

**ASSEMBLY OF THE ISLAMIC COMMUNITY IN BOSNIA AND HERZEGOVINA
SARAJEVO**

D E C L A R A T I O N
ON GENOCIDE OF BOSNIAKS (BOSNIAN MUSLIMS) IN
UN PROTECTED AREA OF SREBRENICA

Sarajevo, 4th July 2015

Bismillahir-Rahmanir-Rahim!
In the name of God, the Compassionate, the Merciful!

➤ Starting from the Holy Qur'an:

„Because of this did We ordain unto the children of Israel that if anyone slays a human being unless it be [in punishment] for murder or for spreading corruption on earth - it shall be as though he had slain all mankind...” (Al-Ma'idah: 32);

Say: „O People of the Scripture! Come to a common word between us and you: that we shall worship none but God, and that we shall ascribe no partner unto Him, and that none of us shall take others for lords beside God. And if they turn away, then say: Bear witness that we are they who have surrendered (unto Him).“ (Ali Imran: 64);

„Do not say that those who are killed in the way of God, are dead, for indeed they are alive, even though you are not aware.“ (Al-Baqarah: 154);

➤ Continuing with the the saying (hadith) of the Prophet Muhammad p.b.u.h.:

Abu Zar al-Ghifari r.a. reported that Allah's Messenger p.b.u.h. reported that Allah, The Great and Almighty, said: "O My Servants! I have made oppression unlawful for Me and I have made it forbidden amongst you, so do not oppress one another." (Muslim: 6572);

➤ Following the Islamic legal ruling (fatwa) adopted by the Council of Muftis of the Islamic Community in Bosnia and Herzegovina on genocide of Bosniaks - Muslims in Srebrenica, as follows: „The Council of Muftis of the Islamic community of Bosnia and Herzegovina on its 3rd regular session, held on 3rd of June 2015 adopted an Islamic legal ruling (fatwa) by which any action of terror, killing and persecution of Muslims in the United Nations protected area of Srebrenica and Žepa is also, from the viewpoint of the Islamic law, genocide of Bosniaks Muslims.”

➤ Deriving this attitude from the judgments on genocide of Bosniaks in the area of UN protected area adopted by the International Criminal Tribunal for the former Yugoslavia in Hague (cases “Bera et al.” and “Krstić”) and International Court of Justice in Hague (case of Republic of Bosnia and Herzegovina against Serbia) which by full force and beyond any doubt prove that genocide was committed over Bosniaks in Srebrenica;

➤ Having in mind UN Security Council Resolution No. 819 from 16th April 1993 which proclaimed Srebrenica and Žepa area to be “protected United Nations area”;

➤ Taking into account the Resolution of the United States of America (H. Res. 199 from 27th June 2005) adopted in USA Congress stating that politics of aggression and ethnic cleansing implemented by Serbian forces in Bosnia and Herzegovina from 1992 to 1995, with the direct support of the Serbian regime of Slobodan Milošević and its followers ultimately led to the

displacement of more than 2,000,000 people, an estimated 200,000 killed, tens of thousands raped or otherwise tortured and abused, and the innocent civilians of Sarajevo and other urban centers repeatedly subjected to shelling and sniper attacks. In Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide (done at Paris on December 9, 1948, and entered into force on 12th January 1951) this is defined as a crime of genocide.

- Invoking the European Parliament Resolution on Srebrenica from 15th January 2009:
 - „B. whereas, during several days of carnage after the fall of Srebrenica, more than 8,000 Muslim men and boys, who had sought safety in this area under the protection of the United Nations Protection Force (UNPROFOR), were summarily executed by Bosnian Serb forces commanded by General Mladić and by paramilitary units, including Serbian irregular police units which had entered Bosnian territory from Serbia; whereas nearly 25,000 women, children and elderly people were forcibly deported, making this event the biggest war crime to take place in Europe since the end of the Second World War,
 - C. whereas this tragedy, declared an act of genocide by the International Criminal Tribunal for the Former Yugoslavia (ICTY), took place in a UN-proclaimed safe haven, and therefore stands as a symbol of the impotence of the international community to intervene in the conflict and protect the civilian population,
 - D. whereas multiple violations of the Geneva Conventions were perpetrated by Bosnian Serb troops against Srebrenica's civilian population, including deportations of thousands of women, children and elderly people and the rape of a large number of women.
- 4. Stresses the importance of reconciliation as part of the European integration process; emphasises the important role of religious communities, the media and the education system in this process, so that civilians of all ethnicities may overcome the tensions of the past and begin a peaceful and sincere coexistence in the interests of enduring peace, stability and economic growth; urges all countries to make further efforts to come to terms with a difficult and troubled past;
- Having in mind resolutions on condemnation of genocide in Srebrenica adopted by many other countries;
- Having in mind the need to mitigate and eliminate the consequences of genocide of Bosniaks in Srebrenica;
- Expressing determination that genocide must never happen to Bosniaks in Bosnia and Herzegovina nor any other ethnic or social group in Bosnia and Herzegovina, region or the world;
- Affirming the fact that, in the last 20 years since the genocide has been committed, the competent institutions of the state of Bosnia and Herzegovina of all levels did not implement

any suitable or necessary measure to present the objectives, scope and consequences of the genocide to all citizens of Bosnia and Herzegovina;

- Invoking the Article 68. of the Constitution of the Islamic Community in Bosnia and Herzegovina (revised text) and Article 14 of the Rules of Procedure of the Assembly of the Islamic Community in Bosnia and Herzegovina, the Assembly of the Islamic Community at its 2nd regular session held on 4th of July 2015, adopted the following:

D E C L A R A T I O N
ON GENOCIDE OF BOSNIAKS (BOSNIAN MUSLIMS)
IN UN PROTECTED AREA OF SREBRENICA

- The Assembly of the Islamic Community in Bosnia and Herzegovina condemns the genocide performed over Bosniaks - Muslims in Srebrenica that was planned by the politics promoting the ideals of Great Serbia and the Serbian military and police forces and considers it as the most brutal expression of aggression over a sovereign state of Bosnia and Herzegovina;
- The Assembly recons that the genocide of Bosniaks during the aggression against the Republic of Bosnia and Herzegovina (1992 – 1995) performed by Serbian forces in Bosnia and Herzegovina, directly assisted by Federal Republic of Yugoslavia (Serbia and Montenegro), was along with Srebrenica, also committed in: Brčko, Prijedor, Sanski Most, Ključ, Bijeljina, Bosanski Novi.. (Decision on Motion for Judgment of Acquittal, Hague Tribunal in Milošević case, from 16th June 2004);
- The Assembly requires most severe punishment of the organizers and perpetrators of genocide and other war crimes committed over Bosniaks;
- The Assembly makes obliges the bodies of the Islamic community and urges others as well to cherish constant memory over the martyrs/shahids –victims of the genocide of Bosniaks in Srebrenica;
- The Assembly desires God Almighty's mercy for the shahids and the killed, and expresses condolences to their families;
- The Assembly condemns all crimes that occurred in Bosnia and Herzegovina in the period from 1992 to 1995, performed by anyone over anyone else.
- While reasserting that there is no collective guilt, the Assembly highlights the collective responsibility of the Serbian people to admit that on their behalf crimes were committed,

including the crime of genocide, and that they have an obligation to face the consequences of the genocide;

- The Assembly reaffirms its commitment to sovereignty, territorial integrity and democratic system of Bosnia and Herzegovina and advocates for its multi-ethnic and multi-religious character and equality of all three constitutive peoples and all citizens;

I

- The Assembly invites the competent authorities in Republika Srpska and in Bosnia and Herzegovina to condemn genocide that occurred over Bosniaks in Srebrenica as well as to support i.e. help to bring to justice and prosecute all perpetrators of genocide and all perpetrators of war crimes in Bosnia and Herzegovina since 1992 to 1995 and to ensure the conditions for implementation of Annex 7 of Dayton Peace Accord, the return of Bosniaks to Republika Srpska and return of all the people to their homes in Bosnia and Herzegovina;
- The Assembly invites all competent institutions in the state of Bosnia and Herzegovina and the International community to urgently remove all legal, institutional and formal barriers in the functioning of Bosnia and Herzegovina as modern, democratic, legal and efficient European country. The barriers which have been also caused by the aggression against the Republic of Bosnia and Herzegovina, genocide of Bosniaks and its results;
- The Assembly urges that the condemnation of genocide based on the judgment of the International Court of Justice in Hague should be made authentic by, among other, reinstating the determinant „Republic“ to the state of Bosnia and Herzegovina which the country had on the day when it was admitted to the United Nations on 22nd May 1992 and the removal of which was the result of the aggression against the state of Bosnia and Herzegovina and genocide of Bosniaks;
- The Assembly invites the competent bodies in Bosnia and Herzegovina to renew the case against Yugoslavia (Serbia and Montenegro) for genocide of Bosniaks in Srebrenica and Bosnia and Herzegovina and for the aggression against Republic of Bosnia and Herzegovina, on the basis of the presentation of new facts before the International court in Hague;
- The Assembly invites the competent institutions of the state of Bosnia and Herzegovina and the International community to establish a District of Srebrenica for municipalities of: Srebrenica, Zvornik, Vlasenica, Bratunac, Rogatica - Žepa and Milići where mostly victims of genocide of Bosniaks lived, since the competent authorities of Republika Srpska are continuously negating the genocide and have not in the last twenty days managed to ensure equal rights and standards for all its citizens, especially Bosniaks. This District would be under the jurisdiction of the state of Bosnia and Herzegovina and would apply rights of ethnic

representation in all institutions and bodies of the District according to the Population census for Bosnia and Herzegovina from 1991;

- The Assembly is demanding from the High Representative for Bosnia and Herzegovina to immediately adopt the Law on Prohibition of Denial of Genocide of Bosniaks in Srebrenica and permanently prohibit the official use, wearing, promoting or utilization of the name, markings, flags, emblems and symbols used by the Army of Republic Srpska and the Police of Republika Srpska as perpetrators of the genocide over Bosniaks in Srebrenica, on the territory of the entire Bosnia and Herzegovina;
- The Assembly expects that the Council of Ministers of Bosnia and Herzegovina, the Government of Republika Srpska and the Government of the Federation of Bosnia and Herzegovina will draft a program "NO TO GENOCIDE" which would in the future 15 years ensure all necessary preconditions for removal of consequences of genocide of Bosniaks in the area of Srebrenica, Zvornik, Vlasenica, Bratunac, Milići and Žepa, and return to demographic state from the Population census from 1991, by: building infrastructure, agricultural development, construction of modern production capacities, full employment of returnees, modern education, health care protection, social care, youth engagement, safety, participation of women and their safety, and especially care for genocide victims. The Assembly rightly believes that this program will be supported by the United Nations, European Union, Organization of Islamic Cooperation, etc. since this program will warrant safety to all, build, strengthen and enhance trust;
- The Assembly expects that the authorities of Republika Srpska, on the territory of the entire entity, will ensure conditions for trouble-free return and stay of Bosniaks and others, establishment of security, infrastructure, economic, political, educational and other conditions through employment, social and health care protection, preservation of the Bosniak culture, especially the usage of Bosnian language, free expression of religion, ethnic representation at all levels of government and social life, personal safety, honor, property and dignity i.e. normal inclusion in the social life of Bosnia and Herzegovina and the world;
- The Assembly invites all people whose families were until 1992 living in this area, to return and continue permanently living on the land of their grandfathers decisively and persistently ensuring the conditions for humane and dignified life for themselves and for future generations;
- The Assembly expresses respect and support to the process of return of Bosniaks to the area from which they were removed and expelled by genocide, especially to those who returned to their homes, who led the process of return or in any way supported that process. Annex 7 of the Dayton Peace Accord will not be implemented in Bosnia and Herzegovina until all those who want it, have not returned to their pre-war residence. The Assembly considers the return of each Bosniak, each individual and each family to be a religious obligation;

- The Assembly invites all competent institutions in Bosnia and Herzegovina to adopt educational programs which will transmit to future generations the lessons on harmful consequences of former genocides, war crimes, ethnic cleansing and crimes against humanity and ensure that all schools, public and private, organize a visit to Memorial center in Potočari and lecture about these crimes to all pupils and students in the final grades of primary and secondary schools – in order for genocide never to occur again;
- The Assembly invites competent judicial bodies of Bosnia and Herzegovina to consistently implement the state Strategy for War Crimes Processing from 29th December 2008, and especially the prosecution of suspects of war crime and genocide Bosniaks in Srebrenica since there will be no real peace without justice;
- The Assembly welcomes all previous efforts of judiciary to investigate and prosecute the persons indicted for Genocide in Srebrenica and invites all states to cooperate with the Tribunal in Hague and competent courts in Bosnia and Herzegovina and asks the Tribunal to finalize the initiate procedures in an efficient and timely manner;
- The Assembly invites the Parliamentary assembly of Bosnia and Herzegovina, National Assembly of Republika Srpska and the Parliament of the Federation of Bosnia and Herzegovina to mark the 11th July 1995 – the Day of the Genocide of Bosniaks in Srebrenica regularly by holding commemorative sessions in their premises with TV streaming on all three public broadcasting services since institutionalization of the Day of Remembrance is the best way of paying respect to victims of crimes;

II

- The Assembly invites the Synod of the Serbian Orthodox Church and the Patriarch of the Orthodox Church in Belgrade to publicly condemn genocide of Bosniaks in Srebrenica and to call for judicial prosecution of all genocide perpetrators and for trust building between Orthodox believers and Muslims in the former protected area of Srebrenica, in whole Bosnia and Herzegovina and the region;
- The Assembly invites the leadership of the Islamic community of Bosnia and Herzegovina, Serbian Orthodox church, Catholic church and Jewish community in Bosnia and Herzegovina to revive God's rulings on the sanctity of human life and prohibition of its destruction by jointly commemorating the genocide of Bosniaks in Srebrenica;
- The Assembly expects the Government of the Republic of Serbia and Republic of Montenegro to build in Belgrade and Podgorica a monument to victims of genocide of Bosniaks in Srebrenica as an expression of their permanent determination to fight genocide, war crime, ethnic cleansing and crime against humanity in order for genocide never to happen in this region again;

- The Assembly highlights the importance of the experience of failure by the International community to prevent genocide in Srebrenica and expects acceptance of Bosnia and Herzegovina in Euro-Atlantic integration as soon as possible, as a measure of permanent prevention of genocide in Bosnia and Herzegovina and the region;
- The Assembly expects that the Republic of Serbia, Republic of Montenegro, Kingdom of Netherlands, United Nations, Bosnia and Herzegovina (i.e. its entities, Republika Srpska and the Federation of Bosnia and Herzegovina) and others who express the wish to be donors – establish an International fund for Removal of Consequences of Genocide of Bosniaks in Srebrenica amounting to 1 (one) billion Euro, which would be collected in the next five years, in equal annual installments, and would be utilized in the project NO TO GENOCIDE, i.e. in a suitable way;

III

- The Assembly following the Islamic legal ruling (fatwa) of the Council of Muftis of the Islamic community in Bosnia and Herzegovina from 3rd July 2015, pronounces 11th of July to be the day of remembrance of the martyrs/shahids of the genocide of Bosniaks in Srebrenica which will be permanently marked by the Islamic community in Bosnia and Herzegovina in Srebrenica region by funeral prayer in absence, religious ceremony (mawlid) and other activities in the complex on the Memorial center Srebrenica, Potočari;
- The Assembly requires from the Riyasat (Seat) of the Islamic community in Bosnia and Herzegovina to draft a program which would in the period of 15 years ensure all necessary preconditions for removal of the consequences of the genocide of Bosniaks in Srebrenica, Vlasenica, Bratunac, Milići and Žepa in relation to religious life of Muslims and reconstruction of the Islamic community: restoration of congregations (jammats), rebuilding and building of mosques, masjids (smaller mosques without minarets), mektebs (classrooms for religious classes), houses for imams, waqfs and other infrastructure and revival of religious life, community, charitable giving and activities, neighborhoods...;
- The Assembly instructs Riyasat (Seat) of the Islamic community to mark 11th of July as the Day of Genocide of Bosniaks in Srebrenica in the official calendar of the Islamic community as a date to be marked by Riyasat and also that the Riyasat should manage and coordinate all Islamic community activities in relation to this day;
- The Assembly instructs Riyasat (Seat) of the Islamic community to ensure that all students of Islamic high schools (madrasas), Islamic faculties and other institutions of the Islamic community during their education visit Burial site of the Genocide of Bosniaks and Memorial center in Potočari and attend the history class with obligatory presentation of the judgments of the International court in Hague and International Criminal Tribunal for Former Yugoslavia (ICTY);

- The Assembly instructs the Riyasat to ensure scholarships for all full time pupils and students from this area in Islamic high schools (madrastas) and Islamic faculties in Bosnia and Herzegovina. It is expected from Riyasat to ensure scholarships for students of other faculties as well who after their university education would like to return to this area and with their work and knowledge contribute to its development;
- The Assembly highlights that the Islamic legal ruling (fatwa) of the Council of Muftis pronounces that the victims of genocide are martyrs/shahids and instructs Riyasat to, in accordance to Islamic tradition of Bosniaks, organize activities and programs which will permanently preserve the memory of shahids, victims of genocide and war crimes, and also to present the genocide fatwa and genocide facts to all visitors at the Burial site, under the auspices of the Islamic community;

* * *

- With this Declaration the Assembly would like to give its contribution to establishment of trust and reconciliation through renunciation of terror, crime and genocide forever and through building of a sovereign, democratic, just, advanced and European Bosnia and Herzegovina, our home country that we will love, protect and improve, while being dedicated to one God.

Sarajevo, 4th July 2015

The President of the Assembly
Hasan Čengić

(Unofficial translation)