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## **Bosnia-Herzegovina : Foca verdict - rape and sexual enslavement are crimes against humanity**

*Today's verdict by the International Criminal Tribunal for the former Yugoslavia that rape and sexual enslavement are crimes against humanity, challenges widespread acceptance that the torture of women is an intrinsic part of war, Amnesty International said today welcoming the landmark decision.*

*"This verdict is a significant step for women's human rights - sexual enslavement in armed conflict is now legally acknowledged as a crime against humanity and perpetrators can and must be held to account," the organization said.*

*Three Bosnian Serb men were found guilty of rape of Bosniac (Bosnian Muslim) women and girls - some as young as 12 and 15 years of age, in Foca, eastern Bosnia-Herzegovina, classified as a crime against humanity and a war crime. Two of the accused were also found guilty of sexual enslavement as a crime against humanity by holding women and girls captive in a number of *de facto* detention centres in and around Foca. Many victims subsequently "disappeared".*

*"The Foca verdict also recognizes that the sexual violence suffered by these women formed part of a widespread and systematic attack against a civilian population."*

*Zoran Vukovic, Radomir Kovac and Dragoljub Kunarac, who had been jointly accused on 33 counts of war crimes and crimes against humanity, were convicted and sentenced to respectively 12, 20 and 28 years' imprisonment. Dragoljub Kunarac, the commander of a*

reconnaissance unit in the Bosnian Serb Army, was found guilty both on the basis of individual and command responsibility.

The indictment in the Foca case originally included eight suspects, of whom so far only three have been brought to justice. Amnesty International is again appealing to the Stabilization Forces (SFOR) and the local governments in Bosnia-Herzegovina and the government of the Federal Republic of Yugoslavia to arrest and transfer those suspects indicted for such crimes against humanity to the custody of the Tribunal.

### *Background*

The Foca trial, which opened in March 2000, focused entirely on sexual crimes against women and heard the testimonies of 25 victims. Their identity was not revealed in order to protect them from retribution. All of them testified that they had suffered severe physical and psychological trauma as a result of the sexual abuse they had undergone.

Three remaining suspects named in the indictment remain at liberty. Two others, Dragan Gagovic (the war-time police commander of Foca) and Janko Janjic were killed during attempts to arrest them by SFOR in 1999 and 2000.

Amnesty International - currently engaged in its third world-wide campaign against torture - has consistently held that rape of women in custody by officials, or de facto officials, constitutes torture.

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