Denial of War Crimes is Inexcusable

Today the High Representative and EU Special Representative, Ambassador Valentin Inzko, the OSCE Head of Mission to BiH, Ambassador Gary D. Robbins, and the Special Representative of the Council of Europe Secretary General and Head of CoE Mission to BiH, Caroline Ravaud, condemned in strongest terms statements by RS Prime Minister Milorad Dodik denying the nature of war crimes which took place in Tuzla on 25 May 1995, when 71 person were killed and more than 150 injured and in Sarajevo at the Markale market on 5 February 1994, when 68 people were killed and 144 more were wounded, and on 28 August 1995 when 37 people were killed and 90 wounded.

The facts regarding these war crimes are clear. The Court of Bosnia and Herzegovina on 12 June 2009 found Novak Djukic, a commander of the Bosnian Serb Army, guilty of the Tuzla massacre and sentenced him to 25 years in prison. The International Criminal Tribunal for the Former Yugoslavia (ICTY) found Stanislav Galic, who commanded the Sarajevo-Romanija Corps of the Bosnian Serb Army, guilty of crimes against humanity, including the Markale massacre of 5 February 1994, and sentenced him to life imprisonment. The ICTY also found General Dragomir Milosevic responsible for war crimes, including the Markale massacre of 28 August 1995, and sentenced him in the first instance to 33 years in prison.

Any attempt to change the established historical record of war crimes is unacceptable and inexcusable. When such misstatements come from an official in a position of high responsibility, an official who is obliged to uphold the

Dayton Peace Accords and cooperate with the ICTY, they are particularly irresponsible, and undermine not the institutions devoted to upholding the rule of law, but rather the credibility of the individual himself.

The heads of OHR/EUSR, OSCE and CoE in Bosnia and Herzegovina recall that, while under the European Convention on Human Rights everyone enjoys the freedom of expression, this may be subjected to limitations, notably for “maintaining the authority and impartiality of the judiciary” or for “the protection of the reputation or rights of others”.