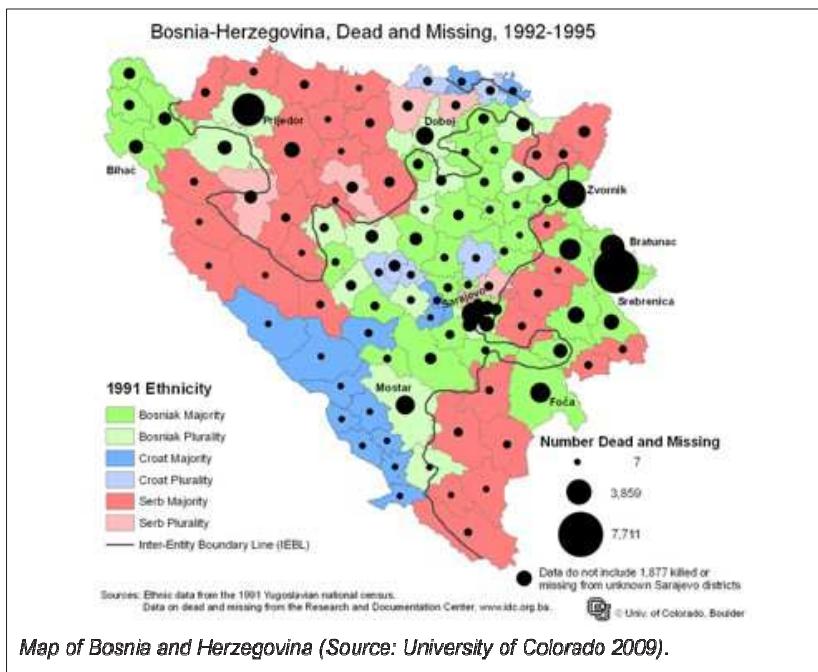




# PROJECT FACTSHEET

Bosnia and Herzegovina March 2017

## SUPPORT TO BIH IN DEALING WITH THE PAST



### CONTEXT AND CHALLENGES

Switzerland's engagement in the Western Balkans, a priority region of Swiss foreign policy, dates back to the mid-1990s. Since 2001, the Human Security Division (HSD) is active in the region with its peace policy programme.

HSD's current regional programme derives from the HSD Western Balkans Strategy 2014–2017, which has a geographic focus on Kosovo, Bosnia and Herzegovina (BiH) and Serbia and contains four strategic objectives: 1) strengthening of democratic institutions, 2) enhancement of political dialogue, 3) strengthening of regional and national ownership of dealing with the past, and 4) humanitarian demining.

Bosnia and Herzegovina is still marked by tensions between the three main ethnic groups (Bosniaks, Serbs and Croats). These tensions are further increased by the complex state structure, which is based on the provisions of the Dayton Peace Agreement (DPA) of 1995. The DPA established a political system along ethnic lines, which gives ethnic parties and their

leaders the possibility for widespread blockages. Thus, the structure of the state exacerbates tensions among ethnic groups rather than resolving them. Furthermore, many wounds caused by the war still remain open. The fate of about 7000 people, missing since the war, is still unknown. About 84'500 people have not yet returned to their homes and more than 7'000 are living in collective accommodation centres.

Moreover, 2.3% of the territory is still contaminated by mines and demining activities progress only slowly.

### ROLE OF THE HSD AND FINANCIAL RESOURCES 2014-2017

In the Western Balkans, the HSD engages as a direct actor and supports projects and peace-building activities by state and non-state actors as well as by multilateral organisations.

In 2016, the Swiss contribution to its human security programme in the Western Balkans amounted to 2.4 million Swiss Francs, covering some 30 projects. One Human Security Adviser in Pristina and three National Programme Officers (in Pristina, Sarajevo and Belgrade) support the implementation of the HSD programme. In BiH, Switzerland's contribution to peace policy activities amounted to about 800'000 Swiss Francs in 2016.

### ACTIVITIES

The inability to address the legacy of the past has negative medium- to long-term effects on a society. It not only affects confidence-building between ethnicities, but also hinders effective conflict transformation thus undermining stability in the Western Balkans. In view of the challenges that BiH faces in this regard, the HSD's main focus of the programme in BiH is on dealing with the past (DwP). Dealing with the Past:

Switzerland supports projects in both the judicial and non-judicial spheres and is, along with the Netherlands, Great Britain, Norway and Sweden, a leading donor in this field. In addition to financial contributions, the HSD provides technical advice, support to processes and accompanies its partners in their activities.



The main focus lies on assistance to local judiciary in processing war crimes, including capacity building of the judiciary and police staff, witness support (logistical and psychological support in cooperation with local and international NGOs), as well as objective reporting from war crimes trials.

In 2008, the Government adopted the National War Crimes Strategy. Current estimates indicate that BiH still has some 1'000 cases involving up to 6'000 suspects in its backlog of war crime cases. The Court of BiH deferred over 400 war crime cases to cantonal and district courts and prosecutors' offices in 2009-2015. To support the processing of these cases, the HSD is focusing on different aspects:

- In cooperation with the OSCE, the HSD supports the training needs of prosecutors and judges for fair and efficient processing of war crimes cases.
- Bosnia and Herzegovina still lacks structures that can financially, logistically and psychologically support witnesses throughout the proceedings, in particular the most vulnerable ones. The HSD supports the Association of Prijedor women "Izvor", which provides short-term psychological support and logistical assistance (i.e. transportation to courthouse) to witnesses and victims of war crimes committed in the north-west of BiH. Furthermore, it ensures greater transparency of the work of judicial institutions in war crime cases by disseminating information concerning the war crimes trials, and brings the courts' work closer to people in remote communities, where numerous war crimes were committed.

- Despite significant progress in tackling the large backlog of war crimes cases in BiH, impunity remains present. In order to reduce the culture of impunity for war crimes and to enhance the protection of victims' rights to justice and reparations, the HSD supports the NGO TRIAL, which supports victims of war related sexual violence with free legal aid and advocates with relevant State institutions for an enhanced protection of victims' rights.
- Since 2007, the HSD supports the NGO Balkan Investigative Reporting Network (BIRN), which monitors war crimes trials and testimonies in front of the state court and local courts and widely disseminates information about the fragile process of transitional justice through TV and radio shows.
- After the war of the 1990s, almost 40'000 persons were missing. Up until now, an estimated 7'000 persons still remain unaccounted for in BiH. From the area around Prijedor (Krajina region, Northern BiH), approximately 750 persons remain missing in relation with the events of 1992. The HSD supports the International Commission on Missing Persons (ICMP), which examines and identifies the excavated remains from various grave sites. The work undertaken in the frame of this project also provides further evidence for the prosecution of war crimes cases at the ICTY and the State Court of BiH.

#### Humanitarian demining:

The war in BiH has left behind a grim legacy of mines and other explosive remnants of war (ERW). The estimated size of suspected areas contaminated by mines and ERW is 1.145 km<sup>2</sup> or 2.3% of the total land surface area. Demining contributes directly to the prevention of accidents and fatalities while guaranteeing an access to and use of agricultural land. Thus, freedom of movement can be better ensured, economic development is promoted and the general quality of life of the population is significantly improved. In addition, mine clearance also contributes to DWP to the extent that clear minefields allow for the search for missing persons.

- The HSD has for many years supported the demining activities of the NGO Norwegian People's Aid (NPA) in the Bosanska Posavina and Canton Sarajevo regions, thus creating better conditions for safe and sustainable return.

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