

TRIAL

TRACK IMPUNITY ALWAYS

BOSNIA AND HERZEGOVINA



WHO WE ARE

TRIAL (Track Impunity Always) is a Geneva based international organization with offices in Bosnia & Herzegovina, the Democratic Republic of Congo, and Nepal that focuses on international justice and the fight against impunity. Established in 2002 by lawyers, human rights activists and victims, TRIAL's main goal is to put the law at the service of victims of the most serious crimes (genocides, crimes against humanity, war crimes, torture, sexual violence and enforced disappearances).

TRIAL fights against the impunity of perpetrators, instigators and accomplices of the most serious international crimes; defends victims' interests before domestic courts and international human rights mechanisms; and raises awareness among the authorities and the general public regarding the necessity for an efficient national and international justice system to prosecute the most serious crimes. It is an apolitical and non-confessional organization and enjoys consultative status before the United Nations Economic and Social Council.



HOW DOES TRIAL WORK IN BIH?

TRIAL (www.trial.ba) is locally registered in Bosnia and Herzegovina (BiH) and since 2007 has worked to improve the situation of victims of international crimes through the implementation of a program of legal support to victims of war, both at the local and international level.

HOLISTIC APPROACH

TRIAL's approach to fighting against impunity that combines strategic **human rights** litigation, investigations, advocacy, capacity-building, awareness raising, and research has not been invested by many actors. TRIAL believes that this new field of legal activism holds an important potential to bring justice to victims of international crimes, to set new global standards in the struggle against impunity and enhance the deterrent effect of justice.

Through a combination of litigation, advocacy, awareness-raising, and research activities, TRIAL fights the impunity of perpetrators, helps reinforce the rule of law and improves the situation of victims of international crimes.



ADVOCATING FOR JUSTICE

TRIAL's BiH office contributes to raising awareness and advocating for justice by putting pressure on the government and judicial bodies to actively work on the issues of wartime survivors. Additionally, TRIAL raises awareness among future generations and organizes trainings for NGO professionals, victims associations, and public institutions' professionals on the use of international human rights mechanisms and standards in protecting wartime survivors in BiH.

WORKING HAND IN HAND WITH LOCAL ASSOCIATIONS

TRIAL closely cooperates with many victims' associations, NGOs and public sector institutions (government, judiciary, etc.) throughout Bosnia and Herzegovina. Thanks to this cooperation, since 2009, along with numerous other victims' associations and NGO's, TRIAL contributes to UN reports and other human rights monitoring mechanisms with joint submissions.



WHAT IS TRIAL'S IMPACT IN BIH?

To date, TRIAL has represented more than 300 victims by filing over 100 proceedings before international (European Court of Human Rights and the UN Human Rights Committee) and national bodies. You will find more information on some of our cases here.

Its tireless work has contributed to the increase of war crimes prosecutions before domestic courts and the increase in the number of war victims demanding for their rights.

TRIAL's most significant impact in Bosnia and Herzegovina includes the following:

IMPROVING THE SITUATION OF VICTIMS

- Historic awarding of compensations to two victims of wartime sexual violence within criminal proceedings along with the sentencing of the perpetrators at the BiH Court
- International recognition of human rights violations perpetrated **by BiH** against over 50 members of families of missing persons and over 30 persons who went missing in war – through obtaining 11 positive decisions before the UN Human Rights Committee awarding the families adequate remedies for those violations
- Submitting the first two applications ever to the Constitutional Court of BiH concerning wartime sexual violence



STRATEGIC LITIGATION

- Prompting the prosecution of 11 perpetrators of wartime sexual violence
- Two positive decisions of the Constitutional Court of BiH obtained in response to 50 applications prepared for families of missing persons
- Over 100 family members of victims of enforced disappearances **from BiH** represented before the UN Committee for Human Rights and the European Court of Human Rights

REINFORCING THE RULE OF LAW

- Amendments to the BiH Criminal Code made following advocacy activities – redefining wartime rape and other forms of sexual violence, torture and enforced disappearance, in line with international standards
- An important part of amendments to the Law on the Ombudsman for Human Rights of BiH, prepared by a coalition of leading NGOs in BiH, among which TRIAL played a crucial role, were accepted by the Ministry for Human Rights and Refugees and will be introduced in parliamentary procedure



NGO COOPERATION, OUTREACH AND TRANSFER OF KNOWLEDGE

- After BiH courts released several war criminals pending retrial leading to the escape of one of them, TRIAL addressed on several occasions, in cooperation with victims' associations, the UN Special Rapporteur on the Promotion of truth, justice and guarantees of non-recurrence, after which the BiH courts blocked further release of these war criminals
- Over a dozen reports submitted to the UN on BiH (CEDAW, HRC, CAT), as well as to the Special Rapporteurs, Working Group on Enforced and Involuntary Disappearances and UPR (Universal Periodic Review), as well as providing contributions to the EU progress reports
- The initiation of the first public discussion ever held in Banja Luka on wartime sexual violence and its consequences on survivors
- The first presentations on the topic of human rights standards, using international mechanisms for protecting the rights of survivors of wartime sexual violence organized for over 100 students at law faculties in BiH **and over 20 legal professionals trained on using mechanisms in their everyday practice**





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THE TRIAL BiH TEAM

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