

'The Law Comes First': The Dynamics of Victims' Redress in Bosnia and Herzegovina¹

Jessie Barton Hronešová

University of North Carolina – Chapel Hill and Ca' Foscari University

Abstract

What explains the existing varieties in victim-centric state policies of redress in postwar Bosnia and Herzegovina (BiH)? Rather than analysing BiH as a special case of a divided ethno-national state, this article studies domestic victimhood politics as a phenomenon with wider comparative applications for postconflict contexts. Redress as a set of policies that legally recognize victims/survivors of wartime atrocities and provide them with in-kind and financial support has increasingly entered the demands of victims/survivors in BiH. Many have sought to expand their rights by new legal frameworks at the state and subnational level. However, only some have succeeded (or partially succeeded) with their demands. Why? Using fieldwork data and relying on literatures in transitional justice and peacebuilding, I argue that the differences go beyond ethno-national divisions and identity politics and are explained by how victims/survivors utilize their victim capital that combines mobilization resources, moral authority and international salience.

Introduction

In 2004, the Bosnian state recognized bereaved families of people who had gone missing in the 1992-5 Bosnian war as a distinct legal victim category and granted them various socioeconomic rights. The adoption of the Law on Missing Persons² marked a milestone, and to this day remains the first and only state-level victim law in Bosnia and Herzegovina (BiH). At the subnational (entity) level too, some headway was made over the last two decades in caring for individuals disproportionately affected by the wartime atrocities and providing them with official support. In 2006, the subnational Bosniak-Croat entity (Federation of BiH or FBiH) recognized survivors of wartime sexual violence as war victims (locally referred to as *žrtve rata*) with the right for monthly compensation, an unprecedented change in the post-Yugoslav context at the time. In 2018, the Serb-dominated Republika Srpska (RS) legally defined former camp detainees as ‘victims of torture’ and stipulated their rights for regular payments. These developments exemplify the complex and multilevel policy approach to victims/survivors³ in BiH that has been widely criticized by human-rights organizations (cf. De Vlaming and Clark 2014). While some Bosnian victims/survivors have been granted redress through state legislation, others remain unrecognized. Forming a very heterogenous group, Bosnian victims/survivors have struggled to navigate the domestic labyrinthine medley of redress mechanisms (cf. Hronešová 2016), often drawing on other state legislation, such as veteran policies (cf. Klepal 2018).

How can we explain these varieties in victim-centric state policies of redress in postwar Bosnia and Herzegovina? None of the existing conceptual explanations provides full answers. Given the diversity of the regulations in BiH and the time-lapse since the 1992-5 war, scholarship highlighting peacebuilding objectives, justice priorities and developmental considerations fail to capture the variety of redress scenarios in Bosnia. Divisions between and within the two subnational (entity) governments (RS and FBiH) and the District of Brčko⁴, and their

particularistic political concerns that have dominated the literature on BiH do not account for the adoption of the 2004 law at the state level. Similarly, proximity to influential international advocates comes short of explaining how a group that has poor international networks gained recognition in RS. Instead, as I argue in this article, the full range of redress policies adopted in BiH can be explained by a political analysis of the quality and leveraging of what I call ‘victim capital’ that includes three inter-related facets of victims’ agency, participation and resonance: ‘moral authority’, ‘international salience’ and ‘mobilization resources’. Situated within the growing literature of ‘victimhood politics’ (Druliolle and Brett 2018) that has a special relevance in the former Yugoslavia due to the number of difficult conflict legacies, this article traces how Bosnian victims/survivors leveraged and utilized victim capital to achieve what I call redress, that is a victim-centric state-sponsored policy of socioeconomic support and legal recognition.

Using empirical data collected in BiH and relying on literatures in transitional justice and peacebuilding, I present a framework that explains the complex redress adoptions.⁵ I argue that, in order to understand redress outcomes in BiH, we must analyse how and when victims/survivors leverage and augment their moral authority, mobilization resources and international salience. Those who align their victim capital to the priorities and preferences of key decisionmakers (both domestic and international) are more successful with their demands. First, those who leverage their moral authority to be seen as ‘deserving’ have higher chances of entering policy agendas. Second, when they also leverage the salience of their plight with international actors, which are important peace stakeholders, domestic authorities have more incentives to take their demands seriously. Third, domestic decisionmakers can hardly ignore demands of groups that effectively mobilize through campaigns or protests. At times when local politics is directly answerable to external actors as has been the case in BiH with varied intensity, leveraging salience of victims’ demands with peacebuilders may yield best results. Conversely,

when victims' issues enter political agendas, victims/survivors can adjust their actions and strategies to exert pressure on domestic authorities to shame and propel them into action.

This article makes two main contributions to our understanding of postwar BiH. First, by analysing victims/survivors as both social and political actors, it adds the important political aspect to the transitional justice literature on the country, speaking to an impressive body of existing works (Helms 2013; Nettelfield and Wagner 2013; Delpla 2014; Clark 2017; Lai 2020). Second, by providing empirical data on the complex redress field in BiH, it maps out the key state-offered victim-centric provisions in the country outside of courts. Moreover, the article also presents a new conceptual framework in order to encourage comparative work on the politics of victims' agency. It must be noted that I am unable to discuss the full empirical variation of the victimhood field in BiH. However, my aim here is to illustrate my arguments by analysing some of the most prominent victim groups.

In order to do so, I first provide a brief background about the research conducted in BiH and the methodology. Second, I reflect on existing conceptualizations of redress and its adoption. I show how redress has become prioritized by the most visible organized victim groups after 1995. Third, I lay out the proposed framework and introduce its central concept, 'victim capital' with its three constituent parts. I then present evidence from the ground about how victims/survivors organize and demand what they consider their right in a protracted postconflict setting before analysing how the studied victim groups went about demanding redress. I show that even in a country that has been exposed to high levels of international involvement victims/survivors have shaped both the extent and the content of the adopted redress policies. In the final section, I offer some reflections on the dangers of politics of victimhood and the comparative potential of this article.

On Methodology: Researching War Victims in BiH

Given the focus of this article on sensitive and complex issues of victimhood, my main methodological approach relies on fieldwork-driven qualitative methods and analysis. Specifically, this article is based on a field research conducted in BiH between 2014 and 2019.⁶ Informed by theories of transitional justice, I approached redress and its attainment as the main puzzle but used the observed and collected data in Bosnia to understand how redress was adopted after 1995. I specifically looked at periods prior to legal adoptions of redress legal amendments to glean which groups were involved in the policy discussions. I process-traced redress policies of several victim groups and used additional material to understand how and when policymakers adopted legal changes. The conceptual propositions are thus designed as a within-case comparative research that studies how certain groups achieve redress and why others fail. While there is a large volume of works on international transitional justice in BiH, there is a surprising paucity of data on local efforts for victim-centric state-sponsored legislation administered outside of the domestic and international courts. This is why my primary data-collection method consisted of fieldwork that included interviews with key stakeholders involved in legal amendments to victim policies and victim groups and participant observation. It should be stressed that even obtaining statistics and registries of victims was difficult as data on victims have become a key point of contention in the growing political polarization in BiH when each group tries to inflate its own victimhood during the war (cf. Mujkić 2015). Therefore, I combined both official statistics provided by the Bosnian authorities as well as media reports, international documents and interview data.

During the fieldwork, with trips lasting from two weeks to three months, I conducted a total of 120 semi-structured interviews with victims/survivors, policymakers, international representatives, human-rights advocates, and civil society workers in different urban and rural locations. These locations consisted of the capital Sarajevo, other urban centres in the Federation

such as Mostar and Tuzla, as well as across Republika Srpska. I have also spent significant amounts of time in areas affected by intense violence in the Krajina region (e.g. Kozarac, Prijedor), eastern Bosnia (e.g., Kalesija, Tuzla, Srebrenica) and in Bihać in the northeast. In all these areas, victimhood and war suffering are present both in daily discussions as well as in news reporting. My interest thus did not strike anyone as odd. Using NGO directories of victim organizations in BiH and policy documents on victim-centric legislation that is partially available online and that I partially obtained from ministries (e.g., Human Rights and Refugees and veteran entity ministries), I identified informants with specific knowledge and expertise. I also relied on their referrals to others directly involved in the relevant victim-centric policymaking. I do not directly cite from all of the interviews here, but my analysis is built on the assembled knowledge from these interviews and fieldwork observations.

Especially in the case of victim groups, interview data was often tainted with one-sided narratives and ethno-national prisms, which I had to take into consideration. Therefore, to corroborate interview data, I further relied on local news collected from a Bosnian media database (*Infobiro*) at the Media Centre, NGO reports (mainly about human rights issues) and official documents provided by victim associations. In total, I analysed 420 media articles in two Bosnian main newspapers (*Oslobodjenje* and *Dnevni Avaz*) on the topic of reparation, compensation, redress and victim-centric policies from 1992 to 2019 and further 100 articles from online news portals such as *Radio Free Europe* and *Balkan Insight*. I also assembled over 250 policy reports by local and international organizations on Bosnian transitional justice, human rights, and war victims.

Analytically, I first triangulated the data to understand each case separately, asking what factors explained the group's success or failure in redress adoption. I primarily assessed what actions and factors were exerted to see redress adopted in law. I then compared the cases and

used existing literatures to develop a framework that allowed for the within-state comparison of individual groups. This bottom-up approach had the benefit of not being constrained by existing models of transitional justice. Instead, I first analysed the empirical data to understand how they tally with the existing scholarship. Using a ‘conjunctural logic’ of the comparative method (Ragin 1987) that relies on ‘recipes’ rather than causality, I present a framework of redress adoption for various groups when compared to each other. While it is analytically difficult to ‘measure’ differences on victim capital, using qualitative and observational data, I assess the groups *in comparison* to others. While my intention is not to endorse the infamous ‘competition of victimhood’, I recognize that this method may potentially reinforce such tendencies. However, it needs to be recognized that the domestic dynamics of victimhood politics is in BiH as well as elsewhere to a large degree *is* influenced by hierarchies and contests over who suffered more (cf. Subotić 2021).

Redress as a Victim-Centric Policy

Even if you gave all victims one million Bosnian marks, this wouldn't make a difference. We need to have a systematic change in the form of a law that gives us rights. This would lead to respecting victims.⁷

It is first important to briefly outline that what I define as redress varies across different victim communities. In general, redress includes a legal recognition of harm/wrongdoing that is underpinned by direct victim-centric policies, such as regular financial contributions, one-off payments, material support, housing benefits, psychosocial support, educational and health schemes (Walker 2016; van der Merwe 2014). Yet the specific combination of these provisions will matter to specific victim groups differently; while victims/survivors of sexual violence often

demand psychosocial support, paraplegics may be in need of physical therapies (MacDonald 2013). Either way, redress belongs among tools usually associated with reparative justice, i.e., measures for victims/survivors aimed at ‘repairing’ previous violations, harms and grievances.⁸ It comprises of a set of material and in-kind benefits (e.g., payments, services, preferential treatment) that recognize victims’ suffering and materially assist them to regain their livelihoods. Redress also denotes an official recognition of an individual’s ‘status’ as a victim/survivor.⁹ As used here, redress is thus often referred to as domestic victim-centric reparation. Yet the Bosnian combination of social benefits and financial payments with the official conferral of the victim ‘status’ without the involvement of courts or international payment schemes differs from reparation. Instead, the Bosnian policy focus is on domestic laws and regulations that provide victims/survivors with recognition, in the form of a ‘status’ (Delpla 2014, 245–47), and socioeconomic provisions.

In Bosnia, as well as elsewhere, financial and domestic legal provisions feature prominently in victims/survivors’ demands (Macdonald 2017; Pham et al. 2016; Vinck and Pham 2014). War victims/survivors value redress as it helps them to cope with stigma, disabilities and (for some) debilitating effects of trauma. Yet similar to other transitional-justice measures, redress is often resisted by local authorities. It is a policy with clear material repercussions, symbolic power and the potential to divide societies. As Lars Waldorf noted with reference to reparations, it is ‘inherently divisive, pitting individuals and groups against one another over who gets compensated and by how much’ (2012, 178). In some contexts, state reparation ‘can work to administer and control social suffering’ (Moon 2012, 188) and thus even increase polarization. Redress threatens state budgets, bureaucracies and understandings of who is ‘deserving’ (McEvoy and McConnachie 2013) – all aspects of potentially divisive postconflict reckoning. It can be used to rewrite history, attract new constituencies and reap political benefits, which has

certainly been in the case in BiH (cf. De Vlaming and Clark 2014). Yet unlike trials, which can be perceived as direct attacks on the implicated elites and national understandings of heroism, redress prioritizes one part of the population over another. And unlike truth commissions, which – while giving victims/survivors a voice – can pit them against perpetrators in a binary sense and even retraumatize participants – redress is not directly and *de iure* directed *against* anyone but rather *for* someone.

Due to its large victim population, existence of victim associations, varieties in redress policies and the complex context which allows for tracing the role of international and domestic factors, Bosnia and Herzegovina is a suitable case to study the puzzle of varied redress policies. The complexity of the conflict between Bosniaks (Bosnian Muslims), Croats and Serbs between 1992-5 resulted in a great dissonance of victimhood and victims' rights. Questions about responsibility, who is a victim, and how large the population is became a particularly sensitive topic, exacerbating ethno-national divisions immediately after the war (Jansen 2007; Armakolas and Maksimovic 2013; Mihajlovic-Trbovc 2014). While refugees and those displaced were included in the peace negotiations in Dayton and peacebuilding efforts, the focus on individuals directly and disproportionately affected by war came only later through national and subnational interventions. The International Criminal Tribunal for the Former Yugoslavia, ICTY, and national war-crimes prosecutions have dominated transitional justice in Bosnia, but focusing primarily on the perpetrators (for more see Nettelfield 2010). Despite these interventions and several local attempts in truth telling (see especially Dragović-Soso 2016), victims/survivors have consistently reported dissatisfaction with transitional justice (cf. Delpla 2014), initially criticizing the role of international actors (Biro et al. 2004; Stover and Weinstein 2004), the 'politicization' of justice and memory (cf. Jouhanneau 2013a) and the steadily growing culture of denial and relativization (Barton Hronešová 2021; Gordy 2013; Obradovic 2013). In the past decade and

half, though, a critical source of dissatisfaction among victims/survivors has been the lack of direct socioeconomic redress (Delbyck 2016).

Interviewed victims/survivors stressed the need for redress because of the tangible and direct benefits it would bring. The slow pace of economic development in Bosnia that, among others, resulted in massive protests in 2014 (Kurtović 2015) and a need for wider socioeconomic reforms (see also Lai 2020). An interviewed respondent sarcastically noted that one cannot worry about reconciliation if feeding one's children is a struggle.¹⁰ But redress also functions emotionally as it can provide a sense of societal 'solidarity' (De Greiff 2006) and empathy (Dunn 2012). Several respondents reported feelings of humiliation due to the lack of societal empathy towards them. 'You come to an institution and show a certificate that you were in a prison camp during the war, and they humiliate you and make you feel like nothing', a victim of torture noted.¹¹ As redress contains a legal recognition of harms/wrongdoing, it can imply responsibility as well as wider solidarity. This is particularly the case for those victimized by specific crimes that are disputed or denied by the victimizers, for marginalized ethnic groups, and for those living in poor regions. Recognition, that is the official rendition of the victim status through a law, is a 'starting point'¹² for justice, as a respondent noted, echoing others I consulted. This is also why redress has become such a sought-after transitional justice measure in Bosnian recent history.

In detail, I discuss only two out of the most prominent and vocal victim groups that have been at the centre of the battle for redress. While the victim population in BiH is large, the vast majority of victims/survivors have organized in regional and subnational victim associations according to their victimization and (in most cases) ethnicity – e.g., sexual violence, loss of loved ones, injuries, etc. This has resulted in the emergence of four primary victim categories: survivors of sexual violence and rape, torture (also called camp prisoners or ex-detainees), families of the missing ('disappeared') persons, and individuals with life-changing injuries (also called 'civilian

war victims' that also – confusingly – include families of killed civilians). While there are regional and crime-specific groups (e.g., parents of killed children in Sarajevo), they generally fall within one of the above categories and pertain to the entity-level victim unions that exist in Bosnia.¹³ Each of the categories has secured a different level of redress in terms of content (types of payments and services) and extent (eligibility criteria depending on levels of harms) as depicted in Table 1. The Table outlines at which level the category attained formal domestic redress and when. Yet these categories are not exclusive, and individual victimization may overlap or be cumulated. Indeed, victims/survivors often opt for benefits of other categories, if eligible, in cases when implementation of 'their' provisions has stalled. While this seemingly haphazard nature of redress allocation seems puzzling, I use victim capital to explain the adoptions.

Table 1 here.

Understanding the Adoption of Redress in Bosnia and Herzegovina

How can we explain the observed policy varieties? BiH is often presented in the literature as a *sui generis* case whose idiosyncrasies are hard to theorize and grasp in a comparative manner. However, the existing scholarship on postconflict peace and justice provides some insights that can be leveraged. For example, structural factors such as the nature of the previous regime, levels of pluralism, economic development and the regional clustering of justice measures are theorized to account for varieties in transitional justice (Powers and Proctor 2017; see also Olsen, Payne,

and Reiter 2010). Victim-centric scholarship argues that differences in the numbers of victims/survivors, levels of victimization and trauma, and budgetary constraints of postconflict countries explain country-level differences (see especially Segovia 2006; Correa, Guillerot, and Magarrell 2009). The peacebuilding scholarship posited that top-down international interventions can lead to adoptions of new policies (Chandler 2006). Similarly, the well-known role of ‘transnational advocacy networks’ as key instigators of policies provide important insights into how local groups influence policy (Keck and Sikkink 1998). And finally, and most importantly, identity politics studies in divided states suggest that identity alignment between victims/survivors and elites is of utmost importance in policy adoption (Arthur 2011). While such research illuminates many of the observed state-level and individual differences, it cannot fully explain inter-group differences within a country such as BiH where civic mobilization has in fact circumvented official structures despite the institutional hurdles of a complex governance system (Gordy 2015). Although wider structural factors such as economic development, international presence and levels of pluralism play an important role, they commonly influence all groups within a system similarly.

Instead, I suggest that it is the collective victim-specific attributes – that I call victim capital – that explain the variation. Victim capital effectively represents the social, political and economic potential of each of the groups to influence policymaking. I suggest that groups under conditions of fairly open postconflict societies have a playing field where they can wield the power of their victim capital. For example, periods of political contestation (e.g., elections) offer victims/survivors opportunities to leverage their victim capital and respond to political programs of the incumbents and appeal to their moral consciousness. Yet only some groups mobilize at such times – or disengage from political controversies – and consequently gain or lose from such actions. This does not mean that victims/survivors should be understood as scheming operators.

On the contrary, their experience and suffering constitute an inherent part of their authority. This needs to be recognized rather than framed within narratives of trauma that often present victims/survivors as passive or paralyzed by fear. Certainly, some aspects of their capital will be out of their control, such as how global norms of victimhood change. However, others – such as when and how to leverage such norms – can be influenced by their actions. As governments tend to be more accommodating of groups that may challenge their power, legitimize their rule or render reputational and economic benefits, chances of redress increase for groups that actively leverage their victim capital. The propositions made here are by no means causal; yet they reveal interesting patterns in how group strategies affect policy.

The first facet of victim capital is linked to external actors. ‘International salience’ captures the prioritization of a specific victim group by peacebuilders, donors and international administrators. For example, as calls for racial and gender equality gain more traction globally, it can be expected that peacebuilders pay more attention to anti-discrimination and equity policies. Assuming that domestic governments respond to external incentives (such as financial support or reputational benefits), they will weigh the costs and benefits of adopting policies targeting such issues. A group can thus boost its international salience by aligning with external priorities. As an interviewed NGO worker in Sarajevo noted, until mid-2000s using the terms ‘transitional justice’ and ‘reconciliation’ was imperative in applications for foreign funding until the term ‘rule of law’ came into fashion. As a result, the same project would simply be renamed to obtain funding.¹⁴ What this suggests is that a strategic choice on the part of civic actors can ensure that their priorities align with salient international topics.¹⁵ Consequently, once a group or policy issue enters international agendas, domestic governments will struggle to resist external pressures for responding, especially if they need foreign aid (Cortell and Davis 2000, 69).

The second element of victim capital is what I call domestic moral authority. I define this as the public recognition of a group's perceived 'worthiness' and perceived legitimacy for redress. As Michael Humphrey argued, 'only those victims considered to be morally deserving have their human rights protected' (2012, 67). Such moral deservingness influences victims' perceived legitimacy. Victims/survivors' influence over their moral authority is the result of complex contextual predispositions and framing strategies. It consists of levels of public empathy with a group, frames of sacrifice and innocence, as well as identity alignment (see especially Wilson and Brown 2009). In particular, ethnonational and religious identities are closely linked to moral authority (Arthur 2011, 8). Although moral authority is thus partially endogenic to the group, constructivist memory scholarship shows how narratives can be inflated and be shaped through the use of powerful symbols and mnemonic tactics (Bernhard and Kubik 2014). Victims/survivors and their advocates can deploy strategic framings of heroism, victimhood and innocence. Consequently, political actors tend to sympathize with those whose characteristics and experiences validate their political outlooks and can advance their political appeal.

Finally, mobilization resources include leadership experience, extensiveness of networks and allies, as well as legal, media and organizational capacities, among others. Organizational capacities and skills can increase a group's visibility and its standing on policy agendas (McAdam, McCarthy, and Zald 1996; Della Porta and Diani 2009). Beyond group-based characteristics, there will be some shared hindrances such as general levels of poverty. Other resources, though, will differ, such as the ability of groups to network and run influential campaigns. Recent work in transitional justice has argued that better organized groups with strong leadership tend to be more successful with their demands (Greenstein 2020). Such groups can influence governments more effectively by posing a potential political threat, attracting powerful allies and questioning the moral integrity of incumbents (essentially shaming them into

action). Of course, the quality of mobilization resources can also parallelly increase a group's moral authority and international salience. Such overlap is inevitable but can be dissected empirically. This is why victim capital needs to be assessed as a combination of various factors that are interlinked and often reinforce each other as outlined below.

The 'Ultimate Victimhood' of the Srebrenica Missing

The Bosnian case offers a variety of victim groups to study and assess. To present my arguments and empirical data, I focus on a case of the most successful redress adoption and on a case of a failed adoption. I also remark upon similar other groups that are included in Table 1. Out of all the victim groups in Bosnia, the comparatively most successful case of redress represent families of missing people and their efforts to secure a state-wide victims' law, adopted in 2004 (see Table 1). The adoption was a rare positive case of inclusive policymaking as the discussions over legal adoption of a state-wide law included associations from across Bosnia, incorporating their suggestions such as funding for burials, the creation of a new institution and a database, financial support for victim associations through a new Victim Fund, free healthcare and preferential educational and employment treatment for children of the disappeared (Blumenstock 2006; Wagner 2008; Nettelfield and Wagner 2013, 41). The Law and the process of its adoption received positive evaluation from most of my respondents, mainly as victims/survivors directly participated on defining its scope. Even representatives of victim associations who today criticize the progress in the search for missing people spoke highly of the overall process of negotiations and the law's content. To secure a state-level law for all victims/survivors, ethnicity disregarding, was an unprecedented accomplishment that no other group achieved.

The explanations for this success lie in the high victim capital of a group included among missing people families, the Srebrenica victims/survivors. The gravity of the Srebrenica genocide

of approximately 8,000 Bosniak men in July 1995, the international failure to prevent it and the complicity of the Dutch battalion served as a ‘shameful’ impetus for an international concern with the issue (Simić 2012). In parallel, families of victims, representing a rather large number of over 32,000 missing people (out of the estimated 100,000 casualties)¹⁶, became well-connected and effective activists, campaigners and negotiators after 1995. Visible victim associations such as the *Mothers of Srebrenica*, *Women of Srebrenica* soon became key victim voices and outspoken pressure groups.¹⁷ They publicly shamed the UN and the Netherlands, asking for prosecutions, investigations, memorialization and compensation, leveraging their links with the ICTY, domestic and international human-rights groups, advocates and media (see especially Leydesdorff 2011; Nettelfield and Wagner 2013). To this day, they remain the most visible victim activists in Bosnia that feature on international agendas for transitional justice.

The scale of the failure in Srebrenica and the victims/survivors’ activism also unleashed a wide-ranging set of operations in recovering the ‘disappeared’ bodies. Given the UN failure in Srebrenica, the High Representative (HR), who soon gained extensive executive powers, was closely involved in monitoring the issue and officially supported the families.¹⁸ Most prominently, a large memorial centre on the site of the former UN station opened prior to the Law’s adoption in 2004 – no other victim group has been memorialized in this fashion in Bosnian post-1995 history. Yet the most important external support that clearly manifests the salience of the issue was the US-backed establishment of the International Commission for Missing Persons (ICMP) in 1996 (Sarkin et al. 2014). By the early 2000s, the ICMP developed new identification methods that relied on families’ cooperation and their active involvement (Wagner 2008). This close cooperation has also resulted in an increased visibility of the needs for the surviving families and effective networking between the various associations. As one victim-respondent noted: ‘[ICMP] knew what hurt us and what we wanted. They listened and helped’.¹⁹

Yet it was also the domestic moral authority of ‘genocide victims’ that provided the issue of the missing people a special social status. Despite the ongoing political polarization and ethno-national divisions, Srebrenica’s surviving families – majority of which were female – became the quintessential victims and representatives of a new Bosniak identity based on pure victimhood (Nielsen 2018). As Srebrenica families became genocide survivors according to ICTY’s and later international rulings, their victimhood reached levels of undeniable authority in Bosniak and Bosniak-leaning circles. The subsequent politics of Srebrenica has become domestically complex, polarizing, and imbued with conspiracy theories (Obradovic-Wochnik 2009; Nettelfield and Wagner 2013; Radisavljević and Petrov 2017). However, the event, its annual commemoration and its leading female voices have become the ideal-type representatives of Bosniak ‘ultimate victimhood’ (Helms 2013, 41), attracting extensive support of the main nationalist Bosniak as well as civic parties. The religious aura rendered to the commemorations has framed the deceased victims as ‘martyrs’ who sacrificed their lives for Islam and the nation (Henig 2017). Most importantly, immediately before the Law’s adoption in 2004, the RS leadership acknowledged Srebrenica as a ‘crime’ and ‘tragedy’ (see Milanovic 2006), nudging Serb deputies to approve a law that would cater for all victims/survivors. Reluctantly and under international pressure, even in RS, Srebrenica at the time gained a status of mass victimization.

Indeed, the Law was adopted at a time of extensive international involvement in domestic politics that lasted until 2006. Consequently, implementation soon stalled. A Victims’ Fund has not been created while the Missing People’s Institute has been attacked by RS associations as ineffective.²⁰ According to interviewed ICMP representatives, divisions between victim associations are partially responsible for the Law’s slow implementation. Genocide seen as the ‘crime of crimes’ has become a divisive term in Bosnia. As Nielsen noted, the resulting overuse of the term genocide in Bosnia has exemplified ‘the chronic political disputes linked to the

political structure of Bosnia' (Nielsen 2013, 30). It also became so distinctive that it overshadowed other victims/survivors : '[t]hey [Srebrenica associations] only work for their own', a Bosniak victim noted in 2019.²¹ Moreover, Srebrenica's importance for the new Bosniak political elite has resulted in the gradual politicization of some of the associations such as the *Mothers of Srebrenica* (cf. Duijzings 2007; Nettelfield and Wagner 2013). Internal divisions of the victim associations have blunted their mobilization resources and politics has compromised their moral authority.

Nonetheless, however limited the achievement may seem today, no other victim group in the country has achieved a similar formal success. The Law remains the most comprehensive victim-centric legislation in Bosnia and the only state-level legal mechanism of redress due to the moral authority of the issue of the missing, the extensive victim networks, and the international importance of the topic. A close approximation achieved only survivors of sexual violence who by 2006 not only created their own distinct victim association, created coalitions with influential civil society and international actors and leveraged the growing global salience of women's suffering in wars. By June 2006, they convinced main political parties in the Federation that providing them with a 'status' was imperative for Bosnia's international standing and moral responsibility. For example, the Young Forum of Social Democrats at the time noted that it is 'shameful that women victims of rape are not included in any legislation today. ... that they live on the margins of society, without employment and help with resocialization' (*Oslobođenje* 2006). While sexual violence was previously shunned as a public topic and carried great stigmatization, the victims' efforts, their moral authority and growing salience of their plight internationally led to the eventual adoption of an entity legal reform that granted them with a status and corresponding rights (see Table 1).

Failed Recognition of Victims of Torture

The relative success of the missing people's families is best visible when compared to other victim groups in the country. Victims of torture who claim to represent an alleged 200,000 individuals (cf. Jouhanneau 2013a, 162, ft 3) have repeatedly failed to see a state law for victims of torture adopted, despite several submissions to the state parliament of BiH. As a result, torture victims remains unrecognized in domestic victim-centric legislation with the exception of RS, where a subnational law (Lakic 2018) was adopted in 2018 in a very limited scope (Erjavec 2019). The frustration among victims of torture is palpable: 'all other victims have received something, apart from us', a respondent noted, suggesting that other victim categories have been recognized in law and can claim their rights through official channels.²² As I argue here, there are three main reasons for this: the lack of public understanding of psychological harms of torture, the leading entity-associations' (unions) political affiliations and dubious morality of their leaders, and the associated lack of cooperation between the victim associations across the country.

Victims of torture have gone through a rather winding process of 'proving' that they are 'deserving' of redress. They initially played an important role in the memory politics of the war, testifying about their suffering in camps and well-documented horrors of torture (Jouhanneau 2013b). During the war, their plight featured prominently in world media, especially thanks to the UK TV news reporting from the Serb-run Trnopolje concentration camp in 1992 and UN investigations (Bassiouni 1994). The published blood-chilling photos of emaciated detainees were reminiscent of images of Holocaust survivors (Vulliamy 1994). As first-hand witnesses of atrocities, ex-detainees were afforded an important place in courtrooms both domestically and at the ICTY (see especially Jouhanneau 2013a). Yet with the passage of time, many of their stories failed to 'stick', especially as psychological trauma remains poorly understood in Bosnia.²³ Moreover, as many ex-detainees are at the same time veterans, they are not perceived as entirely

‘innocent victims’. Such perceptions have acted as a double-edged sword. On the one hand, victims/survivors generally need to make claims to innocence and inability to act (cf. Christie 1986), yet this makes some victims/survivors feel ‘ashamed’ or even ‘emasculated’, as one respondent noted. Correspondingly, rather than calling themselves ‘victims of torture’, they prefer to call themselves ex-detainees or *logoraši*.

State-wide recognition has been a key objective of most *logoraši* organizations in BiH as it would also imply victimization across entity lines (and thus victimization by the ‘other’). For the more numerous Bosniak *logoraši* in particular, a state law would also validate the unity of the Bosnian state, which has been repeatedly undermined by RS, including in the most recent secession threats (Barton Hronešová 2022). A social worker in Tuzla explained in 2015 that a state law is of utmost important to Bosniak (but also some Serb) ex-detainees precisely because it would symbolically validate the existence of a uniform state and victimization across its territory. ‘Ex-detainees know what it means when a state accepts its victims. ... They fought for BiH and they know what would happen if RS seceded. They would negate themselves if they let go off a state law’, she noted.²⁴

Unfortunately, the dynamics between the main leaders of the *logoraši* entity unions does not lend itself to the aim for a state law. In fact, the main leaders of the ex-detainee unions have been closely intertwined with the main nationalist parties.²⁵ Ex-detainee leaders in FBiH were among the founders of Bosniak nationalist parties, often assuming prominent places in high-level politics (Barton Hronešová 2020, 256–58). Subsequent political disagreements over which party to support in FBiH (nationalists or social democrats) have led to major schisms within the leadership (Jouhanneau 2013a, 161–66). In RS the leadership has been centralized and clearly aligned with incumbent parties for the entirety of its existence (but with several splinter organizations in Banja Luka and Eastern Sarajevo). For example, the RS leader, Branislav Dukić,

was until his recent replacement a close ally of Milorad Dodik (Bursać 2015). Moreover, in both cases, recurrent allegations of fraud, major corruption cases and personal enrichment resulted in disunity and internal schisms.²⁶ A Serb respondent called Branislav Dukić a ‘mafioso’ while a Bosniak respondent called the FBiH Union leader, Jasmin Mešković, a ‘fraudster’. ‘Pure evil’ was another label for Mešković by a leader of *logoraši* in the suburbs of Sarajevo.

The international salience of *logoraši* has suffered as a result. While external actors have supported their demands in principle, their cause and campaigns were soon overshadowed by other priorities linked to the issue of missing people and sexually violated women. Moreover, an interviewed Bosnian lawyer noted, international actors did not prioritize ex-detainees as they considered them included in the existing veteran legislation (cf. Popić and Panjeta 2010; World Bank 2015), and thus not pushing for their systemic redress. Although a coalition of NGOs has supported a state law since 2011, its advocacy has been complicated by repeated conflicts between the main union leaders.²⁷ Matched by low levels of cooperation across the Bosnian territory, such disunity and distrust in leadership numbed their ability to act jointly.

With limited victim capital, victims/survivors of torture have failed to see their demand of state law materialize. Although political connections generally make access to policymaking easier (Stokes et al. 2013); it is the politicized leaders of victim organizations that have achieved personal benefits rather than the groups they represented. For example, in RS a narrowly defined group of victims of torture (that also includes sexual violence) was recognized in 2018 in a pre-electoral attempt by Milorad Dodik’s party to garner votes. The adoption was beneficial for both sides – ex-detainee leadership could finally claim success and Dodik a benevolence to war victims/survivors at a time when his opposition was growing. With temporary clauses and restrictive eligibility criteria, the law has been widely criticized by victims and their advocates alike as an insufficient ruse (Bajtarević 2019). Overall, though, victims of torture have struggled

to leverage their victim capital and disassociate from on overt politicization of their redress claims. Another group - civilian war victims has also not achieved an expansion of their rights that they have sought since the early 2000s. Although they are recognized due to the transposition of previous socialist legislation (Karge 2010), their rights are restrictive, and in RS, the legal stipulations for new applicants repeatedly expired (Popovic 2010). They have not only been extremely poorly organized and fragmented, their victimization has not attracted much of public empathy or international concerns in the way as other groups due to their invisibility in the 'public sphere' (cf. Hronešová 2016). These two groups have achieved limited results due to the overtly politicized victim capital in the case of ex-detainees and poorly fragmented victim capital.

Conclusion

[J]ust adopting the Law means a lot to victims. At least they will have hope that one day they will be able to get something. ... and to formally register as a victim of war.²⁸

Depleted budgets of postconflict states, other more urgent priorities such as refugee return and security concerns play a role in why recognizing war victims/survivors is a process fraught with complex political and economic negotiations. More than a quarter century after the end of the conflict in Bosnia, victims/survivors continue to engage in these negotiations to seek redress. However, as this article showed, only some victim groups enter the main policymaking priorities and assert at least some their rights. As the case of Bosnia shows, redress is more often than not the result of victims/survivors' mobilization, their perceived worthiness and the international salience of their victimization and demands. While there is no singular pathway to achieving redress, some Bosnian victim groups have been able to influence domestic policy outcomes by leveraging their victim capital. Missing people's families successfully attracted influential allies and domestic sympathy. On the contrary, ex-detainees have overtly relied on political lobbying of

their corrupt leaders. While politicization of victimhood has been a recurring problem in postwar Bosnia, it has affected ex-detainees more than anyone, blunting their claims to justice and their status as victims. Such politicization is also linked to important competitive aspects of redress that can pit victims/survivors against each other in situations where resources are limited and appetite for dealing with the past low. Yet this article also shows how important leadership and organization of victim groups is. Some Bosnian victim associations have had overly domineering leaders who have silenced their members. With a wider, participative and more collaborative victims' movement in Bosnia, a less fragmented situation could have merged. Instead, the current state of victim activism in Bosnia bears resemblance to its political reality – polarization, divisions and competition are rampant (despite some laudable efforts by the civil sector and some victim groups). The resulting tensions over victimhood and victims' status are not only contributing to the current political tensions, but often play a key role. As victimhood is closely linked to identity and memory (Nielsen 2018; Jankowitz 2018), each of the political ethnic leaders in Bosnia are using victims/survivors as symbols of their suffering and moral high ground.

The puzzling variety in redress adoptions in Bosnia may seem both idiosyncratic and haphazard at first. However, as I argued, there are some clear parallels in and explanations for how victim groups organize themselves and demand redress that I identify as victim capital. Beyond the Bosnian case, victim capital can be applied in similar contexts across Southeast Europe and even further afield in contexts dealing with similar legacies and divisions. Indeed, I built on the recent scholarship that foregrounds the nature and quality of victim participation in transitional justice and peacebuilding (De Waardt and Weber 2019; Greenstein 2020; Evrard, Mejía Bonifazi, and Destrooper 2021), namely that victims' agency can respond to policymakers' concerns and engage with it. Rather than understanding redress as a righteous postwar policy, I

presented a more practical view. Redress in Bosnia has not been adopted on the basis of the severity of harm or victims' needs but on the basis of victims' 'deservingness' and ability to leverage their endowments and capacities. Similarly, the contributions made here can be extended to other aspects of transitional justice, including issues of symbolic redress and memorialization.

Lars Waldorf noted (2012) that our enquiries into victimhood should be guided by what victims/survivors demand in order to avoid conflating different objectives and types of justice. I followed this advice as I was directed in my research by the desires of my respondents. The removal of war-crimes perpetrators, cessation of denial and the ability to commemorate those who perished in the war remain important to victims/survivors. Yet with a growing sense of failure and dissatisfaction with the externally designed (and often imported) transitional justice mechanisms that Bosnian victims/survivors have been subjected to – rather than participating in – a much more basic plea emerges – the wider societal acknowledgment of one's personal tragedy and empathy with one's suffering and losses. A legal right and a 'victim status' have consequently become important to victims/survivors. As a Bosnian victim of torture noted, 'status' enacted in law gives victims/survivors a legal framework within which to demand their rights: 'the law comes first', he said, 'then we can face the authorities' and demand rights.²⁹

¹ This article uses unpublished data from my previous research, see ANONYMIZED.

² *Zakon o nestalim osobama* (21 October 2004), Službeni glasnik Bosne i Hercegovine Broj 50, 9. novembra 2004, str. 5225-5229.

³ The term victim (*žrtva*) is generally used in Bosnian for both surviving and killed victims. However, as the term survivor is more empowering (cf. Dunn 2012). I use victims/survivors when referring to surviving victims in all contexts, but otherwise follow the local usage of 'victim'.

⁴ I do not analyse the District of Brčko due to the scope of this article.

⁵ Implementation, which often stalls after adoption, is not explored here due to the scope of this article.

⁶ Ethics has been extensively considered and obtained approval of the University Ethics Committee. I received informed consent for all interviews, which were audio-recorded in Bosnian, translated and transcribed in English in NVivo. All interviews have been anonymized here.

-
- ⁷ Interview with a victim of torture (former camp inmate), Ilidža, 2019. 1 Bosnian Mark equals 0.5 Euro.
- ⁸ As defined in the 2005 UN ‘Basic Principles and Guidelines on the Right to a Remedy and Reparation’.
- ⁹ ‘Reparations’ are conceptually so ‘overstretched’ that they often seem to include all forms of dealing with the past.
- ¹⁰ Personal interview with an activist, Belgrade, 2014.
- ¹¹ Interview with a victim of torture (former camp inmate), Ilidža, 2019.
- ¹² Interview with a victim of torture, Sarajevo-Dobrinja, 2019.
- ¹³ It is plausible to include other groups, such as children born out of rape. Here, my aim here was to illustrate the arguments on the most prominent victim groups in Bosnia. For analyses of other groups, see ANONYMIZED.
- ¹⁴ Interview with a human rights expert, Bijeljina, 2015.
- ¹⁵ This is notoriously difficult to measure. Yet similar concepts have been studied using documents such as UN resolutions, court decisions, memoranda and reports by multilateral organizations (see Oppermann and Viehrig 2011).
- ¹⁶ Around 7,600 still remain missing as of 2021 (Trepanic 2021).
- ¹⁷ Interviews with survivors in Srebrenica and Sarajevo, 2019.
- ¹⁸ The OHR website documents this. See <http://www.ohr.int/cat/ohr-press-releases/page/2/?mo&y=1996>, accessed 1 September 2021.
- ¹⁹ Interview with a victim leader, Srebrenica, 2019.
- ²⁰ Interviews with survivors in Eastern Sarajevo, 2015.
- ²¹ Interview with a missing-persons organization, Sarajevo, 2019.
- ²² Interview with an ex-detainee, Ilidža, 2019.
- ²³ Interviews with social workers in Tuzla and Sarajevo, 2014 and 2015.
- ²⁴ Interview in Tuzla, 2015.
- ²⁵ The Croat union has been involved in all negotiations but is less salient.
- ²⁶ In 2019, the then leader of the FBiH Union was arrested for fraud (*Radio Slobodna Evropa* 2019).
- ²⁷ Interview with an NGO worker, Sarajevo 2015 and 2019.
- ²⁸ Interview with an ex-detainee, Višegrad, 2015.
- ²⁹ Interview with an ex-detainee, Sarajevo, 2019.

References

- Armakolas, Ioannis, and Maja Maksimovic. 2013. 'Memory and the Uses of Wartime Past in Contemporary Bosnia and Herzegovina: The Case of the Bosniak Campaign for the October 2013 Population Census'. http://www2.media.uoa.gr/sas/issues/32_issue/02.html.
- Arthur, Paige. 2011. *Identities in Transition: Challenges for Transitional Justice in Divided Societies*. New York: Cambridge University Press.
- Bajtarević, Mirsad. 2019. 'Abandoned by the State: Bosnia's Wartime Torture Victims'. *Balkan Insight*, 6 May 2019. <https://balkaninsight.com/2019/05/06/abandoned-by-the-state-bosnias-wartime-torture-victims/>.
- Barton Hronešová, Jessie. 2020. *The Struggle for Redress: Victim Capital in Bosnia and Herzegovina*. Memory Politics and Transitional Justice. New York: Palgrave Macmillan.
- . 2021. 'Ethnopolitist Denial and Crime Relativisation in Bosnian Republika Srpska'. *East European Politics*, January. <https://www.tandfonline.com/doi/abs/10.1080/21599165.2021.1871896>.
- . 2022. 'Understanding the Current Warmongering in Bosnia and Herzegovina'. *ZOiS Spotlight* (blog). Summer 2022. <https://en.zois-berlin.de/publications/zois-spotlight/understanding-the-current-warmongering-in-bosnia-and-herzegovina>.
- Bassiouni, M. Cherif. 1994. 'Final Report of the Commission of Experts Established Pursuant to SC Resolution 780 (1992)'. United Nations. <https://goo.gl/ut54hp>.
- Bernhard, Michael H., and Jan Kubik. 2014. 'Introduction'. In *Twenty Years after Communism: The Politics of Memory and Commemoration*, 1–6. Oxford/New York: Oxford University Press.
- Biro, Miklos, Dean Ajdukovic, Dinka Corkalo, Dino Djipa, Petar Milin, and Harvey M. Weinstein. 2004. 'Attitudes toward Justice and Social Reconstruction in Bosnia and Herzegovina and Croatia'. In *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity*, edited by Harvey Weinstein and Eric Stover, 183–205. Cambridge: Cambridge University Press.
- Blumenstock, TILMAN. 2006. 'Legal Protection of the Missing and Their Relatives: The Example of Bosnia and Herzegovina'. *Leiden Journal of International Law* 19 (03): 773–93.
- Bursać, Dragan. 2015. 'Branislav Dukić, između ljiljana i krsta [Branislav Dukić, between Lillies and a Cross]'. *BUKA Magazin*, 15 April 2015. <https://goo.gl/YpYtzt>.
- Chandler, David. 2006. 'State-Building in Bosnia: The Limits of "Informal Trusteeship"'. *International Journal of Peace Studies* 11: 17–38.
- Christie, Nils. 1986. 'The Ideal Victim'. In *From Crime Policy to Victim Policy. Reorienting the Justice System*, edited by Ezzat A. Fattah, 17–30. New York: Springer.
- Clark, Janine N. 2017. *Rape, Sexual Violence and Transitional Justice Challenges: Lessons from Bosnia Herzegovina*. Routledge.
- Correa, Cristian, Julie Guillerot, and Lisa Magarrell. 2009. 'Reparation and Victim Participation'. In *Reparations for Victims of Genocide, War Crimes and Crimes against Humanity: Systems in Place and Systems in the Making*, edited by Carla Ferstman, Mariana Goetz, and Alan Stephens, 385–414. Leiden: BRILL.
- Cortell, Andrew P., and James W. Davis. 2000. 'Understanding the Domestic Impact of International Norms: A Research Agenda'. *International Studies Review* 2 (1): 65–87.
- De Greiff, Pablo. 2006. 'Justice and Reparations'. In *The Handbook of Reparations*, edited by Pablo De Greiff, 451–77. Oxford: Oxford University Press.
- De Vlaming, Frederiek, and Kate Clark. 2014. 'War Reparations in Bosnia and Herzegovina: Individual Stories and Collective Interests'. In *Narratives of Justice In and Out of the Courtroom Former Yugoslavia and Beyond*, edited by Dubravka Žarkov and Marlies Glasius, 8:163–85. Springer Series in Transitional Justice. Heidelberg: Springer.
- De Waardt, Mijke, and Sanne Weber. 2019. 'Beyond Victims' Mere Presence: An Empirical Analysis of Victim Participation in Transitional Justice in Colombia'. *Journal of Human Rights Practice* 11 (1): 209–28.
- Delbyck, Kyle. 2016. 'Compensating Survivors in Criminal Proceedings: Perspectives from The Field'. Sarajevo: TRIAL International Bosnia and Herzegovina.
- Della Porta, Donatella, and Mario Diani. 2009. *Social Movements. An Introduction*. Oxford: Blackwell Publishing.
- Delpa, Isabelle. 2014. *La justice des gens: enquêtes dans la Bosnie des nouvelles après-guerres [Justice of the people: investigation of the new post-war in Bosnia]*. Rennes: Presses universitaires de Rennes.
- Dragović-Soso, Jasna. 2016. 'History of a Failure: Attempts to Create a National Truth and Reconciliation Commission in Bosnia and Herzegovina, 1997–2006'. *International Journal of Transitional Justice* 10 (2): 292–310.

- Druliolle, Vincent, and Roderick L. Brett. 2018. *The Politics of Victimhood in Post-Conflict Societies: Comparative and Analytical Perspectives*. St. Antony's Series. Cham: Palgrave Macmillan.
- Duijzings, Ger. 2007. 'Commemorating Srebrenica: Histories of Violence and the Politics of Memory in Eastern Bosnia'. In *The New Bosnian Mosaic Identities, Memories and Moral Claims in a Post-War Society*, edited by Xavier Bougarel, Elissa Helms, and Ger Duijzings, 141–66. Farnham: Ashgate.
- Dunn, Jennifer L. 2012. *Judging Victims: Why We Stigmatize Survivors, and How They Reclaim Respect*. Paperback ed. Social Problems, Social Constructions. Boulder, Colorado: Lynne Rienner Publishers.
- Erjavec, Dragana. 2019. 'Žrtve rata i torture BiH zajedno za svoja prava'. *Radio Slobodna Evropa*, 20 October 2019. <https://www.slobodnaevropa.org/a/logorasi-tortura-platforma-za-mir-bih/30225374.html>.
- Evrard, Elke, Gretel Mejía Bonifazi, and Tine Destrooper. 2021. 'The Meaning of Participation in Transitional Justice: A Conceptual Proposal for Empirical Analysis'. *International Journal of Transitional Justice*.
- Gordy, Eric. 2013. *Guilt, Responsibility, and Denial: The Past at Stake in Post-Milošević Serbia*. Philadelphia: University of Pennsylvania Press.
- . 2015. 'Dayton's Annex 4 Constitution at 20: Political Stalemate, Public Dissatisfaction and the Rebirth of Self-Organisation'. *Southeast European and Black Sea Studies* 15 (4): 611–22. <https://doi.org/10.1080/14683857.2015.1134132>.
- Greenstein, Claire. 2020. 'Patterned Payments: Explaining Victim Group Variation in West German Reparations Policy'. *International Journal of Transitional Justice* 14 (2): 381–400. <https://doi.org/10.1093/ijtj/ijaa009>.
- Helms, Elissa. 2013. *Innocence and Victimhood: Gender, Nation, and Women's Activism in Postwar Bosnia-Herzegovina*. Madison: University of Wisconsin Press.
- Henig, David. 2017. 'Prayer as History. Of Witnesses, Martyrs, and Plural Pasts in Post-War Bosnia-Herzegovina'. *Social Analysis* 61 (4): 41–54.
- Hronešová, Jessie. 2016. 'Might Makes Right: War-Related Payments in Bosnia and Herzegovina'. *Journal of Intervention and Statebuilding* 10 (3): 339–60. <https://doi.org/10.1080/17502977.2016.1199477>.
- Humphrey, Michael. 2012. 'Victims, Civil Society and Transitional Justice in Bosnia and Herzegovina'. *Temida* 15 (1): 59–75.
- Jankowitz, Sarah. 2018. *Order of Victimhood: Violence, Hierarchy and Building Peace in Northern Ireland*. Cham: Palgrave Macmillan.
- Jansen, Stef. 2007. 'Remembering with a Difference: Clashing Memories of Bosnian Conflict in Everyday Life'. In *The New Bosnian Mosaic Identities, Memories and Moral Claims in a Post-War Society*, edited by Xavier Bougarel, Ger Duijzings, and Elissa Helms, 193–210. Farnham: Ashgate.
- Jouhanneau, Cécile. 2013a. 'La résistance des témoins: mémoires de guerre, nationalisme et vie quotidienne en Bosnie-Herzégovine (1992-2010) [The resistance of the witnesses. War memories, nationalism and everyday life in BiH]'. Paris: CERI-Sciences Po.
- . 2013b. 'Would-Be Guardians of Memory: An Association of Camp Inmates of the 1992-5 Bosnian War under Ethnographic Scrutiny'. In *History, Memory and Politics in Central and Eastern Europe: Memory Games*, edited by Georges Mink and Laure Neumayer, 23–38. London: Palgrave Macmillan.
- Karge, Heike. 2010. 'Transnational Knowledge into Yugoslav Practices? The Legacy of the Second World War on Social Welfare Policy in Yugoslavia'. In *Veterans and Victims in Eastern Europe during the 20th Century. A Comparison.*, edited by Katrin Boeckh and Natali Stegmann, 75–86. Leipzig: Comparativ.
- Keck, Margaret E., and Kathryn Sikkink. 1998. *Activists beyond Borders: Advocacy Networks in International Politics*. Ithaca: Cornell University Press.
- Klepal, Jaroslav. 2018. "'The Only Thing I 'Earned' in the Damned War Was PTSD." Reconsidering Veteran Sociality and Politics in Bosnia and Herzegovina'. *Southeast European and Black Sea Studies* 18 (4): 489–507. <https://doi.org/10.1080/14683857.2018.1546941>.
- Kurtović, Larisa. 2015. "'Who Sows Hunger, Reaps Rage": On Protest, Indignation and Redistributive Justice in Post-Dayton Bosnia-Herzegovina'. *Southeast European and Black Sea Studies* 15 (4): 639–59. <https://doi.org/10.1080/14683857.2015.1126095>.
- Lai, Daniela. 2020. *Socioeconomic Justice: International Intervention and Transition in Post-War Bosnia and Herzegovina*. LSE International Studies. Cambridge: Cambridge University Press. <https://doi.org/10.1017/9781108871075>.
- Lakic, Mladen. 2018. 'Bosnian Serb War Victims Law Praised and Criticised'. *Balkan Insight*, 9 May 2018. <https://balkaninsight.com/2018/05/09/bosnian-serb-war-victims-law-praised-and-criticised-05-08-2018/>.
- Leydesdorff, Selma. 2011. *Surviving the Bosnian Genocide: The Women of Srebrenica Speak*. Bloomington: Indiana University Press.

- MacDonald, Anna. 2013. 'Local Understandings and Experiences of Transitional Justice: A Review of the Evidence'. The Justice and Security Research Programme. London: LSE.
- Macdonald, Anna. 2017. 'Transitional Justice and Political Economies of Survival in Post-Conflict Northern Uganda'. *Development and Change* 48 (2): 286–311.
- McAdam, Douglas, John D. McCarthy, and Mayer N. Zald. 1996. *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*. New York: Cambridge University Press.
- McEvoy, Kieran, and Kirsten McConnachie. 2013. 'Victims and Transitional Justice: Voice, Agency and Blame'. *Social & Legal Studies* 22 (4): 489–513. <https://doi.org/10.1177/0964663913499062>.
- Merwe, Hugo van der. 2014. 'Reparations through Different Lenses. The Culture, Rights and Politics of Healing and Empowerment after Mass Atrocities'. In *Reparation for Victims of Crimes Against Humanity: The Healing Role of Reparation*, edited by Jo-Anne M. Wemmers, 143–54. Abingdon, Oxon: Routledge.
- Mihajlovic-Trbovc, Jovana. 2014. 'Public Narratives of the Past in the Framework of Transitional Justice Processes: The Case of Bosnia and Herzegovina'. Ljubljana: University of Ljubljana.
- Milanovic, Marko. 2006. 'Narratives of Justice for the Balkans: Establishing Responsibility for Genocide in the Bosnian War'. *Serbian Yearbook of International Law* 2: 1–30.
- Moon, Claire. 2012. "'Who'll Pay Reparations on My Soul?'" Compensation, Social Control and Social Suffering'. *Social & Legal Studies* 21 (2): 187–99. <https://doi.org/10.1177/0964663911433670>.
- Mujkić, Asim. 2015. 'In Search of a Democratic Counter-Power in Bosnia–Herzegovina'. *Southeast European and Black Sea Studies* 15 (4): 623–38. <https://doi.org/10.1080/14683857.2015.1126094>.
- Nettelfield, Lara J. 2010. *Courting Democracy in Bosnia and Herzegovina: The Hague Tribunal's Impact in a Postwar State*. Cambridge: Cambridge University Press.
- Nettelfield, Lara J., and Sarah Wagner. 2013. *Srebrenica in the Aftermath of Genocide*. New York: Cambridge University Press.
- Nielsen, Christian Axboe. 2013. 'Surmounting the Myopic Focus on Genocide: The Case of the War in Bosnia and Herzegovina'. *Journal of Genocide Research* 15 (1): 21–39. <https://doi.org/10.1080/14623528.2012.759397>.
- . 2018. 'Collective and Competitive Victimhood as Identity in the Former Yugoslavia'. In *Understanding the Age of Transitional Justice*, 175–93. Rutgers University Press.
- Obradovic, Jelena. 2013. *Ethnic Conflict and War Crimes in the Balkans: The Narratives of Denial in Post-Conflict Serbia*. Bloomsbury Publishing.
- Obradovic-Wochnik, Jelena. 2009. 'Knowledge, Acknowledgement and Denial in Serbia's Responses to the Srebrenica Massacre'. *Journal of Contemporary European Studies* 17 (1): 61–74.
- Olsen, Tricia D., Leigh A. Payne, and Andrew Reiter. 2010. *Transitional Justice in Balance: Comparing Processes, Weighing Efficacy*. Washington D.C.: US Institute of Peace.
- Oppermann, Kai, and Henrike Viehrig. 2011. *Issue Salience in International Politics*. Routledge.
- Oslobođenje*. 2006. 'Silovane žene na margini zakona [Raped women on the margins of law]', 11 March 2006.
- Pham, Phuong N., Patrick Vinck, Bridget Marchesi, Doug Johnson, Peter J. Dixon, and Kathryn Sikkink. 2016. 'Evaluating Transitional Justice: The Role of Multi-Level Mixed Methods Datasets and the Colombia Reparation Program for War Victims'. *Transitional Justice Review* 1 (4): 60–94.
- Popić, Linda, and Belma Panjeta. 2010. 'Compensation, Transitional Justice and Conditional International Credit in Bosnia and Herzegovina Attempts to Reform Government Payments to Victims and Veterans of the 1992–1995 War'. Sarajevo. <https://goo.gl/6crClh>.
- Popovic, M. 2010. 'Vodic Kroz Tranzicijsku Pravdu u Bosni i Hercegovini'. Sarajevo: UNDP. http://www.mpr.gov.ba/web_dokumenti/Vodic%20kroz%20tranzicijsku%20pravdu%20u%20BiH.pdf.
- Powers, Kathy L., and Kim Proctor. 2017. 'Victim's Justice in the Aftermath of Political Violence: Why Do Countries Award Reparations?' *Foreign Policy Analysis*, no. 0: 1–24.
- Radio Slobodna Evropa*. 2019. 'Predsjednik Saveza logoraša uhapšen zbog lažnih karata [Chairman of the Union of Camp Inmates Arrested for Falsified Tickets]', 16 December 2019. <https://www.slobodnaevropa.org/a/30328353.html>.
- Radisavljević, Dejana, and Martin Petrov. 2017. 'Srebrenica and Genocide Denial in the Former Yugoslavia: What Has the ICTY Done to Address It?' In *Holocaust and Genocide Denial*, 145–57. Routledge.
- Ragin, Charles C. 1987. *The Comparative Method: Moving beyond Qualitative and Quantitative Strategies*. Berkeley/London: University of California Press.
- Sarkin, Jeremy, Lara J. Nettelfield, Max Matthews, and Renee Kosalka. 2014. *Bosnia and Herzegovina. Missing Persons from the Armed Conflicts of the 1990s: A Stocktaking*. Sarajevo: ICMP.

- Segovia, Alexander. 2006. 'Financing Reparations Programs'. In *The Handbook of Reparations*, edited by Pablo de Greiff, 650–72. Oxford: Oxford University Press.
- Simić, Olivera. 2012. "'Pillar of Shame": Civil Society, UN Accountability and Genocide in Srebrenica'. In *Transitional Justice and Civil Society in the Balkans*, edited by Olivera Simić and Zala Volčič, 181–200. New York: Springer.
- Stokes, Susan C., Thad Dunning, Marcelo Nazareno, and Valeria Brusco. 2013. *Brokers, Voters, and Clientelism: The Puzzle of Distributive Politics*. Cambridge: Cambridge University Press.
- Stover, Eric, and Harvey M. Weinstein. 2004. *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity*. Cambridge: Cambridge University Press.
- Subotić, Jelena. 2021. 'Holocaust and the Meaning of the Srebrenica Genocide: A Reflection on a Controversy'. *Journal of Genocide Research*, September, 1–12. <https://doi.org/10.1080/14623528.2021.1979294>.
- Trepanic, Aida. 2021. 'Bosnian War's "Disappeared" Remembered with Roses'. *Balkan Insight*, 30 August 2021. <https://balkaninsight.com/2021/08/30/bosnian-wars-disappeared-remembered-with-roses/>.
- Vinck, Patrick, and Phuong N. Pham. 2014. 'Consulting Survivors: Evidence from Cambodia, Northern Uganda, and Other Countries Affected by Mass Violence'. In *The Human Rights Paradox: Universality and Its Discontents*, edited by Steve J. Stern and Scott Straus, 107–24. Madison: University of Wisconsin Press.
- Vulliamy, Ed. 1994. *Seasons in Hell: Understanding Bosnia's War*. London: Simon & Schuster.
- Wagner, Sarah E. 2008. *To Know Where He Lies: DNA Technology and the Search for Srebrenica's Missing*. Berkeley: University of California Press.
- Waldorf, Lars. 2012. 'Anticipating the Past: Transitional Justice and Socio-Economic Wrongs'. *Social & Legal Studies* 21 (2): 171–86. <https://doi.org/10.1177/0964663911435827>.
- Walker, Margaret U. 2016. 'Transformative Reparations? A Critical Look at a Current Trend in Thinking about Gender-Just Reparations'. *International Journal of Transitional Justice* 10 (1): 108–25.
- Wilson, Richard Ashby, and Richard D. Brown. 2009. *Humanitarianism and Suffering: The Mobilization of Empathy*. New York: Cambridge University Press.
- World Bank. 2015. 'Poverty and Inequality in Bosnia and Herzegovina 2007-2011'. 97643. <https://goo.gl/3uvZrA>.