

Genocide Denial and Honoring of War Criminals Are Unacceptable in a Democratic Society Based on the Rule of Law



The Offices in Bosnia and Herzegovina of the High Representative/EU Special Representative, Council of Europe, United Nations Resident Coordinator, EUFOR, United Nations High Commissioner for Refugees, NATO Headquarters Sarajevo and the Organization for Security and Cooperation in Europe strongly condemn recent actions and statements by senior politicians in the Republika Srpska officially glorifying Serb convicted war criminals and denying the fact that genocide took place in Srebrenica in July 1995. That such actions and statements were made immediately before and after the 11 July commemoration of the 15th anniversary of the genocide in Srebrenica, makes them all the more despicable.

We remind the authorities in Republika Srpska that the facts regarding Srebrenica are clear and well-established. The 26 February 2007 verdict of the International Court of Justice (ICJ) in the case of *Bosnia and Herzegovina v. Federal Republic of Yugoslavia* found that genocide occurred in Srebrenica. The International Criminal Tribunal for the former Yugoslavia (ICTY) in successive verdicts starting with Radislav Krstic and most recently in the 10 June verdicts against Ljubisa Beara and Vujadin Popovic, also established individual criminal liability for perpetrators of genocide in

Srebrenica.

We 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. A public official who denies genocide in full knowledge of these court decisions not only insults the memory of those who were murdered, but also actively undermines the rule of law. Publicly awarding those who conceived, directed or facilitated genocide also undermines the authority of the judiciary.

We believe that openly confronting and dealing with the crimes of the past is an absolute necessity in order to build a climate for reconciliation and to ensure full accountability of individuals through the criminal justice system. Denial of the past and fabrication of a distorted historical narrative, on the other hand, only weakens the credibility of those who deny judicially established historical facts. In this regard, the authorities in Republika Srpska would be well advised to follow the recent positive examples set by leaders of Croatia and Serbia.