



## SERBIA CLEARED OF GENOCIDE BUT GUILTY OF INACTION

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*The highest United Nations court this week cleared the Serbian government of charges of genocide for the 1995 slaughter of 8,000 Bosnian Muslims.*

Reaction to the decision fell along religious lines: While Orthodox Christian Serbians expressed relief, Muslim Bosnians voiced their disagreement.

The charge stems from 1995 when Serbs entered a U.N. camp in the town of Srebrenica and killed 8,000 Muslim men and boys.

The killing was a culmination of the 1992-1995 Bosnian War that killed 100,000, mostly Bosnian Muslims at the hands of Bosnian Serbs, according to Human Rights Watch.

### **International court ruling**

The 60-year-old International Court of Justice located in The Hague, Netherlands, said the Srebrenica atrocity did constitute genocide, but it blamed the Serbian state for inaction, a less serious charge.

The ICJ said that Serbia had the power to foresee and prevent the killing because it "was making its considerable military and financial support available" to the Bosnian Serbs at the Srebrenica camp.

But the court could not find Serbia guilty because the government did not know for certain that an ethnic massacre was to occur.

At the time, the Serbs in Srebrenica were allegedly under the command of Radovan Karadzic and his military general, Ratko Mladic. Both are charged with genocide, but have evaded capture for years.

If the court had ruled in Bosnia's favor, Bosnians could have sought billions of dollars in compensation from Serbia.

### **The Bosnian War**

In April 1992, against the wishes of Bosnian Serbs, Bosnian Muslims and Catholics split from Yugoslavia.

Just a year earlier, regions to the Northwest, Slovenia and Croatia, declared independence from Yugoslavia.

Yugoslavia had been under Serb control, but in the newly formed nation, Bosnia-Herzegovina, Serbs were only a one-third minority.

Over a three-year period, backed by the Yugoslav army, the Bosnian Serbs captured two-thirds of Bosnia and besieged its new capital, Sarajevo.

Near the war's end in 1995, refugees from Srebrenica, mostly Muslim, fled to a U.N. camp protected by Dutch troops. In July of 1995, General Mladic's Serb soldiers overran the camp, extracted the men and boys from their families, and killed them.

The end of the Bosnian War was marked by the 1995 Dayton peace treaty, which divided Bosnia-Herzegovina into a Muslim-Croat federation and a Serb republic, and created a three-member presidency consisting of a Muslim, a Croat and a Serb.

The Muslim leader, Haris Silajdzic, said Bosnia-Herzegovina was founded on genocide and hoped the U.N. court's decision would dissolve the Bosnian Serb republic, but it didn't.

### **Political repercussions**

"This is no verdict, no solution. This is a disaster for our people," Fatija Suljic, who lost her husband and three sons in the genocide, told Reuters.

"I am stunned. This is terrible -- I saw with my own eyes who started this war and who kept up the aggression. It was the Serbs," Hedija Krdzic, who lost her husband, father and grandfather at Srebrenica, told Reuters.

Serbia's president, Boris Tadic, said, "For all of us, the very difficult part of the verdict is that Serbia did not do all it could to prevent genocide."

Though Tadic said it is "very important" for the parliament of Serbia to adopt a resolution to condemn the massacre and "make possible the opening of a new page in relations between Bosnia and Serbia," the majority of its members deny the massacre and a similar measure failed two years ago.

However, this time, Serbia faces additional political pressure from the European Union. Serbia wishes to join the Union for economic and cultural reasons, but membership talks have been frozen until the country arrests former Serb general Mladic and brings him before an international court.

-- *Compiled by Adnaan Wasey for NewsHour Extra*

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