



UNITED NATIONS

International Residual Mechanism for Criminal Tribunals

*The International Residual Mechanism for Criminal Tribunals ("Mechanism") was established on 22 December 2010 by the United Nations Security Council to continue the jurisdiction, rights, obligations and essential functions of the International Criminal Tribunal for Rwanda ("ICTR") and the International Criminal Tribunal for the former Yugoslavia ("ICTY") which closed in 2015 and 2017, respectively*

# STATEMENT

PRESIDENT

*(Exclusively for the use of the media. Not an official document)*

The Hague, 30 May 2024

## **Judge Graciela Gatti Santana, IRMCT President Remarks at International Conference on the Detention Camps in Bosnia and Herzegovina Thursday, 30 May 2024**

**Excellencies,  
Esteemed survivors,  
Ladies and gentlemen,**

As President of the International Residual Mechanism for Criminal Tribunals (Mechanism), the successor institution to the International Criminal Tribunal for the former Yugoslavia (ICTY) and also the International Criminal Tribunal for Rwanda (ICTR), I am deeply honoured to address this important conference on the detention camps in Bosnia and Herzegovina, and I extend my sincere gratitude to the organisers for their invitation.

I understand that this is the first conference to be entirely dedicated to the subject of detention camps in Bosnia and Herzegovina, making it a truly significant event. I am eagerly anticipating the different perspectives and insights that will be offered by speakers from a variety of disciplines, and those most directly affected: the survivors of crimes committed in the detention camps. I am confident that our discussions will be meaningful and foster many enriching exchanges.

It has been 32 years since the world was appalled by the discovery of the detention camps in Prijedor, a dark chapter in the history of the conflict in Bosnia and Herzegovina. The shocking images of emaciated detainees spread rapidly, sparking global outrage, and together with reports of other crimes, they compelled the United Nations Security Council to act. Less than a year later, in May 1993, the Council established the ICTY, the first international criminal tribunal since the Second World War, mandated with prosecuting those responsible for war crimes, crimes against humanity, and genocide committed during the 1990s conflicts in the former Yugoslavia.

Over its more than 24 years of existence, the ICTY uncovered the harrowing truth of the atrocities perpetrated in the former Yugoslavia, including in the Prijedor municipality and its notorious detention camps. The ICTY determined that Serb forces seized control of Prijedor in April 1992, and subsequently transported non-Serb individuals to detention camps at the end of May, exactly 32 years ago. Additionally, non-Serb residents from surrounding villages were similarly relocated to these camps, while those who remained outside faced harassment and physical abuse. The non-Serb population of



the municipality was compelled to wear white armbands as a means of identification, which over time have evolved into a poignant symbol of the suffering endured in Prijedor.

Extensive evidence presented before the ICTY demonstrated that, within the confines of the Prijedor camps, detainees were subjected to unspeakable horrors, including beatings, rape, sexual assaults, torture and executions, as well as harassment, humiliation, and psychological abuse. In addition, the evidence showed that the Omarska, Keraterm, and Trnopolje camps, among others, were part of a broader ethnic cleansing plan, targeting Bosnian Muslim and Bosnian Croat civilians. The ICTY concluded that the creation of these camps was a result of an intentional discrimination against the non-Serb population. It also found that the camps functioned as part of joint criminal enterprises, involving coordinated efforts among camp personnel, military officials, and political leaders, which collectively contributed to the overarching joint criminal enterprise aimed at forcibly removing the non-Serb population from the municipality of Prijedor.

More than 40 individuals, representing over one quarter of all ICTY indictees, were charged for their involvement in crimes committed within the Prijedor municipality, including those perpetrated in its detention camps. Ultimately, the ICTY and the Mechanism convicted 17 individuals for crimes linked to the Prijedor municipality. Among those convicted of crimes specifically related to detention camps were high-level officials such as Milomir Stakić, President of the Prijedor Municipality Crisis Staff; individuals involved in the camps' operations, including Mlađo Radić, Duško Sikirica, and Predrag Banović; and direct perpetrators like Zoran Žigić and Duško Tadić, among others. These convictions underscored the systematic nature of the atrocities committed against Bosnian Muslim and Bosnian Croat detainees.

At the same time, and especially given the subject matter of this conference, it is important to acknowledge that people of different ethnicities were victims of atrocities in detention camps across Bosnia and Herzegovina. In the case against Zdravko Mucić and others, for example, the ICTY prosecuted a range of egregious crimes committed by Bosnian Muslim and Bosnian Croat forces against Bosnian Serb detainees in the Čelebići camp, including unlawful detention, torture and killings, and it convicted three of the accused. This example serves as a reminder of the suffering endured by people on all sides of a conflict. Moreover, such proceedings further exemplify the ICTY's commitment to impartial and independent justice, and its dedication to ensuring accountability, regardless of the ethnicity of the perpetrators and the victims.

Turning to the impact of such cases on the advancement of international criminal law, it is worth noting that the ICTY delivered groundbreaking rulings in these proceedings. Indeed, in cases concerning the Prijedor detention camps, the ICTY significantly clarified the scope of war crimes and crimes against humanity. Among other contributions, it explicitly confirmed that rape and other forms of sexual violence could amount to torture, punishable as both a war crime and a crime against humanity. Additionally, the ICTY established that the crime of persecution extends beyond physical violence to include harassment, humiliation, and psychological abuse. These interpretations highlighted the comprehensive nature of war crimes and crimes against humanity, and the multi-faceted impact of crimes committed against detainees. Furthermore, they paved the way for a more robust adjudication of such crimes worldwide.

**Excellencies, Esteemed survivors, Ladies and gentlemen,**



The scars of the grim reality faced in the Prijedor detention camps and other locations in Bosnia and Herzegovina remind us of the critical need for justice and accountability in preventing such horrors from happening again. In this respect, it is imperative that the indisputable judicial findings made by the ICTY be accepted, protected, and promoted. Denial, revisionism, and the glorification of convicted war criminals only serve to perpetuate the cycle of injustice and hinder the healing process for survivors, their families, and the affected communities. By contrast, coming to terms with the past and facing the truth openly is essential for fostering reconciliation. It is through this acknowledgement and collective commitment to justice that communities can truly move forward towards a better future.

In this context, one of my key priorities is to further strengthen and consolidate the legacy of the ICTY and the Mechanism, as well as the ICTR. Indeed, the Mechanism is dedicated to promoting and preserving the crucial work done by all three institutions in holding accountable those responsible for crimes committed during the relevant conflicts, and thereby ensuring that the voices of victims and witnesses are remembered. Making the judgements and other public judicial records accessible to a large audience, including through information centres such as the one housed in the Sarajevo City Hall, is fundamental. These efforts promote a better understanding of the events that took place, support education, and contribute to the long-term goals of peace and reconciliation.

It is also important to recognise the role played by national jurisdictions in the pursuit of justice. For instance, the Court of Bosnia and Herzegovina has successfully prosecuted individuals responsible for detention camp crimes. The Mechanism actively supports national jurisdictions in adjudicating their own cases, by responding to requests for assistance, and providing testimonial and documentary evidence when certain conditions are met. This collaboration between international and national jurisdictions remains essential in preserving the legacy of justice, ensuring that perpetrators are held to account, and providing victims with the recognition and closure they deserve.

In closing, I salute the extraordinary bravery and determination of the survivors of the detention camps, many of whom stepped forward to testify before the ICTY. Their willingness to confront their trauma, relive their painful experiences, and demand justice serves as a testament to their irrepressible spirit and resilience in the face of unimaginable adversity. Through their testimony, these courageous individuals provided crucial evidence, shed light on the truth, and allowed justice to be delivered. Their contribution has been indispensable.

Let us use this conference as an opportunity to honour all of the victims and survivors by furthering the discourse on detention camps and reaffirming our commitment to upholding accountability for international crimes. Through our shared resolve, let us strive to build a future where the principles of justice, dignity, and human rights prevail.

Thank you sincerely for your attention.

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