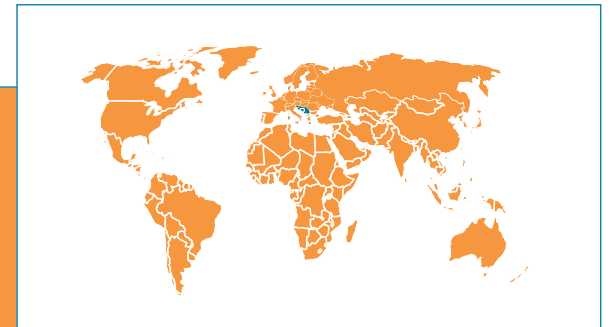
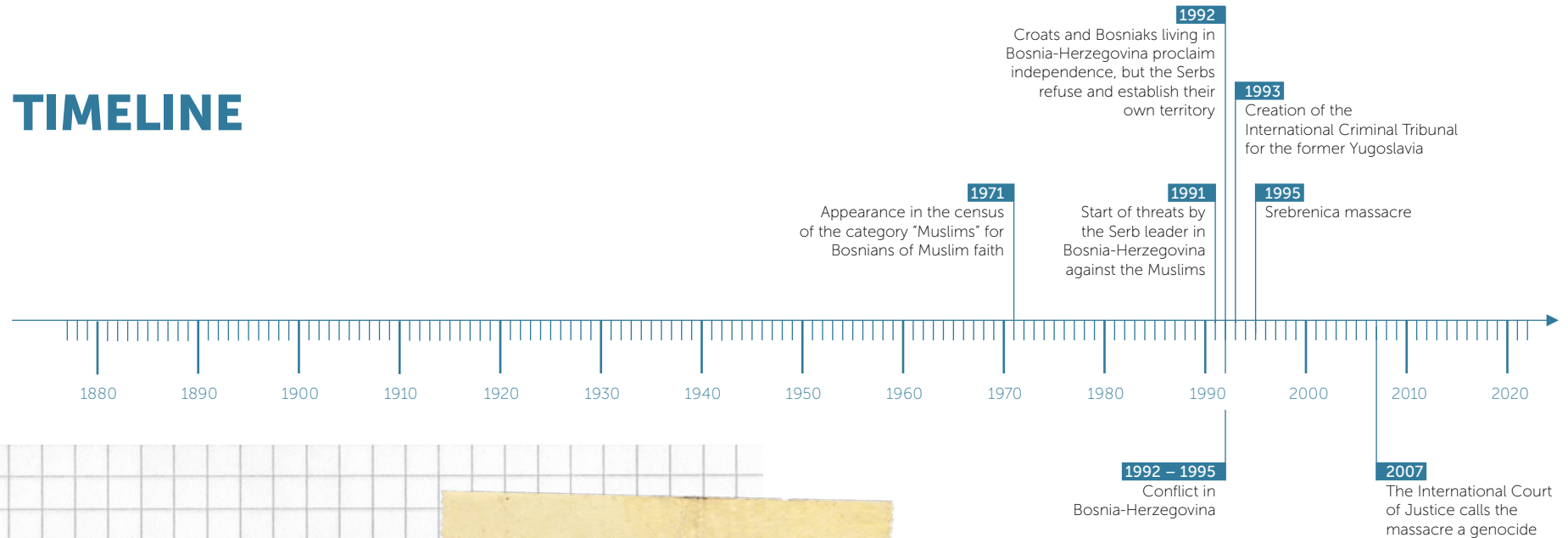


GENOCIDE OF THE MUSLIMS IN BOSNIA

BOSNIA-HERZEGOVINA IN 1992



TIMELINE



HIGHLIGHTS

What?

- // The genocide targeted the Muslim population of Bosnia-Herzegovina
- // Rape of more than 300 000 Muslim women by the Bosnian Serbs in order to "contaminate the race"
- // Deportation and mass murder of Muslims, who were seen as a disease to be eradicated and the source of all the country's problems
- // Strong anti-Muslim propaganda inciting hatred of the Muslims
- // Pillage, execution, rape and deportation of Muslim communities by the Serbian and Croatian army to cleanse the nation and sow fear
- // Establishment of concentration camps (408 in Bosnia on Serbian territory alone)
- // Between 100 000 and 200 000 officially registered deaths

When?

- // Between 1992 and 1995, but anti-Muslim discrimination began toward the end of the 19th century

Where?

- // Bosnia-Herzegovina, a country in Europe

Who?

- // Bosnian Muslims were the victims of genocide.
- // The army of the Serbian Republic of Bosnia-Herzegovina was the perpetrator of the religious massacre.
- // The media, the Orthodox Church, and the Croatian and Serbian peoples and their governments were allies of the perpetrators.

EXCERPT FROM AN ACCOUNT

“Until 1992, life was good in Srebrenica. No one differentiated between the various ethnic groups. The war surprised us. We were surprised that our Serbian neighbours began listening to Milošević, who said that all Muslims had to be killed in order to establish Greater Serbia.”

KADA HOTIC, SURVIVOR (TRANSLATION)

Illustration of Bosnian Muslim women in fine clothes, 1896

Credit: Guillaume Capus, The British Library, Wikimedia Commons



ISSUE

Muslim

The term “Muslim” can refer to religious believers, or an ethnic group, or both. In these documents, we will use it in its ethnic sense, as it was used in the Yugoslavian censuses.

USSR

Union of republics governed by Communist Russia; it existed from 1922 to 1991. After 1945, the USSR annexed the vast majority of Eastern European countries, which regained their independence after the fall of the USSR in 1991.²

Slobodan Milošević

Initially a Communist leader, then a Serbian nationalist. When he became President of Yugoslavia, he supported the actions of Serbian minority radical nationalists in Croatia, then in Bosnia during the civil war.³

The conflict in Bosnia-Herzegovina between 1992 and 1995 raises several issues. The first is the definition of the genocide of the Bosnian Muslim population by a foreign army. Was it a genocide or a civil war in Yugoslavia? The fact that the victims included Serbs, Croats and Muslims suggests rather a civil war. However, the international community has recognized the genocide in Bosnia. The threats made by the leader of the Bosnian Serbs, Karadžić, starting in 1991, suggest the premeditated massacre of **Muslims**⁴. The second issue is the origin of the genocide at the heart of the European continent, which had not seen conflict since the fall of the **USSR**. Some analysts and historians believe that it was a modern conflict caused by changing inter-ethnic relations starting at the end of the 19th century, and a nationalist recentring of the Communist elite, including **Slobodan Milošević**, who lacked legitimacy in the late 1980s.⁵ Others refer to the “weight of history,” which supposedly led to the regular resurgence of ancestral conflicts in a region marked by traditional and extremely community-oriented social relations.⁶ In the context of the major Yugoslavian conflict, the conflict in Bosnia is extremely complex, since it pits three warring parties against each other: the Croats, the Serbs and the Bosniaks (or Bosnian Muslims), who all formed changing and contradictory alliances at different times and in different places during the conflict. These alliances were made all the more complex by tensions marked by war crimes committed by all parties,⁷ not to mention the Jewish and Roma victims. To explore these issues, we will limit our study to the crimes associated with the genocide against the Muslims.



Photograph of a young Serbian Orthodox girl in traditional garb, 1896

Credit: The British Library, Wikimedia Commons



Illustration of a Bosniak soldier under the Ottoman Empire, 1885

Credit: New York Public Library, Wikimedia Commons

HISTORICAL OVERVIEW

In the Bronze Age, Bosnia-Herzegovina was inhabited by the **Illyrians**, then conquered by the **Macedonians**, followed by the Romans in the second century BCE. In the 5th century, after a succession of invasions, the **Slavs** arrived and became the majority group. The territory was later ruled by the **Orthodox Byzantine Empire**, then, in the 12th century, by Catholic Hungary.

When the Serbs were defeated at Kosovo Polje in 1389, the Hungarian province crumbled under the pressure of the **Ottomans**, who took control of the territory in 1483. Bosnia and Herzegovina, inhabited by Serbian and Croatian Slavs, were Ottoman provinces for 400 years. The Ottoman government tolerated the existence of different ethnocultural and religious minorities; this was referred to as the Millet System. However, only Muslims could own land. Many landowners converted and adopted Bosniak names; the others remained poor Catholic or Orthodox peasants (Croats and Serbs, respectively).

Illyrians

Group of Indo-European-speaking peoples who inhabited the Balkans in the late Bronze Age.⁸

Macedonians

In Antiquity, the Kingdom of Macedonia was a Greek State located north of what is now Greece. In the 4th century BCE, under Philip II and his son Alexander the Great, the kingdom extended its domination from the Mediterranean to India.⁹

Slavs

Central and Eastern European and North Asian ethnic group speaking various Slavic languages. Under pressure by Asian invaders, in the 15th century they began a great migration that led them, among other places, to Yugoslavia.¹⁰

The Ottoman Empire was a Muslim empire founded at the end of the 13th century in what is now northwest Turkey. In 1354, the Ottomans began conquering other territories, including Yugoslavia.¹¹

Orthodox Byzantine Empire

The Byzantine Empire was born from the split of the Roman Empire in the fourth century. Located in southeastern Europe around its capital, Byzantium, it became the center of Orthodox Christianity, which dominated in Central and Eastern Europe.¹²

Austro-Hungarian Empire

Catholic empire formed by the union of the monarchies of Austria and Hungary, which dominated much of Central Europe between 1867 and 1918.¹³

Communist

Followers of Communism, an ideology that advocates for the distribution of wealth among those who create it. This ideology was the foundation of several political parties in a number of countries in the 20th century, including Yugoslavia.¹⁴

In the second half of the 19th century, nationalist movements emerged, destabilizing the major empires, and the Ottoman Empire lost some of its territories. Bosnia-Herzegovina became part of the **Austro-Hungarian Empire** in 1908, and the Bosnian Serbs found themselves under the political rule of a Catholic empire, but still under the economic yoke of Muslim landowners. Tensions rose to the point where Franz Ferdinand, heir to the Austrian throne, was assassinated by a Serbian nationalist with the support of the government in Belgrade, an event which would trigger World War I.

In 1921, three years after the fall of the Austro-Hungarian Empire at the end of the war, Bosnia-Herzegovina, Serbia, Montenegro, Macedonia, Slovenia and Croatia united to form Yugoslavia. In 1941, Yugoslavia was invaded by Nazi Germany, broke up and was torn between collaborators and resistance fighters. Communist resistance fighter Tito, however, was able to take control and reunite Yugoslavia. Installing a totalitarian **Communist** regime that lasted 35 years, Tito became a legend, fighting for unity but never completely succeeding in eliminating the ethnic differences. When he died in 1980, tensions rose to the surface and weakened central power: Croatia and Slovenia declared their independence in 1991. Croats and Bosniaks living in Bosnia-Herzegovina proclaimed their independence in 1992, but the Serbs refused and established their own territory. Tensions escalated.¹⁵



Cover page of the Italian newspaper *Domenica del Corriere* illustrating the assassination of Archduke Franz Ferdinand and his wife the Duchess, in Sarajevo, by Serbian nationalist Gavrilo Princip on June 28, 1914

Credit: New York Public Library, Wikimedia Commons

STAGES OF THE GENOCIDE

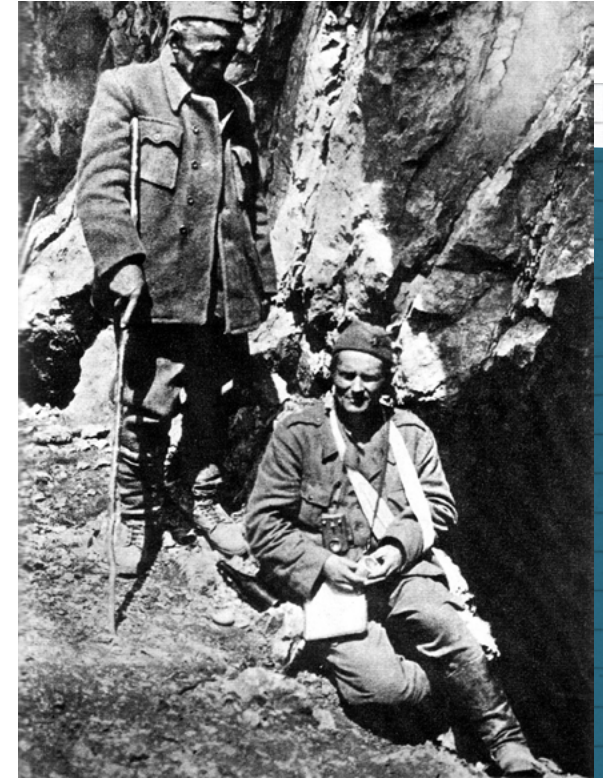
TO CLASSIFY

“In some [Croatian] villages, the Serbs became nervous and began to take up arms. . . . Do you want to go back to 1941? . . . When I am gone, the country will explode.”

Excerpt from a speech by Tito, Communist leader of Yugoslavia, 1971¹⁶ [translation]

“A Muslim house looked like a Muslim house. Practices and customs differed from those in a Christian house. People went to the mosque; you knew they were Muslims. They had a strong sense of community. . . . In Zalik, the neighbourhood [of Mostar] in which I grew up, that was how it was. Everyone knew each other. I played with Serb and Croatian children [and I knew who they were]. One went to the mosque, the other to the church across town because, in the way it was built, the town was divided. We had strong community bonds; families worked together for the good of the community but, when the war began, so did the denunciations.”

Adis Simidzija, Bosniak-Québec writer¹⁷ [translation]



Photograph of Communist and future leader Tito (right) in 1943, at the Battle of Sutjeska

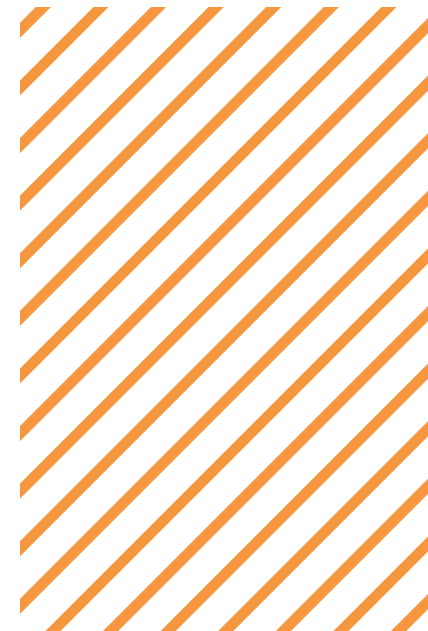
Credit: W. S. Orović,
Wikimedia Commons

Under the Ottoman Empire, religious communities lived side by side, but preserved their individual character, which explains why they got along, and also why differentiation between cultures, especially in rural areas, persisted. The cultural groups, however, remained haunted by past suffering and rifts.¹⁸ With the decline of the Ottoman and Austro-Hungarian empires and the rise of nationalism, people now identified themselves more as Croats and Serbs, including the Catholic and Orthodox populations living in Bosnia, which isolated the Muslims in terms of their ethnocultural and political identities. The region was rife with tension between proponents of a Yugoslavian federation (the federalists) and those who envisaged a “Greater Serbia.” In 1941, after the German invasion, Yugoslavia was torn by the atrocities committed by the Croatian collaborators (Ustashes), the Serbian resistance fighters (Chetniks) and Tito’s Communist followers, made up of individuals belonging to all three ethnic groups. Under the leadership of Communist dictator Tito, tensions appeared to lessen, but when the regime attempted to establish a united “Yugoslavian consciousness” in the early 1960s, the citizens of the federation asserted their independence and continued to differentiate among the ethnoreligious groups. This was reflected in the censuses, which in 1971 began to refer to “Muslims.” The term designated ethnic Bosniaks, in the same way as Serbs and Croats were identified separately. Tito’s death and the economic crisis that hit the country in 1980 exacerbated social, economic and ethnic inequalities. The most marked ethnoreligious diversity was in Bosnia-Herzegovina. In 1991, the population of Bosnia-Herzegovina was made up of 44% Bosniaks (Muslims), 31% Serbs and 17% Croats.¹⁹



Photograph of the Stari Most bridge in Mostar over the Neretva river in 2008. It was destroyed by Croatian forces in November 1993, symbolizing the isolation of the Muslims in the ghetto of the old town on the east side of the river. It was rebuilt in 2004.

Credit: R. Boulay, Wikimedia Commons



TO DEHUMANIZE

“[During the war,] the Muslims went to school first, and the Catholic Christians went afterwards. We did not attend class together. We didn’t learn the same history. . . . Before, we all went to public school together; there were no tensions.”

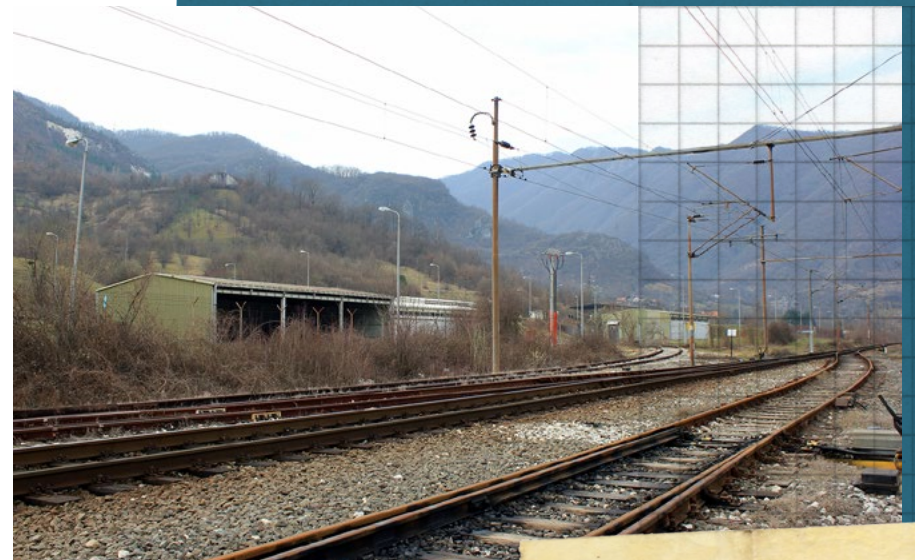
Adis Simidzija,
Bosniak-Québec writer
*[translation]*²⁰

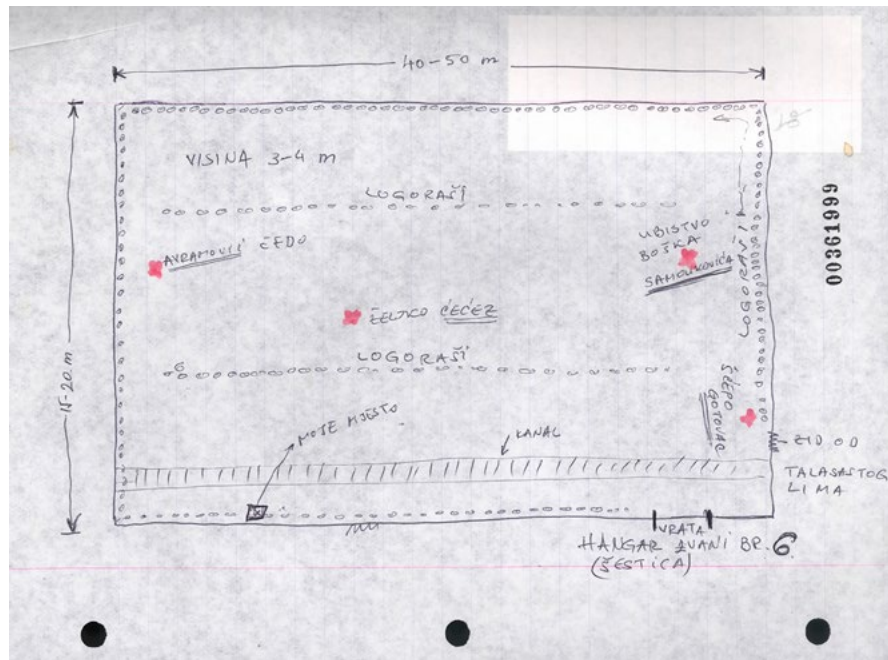
“If we did not hold Sarajevo, there would be no [Serbian] State. A snake never grabs its prey by the tail, but by the throat. That is what we did.”

Radovan Karadžić, President
of the Bosnian Serb Republic
*[translation]*²¹

Photograph of the shed at the former Čelebići concentration camp in Konjic, Bosnia-Herzegovina, taken in 2017. The conditions there were particularly inhumane.

Credit: J. Nyča, Wikimedia Commons





Layout of the Čelebići concentration camp according to prisoners (the red crosses indicate the killing sites). The conditions there were particularly inhumane. This was a piece of incriminating evidence submitted to the International Criminal Tribunal for the former Yugoslavia (ICTY).

Credit: Photos reproduced with the authorization of the ICTY

“When you talk about dehumanization . . . I don’t want to dehumanize the humans, but their actions. [The Serbs who took part in the genocide] are not monsters, . . . if you can’t accept that human beings are capable of these things, these things will happen again. By calling them monsters, you are giving them an excuse. They are human beings, and we need to try to understand their actions.”

Adis Simidzija, Bosniak-Québec writer²² [translation]

Propaganda played a major role in the Yugoslavian conflict. It was systematically used to transform the perpetrators into victims defending themselves against the “Muslim monster.” In Croatia and in Serbia, Muslims were depicted as “inept” and “cowardly.” Karadžić, the leader of the Bosnian Serbs, often used animal metaphors to refer to the warring parties, comparing himself to a snake grabbing its prey by the throat to justify his actions. In this case, the perpetrator saw even himself as an animal. The “prey” that must be killed was also often described as a bloodthirsty monster that fed Serb children to the hungry lions at the Sarajevo Zoo. The Serbian and Croatian press, both religious and secular, regularly compared Muslims to a disease. Dehumanization also continued during the war in the form of mass incarceration in buildings that looked like barns.²³

TO POLARIZE

“During the siege, the Muslims gave Serbian women and children [as food for the hungry lions at the Sarajevo Zoo].”

Anti-Muslim propaganda spread by the Bosnian Serb Republic news agency (SRNA), edited by Todor Dutina²⁴ [translation]

“This is not about politics; this is about our homeland.”

Excerpt from a speech by Slobodan Milošević in 1989²⁵ (Kubli 1998, 194) [translation]

It is not just the Serbs’ past that is immortalized in Kosovo . . . in valuable precious cultural monuments; their spirit, culture and moral values are there: their history is there.

Excerpt from the “Memorandum” of the Serbian Academy of Arts and Sciences (SANU), 1986²⁶ [translation]

“The best solution is to divide Bosnia-Herzegovina along ethnic lines.”

Interview with Croatian leader Franjo Tudjman in *The Times*, July 1991²⁷ [translation]



Sixteenth-century Russian miniature showing the legendary Battle of Kosovo Polje between the Slavs and the Ottomans, in which Serbian Prince Lazar Hrebeljanović lost his life. This battle is regularly used in nationalist Serbian propaganda. Milošević organized one of his largest nationalist rallies for the 600th anniversary of the battle in 1989.

Credit: Wikimedia Commons

The economic crisis of the 1980s, marked by skyrocketing inflation and government debt, only served to fuel the population's discontent with their Communist regimes. This led certain leaders to try to regain their political legitimacy by adopting a nationalist discourse. Following the "Memorandum" issued by nationalist intellectuals at the Serbian Academy of Arts and Sciences, who feared anti-Serb attacks, Milošević launched what some historians call the "Serbian cultural revolution," which lasted from 1986 to 1989. He rallied the people around the fight against corruption and against the plight of Serbs in Kosovo, who were becoming a minority, outnumbered by the Albanian population in a territory that was highly symbolic for the Serbs, a discourse that would be taken up by the Orthodox Church. With nationalist speeches, demonstrations and political purges, Milošević forged his image as the champion for "Greater Serbia," aiming to absorb Kosovo and Vojvodina. Political opponents were seen as "traitors to the nation," and significantly repressed. Pilgrimages to the glory of the ancient Serb princes and events in commemoration of World War II were organized on "sacred Serbian ground," which included all of the territories where Serbs now lived. For their part, Slovenia and Croatia chose democracy, freedom of the press

and independence. In Croatia, this liberation fostered the emergence of the extremely nationalist future president, Franjo Tuđman, who restored the Ustasha checkered flag, derided the Serbian Cyrillic alphabet, and established Croatia as the "national State of the Croatian nation." Serbian and Croatian nationalist propaganda had an impact in Bosnia, where political parties formed on a community basis in 1990: the Party of Democratic Action (SDA) for Muslims, the Serb Democratic Party (SDS) for Serbs, led by Radovan Karadžić, and the Croatian Democratic Union (HDZ) for the Croats. The "ethnicization of differences" promoted by Serb and Croat nationalists escalated. Slovenia and Croatia declared their independence on June 25, 1991. The Yugoslavian federal army, made up entirely of Serbs, attacked Slovenia and Croatia under Milošević's orders. After a rapid retreat from Slovenia, the army deployed in Krajina, a Croatian region populated by Serbs, who rose up against the new Croatian nationalist government. The Yugoslavian army supported the Krajina Serbs in a conflict where practices that could eventually lead to genocide (rape, deportation, mass murder) multiplied. These would appear on a massive scale in Bosnia. The Krajina Serbs were eventually deported to Serbia.²⁸



Photograph of houses in Lička Jesnica, Croatia, destroyed during the War of Independence. Their inhabitants probably belonged to the wrong ethnic group.

Credit: Falk2, Wikimedia Commons



TO ORGANIZE

“Special forces [or militias] frequently carry out ‘ethnic cleansing’. These forces clearly seem to be supported, equipped and supplied by the Governments they serve and are allowed to operate without control by the authorities in charge.”

Excerpt from the *Final Report of the Commission of Experts Established Pursuant to Security Council Resolution 780 (1992)*, par. 139, on the Yugoslavian conflict²⁹

“The road that you want to take is the same highway to hell that Croatia has taken, except that the hell of war in Bosnia-Herzegovina will be even worse, and the Muslim nation could be annihilated.”

In a speech on October 14, 1991, the nationalist leader of the Bosnian Serbs, Karadžić, threatened Muslims with the consequences of a possible declaration of independence by Bosnia-Herzegovina.³⁰ [translation].

In Yugoslavia, representatives of each group (Serbs, Croats and Muslims) settled in every territory. For example, there were Serbs on Croatian territory, and Serbs and Croats on Bosniak territory.

In 1990, after Croatian nationalist Tudjman won the election, Croatian Serbs in Croatian territory established armed militias reinforced by irregular troops from Serbia. The worst crimes were committed by these militias, “a political mafia . . . made up of militants from extremist nationalist parties . . . and members of organized crime” [translation].³¹ The “Tigers” of Serbian commander Arkan and the Chetniks of Vojislav Šešelj, on the Serbian side and Ante Gotovina’s troops on the Croatian side began to carry out genocidal practices. They emptied villages of undesirables through execution, fear, rape and bombings, in particular in Vukovar and Kijevo in 1991.

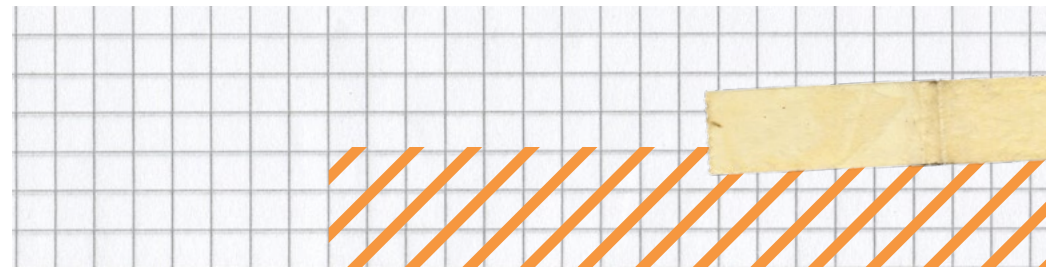
On Bosnian territory, by summer 1991, Serbian nationalists were taking over television stations and broadcasting propaganda from Belgrade, with a view to creating a strong “sense of insecurity” among the Serbs in Bosnia. On October 15, 1991, Muslim and Croat representatives in Bosnia-Herzegovina voted for independence. In April 1992, the Bosnian Serbs founded the Serbian Republic of Bosnia and Herzegovina, with Karadžić as its president. A military plan for the occupation of Bosnia (RAM plan) was prepared. The Bosnian Serb Army (VRS) and Arkan’s and Šešelj’s militias, repatriated from Croatia, controlled 60% of Bosnian territory. In July 1992, the Bosnian Croats organized a Croatian Defence Council (HVO), and the Bosniaks formed the Army of Bosnia-Herzegovina (ABH).

Although UN Blue Helmets were on the ground, they could not intervene except in self-defence or to supervise population movements and could do nothing about the massacres.³²



Map representing the “Greater Serbia” according to the Serbian Radical Party of Vojislav Šešelj, an extreme right-wing nationalist party, in the late 1980s.

Credit : Дмитрий-5-Аверин, Wikimedia commons



TO PERSECUTE AND TO MURDER

“We were in Kosarac. The Serbs threw us out of our houses and put us in buses. Those who refused were killed on the spot. I saw them kill 25 men. . . . In all, 2500 to 3000 people were executed. The others were sent to the camps in Trnopolje in Prijedor, to a mine in Ljudija. In one of the camps, there were 150 summary executions. In Preza, the company Keraterm was turned into a concentration camp. In Omaska, five people were jailed and beaten to death. The survivors went crazy. . . . They want to exterminate us. For me, that’s obvious.”

Mr. Behlil, Bosniak refugee in Travnik³³ [translation]



Photograph of Muslim women leaving the city of Jušići, Bosnia-Herzegovina, following a breakdown in the Dayton Peace Accord, 1996. Inhabitants had only 72 hours to gather a few things and leave their homes.

Credit: SPC Cabello, National Archives Catalog

“It was 5 p.m. when the police, supported by reserve militia, got out of their vehicles and started to shoot. [Half an hour later, 150 villagers were bathed in their own blood.] [My] husband, [my] five sons, [my] brother-in-law, [my] three nephews, all were killed that day. . . . The Serbs [buried them] in a common grave.”

Aika Hoditch, age 63, refugee at the Zagreb Islamic Center³⁴
[translation]

“For example, there’s the whole question of raping women so that they would bear ‘bastards.’ . . . My family and I, when the Serbs took us, we were placed in captivity in a centre. When they decided to leave, they decided to take the men and teenage boys, kill them and leave them in a common grave.”

Adis Simidzija, Bosniak-Québec writer³⁵ [translation]

On April 2, 1992, “Arkan’s Tigers” entered Bijeljina in Bosnia. Their goal was to “cleanse” the territory of Muslims by murder and terror. During the conflict, which lasted almost four years, the same strategy was used in hundreds of Bosniak villages, mainly against civilian populations: the army and the police took control of the town, then the militias came. They went from house to house, following their lists. That was the beginning of the arrests, summary executions, rapes and pillaging. “Serb houses” were identified and spared. Muslim women were systematically raped to contaminate the “enemy race.” Some estimate that 30 000 women were raped by the Serbs in Bosnia. Although the Croatian Defence Council carried out genocidal practices and built concentration camps, in particular around Mostar, most genocidal actions were perpetrated, in a more systematic manner, by the Bosnian Serbs.





Photograph of the seat of the Bosnian government on fire after Serbian bombings, 1992

Credit: Mikhail Evstafiev, Wikimedia Commons

The worst massacre was in Srebrenica in July 1995. The Bosnian Serb Army (VRS) entered the Muslim enclave under orders by generals Ratko Mladić and Radislav Krstić, and executed more than 8000 unarmed civilians. Sarajevo, Bosnia's capital, was not spared: it was besieged, bombed night and day by Serbian artillery, and targeted by snipers for four years. Thousands of civilians caught in the crossfire died. Executions and torture in the concentration camps was systematized. An estimated 408 camps stood on Bosnian Serb territory, and 3000 people died in Sušica alone. During the Bosnian conflict, more than 2.7 million people were displaced, between 100 000 and 200 000 died, 70% of the Bosnian territory was "conquered and cleansed" by the Bosnian Serbs, and the number of Muslims living in Serb-controlled areas dropped from 300 000 to less than 10 000.³⁶

Ratko Mladić

Nicknamed the "Butcher of Bosnia," Ratko Mladić, former colonel in the Yugoslavian army, was the commander-in-chief of the Bosnian Serbs. Among other things, he organized genocidal actions in the city of Srebrenica.³⁷

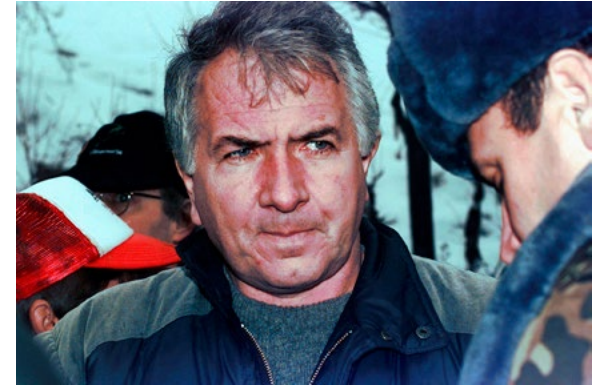
TO DENY**“There are no armed Serb troops on Bosnian territory.”**

Statement by Slobodan Milošević in April 1992, after the genocide began.³⁸ [translation]

“[The atrocities in Srebrenica are] mere myths, rumours, lies and propaganda.”

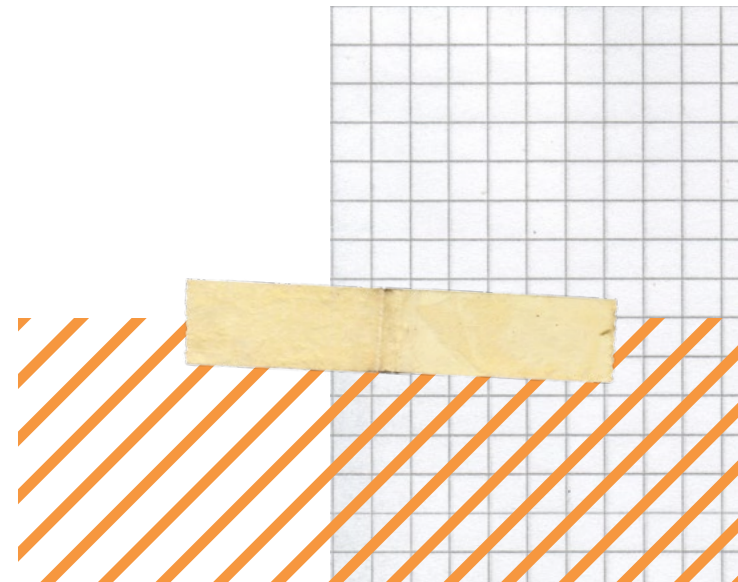
Statement by Karadžić, President of the Bosnian Serb Republic at the start of his trial in 2010.³⁹ [translation]

In 2007, the International Court of Justice defined the Srebrenica massacre as genocide. Although today Serbs recognize the war crimes committed, which they denied during the war, they still refuse to speak of genocide. They are supported in this by Russia, which vetoed the recognition of genocide by the UN in 2015. The complexity of the Yugoslavian conflict makes it easy to deny genocide. The number of warring parties and the systematic use of irregular troops obscure the chain of command and make it difficult to assign responsibility. The Orthodox Church denies the fact that the Serbs were the aggressors in this conflict, and say that, on the contrary, they were only defending themselves during a civil war. The genocide was recognized by European Parliament, the United States and Canada, but 70% of Serbs were still denying it in 2015.⁴⁰



Photograph of Serbs protesting the return of Muslim refugees near Gajevi, Bosnia-Herzegovina, 1997

Credit: SPC Gerald T. James, National Archives Catalog



“Today is a day of remembrance and respect as we honour the victims of the 1995 genocide in Srebrenica. We mourn with the families, friends and loved ones of the victims and pay tribute to the survivors who continue to live with the painful memories of these tragic days. As we reflect, we must also learn from this dark, disturbing chapter of human history by rejecting hatred, intolerance and discrimination. Let us reject the inflammatory rhetoric that has too often led to the horror of genocide and instead accept the path of reconciliation and inclusion.”

Excerpt from a speech by Stéphane Dion, special envoy to the European Union and Europe, and Isabelle Poupart, Ambassador to Bosnia-Herzegovina, July 11, 2018 – Budapest, Hungary – Embassy of Canada to Hungary, Slovenia, and Bosnia and Herzegovina.⁴¹ [translation]

JUSTICE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (ICTY)

Established by the UN in 1993 to put on trial those responsible for the crimes committed in the Balkans, the International Criminal Tribunal for the former Yugoslavia (ICTY) ruled that the Srebrenica massacre was a genocide. Since 2003, it has worked closely with local courts in the former Yugoslavia as part of a continuing effort to see justice served. The ICTY has charged 161 people, including political and military leaders; 89 have been sentenced. Former Serbian president Slobodan Milošević, indicted for genocide in 1999 while he was still in office, died in prison in 2006 before his trial. In 2017, the ICTY sentenced General Ratko Mladić, former Commander of the Bosnian Serb Army, to life in prison for genocide based on his leading role in the siege of Sarajevo and the Srebrenica massacre. General Ratko Mladic, however, appealed against this decision. The ICTY closed in late 2017, and the International Residual Mechanism for Criminal Tribunals (MICT) took over its duties. On March 20, 2019, the MICT sentenced former political leader of the Bosnian Serbs Radovan Karadžić to life in prison for genocide, crimes against humanity and war crimes. Serbia, which still denies any war crimes, refuses to accept the ICTY’s verdicts. On June 8, 2021, the Appeals Chamber of the International Residual Mechanism for Criminal Tribunals upheld life sentence of General Ratko Mladic for genocide, crimes against humanity and war crimes.

ABSENCE OF COMPENSATION FOR BOSNIA

In the Judgment of February 26, 2007, and only for the Srebrenica massacre, the International Court of Justice found that Serbia had violated its obligation to prevent the genocide, as prescribed by the *Convention on the Prevention and Punishment of the Crime of Genocide*, as well as its obligation to co-operate fully with the ICTY, with respect to handing over the individuals accused of genocide. However, it decided not to order Serbia to compensate Bosnia-Herzegovina, which was demanding reparations.

COMPENSATION OF VICTIMS

Bosnia and Serbia have their own criminal courts, but they are not competent to award damages and interest. However, Bosnia had the Human Rights Chamber, to which cases of human rights violations (but not international crime) could be submitted. In 2003, the Chamber ordered the Serbian authorities in Bosnia to pay the families of all of the Srebrenica victims almost 1 million euros through an organization representing the plaintiffs.

Four times, the Bosnian criminal courts ordered individuals to pay financial compensation to victims of rape during the war, but there are no funds to make up for the insolvency of those ordered to do so.

Funding sources granted by Bosnia to victims of sexual violence during the conflict are extremely discriminatory, since they vary depending on the place of residence. For example, victims of the Bosnian Serb Republic are not entitled to the benefit package.



Photograph of Radovan Karadžić, President of the Bosnian Serb Republic between 1992 and 1996, at his original sentencing. He was sentenced for genocide, crimes against humanity and violations of the laws of war in 2016, then again in 2019 on appeal.

Credit: ICTY



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