

## 4. BACKGROUND OF THE CASES

### 4.1. Yugoslavia<sup>3</sup>

#### The path to war

The Federal Socialist Republic of Yugoslavia (until 1963 the Federal People's Republic of Yugoslavia) existed between 1946-1991. It consisted of six republics: Serbia, Montenegro, Croatia, Slovenia, Bosnia and Herzegovina and Macedonia. The Yugoslav constitution was drafted to the Soviet example, but the country was never part of the USSR. Moreover, Yugoslavia distanced itself from both NATO and the Eastern Bloc at the end of 1940s and criticized their systems of government. It went on to form the *non-aligned movement* along with several other states and remained a member until its own collapse. This movement is active to date and has declared an aim of guarding the independence and security of countries which do not belong to large political and defence organisations.

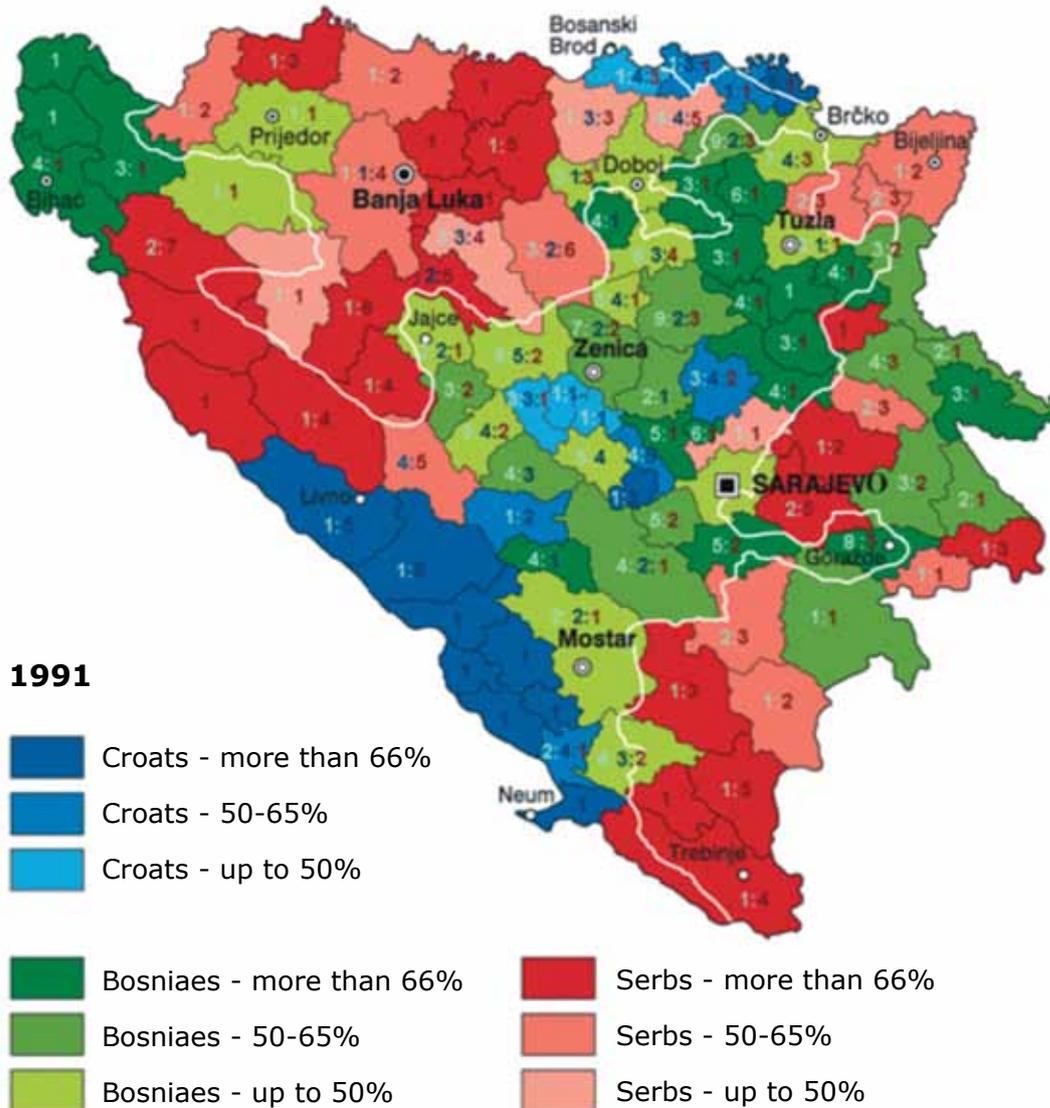
During 1945-1980, Yugoslavia was ruled by the Communist regime of Josip Broz Tito. The federation was founded on the principle of equal rights for all ethnic groups and republics.

After Tito's death and with the changing international situation in the 1980s, especially the collapse of most communist regimes and the end of the Cold War, the Yugoslav state came under more and more pressure to reform. The country faced both economic hardship, being under the obligation to repay loans to IMF, and a political crisis after losing its privileged status as the non-aligned member of the Communist bloc.

The recess in Yugoslavia contributed to increasing fights between the federal state and regional politicians especially on how the economic

<sup>3</sup> This article uses materials from Wikipedia contributors, "Yugoslav Wars," Wikipedia, The Free Encyclopedia, [http://en.wikipedia.org/w/index.php?title=Yugoslav\\_Wars&oldid=513807722](http://en.wikipedia.org/w/index.php?title=Yugoslav_Wars&oldid=513807722) (accessed September 23, 2012); Wikipedia contributors, "Srebrenica massacre," Wikipedia, The Free Encyclopedia, [http://en.wikipedia.org/w/index.php?title=Srebrenica\\_massacre&oldid=514122092](http://en.wikipedia.org/w/index.php?title=Srebrenica_massacre&oldid=514122092) (accessed September 23, 2012) and Wikipedia contributors, "Bosnian War," Wikipedia, The Free Encyclopedia, [http://en.wikipedia.org/w/index.php?title=Bosnian\\_War&oldid=514115527](http://en.wikipedia.org/w/index.php?title=Bosnian_War&oldid=514115527) (accessed September 23, 2012).

The ethnic division of areas in Bosnia Herzegovina before 1991



burdens between the republics were to be shared. As a result, Slovenia and Croatia declared their independence in June and December 1991, respectively, and were immediately recognized by the international community as independent states. For Bosnia and Herzegovina, the decision of whether to secede or to remain part of Yugoslavia was not as easy: the population of Bosnia and Herzegovina were ethnically not homogenous and no ethnic group was majoritarian by itself.

The population was about 40% Serb, 17% Croat and 43% Bosniak, with fragmented distribution throughout the territory (see Figure 3) so that it was not possible to divide the area into ethnic regions.

# Up To \$5 Million Reward

## Wanted

**For crimes against humanity**



**Slobodan Milosevic**  
President of the Federal Republic of Yugoslavia

**For genocide and crimes against humanity**




**Radovan Karadzic**      **Ratko Mladic**

**REWARDS FOR JUSTICE**

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Milosevic, Karadzic, and Mladic have been indicted by the United Nations International Criminal Tribunal for the Former Yugoslavia for crimes against humanity, including murders and rapes of thousands of innocent civilians, torture, hostage-taking of peacekeepers, wanton destruction of private property, and the destruction of sacred places. Mladic and Karadzic also have been indicted for genocide.

To bring Milosevic, Karadzic, and Mladic to justice, the United States Government is offering a reward of up to \$5 million for information leading to the transfer to, or conviction by, the International Criminal Tribunal for the Former Yugoslavia of any of these individuals or any other person indicted by the International Tribunal.

If you believe you have information, please contact the nearest U.S. embassy or consulate, or write the U.S. Department of State, Diplomatic Security Service at:



Wanted poster for Serb leaders Slobodan Milosevic, Radovan Karadic and Ratko Mladic. U.S. Department of State. 2000. Wikimedia Commons. Wikimedia Foundation.

Tensions between the three sides began to escalate. Each group had its own army and a leading political party. The Bosniak army was the weakest of the three, mainly due to the arms embargo established in late 1991 by UN Security Council resolution No. 713. Meanwhile, the Serb army (*Vojska Republike Srpske*, VRS) had taken over most of the arsenal of the former Yugoslav Army and Croats could easily smuggle arms across the border from Croatia.

### **The beginning of the war**

In March 1992, the President of the federal republic of Bosnia and Herzegovina declared the independence of the country after a referendum the Serbs had boycotted. Yet the country was rife with distrust and the Serbs, Croats and Bosniaks kept quarrelling over their rights in the parliament. In a while, a war broke out between the three sides. Each group was afraid that if it did not attack, it would itself be attacked sooner or later. The territory of Bosnia and Herzegovina was divided between a Bosniak-Croat federation and a Serb republic (*Republika Srpska*), tied by a loose federation.

When Bosnia and Herzegovina declared independence, the Yugoslav People's Army (JNA) left the country, but most of its arms and officers remained, now under the name of VRS. The Croats formed their own army, the Croat Defence Council (*Hrvatsko Vijeće Obrane*, HVO). Bosniaks mostly regrouped into the Army of the Republic of Bosnia and Herzegovina (*Armija Republike Bosne i Hercegovine*, ARBiH). Bosnian Serbs received support from Slavic orthodox countries like Russia, but also volunteers from Greece. Groups of Western radicals (like neo-nazis from Germany, Austria and Sweden) fought alongside with the Bosnian Croats. Bosniaks, most of whom are Muslims, were supported by foreign Muslim organisations.

Dispute continues as to who were the first victims of the war, but Bosnian Serbs started a campaign of ethnic cleansing in 1992. The Serb army took control of non-Serb villages, forcing most of the population to flee. Men and women were often separated; men were murdered or sent to camps while women were detained in special prisons where they were denied access to hygiene and were systematically abused and raped. After clearing villages of people, houses were ransacked and/or burned to the ground.

Those events were made possible by the Serbs' decisive military dominance despite their relatively small share in the total population. Cleansing and looting was aimed at forcing the Bosniak government to accept the Serb claims.

## Continuation of the war

In the second half of 1992, the Croat army undertook a major tactical shift. HVO had so far attempted to protect their own regions from the Serbs, but now decided to project most of their forces to conquer the Bosniak areas in central Bosnia and Herzegovina. This was caused by the Serbs' military dominance and the Karadordevo agreement which essentially divided the country's territory between Croats and Serbs. This meant that the weakest of the three sides – Bosniaks – was now in an even worse position, having to protect itself from two stronger attackers. In 1993, most of the armed activity took place between the Croats and Bosniaks.

In the same year, the UN Security Council started taking measures to end the war – a no-fly zone was established over the territory of Bosnia and Herzegovina and NATO began enforcing it immediately. The UN also founded the *International Criminal Tribunal for the former Yugoslavia* (ICTY) in order to investigate the violations of international humanitarian law on former Yugoslav territory.

### *Srebrenica*

In April 1993, the United Nations declared the besieged Northeast Bosnian city of Srebrenica a protected safe area. Despite this, VRS forces led by general Ratko Mladić attacked Srebrenica in July 1995. A 400-strong Dutch peacekeeping force was forced to stand by as the VRS captured the city, killing thousands. The Srebrenica massacre was the largest mass murder in Europe since World War II. More than 8000 men were massacred and 25,000–30,000 Bosniak women, children and elderly persons displaced.

## End of war

In the same year of 1995, the VRS committed several other mass killings near Bosnian cities of Tuzla and Markale. The latter were followed by NATO airstrikes at Serb forces and infrastructure. A combination of airpower and diplomacy finally brought the sides of the conflict to a negotiation table and the Dayton peace agreement was signed two months after the first NATO bombings.

According to the Sarajevo research and documentation centre, almost 100,000 were killed in the war.