

High Representative Valentin Inzko introduced today amendment to the BH Criminal Code



Forgiveness and reconciliation are most important

High Representative Valentin Inzko introduced amendments to the Criminal Code of Bosnia-Herzegovina today, sanctioning the glorification of war criminals convicted by final and binding judgments and the denial of genocide, crimes against humanity and war crimes.

The amendments to the BiH Criminal Code aim to address the inadequacy of the currently applicable legal framework of Bosnia and Herzegovina, which does not offer an adequate response to the issue of hate speech manifested through the denial of the crimes of genocide, crimes against humanity and war crimes, even when those crimes have already been adjudicated with final and binding judgments reached by a number of domestic and international courts.

The High Representative believes that “the lack of acknowledgment, accountability and redress for victims of mass atrocities and systematic abuses has devastating effects on society. Hate speech, the glorification of war criminals, and revisionism or outright denial of genocide and war crimes prevent societies from dealing with their collective past

constitute renewed humiliation of the victims and their loved ones, while also perpetuating injustice and undermining interethnic relationships. All of this causes frustrations, makes the society chronically ill, and prevents the emergence of desperately needed reconciliation. Of course, all this prevents the building of a peaceful and prosperous future for Bosnia and Herzegovina."

The High Representative also recalls the fact that:

"The citizens of Bosnia and Herzegovina have waited many years for their elected representatives to legislate this very serious issue. However, every effort to do so was blocked! During that time, the situation has gotten worse, and is now getting out of hand! By advancing various conspiracy theories, some political leaders are openly praising the finally convicted war criminals, denying that the Srebrenica genocide ever took place, while some ordinary citizens are following their cues and narratives.

I have long hoped for humanity and common sense to prevail, but, regretfully, we are witnessing an escalation of glorification of war criminals, the challenging of the final and binding judgments reached by the Criminal Court established by the United Nations. Apart from the fact that such behaviour constitutes a mockery of the rule of law, I am deeply convinced that it is also sowing the seeds for potential new conflicts. Therefore, I believe that it is now necessary to regulate this matter with legal solutions."

The High Representative has felt the need to emphasize that his interventions in the criminal legislation have nothing to do with collective guilt, but instead they deal with individual responsibility, explaining that he would like to reject in advance any potential manipulations which might claim that these legislative amendments are directed against one of the three peoples. Bosniacs, Croats and Serbs are good people.

„There are no bad nations. These are legislative amendments aimed at relaxing and relieving all peoples and citizens of BiH. Individuals convicted of such serious crimes should not be praised, should not have public spaces dedicated in their names or murals painted in their honour, regardless of for whom or against whom they fought. Recognizing the guilt of individuals allows people to unburden themselves from the weight of the past, and move on towards a more promising future. Young people born after the war have been robbed of a better future on a daily basis at the expense of the bloody past. Everyone becomes a victim of the verbal warfare over the interpretation of the past war, and this has to stop now! It is important to understand that without truth there is no justice, and without justice there is no much needed reconciliation.”

Finally, the High Representative explains why, at the end of his term, he has reached for the Bonn powers to amend the BiH criminal legislation.

“My conscience dictates that I have no right to end my term while the convicted war criminals are being glorified. I have no right to leave such a situation to the tormented citizens of this beautiful country and to my successor. I have no right to ignore the verdicts of the Hague Tribunal, which was established by the UN Security Council, and I am responsible for the civilian implementation of the peace process.

Namely, since the final verdict against the architect of evil, Radovan Karadzic, I have been working intensively on the project of dealing with the war past, in order to reach the point where forgiveness would be sought and given through the process of facing the truth. All the way to the point where the entire society would be healed! According to my project, Srebrenica, which is already globally known for genocide, should be globally known for forgiveness too. I found the inspiration for this idea in mother Hatidža Mehmedović, who lost all close members of her family in the Srebrenica

genocide, both sons, husband, and 34 other family members, but she was ready to extend, and extended, her hand of forgiveness.

Regretfully, when, earlier this year, I requested the Republika Srpska National Assembly to withdraw the decorations awarded to three convicted war criminals, the RSNA delegates refused to do so by a majority vote, while confirming the correctness of the decision they made earlier. Almost all chances that I offered to the domestic authorities to distance themselves from war criminals were ultimately rejected. Therefore, as a moral obligation towards the citizens who suffered the horrors of the war, as well as a debt to the young people in this country who were born after the war, I have decided to use the Bonn powers and intervene in the criminal law, to the effect that no glorification of war criminals and no revision of historical facts will in future be possible with impunity. And this country is indeed entitled to enjoy the universal values of civilization."