

**Statement on the UPR Pre-session on the Bosnia and Herzegovina  
of Katarina Zrinjski, on behalf of the Balkan Investigative Reporting Network in  
Bosnia and Herzegovina  
November 22, 2024 Geneva**

**(Slide 1)**

This statement is delivered on behalf of the Balkan Investigative Reporting Network in Bosnia and Herzegovina, non-governmental, media organization with 20 years of experience in monitoring all war crime trials in BiH and systematically reporting about transitional justice topics, focusing on judiciary and support to the victims.

BIRN BiH participated in creating Joint Submission of the BiH Civil Society Initiative for UPR for the 4th Universal Periodic Review on the State of Human Rights Situation in BiH.

The submission focuses on addressing war crime processing and judiciary reforms related to securing the justice for all the victims.

**(Slide 2)**

In the previous report four states – the UK, Australia, Czechia and France - recommended to BiH to adopt and implement national war crimes processing strategy, clarify fates of missing persons and work on reconciliation.

**(Slide 3)**

In the last years, BiH indeed adopted revised National War Crimes Processing Strategy back in 2020 with almost three years of delay. This strategy states that there are more than 550 unresolved war crime cases in which more than 4,500 perpetrators have been identified. The strategy goal to finalize all war crime cases by 2023 wasn't met, so the Strategy deadline is postponed for the end of 2025, although there are already statements from the State court and Prosecutors office that BiH will fail again to meet this goal.

Implementation of the revised Strategy complicate lack of regional cooperation, precisely sharing information and extradition of people with double citizenships in Serbia and Croatia, as well as lack of capacities of local level courts who are receiving cases from the State courts that cannot be processed due to lack of staff, knowledge but also availability of the charged ones.

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Therefore, we recommended that the Bosnian government to:

- Adopt new National War Crimes Processing Strategy with realistic goals and effective plans for finalizing all war crime cases;
- Increase capacities for the local prosecutions offices to work on war crime cases: educating prosecutors to work on war crime cases, securing funds for investigations and search for witnesses and evidences
- And adopt the national transitional justice strategy document, which will serve as a guideline for further dealing with war legacy; civil society to be a vital part of this process, with great support of ministries and judiciary

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Six countries - Angola, Lithuania, Croatia, Ukraine, France, Argentina – recommended BiH to strengthen the independence of the judiciary system, ensure access to justice to all the victims and a law on reparation and compensation for victims of war

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Due to the official data of the State Institute for Missing persons, BiH is still searching for 7,616 missing people from the last war. The Institute is facing with lack of forensics, equipment and funds to properly work on searching and tracking the leads. The biggest challenge in searching of the missing people is insufficient information about locations of graves, as well as the fact that, with passage of time, many witnesses are dying without sharing information on potential locations.

When it comes to securing compensation i.e. reparations to the victims, BiH as a State still didn't adopt national document, leaving this issue to be resolved on entities levels. And while Federation of BiH never adopted a law on victims of war torture, in October 2023, the deadline for filing claims for acquiring the status of a civilian victim of war in Republika Srpska expired, which left many people without further mechanisms to claim compensations.

BiH lacks a unified and organized approach to memorialization. Progress on this issue is impeded by a lack of institutional and political interest in addressing memorialization by enabling families to mark places of suffering like mass graves, and former detention camps. At the same time, inscriptions on monuments

constructed by one ethnic group are often perceived as offensive by other groups, and carrying political messages.

High Representative imposed amendments to the State Criminal law banning genocide and war crimes denial back in 2021. So far, only one indictment was raised, although just in the last year over 300 cases were recorded.

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Considering the above situation, we recommended the Bosnian government to:

- establish a comprehensive and effective state-level compensation mechanism for all victims of war crimes
- Support commemoration efforts in local communities of minority groups, like marking unmarked places of suffering, building monuments and marking anniversaries freely in public squares
- Support Associations and NVOs efforts for marking unmarked places of suffering and killings
- And start implementation the Criminal law provisions related to the genocide and war crimes denial and legally process deniers