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Still no justice for women survivors of wartime rape in Bosnia and Herzegovina

(Sarajevo) It is time the government of Bosnia and Herzegovina enacted its 2010 commitment to ensure justice, truth and reparation for hundreds of survivors of wartime sexual violence, Amnesty International said in a briefing published today.

“Nearly two decades after the end of the war, hundreds of women continue to live with the effects of rape and other forms of torture, without proper access to the medical, psychological and financial assistance they need to rebuild their shattered lives. Meanwhile, most of the perpetrators go unpunished,” said Jezerca Tigani, Europe and Central Asia Deputy Programme Director.

Amnesty International’s briefing, [*Old Crimes, Same Suffering: No justice for survivors of wartime rape in north-east Bosnia and Herzegovina*](#), focuses on the current situation of the women survivors of wartime rape living in Tuzla Canton in the north-eastern part of the country which illustrates the problems survivors face in accessing their rights at local level.

During the 1992-1995 war, Tuzla was considered a “safe haven”, where thousands of victims of crimes of sexual violence committed by the Serbian armed forces fled. Many remained there after the conflict as they were unable or unwilling to return to their homes in the now Serb-dominated Republika Srpska.

Only two years ago, following years of extensive pressure by local and international civil society groups, including Amnesty International, the government of Bosnia and Herzegovina finally committed itself to ensuring survivors’ rights by undertaking to develop a “National programme for women victims of sexual violence in conflict and beyond”, but due to continuing political deadlock at state level the Programme has still not been finalised and adopted.

“The new government, formed at the end of 2011, has still to show its willingness to adopt and implement the commitments made by its predecessor. This is an urgent priority,” Jezerca Tigani said.

“High-level politicians, especially those in Republika Srpska, must acknowledge the fact that crimes of sexual violence were committed on a massive scale during the war.”

Numerous crimes under international law, such as rape and other forms of torture, sexual slavery, enforced disappearance and arbitrary detention were committed during the war in Bosnia and Herzegovina.

Survivors living in Tuzla told Amnesty International of the serious physical and psychological problems they continue to suffer, including post-traumatic stress disorder, anxiety, sexually transmitted diseases, diabetes, hypertension and insomnia. Very few have health insurance adequate to address their specific medical conditions, which limits their access to the health services they desperately need, and most are unable to pay for all the medication they require.

None of the direct perpetrators of the crimes against the survivors interviewed during the research has been brought to justice. Out of tens of thousands of documented cases of crimes of sexual violence committed during the war, fewer than 40 have been prosecuted by the International Criminal Tribunal for the former Yugoslavia in The Hague or by Bosnian domestic courts.

The briefing highlights the fact that the complex, multi-layered and under-resourced Bosnian judicial system obstructs the progress of criminal trials, denying survivors their right to justice.

“Lack of resources and expertise in local social welfare and health institutions has led to serious gaps and inconsistencies in the way in which they deliver essential rehabilitation services to survivors of wartime sexual violence, with the effect of denying the women their right to rehabilitation - an essential part of reparation to which they are entitled,” Tigani said.

“Survivors’ rights must be a priority for the central and local authorities. Local institutions need resources and guidance from central government to provide direct assistance to the women. So far, survivors have had to rely on the psycho-social and medical assistance from women non-government organisations in Tuzla, whose commitment to delivering excellent and highly specialised care to these women in the face of great challenges is remarkable.”

“It took more than a decade for the Bosnian authorities to acknowledge their international obligations to wartime rape survivors. How long will it take them to overcome political deadlock and disagreement over the division of competencies between the state and local government to implement their commitments? How much longer will the thousands of women survivors be told they must wait for their rights to justice, truth and reparation.”

Testimonies

I did survive. But only I know how. It’s very hard to live, but I have to live and I am doing my best. Everything I do is for my children, so they will have a better life, so they won’t suffer. But we have to fight for our rights. We can’t wait for someone to help us. That’s just how it is. (I., Tuzla)

I remember everything and I wish I didn’t. I remember the torture. They beat me until I couldn’t get up. They would come and take me on my own and I would [left alone with the man] in a room. I was [detained] for three months. I had no idea where my children were. I dream every night about what happened. Even with those pills I have those dreams. I returned to my son’s house. I live with him, his wife and their five-year old daughter. We can barely survive on my pension. My son and his wife have no income or possibility to find a job here. I have no health insurance here, so I travel 100 km to Tuzla to see a doctor and attend therapy at Vive Zene. (M, returned to Zvornik in Republika Srpska from Tuzla, where she was an IDP since 2003, several years ago).

L lived in the village near Zvornik in northeastern Bosnia and Herzegovina. She was pregnant and had a one year old son when the war began. Her husband was in Croatia working at the time. When the village was occupied by Serb paramilitaries she escaped and hid in the woods for almost a year with other villagers from the area. However, in January 1993 they started walking towards Tuzla in search of food and shelter. L and her son became separated from the group and she collapsed with exhaustion. She woke up in a hospital in Zvornik surrounded by Serb soldiers. She was told that her son was dead. L was also 8-months pregnant at the time. She told Amnesty International that the soldiers in the hospital tortured her and, as a result of severe beatings, she lost the baby. Later, she was held in secret detention in three separate camps in Zvornik and near Bijeljina, where she was raped repeatedly. She was finally freed as part of an exchange of prisoners. She went to Tuzla, where she was later reunited with her husband. She had two children after the war. As a result of her wartime experiences she has many chronic physical and mental health problems, but continues to be the main carer for her children, husband and parents-in-law.