

CASE STUDY

TRANSITIONAL JUSTICE TOOLS TO ADDRESS RADICALISM AND VIOLENT EXTREMISM

“Bosnia’s Lack of Transitional Justice Strategy Drives Hateful and Extremist Rhetoric”

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SUMMARY

This case study analyzes the key lessons learned from the approach taken in Bosnia and Herzegovina (BiH) to combating extremism and terrorism since the end of the war in 1995. The paper highlights the shortcomings of transitional justice strategies in the country, which has hindered effective measures to prevent radicalization and combat extremism.

This can be attributed to the fact that the country has been governed, more or less, by the same nationalist political leaders since 1991, which has perpetuated animosity and division. According to a recent study published by the Atlantic Initiative, people between the ages of 18 and 35 are the most extreme in their worldviews.²

BiH’s approach to combating extremism has been largely penal, with a preeminent focus on law enforcement efforts, specifically in addressing Islamic extremism following the rise of ISIS. Meanwhile, very little attention has been given to engaging with youth, fostering social cohesion, and countering the proliferation of hateful rhetoric.

The country has taken a similarly flawed approach to dealing with the past, relying excessively on criminal prosecutions for war crimes, crimes against humanity, and genocide. The other three pillars of transitional justice—the right to truth, reparations, and guarantees of nonrecurrence—have been largely ignored. The lack of institutional safeguards against recurrence is especially alarming given the spread of hatred through the educational system and curricula.

The UN Special Rapporteur on Counter-Terrorism and Human Rights, Fionnuala D. Ní Aoláin, stated in January 2023 that “the failure to address the legacy of the past in Bosnia and Herzegovina, including through comprehensive transitional justice measures and substantive rule of law reform in key justice and security institutions, creates conditions that enable the rise of violent extremism.”³ Ní Aoláin emphasized that in facilitating the growth of virulent nationalism, these failures “undermine the good work being done at local levels to transcend antagonistic politics.”

Multiple reports indicate that extremism poses a significant problem in BiH. With the emergence of ISIS, around 200 citizens left the country to join the terrorist organization.⁴ The wives and children of many of these foreign terrorist fighters are still in Syrian camps awaiting their fates.⁵ The Russian invasions of Ukraine in 2014 and 2022 also saw a significant number of volunteers going to fight alongside pro-Russian forces; police in BiH estimate that some 10 or more volunteers fought in Ukraine.⁶ Moreover, the recent European Union (EU) progress report emphasizes that political parties in BiH are disseminating disinformation and divisive rhetoric,⁷ further deepening societal divisions. According to research done by the Organization for Security and Cooperation in Europe (OSCE) Mission to Bosnia and Herzegovina, which maps hate incidents, OSCE Hate monitor in BiH, there have already been 55 in the first five months of 2023.⁸

CONTEXT OF BOSNIA AND HERZEGOVINA

The 1992-1995 war in BiH resulted in more than 100,000 people killed, including over 7,000 victims of genocide in Srebrenica, and 2 million displaced persons. To date, over 1,000 people have been charged with war crimes, crimes against humanity, and genocide in BiH.

The Global Initiative for Justice, Truth and Reconciliation

In 2014, the International Coalition of Sites of Conscience (ICSC) launched the Global Initiative for Justice, Truth and Reconciliation (GIJTR), a consortium of nine international organizations focused on offering holistic, integrative and multidisciplinary approaches to issues of truth, justice and reconciliation. GIJTR works primarily with local populations, civil society organizations, survivors and governments to develop transitional justice approaches that are victim-centered, collaborative, and support dignity, respect, inclusion, and transparency in societies emerging from conflict or periods of authoritarian rule. Since its founding, GIJTR has engaged 801 local civil society organizations; 78 countries; 43 publications; collection of over 8,000 narratives of human rights violations; and supported 588 civil society organizations dealing with human rights violations.

For more information, please visit gijtr.org.



After the war, the 1995 Dayton Peace Agreement divided the country into two entities: the Federation of Bosnia and Herzegovina (FBiH) and the Republika Srpska (RS). Additionally, the Brčko District obtained the status of a self-governing administrative unit through an arbitration agreement in 1999. The political system established by the Dayton Agreement is highly decentralized, with various layers of legislative, executive, and judicial powers, including two entities, one district, ten cantons in the FBiH, and a total of 141 municipalities in both entities.

BiH is home to three main ethnic groups: Bosniaks, Serbs, and Croats. While the RS is predominantly populated by Serbs, Bosniaks and Croats comprise the majority of the FBiH population. The country also encompasses three main religions, corresponding to ethno-national divisions: Islam (practiced by Bosniaks), Orthodox Christianity (practiced by Serbs), and Catholicism (practiced by Croats).

MAPPING OF THE FORMS, DRIVERS, AND FACTORS CONTRIBUTING TO EXTREMISM AND RADICALIZATION

The EU country report for BiH in 2022 identifies three forms of radicalization and violent extremism: ethno-nationalist, religious, and political.⁹ These forms are interconnected, with extremist narratives and relations between groups. The Extremism Research Forum's report on BiH states that “in the Bosnian context, any analysis of radicalization into violent extremism must acknowledge the process of reciprocal radicalization, wherein mutual forms of extremism feed one another.”¹⁰ All three forms of extremism identified are closely tied to the ethnic and religious divisions within the country.

During interviews conducted for this case study, radicalization in BiH was found to be a fluid process influenced by four main factors: economic, social, political, and ideological-religious.

The transitional postwar period in BiH has never reached an effective conclusion, despite nearly 30 years passing since the war's end. Prior to the breakup of Yugoslavia, BiH was renowned as a positive example of coexistence among three ethnic and religious groups. However, the war and its aftermath left Bosnian society shattered. Even today, there is no consensus on common social values that could serve as a foundation for combating radicalization. Revisionist narratives, denial of war crimes, and the glorification of war criminals further exacerbate this issue. Trust among societies and communities is lacking, as is systematic investment in creating a just, peaceful, and democratic society. Processes to address trauma have not been undertaken, while violations (both physical and verbal) have been normalized and popularized in public discourse, particularly through the glorification of war criminals and denial of war crimes and genocide.

Extremist and radical organizations exploit the absence of positive social values within society by providing individuals with a sense of belonging. These groups have also shifted their narratives in recent years, focusing less on violence and more on protecting traditional values, with the traditional family at the center, as well as promoting humanitarian work.¹¹

NATIONAL AND LOCAL DRIVERS

There are three main local-led drivers of the radicalization and extremism: ideological and religious, psychosocial, and political. Extremist ideologies are prominent within the Salafi community (radical Islam) and the Chetniks (spreading Serbian nationalistic ideas and narratives rooted in ideology from the Second World War). Lower levels of education and the lack of alternative media access in smaller communities contribute to vulnerability toward radicalization. Political rhetoric plays a significant role in creating social distance between different communities within the country and encouraging hate speech. The widespread use of social media and inadequate legislation and enforcement to combat this contribute to the problem. Politicians utilize wartime narratives to maintain divisions within society, fostering an atmosphere of fear and hostility.¹²

REGIONAL DRIVERS

While BiH has historically been influenced by Croatia and Serbia, their influence has become increasingly harmful. Previously, radicalization in BiH could be primarily attributed to local factors, such as the recruitment of individuals from the Salafi community to join ISIS. Over the past ten years, several events in the Western Balkans have shown that extremist and radical groups are engaging in cross-border activities and being influenced by groups in neighboring countries with similar ideologies. For example, massive protests in Montenegro related to religious issues received support from those in the RS, who organized protests in their entity in solidarity with Serbs in Montenegro.¹³ There is also a close connection between pro-Russian¹⁴ organizations operating in BiH and Serbia.¹⁵ Croatian¹⁶ and Serbian¹⁷ politicians play a role in supporting ethnonationalist populist leaders in the RS and parts of the FBiH with majority Croat populations, often denying war crimes, honoring war criminals, and using hateful rhetoric against Bosniaks.

GLOBAL DRIVERS

Local radical groups in BiH are also influenced by international extremist movements. The Night Wolves, Russia's largest motorcycle gang, also known as Putin's Angels, has branches in several cities in the RS, operating under the guise of humanitarian organizations.¹⁸ Additionally,

US right-wing extremist Robert Rundo has actively collaborated with individuals and organizations in BiH.¹⁹ It is worth noting that the genocidal ideology and symbolism embodied by Radovan Karadžić and Ratko Mladić, both convicted of war crimes and genocide in BiH, served as inspiration for Anders Behring Breivik,²⁰ who killed 77 people in Norway in 2011, and Brenton Tarrant,²¹ who murdered 49 people at the Christchurch Mosque in New Zealand. To counteract malign foreign influence, including the spread of such influence by local radical and extremist organizations, BiH has prepared a draft law that proposes prison sentences for individuals aiding harmful foreign influence that undermines the country's sovereignty.²²

AT-RISK COMMUNITIES

In discussing BiH communities at greater risk of radicalization, several main groups can be identified, the most vulnerable of which are youth. Young people are often searching for a sense of belonging, a purpose, and power and are heavily influenced by online content, which is not regulated in BiH. Also susceptible to radicalization are remote rural communities, which are socially marginalized by isolation, limited access to educational options, the lack of alternative narratives, and the absence of nongovernmental activism.

The legacy of conflict and the incomplete transitional justice process provide fertile ground for "revisionism, denialism, polarization, and institutional impasse which are present and take hold in post-conflict settings where conflict drivers remain in place or are exacerbated by the failure to address the conditions conducive to violence."²³

Victimization narratives play a significant role in recruiting individuals from communities with a high number of returnees from foreign battlefields. The lack of effective reintegration support systems for these people increases the risk of terrorism, as many of those who return are believed to remain ideologically radicalized.²⁴ Furthermore, the limited number of social and medical workers in these communities enables the spread of radical ideas among younger generations. In addition to these general at-risk groups, investigations by BIRN BiH over the past five years have identified specific local communities where radical and extremist groups are active.

Prijedor

During the war in BiH, Bosnian Serb forces killed over 3,000 Bosniak Muslims in the vicinity of Prijedor. Non-Serbs were required to display white flags or sheets on their houses and wear a white armband when leaving their homes. BIRN BiH has identified several groups in Prijedor promoting Nazi and white supremacist ideologies. These groups engage in graffiti displaying symbols of Combat 18 and Blood and Honor²⁵ and have come to be affiliated with the local soccer fan club the Alcohol Boys, whose members propagate offensive and hateful messages during competitions and on social

media. This is even more disturbing in light of the fact that one of the leading political parties in the local and RS government has provided funding to two activist organizations, Princip (Principle) and Samopoštovanje (Self-Respect), which spread far-right messages, deny the significance of the White Armband Day,²⁶ and glorify convicted war criminals—all while receiving state funding.²⁷

Srebrenica and Bratunac

Srebrenica is the site of the July 1995 genocide in which over 8,000 Bosniak men and boys were killed by Bosnian Serb forces led by Ratko Mladić and Radovan Karadžić. Both of these leaders, along with 52 others, were convicted to five lifetime sentences and 781 years of imprisonment for the genocide, war crimes, and crimes against humanity in Srebrenica before the International Criminal Tribunal for the former Yugoslavia (ICTY), Bosnian courts, as well as courts in Croatia and Serbia.²⁸ Today, Srebrenica is located within the Serb-dominated entity of the RS, where politicians and the general public actively deny the genocide and strongly oppose the relevant verdicts of the ICTY and Bosnian courts. Local organizations actively deny the genocide and engage in actions that disturb the Bosniak community. For instance, the organization Istočna Alternativa (Eastern Alternative) celebrates Mladić's birthday annually,²⁹ publicly denounces NATO and the EU, and maintains close ties with Russia. According to the Srebrenica Memorial Center's annual report on genocide denial, 693 instances of genocide denial were identified in the public and media space in BiH and neighboring countries in 2021/2022, with 476 cases recorded in the RS.³⁰ Although a law banning the denial of war crimes and genocide was imposed by the High Representative in 2021, BiH has yet to witness its first indictment for this crime.³¹ Attacks against Bosniaks are also common in Srebrenica and Bratunac, adding to the tense situation.

Višegrad

Višegrad is another town in the RS where numerous war crimes were committed against Bosniaks by Bosnian Serb forces.³² Local Serbs make frequent attempts to intimidate the Bosniak population, particularly the returnees who were displaced during the war and have returned to their homes. Several organizations gather multiple times per year for various occasions, such as paying tribute to Draža Mihajlović,³³ a Chetnik leader from World War II, or commemorating the Day of Russian Volunteers,³⁴ who were killed in the Bosnian war. During these events, offensive songs are sung and nationalist symbols are displayed around the city. Following a rally in 2019, three members of the Ravna Gora Movement were indicted for inciting ethnic and religious hatred but were acquitted in 2021.³⁵ The radicalization of youth in Višegrad is facilitated by malign foreign actors, primarily Russia. Russian volunteers who fought in the Bosnian war have been visiting Višegrad for over a decade, and in 2014, some of those associated with these groups have called for people to join pro-Russian forces fighting in Donbas, Ukraine.³⁶

Mostar and Bijeljina

In these two towns in Republika Srpska and Herzegovina region (Federation of BiH), several soccer fan groups are displaying neo-Nazi symbols publicly at soccer matches without being punished, although these symbols are banned by Europe's soccer governing body, UEFA. Fans of the Bosnian Serb soccer club Radnik Bijeljina display the *Totenkopf* symbol (death's head)³⁷ used by the Nazi SS division, while supporters of the Bosnian Croat club, Zrinjski, wear T-shirts of Skinheads Mostar while giving the Nazi salute.³⁸

Brčko

In this administrative unit, two pro-Russian organizations are operating under the guise of humanitarian work. Despite efforts to present them as humanitarians on social media, members of the Sveti Georgije (St. George) group glorify war criminals,³⁹ wear black uniforms⁴⁰ (forbidden by the Law on Peaceful Assembly), and have been charged for violence.⁴¹ Members of the Night Wolves, a bikers' organization associated with Russian President Vladimir Putin, are close to the politicians in Republika Srpska,⁴² while the organization Zavet (Oath) received a financial grant from the Republika Srpska government.⁴³

Sarajevo

The capital of BiH hosts several movements and organizations identified as sources of radicalization. The two most popular are Elvedin Pezic, a Salafist preacher, and Sinan Musa, a former Salafist preacher and leader of the political organization Bosnian People's Party—religion, people, state. Musa is well known for openly targeting members of the LGBTQ community, organizing protests before every Pride event held in Sarajevo. Pezic focuses his preaching about tradition and Islam, including openly and often promoting misogyny.⁴⁴ Pezic was being paid by taxpayers' money for his lectures in local communities⁴⁵ and in the past few years has focused more on spreading his messages over Facebook, where he has over 300,000 followers.

STRENGTHS AND WEAKNESSES OF RESPONSES THAT HAVE BEEN IMPLEMENTED SO FAR, INCLUDING RESPONSES BY STATE INSTITUTIONS AND/OR THE MILITARY AND SECURITY APPARATUS

STRENGTHS

Over the past few years, BiH has adopted several laws and strategies improving the legal and institutional framework to fight radicalization and extremism. For example, in 2014 an amendment to the Criminal Law was adopted that criminalized leaving to foreign battlefields (and later led to the prosecution of the returnees), while at the end of 2022, the 2021-2026 Strategy for Prevention and Countering Terrorism was adopted.⁴⁶ The State also took over the main responsibility to return its citizens from Syria and secured trainings and education for employees in centers for social care and medical centers, focusing on work with returnees, deradicalization, and how communities and individuals face the stigma.

Problems of radicalization and extremism are being recognized as a serious problem in recent years, which is notable because 32 institutions participated in a working group designing the new Strategy. The new Strategy gives substantial focus to prevention activities (two-thirds of the document), recognizes women and the LGBTQ community to be under threat, includes the cooperation of nongovernmental organizations, especially at the local level, and foresees the

formation of local teams to deal with returnees to help them in reintegration and rehabilitation processes.⁴⁷ The Activity Plan also envisages mechanisms of evaluation to be created and to follow implementation of the concrete steps. Governments of the Federation of BiH, Republika Srpska, and Brčko District will also develop their own Action Plans for implementing the Strategy. This shows that the threat of radicalization is recognized at all levels in the country.

WEAKNESSES

The State could not adequately address the rising trend of glorification of war criminals and denial of war crimes and genocide in public discourse, so the High Representative for BiH imposed an amendment to BiH's criminal code "to outlaw the public denial, condoning, trivialization or justification of genocide, crimes against humanity or war crimes when this is done in a way that is likely to incite to violence or hatred"⁴⁸ in 2021.⁴⁹ Although there is a legal framework, Bosnian prosecutors did not raise a single indictment for denying war crimes and genocide⁵⁰ despite numerous reports, finding various excuses such as failing to determine whether denial actually incited hatred and violence. This is the biggest flaw of the adopted amendment, making the prosecutors' job much harder.

Laws, strategies, and action plans are made without assessments of real needs, and many experts state that they are adopted just "to tick the box" and satisfy requests made by EU institutions toward the BiH European integration path.

Being a deeply divided and decentralized state, BiH lacks capacity to address issues of high political sensitivity, by not or only partially acting in some situations, such as dealing with right-wing organizations working under the mask of humanitarian work in Republika Srpska.

THE DEGREE TO WHICH RESPONSES TO DATE HAVE BEEN FRAMED AS TRANSITIONAL JUSTICE

BiH never adopted a transitional justice strategy that could guide the postwar process in developing a democratic society. There is lot of trauma that remained unaddressed and had an influence on all aspects of the everyday life of ordinary citizens. Lack of justice and responsibility, unpunished war crimes, and glorification of perpetrators are in service of political narratives. Politicians were the ones who took over the process of dealing with the past, creating postwar narratives, and using terms such as *collective responsibility* for political manipulation while no one is working on collective healing.

A truth commission was never formed, which left space for historical revisionism. The main focus was always on processing war crimes, but it also presents one of the main omissions—to take court-established facts and translate them into reality. In this sense, they are still on the level of

interpretation in the public narrative, where each of the three sides discusses them in a one-sided manner. Vetting and lustration were never conducted, which resulted in many people who were involved in crimes continuing their politics and agenda within official state and local institutions, thus deepening the divisions and mistrust between communities while also undermining trust in institutions, especially the judiciary.

The State failed to create an educational system that would adequately present court-established facts, leaving it to local authorities to present what happened during the war. Students are learning from different textbooks, and in some communities,⁵¹ there is a system of “two schools under one roof,” where students of different nationalities go to one school but in different shifts and do not mix.⁵²

All the above shortcomings have resulted in the interpretation of today’s radical and extremist activities as incidents rather than as the consequences of 30 years of divisions, hateful narratives, and unprocessed traumas and are a direct product of unfinished transition.

CONCLUSION

Although there are alarming signs of radicalization in society, it is important to emphasize that there are no violent extremist groups in BiH and that the manifestations of radical narratives are still on the level of incidents. BiH is still in the phase when it is necessary to use all available mechanisms and instruments to repress attempts of radicalization and extremism before they escalate into violence.

The focus of the newly adopted Strategy for Prevention and Countering Terrorism is primarily dedicated to the prevention (two-thirds of it), which shows the dedication of the State to develop prevention mechanisms as well as awareness that the threat of radicalization is real and that BiH has to use its valuable experience gained in the postconflict period and implement it in prevention processes when dealing with radicalization and extremism. Dialogue within communities, securing justice and responsibility, institutional reforms, and processing of trauma are transitional justice mechanisms that should be used in communities with a high risk of radicalization. Governments at all levels should provide alternatives to the radical and extremist groups that are recruiting young people and not only give them a sense of belonging and power but also feed their narratives, which were created within the family and in their microsurrounding. BiH has not taken any steps to deal with intergenerational trauma and inherited posttraumatic stress disorder (PTSD) among youth, and there is no collective memorialization—only one-sided interpretations of the events and recognition of “our” victims and sufferings.

Recommendations

BiH should undertake several important steps in the following period to deal with the threats of rising radicalization and extremism:

- Adopt a transitional justice strategy. As many postconflict segments in society remained unresolved and serve as a base for radicalization narratives, it is important to finally adopt the document that will lead to the finalization of the transitional process by finding the missing persons (over 7,000), prevent manipulations about crimes, bring satisfaction to the victims. and move into the future unburdened.
- Work with youth systematically. This involves the educational system, securing out-of-school activities (cinemas, theaters, youth centers) as alternatives to the radical narratives, and processing intergenerational trauma (organizing meetings with members of other entities and religions, meditation and discussing problems).
- Work on redefining values in the communities. There is no systematic approach to the lack of positive values widely approved and adopted by society. This is where civil society organizations can be supported by the state and local institutions and build cooperation to provide alternatives and activities in communities that are under risk of radicalization.
- Increasingly prosecute perpetrators of attacks and threats that returnees are facing in local communities. The State should inform citizens about the prosecutions of people who spread hatred, make threats, and physically attack. Inadequate responses in dealing with this problem are leading to the high risk of revenge within communities with an already high number of people suffering from PTSD.
- Work on building trust between people. Fight against sources of radicalization by primarily focusing on common interests and wishes to rebuild trust and then later to start discussions about the past and to work on reconciliation.
- Rebuild trust in institutions. By processing war crimes, as well as genocide denial and hate speech, Bosnian institutions will gain the trust of the citizens and be more cooperative for the initiatives coming from the governments related to the prevention processes in dealing with radicalization and extremism.
- Create better monitoring and evaluation system, especially regarding activity plans (development still in process) for the Strategy for Prevention and Countering Terrorism, securing that action plans are being adequately and efficiently implemented.
- BiH should fulfill commitments within the 14 key priorities,⁵³ which were set by the European Commission in May 2019 and remain on its European path, taking all necessary steps to join the EU.

Endnotes

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- 29 *Nationalism Festers in Srebrenica, 25 Years after Genocide*, available at: <https://detektor.ba/2020/07/08/nationalism-festers-in-srebrenica-25-years-after-genocide/?lang=en>, (last accessed July 24, 2023).
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