 (evidence card).

120. Letter from Giltay to Minister of Defence Bijleveld, 29 June 2020, delivered in person, requesting a substantive response; www.dedoofpotgeneraal.nl/doc/viermaal.pdf (evidence card).

121. Letter from the Ministry of Defence (Directorate of Communication), 29 July 2020, stating that Defence ‘has no need to respond substantively’ to the book; www.dedoofpotgeneraal.nl/doc/geenbehoefte.pdf (evidence card).

122. Edwin Giltay, English synopsis of *The Cover-up General* (see note 24); www.dedoofpotgeneraal.nl/Synopsis%20(en).pdf.

123. Handbook *Informatie en opsporing* [Information and Investigation] (see note 54), p. 382, on the grounds for disruption measures and examples of such measures; www.dedoofpotgeneraal.nl/doc/informatie-opsporing.pdf (evidence card).

124. Signed statement by a former Casema colleague of Giltay, 10 June 1999, declaring that Overduyn ordered him to stop seeing Giltay; www.dedoofpotgeneraal.nl/doc/casema-verklaring.pdf (evidence card).

125. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), p. 50; www.dedoofpotgeneraal.nl/book.pdf.

126. Letter from the Minister of Justice and Security to Giltay, 12 January 2021, ref. 3175305, in reply to his letter of 23 November 2020 asking whether the classifications in Dreigingsbeeld Terrorisme Nederland 53 applied to his book ‘or myself’; both letters are in the PDF; www.dedoofpotgeneraal.nl/doc/justitie.pdf (evidence card).

127. Letter from Giltay to the Minister of Defence, 10 March 2014 (see note 103); www.dedoofpotgeneraal.nl/doc/minDef-aanbieding.pdf (evidence card).

128. Letter from Giltay to the Minister of the Interior, 18 March 2014 (see note 104); www.dedoofpotgeneraal.nl/doc/minBZK-aanbieding.pdf (evidence card).

129. Letter from the Ministry of the Interior, 5 February 2015 (see note 96); www.dedoofpotgeneraal.nl/doc/nietreageren.pdf (evidence card).

130. Letter from the Ministry of Defence, 6 June 2017 (see note 106); www.dedoofpotgeneraal.nl/doc/buirma.pdf (evidence card).

131. Minister of Defence, letter to the House of Representatives of 13 October 2017 (see note 117); zoek.officielebekendmakingen.nl/nds-tk-2017D29046.pdf (evidence card).

132. Letter from the Ministry of Defence, 29 July 2020 (see note 121); www.dedoofpotgeneraal.nl/doc/geenbehoefte.pdf (evidence card).

133. Letter from the Minister of Justice and Security to Giltay, 12 January 2021 (see note 14); www.dedoofpotgeneraal.nl/doc/justitie.pdf (evidence card).

134. Letter from the Ministry of Defence, 6 June 2017 (see note 106); www.dedoofpotgeneraal.nl/doc/buirma.pdf (evidence card).

135. Minister of Defence, letter to the House of Representatives of 13 October 2017, parliamentary document 2017D29046, p. 3; www.dedoofpotgeneraal.nl/doc/kamerbrief.pdf (evidence card).

136. Letter from the Ministry of Defence, 6 June 2017 (see note 106); www.dedoofpotgeneraal.nl/doc/buirma.pdf (evidence card).

137. Minister of Defence, letter to the House of Representatives of 13 October 2017 (see note 117); zoek.officielebekendmakingen.nl/nds-tk-2017D29046.pdf (evidence card).

138. Letter from Giltay to Minister of Defence Ollongren, 26 April 2022, delivered in person with the third, revised edition; www.dedoofpotgeneraal.nl/doc/mist.pdf (evidence card).

139. 'Foto's Srebrenica bewust vernield', *Trouw*, probably 20 June 2001 (see note 21); www.dedoofpotgeneraal.nl/doc/trouw.pdf (evidence card).

140. Ministry of Defence, decision of 2 August 2021 on Giltay's freedom of information (Wob) request about the Srebrenica film roll, ref. BS2021016742; www.dedoofpotgeneraal.nl/doc/wob2021.pdf (evidence card).

141. National Ombudsman, internal note of 18 May 2017, dossier 1999.07789, recording that the file was kept in the safe; www.dedoofpotgeneraal.nl/doc/kluis.pdf (evidence card).

142. Letter from Giltay to the National Ombudsman, 13 March 2018, setting out nine grievances with 19 exhibits; www.dedoofpotgeneraal.nl/doc/verzoekschrift.pdf (evidence card).

143. Letter from the National Ombudsman, Reinier van Zutphen, 10 April 2018, ref. H201700015, in reply to Giltay's letter of 13 March 2018, announcing that further letters would be archived without reply; www.dedoofpotgeneraal.nl/doc/ombudsman.pdf, p. 17 (evidence card).

144. District Court of The Hague (preliminary relief judge), judgment of 18 July 2023, cases SGR 23/4662 and SGR 23/4663, ECLI:NL:RBDHA:2023:17841; deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RBDHA:2023:17841 (evidence card).

145. National Ombudsman, decision of 7 February 2024 on Giltay's freedom of information (Woo) request, ref. 1815950, providing him with thirty documents from the file of report 1999/507; www.dedoofpotgeneraal.nl/doc/woo2024.pdf (evidence card).

146. National Ombudsman, internal note of 18 May 2017, dossier 1999.07789, on asking Defence for its view before showing more of the file; www.dedoofpotgeneraal.nl/doc/kluis.pdf, p. 2 (evidence card).

147. National Ombudsman, telephone note of 7 October 1999 (see note 41); www.dedoofpotgeneraal.nl/doc/karakter.pdf (evidence card).

148. Military Intelligence Service (MID), internal report 'Intern onderzoek GILTAY' [Internal investigation GILTAY], no. Det/51/99, 12 February 1999, containing Overduyn's statement that she had advised Giltay to write an unsolicited letter of application to the MID; www.dedoofpotgeneraal.nl/doc/chef-staf-mid.pdf (evidence card). Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), pp. 31–36; www.dedoofpotgeneraal.nl/book.pdf.

149. District Court of The Hague, judgment of 27 December 2023, case SGR 23/6997, ECLI:NL:RBDHA:2023:20409 (imposing penalty payments); deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RBDHA:2023:20409 (evidence card).

150. ING bank statement recording the National Ombudsman's payment on 16 February 2024 of €1,900 in penalty payments, case SGR 23/6997; www.dedoofpotgeneraal.nl/doc/bankafschrift.pdf (evidence card).

151. Email from Karin Vaalburg, senior legal adviser of the National Ombudsman, to Giltay, 28 February 2024, ref. SGR 23/6997, maintaining that the correct penalty payment had been received; www.dedoofpotgeneraal.nl/doc/weigering.pdf (evidence card).

152. Email from the National Ombudsman to Giltay's legal representative, 11 June 2026, ref. SGR 24/1777, acknowledging that one day too few had been counted and €1,900 paid instead of €2,000; www.dedoofpotgeneraal.nl/doc/fouterkenning.pdf (evidence card).

153. ING bank statement recording the National Ombudsman's supplementary payment of €100 on 26 June 2026, case SGR 23/6997; www.dedoofpotgeneraal.nl/doc/nabetaling.pdf (evidence card).

154. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024); www.dedoofpotgeneraal.nl/book.pdf.

155. 'Forbidden book now freely available', Banned Books Museum, Tallinn, 2024, on the launch of the English edition and its addition to the museum's collection; vimeo.com/935927986 (evidence card).

156. Grok (xAI) on X, recommendation of 4 November 2025; x.com/grok/status/1985507338372202650 (evidence card).

157. xAI confirmation of its official corporate recommendation on X, 6 November 2025; x.com/grok/status/1986563860116185346 (evidence card).

158. Koninklijke Bibliotheek (KB), the National Library of the Netherlands, notification of selection of dedoofpotgeneraal.nl for the national web collection, ref. 38826057, 12 June 2026 (email, on file with the author); first archived on 12 July 2026.

159. UNESCO, *Charter on the Preservation of the Digital Heritage*, 2003; unesdoc.unesco.org/ark:/48223/pf0000179529 (evidence card).

160. Edwin Giltay, *De doofpotgeneraal*, e-book deposited in Zenodo (CERN), July 2026, DOI 10.5281/zenodo.21116205; doi.org/10.5281/zenodo.21116205 (evidence card).

161. Edwin Giltay, *The Cover-up General*, e-book deposited in Zenodo (CERN), July 2026, DOI 10.5281/zenodo.21115325; doi.org/10.5281/zenodo.21115325 (evidence card).

162. Peace Palace Library, The Hague, catalogue record, retrieved 23 March 2026; www.dedoofpotgeneraal.nl/doc/vredespaleis.pdf (evidence card).

163. NIOD Institute for War, Holocaust and Genocide Studies, Amsterdam, library catalogue record, retrieved 23 March 2026; www.dedoofpotgeneraal.nl/doc/niod.pdf (evidence card).

164. National and University Library of Bosnia and Herzegovina, Sarajevo, COBISS catalogue record (COBISS.BH-ID 69836038), retrieved 26 July 2026; www.dedoofpotgeneraal.nl/doc/nubbih.pdf (evidence card).

165. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), endnote 287, documenting the donation of two copies to the library of the Srebrenica Memorial Centre by peace organisation PAX; www.dedoofpotgeneraal.nl/doc/potocari.pdf (evidence card).

166. The Wiener Holocaust Library, London, catalogue record (shelf reference L12a(1) Gil), retrieved 23 September 2026; www.dedoofpotgeneraal.nl/doc/wiener.pdf (evidence card).

167. Leibniz Institute for East and Southeast European Studies, Regensburg, catalogue record (shelf mark W 01/2026.2300), retrieved 2 October 2026; www.dedoofpotgeneraal.nl/doc/regensburg.pdf (evidence card).

168. Email from Prof. Andrew Hales, University of Mississippi, to Giltay, 1 July 2025, confirming the study; www.dedoofpotgeneraal.nl/doc/study.pdf (evidence card).

169. Reading list (*tiplijst*) of the Week van het Verboden Boek [Week of the Banned Book] 2026, a campaign of Probiblio, CPNB, PEN Netherlands, de Schrijverscentrale and the Koninklijke Boekverkopersbond; www.dedoofpotgeneraal.nl/doc/tiplijst.pdf (evidence card).

170. Joint catalogue of the Defence libraries (Royal Military Academy, Royal Naval College, Netherlands Institute of Military History), records retrieved 23 March 2026; www.dedoofpotgeneraal.nl/doc/biebs2.pdf (evidence card).

171. National Ombudsman, telephone note of 7 October 1999 (see note 41); www.dedoofpotgeneraal.nl/doc/karakter.pdf (evidence card).

172. Military Intelligence Service (MID), internal report 'Intern onderzoek GILTAY' [Internal investigation GILTAY], no. Det/51/99, 12 February 1999, containing Overduyn's statement about Giltay's alleged dismissal from Casema; www.dedoofpotgeneraal.nl/doc/chef-staf-mid.pdf (evidence card).

173. Casema testimonial, 8 June 1999 (see note 42); www.dedoofpotgeneraal.nl/doc/bijlage4.pdf (evidence card).

174. Randstad Callflex reference letter, May 1999 (see note 43); www.dedoofpotgeneraal.nl/doc/bijlage6.pdf (evidence card).

175. Barbara Overduyn, statement of defence, Court of Appeal of The Hague, 2 February 2016, point 36; www.dedoofpotgeneraal.nl/doc/memorie.pdf (evidence card).

176. Letter from the Ministry of Defence, 6 June 2017 (see note 106): 'I therefore consider your case closed'; www.dedoofpotgeneraal.nl/doc/buirma.pdf (evidence card).

177. Exchange on Twitter between Minister of Defence Ank Bijleveld and Giltay, 25 October 2018, in a public thread also addressed to Belgian Minister of Defence Steven Vandeput; www.dedoofpotgeneraal.nl/doc/twitter.pdf (evidence card).

178. National Ombudsman, Report 1999/507, section C.5 (see note 40); www.nationaleombudsman.nl/uploads/rapporten/19990507_1998.07789.pdf (evidence card).

179. Leo de Rooij, 'Om blaren hoef je niet uit te vallen' [No need to drop out because of blisters], *Landmacht*, magazine of the Dutch Ministry of Defence, issue 7, 9 September 2014, with a photo caption naming Karin Vaalburg as a lieutenant colonel of the Personeel Logistiek Commando [Personnel Logistics Command]; magazines.defensie.nl/landmacht/2014/07/vierdaagse-2014 (evidence card).

180. Email from Karin Vaalburg, senior legal adviser of the National Ombudsman, to Giltay, 9 January 2024; www.dedoofpotgeneraal.nl/doc/vaalburg.pdf (evidence card).

181. Minister of Defence, letter to the House of Representatives of 13 October 2017, p. 3 (see note 135); www.dedoofpotgeneraal.nl/doc/kamerbrief.pdf (evidence card).

182. Mothers of Srebrenica, statement of appeal, 7 July 2015, p. 23 (in Dutch); vandiepen.com/wp-content/uploads/2023/07/15-mvs_grieven_7-7-2015.pdf (evidence card).

183. Court of Appeal of The Hague, judgment of 12 April 2016, ECLI:NL:GHDHA:2016:870; deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:GHDHA:2016:870 (evidence card).

184. Letter from the Standing Committee on Defence to Giltay, 18 September 2017 (see note 17); www.dedoofpotgeneraal.nl/doc/commissie.pdf (evidence card).

185. Letter from the Minister of Justice and Security to Giltay, 12 January 2021 (see note 126); www.dedoofpotgeneraal.nl/doc/justitie.pdf (evidence card).

186. Email from Karin Vaalburg, 9 January 2024 (see note 180); www.dedoofpotgeneraal.nl/doc/vaalburg.pdf (evidence card).

187. District Court of The Hague, judgment of 18 July 2023 (see note 144); deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RBDHA:2023:17841 (evidence card).

188. Barbara Overduyn, statement of defence, point 36 (see note 175); www.dedoofpotgeneraal.nl/doc/memorie.pdf (evidence card).

189. Extract from the personal records database (BRP) of Barbara Overduyn recording her death, issued via the CBG Centre for Family History; www.dedoofpotgeneraal.nl/doc/persoonslijst.pdf (evidence card).

190. Public debate 'Fallen | Cancelled | Mercy?', hosted by the American Protestant Church of The Hague and LUX Academy, Amare, The Hague, 25 March 2026, with Judge Solomy Balungi Bossa of the International Criminal Court; www.dedoofpotgeneraal.nl/doc/bossa.pdf (evidence card).

191. Emails from Giltay to the International Criminal Court, 26 and 31 March 2026, requesting a response from Judge Bossa; no reply received; www.dedoofpotgeneraal.nl/doc/icc.pdf (evidence card).

192. Mothers of Srebrenica, statement of appeal, p. 23 (see note 182); vandiepen.com/wp-content/uploads/2023/07/15-mvs_grieven_7-7-2015.pdf (evidence card).

193. Supreme Court of the Netherlands, judgment of 19 July 2019 (see note 119); deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:HR:2019:1223 (evidence card).

194. Written explanation from the Legal Affairs Department of the House of Representatives of the States General to its Objections Advisory Committee on the Woo and the Who, 14 October 2026, ref. W2026005/BZ260519, defending the decision on Giltay's Woo request in his objection proceedings, p. 10; www.dedoofpotgeneraal.nl/doc/toelichting-tk.pdf, p. 2 (evidence card).

195. Edwin Giltay, *The Cover-up General* (The Hague: self-published, 2024), pp. 142–143; www.dedoofpotgeneraal.nl/book.pdf.

196. *Balkan Insight*, 'Netherlands "Spent Over €2.6 Million" on Fighting Srebrenica Cases', 21 January 2022; balkaninsight.com/2022/01/21/netherlands-spent-over-e2-6-million-on-fighting-srebrenica-cases (evidence card).

197. Ministry of Defence, decisions of 2 December 2021 and 5 January 2022 on Giltay's freedom of information (Wob) requests, refs BS2021025638 and BS2021028374, releasing five invoice overviews of the state attorney in the Srebrenica cases; www.dedoofpotgeneraal.nl/doc/landsadvocaat.pdf (evidence card).

Appendix: A selection of the media coverage

The coverage below spans press, radio, television and online media in more than a dozen countries across five continents. Items are grouped by the milestone they report on, not by publication date.

2014 – Non-fiction thriller

Boekblad (Netherlands), Mandy den Engelsman, 'Coen Borgman start uitgeverij SpeakEasy' [Coen Borgman launches publishing house SpeakEasy], 24 November 2014; boekblad.nl/Nieuws/Item/coen-borgman-start-uitgeverij-speakeasy.

EenVandaag (Netherlands), 'De Doofpotgeneraal: burger raakt betrokken bij spionage' [The Cover-up General: citizen becomes entangled in espionage], 5 December 2014; eenvandaag.avrotros.nl/artikelen/de-doofpotgeneraal-burger-raakt-betrokken-bij-spionage-55812.

Leidsch Dagblad (Netherlands), 'Uitzendkracht klem tussen de spionnen' [Temp worker caught between the spies], 27 November 2014, pp. 2–3; www.dedoofpotgeneraal.nl/doc/leidschdagblad.pdf.

Naša Bosna (Bosnia and Herzegovina), 'Objavljena knjiga "Prikriveni General" o skrivanju filmskih rolni…' [Book The Cover-up General published, on the hiding of the film rolls…], no. 40, 28 December 2014.

2015 – Critical acclaim

Amsterdam FM (Netherlands), radio interview, 5 January 2015.

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