

Katarina Ristić/Vladimir Petrović/Anna Geis

Caught between The Hague and Brussels: Millennials in Serbia on ICTY War Crime Trials¹

Introduction: The “Millennials”

Research on “generation Y” or “millennials” (born between 1980 and 2000) indicates a number of differences in values and attitudes which distinguishes this generation from “generation X” and the so-called “boomers” including: their working habits and higher valuation of leisure time, consumerism, and the relation to advertisement, usage of social media and the internet as their main social landscape.² In this regard, the Serbian “generation Y” might not differ much from their peers abroad. They were born shortly before or during the war and the International Criminal Tribunal for the former Yugoslavia (ICTY) was a main condition for Serbia’s EU accession for most of their formative years. Although their knowledge is mediated through social encounters and the media, they do have an opportunity to look at the past anew, as they are perceived as generationally uninvolved in the wartime events. What do these young people know about the ICTY, about the wars in the 1990s, about war crimes and the prosecution of war crimes? How do they perceive the work of the Tribunal, how do they evaluate its legitimacy and its contribution to the process of dealing with the past?

In legal literature on international criminal justice, the ICTY is often praised as having done pioneering work in ending impunity after the end of the Cold War.³ However, in the eyes of many people in the region of former Yugoslavia the Tribunal has instead done much *injustice* since its establishment in 1993. The lowest level of the ICTY’s perceived legitimacy is consistently detected in Serbia and Republika Srpska where the Tribunal has been considered as clearly biased against Serbs. To what extent do young people share this perception? Every year, the Faculty of Law in Belgrade organizes a prestigious oratory competition for students. In 2012, one of the victors was a freshman who delivered an inspired speech about the difference between law and justice. His chief example was the “Tribunal, which in spite of the reasons for its foundation, stands as synonymous with the lack of access to justice.”⁴ His passionate speech denied the ICTY any legitimacy and was received well by his fellow law students, faculty and the audience. To what extent does this anecdotic evidence reflect general political attitudes and worldviews among Serb students? This article presents findings from six discussion groups with altogether forty-one students from different disciplines, studying in 2015 in Belgrade. We are not to generalize from discussion groups to general group attitudes, hence the discussions are interpreted as indicators of common values and orientation patterns of meaning.⁵ At the same time, students’ responses allow for at least partial insight into the sensitive parts of their current worldviews. Before presenting the methodology and results, we will briefly contextualize our research within studies on transitional justice and the controversial role of the ICTY in processes of dealing with the past.

The ICTY as a Controversial Element of Transitional-Justice in the Western Balkans

More than a decade ago, the European Union officially started negotiations on a Stabilization and Association Agreement with Serbia. Besides the usual criteria concerning domestic reforms of candidate countries, in the case of Serbia, the EU insisted that additional criteria be fulfilled, which were: Serbia's full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY) and progress in "normalizing" relationships with Kosovo. It should be observed that this policy was instituted for the entire Western Balkans, in particular during the negotiation process with Croatia. However, nowhere was it as thoroughly implemented as in Serbia.⁶ Many people in Serbia view these additional criteria as humiliating; nonetheless, the Serbian government has shown willingness to comply. In June 2001, the authorities transferred Slobodan Milošević to The Hague, right before the decision on approving the continuation of Western financial aid. Similar dynamics, named 'conditionality policy', marked an entire decade. In October 2011, three months after Serbia arrested Goran Hadžić, the last remaining ICTY fugitive, the European Commission recommended Serbia be granted candidate status. The importance of cooperation with the ICTY diminished, not the least as the Tribunal, established in 1993 in The Hague, closes down very soon. Still, it is currently still dealing with, among others, three high-profile trials (the rulings on Radovan Karadžić and Vojislav Šešelj were just delivered in March 2016; Ratko Mladić's trial is ongoing).⁷ Such criminal tribunals can play a crucial role in memory politics and so-called transitional justice processes after violent conflicts,⁸ but their success in the reconciliation processes depends on perceived legitimacy and effectiveness.

The ICTY is therefore a central but controversial instrument of transitional justice. Scholars have highlighted the precedence-setting character of the court, which represents a form of progress in international law that could help countries under its jurisdiction find peace through the application of justice.⁹ However, the ICTY's record in Serbia has not matched the exaggerated expectations that were projected onto the court by practitioners as well as academics from the very beginning.¹⁰

One critical aspect in assessing the positive or negative impact of a tribunal on domestic societies is its perceived *legitimacy* in a "target society." Legitimacy is a crucial social attribution for the effective realization of transitional mechanisms of justice. The ICTY mandate comprises several self-ascribed tasks: it investigates and individually penalizes war crimes but also generates reliable historical evidence through its legal proceedings that should elucidate the course of events leading to the crimes in question.¹¹ By collecting and weighing reliable historical evidence, the ICTY takes on an implicit educational role. Media representations that frame the ICTY as an illegitimate or an anti-Serb institution undermine the organization's authority to establish the historical "truth" and effectively spread its message to domestic audiences.

The process of dealing with the past in Serbia and the societal response to the war crime trials have been discussed in the literature mainly as failures or as partial successes at best. In one of the first reports about responses to the trials, Professor of International Law Diane Orentlicher from the American University notes that trials are contributing to some kind of dealing with the past, at least in the sense that they are "shrinking the space of denial."¹² Political scientist Jelena Subotić working at the Georgia State University concludes that transitional justice was "hijacked" by political elites, who opted for cooperation with the ICTY for pragmatic reasons rather than

substantially invoking ICTY trials and moral obligations toward the victims.¹³ Resonating with political elites, print media continuously undermined legitimacy of the Tribunal, reporting with strong ethno-nationalist bias about the trials.¹⁴

Public response to such political and media discourses remained to a large extent denialist. The most consistent research on public opinion was conducted by Ipsos Strategic Marketing. On behalf of the Belgrade Center for Human Rights and the Organization for Security and Cooperation in Europe, a representative sample was surveyed from 2001 until 2011 on “Attitudes toward war crimes, the ICTY and the national judiciary.”¹⁵ The last among these polls from October 2011 shows that only twelve per cent of the Serb population consider themselves informed about the activity of the ICTY, whereas sixty per cent of the population claims to be insufficiently informed or not at all. This trend is even amplified within the youngest respondents (born between 1988 and 1995). In this group only six per cent claim to be informed, and sixty-nine per cent claim ignorance. This ignorance is not just their subjective opinion; it is confirmed by other responses. Only eight per cent were able to actually name an approximately correct number of persons indicted for war crimes.¹⁶ However, ignorance should not be confused with the lack of interest or opinion. Within the general population, sixty-five per cent think that the establishment of the Tribunal was unnecessary; whereas only twenty-two per cent think it was a necessity. Among younger respondents somewhat more, thirty per cent, consider the ICTY necessary.¹⁷ The organization’s bias is similarly skewed: whereas in the general population seventy-three per cent consider the Tribunal as biased and sixteen per cent do not, the youngest respondents are divided fifty-two to twenty-nine per cent.¹⁸ Still, twenty-seven per cent of them feel that the Tribunal was established to put the blame for war crimes on Serbs, fifteen per cent feel that it was formed to satisfy the demands of the international community, whereas only thirty-six per cent acknowledge its role in fighting impunity.¹⁹ Although institutional trust in Serbia is generally on a low end (for example, thirty-eight per cent trust in their national judiciary, whereas fifty-two per cent do not²⁰) such a negative attitude toward the ICTY still calls for an explanation.

Certainly, the attitudes about the ICTY and the recent past of the region should be seen in the wider context of general relations toward the past. In light of an alleged regional obsession with the past, an equally detailed survey from 2009 provides surprising answers. Apparently, among the general population over seventy-one per cent show little or no interest in history, an answer particularly prevalent among the youngest generation. Asked about their general knowledge of history, eighty-seven per cent of the younger generation (born between 1980 and 1991) responded “not particularly” or “a bit.”²¹ According to the survey, sixty-one per cent of the youth is convinced that Serbia conducted wars for liberation only. Fifty-three per cent of millennials do not know who bombed Dubrovnik, sixty-three per cent do not know what happened in Ovčara, and seventy-four per cent are ignorant about Sjeverin. The level of knowledge seems to improve about Srebrenica, where only a little over twenty-seven (or thirty-one per cent of youth) claim ignorance. However, although the majority is ready to pick Srebrenica out as the single biggest crime committed during the wars in the former Yugoslavia, only six per cent among the youngest population perceive it as genocide.²²

The researchers who designed the survey expressed their concern about “the fact that the greatest prejudices were shown by the youngest respondents, those between eighteen and twenty nine years of age,”²³ but they were unable to explain why. In order to find out more about the attitudes of the young generation in Serbia, we conducted discussion groups with students in Belgrade in 2015.

Generational Memory

Generational memory, as a form of social memory is created through shared experiences by a group of people. A generation is usually perceived as group which “receives a distinctive imprint from the social and political events of its youth,” which is especially important in terms of individual memory since “memories are strongest for those (events) in their youth at the time of the event.”²⁴ According to Assmann, generational memory follows from the fact that one group “has witnessed the same incisive historical events, generations share a common frame of beliefs, values, habits, and attitudes.”²⁵ One characteristic of generational memories, like individual memories, is that they are embodied, experiential, unlike political and cultural forms of memory, which are “transgenerational.” Political memory, e.g., national memory, is created through a selection of historical events which emphasize “positive self-image and support specific goals for the future”²⁶ varying from a victorious memory of triumph to a martyrological narrative of defeat. The status of narratives involving shame and guilt present a particular type of “collective memory of perpetrators (which) is still an exception.”²⁷ Change in western Germany, which started with the first postwar generation blessed with the “innocence of birth” presents a “change in the basic grammar of the construction of collective political memory.”²⁸ This change was created, among other reasons, due to the Eichmann and Auschwitz trials, which “brought Nazi war crimes home” and which were both reported extensively in German media,²⁹ while dissonance between two generations slowly emerged, especially during public forums organized by the state of Hessen after the trial.³¹ Similar concerns were also expressed in the best-selling work of Hannah Vogt, about the responses of German youth to the questions of guilt.³¹

As for the postwar generation in the U.S., Schuman and Scott note a change in the recollection of the main themes. Unlike the war generation whose memories are vivid, personal “obviously concrete and autobiographic,” memories of the second generation situate World War II in the broader perspective which could be acquired “in courses on American history, or from television.”³² Hence, the second-generation memory seemed to be more homogenized, and under greater impact of social-political mediation, easier to influence and alter, unlike highly resistant individual memories.

Discussion Groups with Students in Serbia

As a research method and tool for exploring group norms, the discussion group explores participants’ interactions and group dynamics.³³ German educational scientist Ralf Bohnensack elaborated the “documentary interpretation”; this method especially focuses on “collective meaning patterns” which could be deduced from seemingly unconnected individual speech positions during the discussion group.³⁴ It focuses on “deeper collective orientation-structures or orientation-patterns” which underlies at first sight unrelated (or loosely related) answers of participants. Especially important for the analysis is how different speech turns relate to the main topic, in the sense of differentiation (setting boundaries), exemplification, distancing of counter-horizons, but also what are missing topics.³⁵ The main advantage of the representation paradigm is the replicability of results, which ensures reliability of the method. In the first step, we focused on the formulation of interpretation, where general categories induced from coded topics were used to identify “formal discourse organization,” and then sorted them according to the level of argumentation

that they supported (general interpretative frame, intermediate level, and empirical support). In the second step of “reflecting interpretation” we looked for the metaphorical meaning behind literal text (orientation patterns), which enabled actual speech turns.

Prior to the invitation to join a discussion group, the authors collected basic information about the potential participants (origin, faculty, political orientation), seeking to compose the groups with regard to various regions, faculties, and different political views. Six discussion groups were assembled between February and October 2015 in Belgrade. The first discussion group, held in February 2015, consisted of students of the Belgrade Open School (BOS), an elite institution composed of a cross section of ambitious, advanced undergraduate students in their final years, mostly from the area of social sciences and humanities. The second and the third groups were created from students with different political affiliations, from pro-EU (DS, LDP) to rightist parties (DSS, SNS, SRS), and those who have expressed an interest in the topic. The last three discussion groups were assembled in Belgrade in October 2015. The fourth and fifth groups, assembled in the Institute of Social Sciences, were composed of participants from the BOS school, while the last, sixth group was composed of students from different faculties. It should be noted that the authors used channels to advertise the discussion groups mainly through the educational programs at the Youth Initiative for Human Rights (YIHR) and Humanitarian Law Center (HLC), while three groups were composed of BOS students. In other words, the participants are better informed about the past and open, or even enthusiastic, about Serbia’s EU accession prospects.

The six discussion groups brought together forty-one participants, almost half of whom were female (twenty male, nineteen female), mainly students in the Faculty of Political Sciences, Faculty for Organizational Sciences, and Faculty of Law, while other students were enrolled in Biology, Mathematics, or technical sciences like Civil Engineering. Five participants were born before the 1990s, while the others were born between 1991 and 1994. Most of the participants were from Belgrade, Vojvodina, and south-central Serbia (Kragujevac, Leskovac, Užice, Šabac), currently studying in Belgrade, while four persons were refugees from Bosnia/Croatia, and one from Kosovo.

Notwithstanding the heterogeneous composition of discussion groups, it became obvious during the talks that they were relatively uninformed both about war crimes and the attempts to prosecute them. Lack of knowledge was partly coupled with strong opinions, distributed unevenly in the groups. In four out of the six groups, the tone was set by a single student who had personal experience with the war since this person had been a refugee. Their knowledge was much greater and detailed providing undisputed “facts” in contrast to the general observations of other students. In two groups where no one-person dominance emerged, students were more insecure and uncertain about how to make sense of the past, seeking information about atrocities, court rulings, etc. In other words, persons with direct experience of the war were the most informed, eager to discuss this topic, and most bitter; their influence on the rest of the group led us to presume paramount importance of personal experiences and family memories as opposed to the public ones. These differences played an important role: knowledge about the accused and their crimes is significantly greater among those born in 1988/89, while all students from southern Serbia reported that they had relatives (father, uncle, grandfather, brother) in (at least) the Kosovo war. Finally, most importantly, there was the proximity to violent conflict: all participants who personally experienced the war tended to be more knowledgeable and more opinioned, better able and more willing to lead the discussion and set the tone, main arguments, and offer examples from their personal lives.

The Interpretative Level: Ideology, Law and Justice

In analyzing the kind of interpretative frame underlying students' opinions on the Tribunal formulated in discussions, one finds it informed by rather uncritical ethno-nationalism. Students use "our"/"us" and "their"/"they" unquestionably, confirming naturalization of nationalism within the young generation. Another manifestation of nationalism could be identified in a stereotypical division between "Serbs as tolerant patriots" and "Bosniaks, Croats, and Albanians as extremist nationalists." There was constant reference to a very tolerant Serbian society and individuals, Serbia as imagined space where people of any ethnic origin can peacefully move around and have social relations, and a notion on distinction between chauvinism as an expression of hatred toward the others, which is perceived as negative, as opposed to concern for one's own people, which is valued positively. Moreover, Serbian education is perceived as such that "we are not taught to hate anyone" as opposed to Croats, Bosniaks, and Albanians "who are thought to hate Serbs from a very young age."³⁶ When asked if that is not strange that Serbs are so tolerant while all other groups are full of hatred, students laughed, but did not try to make any sense out of it. Even during the war "Serbs showed how tolerant they are"³⁷ and while every nation's history is to some extent nationalist, in Serbia "people are quite neutral, open. It doesn't matter who is of which ethnicity; that is not our main criterion. Everything is individual; there could be fools on any side."³⁸ At the same time, students routinely and casually use derogatory terms for other ethnicities, only occasionally noting that these expressions are used to demark radical extremists among the population.

Participants seemed very irritated by the institutionalization of war memory in Croatia and Bosnia, where "they talk about war every day [...] They search for their identity."³⁹ Judging by the tone of the speaker, one can assume his general outrage about this kind of politics, while another voice confirms these practices as well known and common. A third participant offers an explanation that turns the discussion back into Croatian pathological nationalism: "The Croatian nation is held together by hatred toward Serbs. If there were no Serbs on the planet, Croatia would fall apart, and they would become new Serbs."⁴⁰ Celebrations and official commemorations of war in Croatia and Bosnia are considered as one-sided, denying their responsibility for war and crimes committed. Students found "the homeland war" especially offensive: "What a defalcation! They didn't have their own country, that we attacked, and they then defended. It was one federal state which was composed of several states. They all had rights [...] that is another topic."⁴¹ This passage could be read as a particular expression of the "defense war" thesis, which was implicitly or explicitly invoked in all six discussion groups.

The students were surprised that Serbia does not celebrate any war event, but refused the notion that it was due to the lost wars, asking what it would actually mean to "win a war." They tried to prove that Serbia did not lose the war in Kosovo, but one student reminded them that "Serbia got a paper saying that Kosovo is part of Serbia" and in that sense, Serbia "won." The student here refers to the Kumanovo agreement which ended the NATO bombing campaign in June 1999.

Responsibility for the Wars

It is hard to maintain this kind of nationalist worldview and "defense war" narrative while obtaining, however distorted, information about war crimes and Serbian responsibility by heads of state. Apparently, the interpretative background that enables such interpretations is provided by narratives

of Western conspiracies against Serbia in particular and in general of “Western responsibility” for the breakup of Yugoslavia and the subsequent establishment of the ICTY. The students think that the ICTY represents some foreign interests and targets Serbs in particular. One participant, with whom others agreed immediately, said that the ICTY was established on the dictate of foreign governments and for the interest of these governments. “Our” people might be guilty but they were drawn into the conflict. It was the goal of foreign governments to ruin Yugoslavia in order to easily control smaller states. They also noticed that Western governments still have a great influence on Serbian politics, and that they established the Tribunal in order to clean *their* hands of crimes (see also below, on ICTY). “The West” is blamed for the dissolution of Yugoslavia and for providing, legally or illegally, weapons for the secessionists, hence enabling the war. Croats, Albanians, and Bosniaks are seen as puppets, used by “the West” to achieve the goals of “the West.”

Some of the students attributed responsibility also to the political elites of the conflict parties. Sometimes this absolves people who fought but accuses elites of other nations: “As for [19]99, Albanians, I’m talking about Shiptars, not about Albanians as people, who were also brought there and instigated from other Albanians to occupy territory and create Greater Albania as in World War II.”⁴² In other cases, this might also refer to the political elites in Serbia: “tension was induced by politics. And I speak about the West, but also about political elites who did all that for their own interests. [...] Also media had an important role in all that.”⁴³ Some rejected a conspiracy of “the West”: “I don’t think that the West played a decisive role; the main responsibility was on political elites and the media,”⁴⁴ stressing that all three leaders (of ethnic communities) were responsible. Finally, in one discussion, one participant found that local people were responsible: “ultimately, the biggest responsibility is on us, no one from the West told me to go and kill this Croat; he can assist, but the final decision is on the local people.”⁴⁵

A rational corrective to the Western conspiracy theories could be found in an understanding of world politics as an interest-driven field, which is dominated by powerful states. A general “Realpolitik” worldview focuses on nation-states and the power of sovereign states as the only relevant categories in international politics. Because international relations function as “simple interests of states, we have found ourselves here where we are, our political elite is as it is, and so we are where we are now.”⁴⁶ In several discussion groups, emotional responses about a Western conspiracy were corrected, referring to interests of powerful states, and the inadequate way Serbia defended its legitimate interests during the war.

The division between the Western-conspiracy and Realpolitik worldview resonates with two main political discourses, namely a nationalist and pragmatist one, also exemplified in the cooperation with the ICTY, where pro-European political elites endorsed EU conditionality politics as a pragmatic deal for potential financial benefits. Similarly, prevailing support for the EU accession among participants, despite a few skeptical voices, was based on pragmatic reasons, like a visa-free travel regime, and accession funds. EU accession politics is criticized for its “favoritism” towards others, e.g., Croatia (the Tribunal acquitted Ante Gotovina so that Croatia can enter the EU), but for Serbia conditions remain stricter: “We all know what happened in Operation Storm.”⁴⁷

Cosmopolitanism and related human rights discourses that are central to conceptions of transitional justice seem to lie outside of students’ orientation horizons. They find transnational movements, human rights and civil society groups as well as an emerging international legal system politically irrelevant. At the same time, they seem to dismiss “human rights” movements in general as idealistic illusions with no impact in the real world since human rights activists are “idealist, seeking a better world, but whether that is achievable that is another question.”⁴⁸ Cosmopolitanism seems to be perceived as yet another form of extremism: “I have a problem with

those who declare they are ashamed of being Serbs, announcing they are cosmopolitans, just as I have a problem with those who are the ‘biggest Serbs ever born.’”⁴⁸⁹

On the other hand, discussants were not rejecting human rights and international humanitarian law in general. Neither were they against the idea that war crimes are supposed to be punished; in fact, they were condemning them. They even searched for alternative models of a judicial body, which would impartially prosecute war crimes (some options which emerged during discussions were the International Court of Justice, the International Criminal Court, mixed panels, domestic trials). They also did not oppose an international legal body prosecuting war crimes in principle, but if “they were in New Zealand I would maybe trust them”⁵⁰ and agreed that “the West” is by no means a “neutral side” in the conflict.

The Intermediate Level: The Tribunal and Politics

The intermediate level of interpretation, connecting facts from the Tribunal and the meta-narrative of the interpretative frame, consists of three variations on political influences on the Tribunal, enabling operationalization of their theories of the world, and providing meaningful interpretation of ICTY trials. The first one is that the ICTY is a political court, in the sense of prosecutorial and judicial practice. The second argument depicts the Tribunal as “victors’ justice,” often followed by the third one, namely the dismissal of the Tribunal’s intention to “write Serbian history.”

In all groups it immediately became clear that all the participants have serious doubts regarding the legitimacy and overall purpose of the ICTY. The majority was convinced that the ICTY did not evenly deliver justice, mainly due to political reasons: the Tribunal is described as a political court, which puts only Serbs on trials. In one group, this claim was falsely supported with Wikipedia, which lists some ninety per cent of accused being Serbs.⁵¹ In two other groups suspicion was raised due to the establishment of the ICTY by the UN instead of an inter-state agreement. The Tribunal is “one completely illegitimate institution, created only to render us as the guilty party, and to cover everything they, foreigners, Western states, Americans, did.”⁵² Similarly, several students in other groups agreed that the Tribunal was “a perfectly conceived game of foreigners [...] who created the tribunal to wash their hands of crimes.”⁵³ The main role of the Tribunal lies in the “legitimization of the role of the West in what was happening.”⁵⁴ Or, as a participant noticed, following a similar discussion “we are just like some black hole, guilty for everything.”⁵⁵ One student concluded bitterly that “even bombardment [i.e., NATO’s 1999 bombing of Serbia] is our fault.”⁵⁶

Nevertheless, in two groups, at least one participant confronted this idea, stating that Serbia was the only party involved in three wars and that statistically it is the highest probability that Serbs would constitute the majority of defendants.⁵⁷ In another group, the moderator posed a similar question, but one participant responded: “we were attacked on all these fronts,”⁵⁸ further confirming the defense war thesis.

Such mentioned facts confirming that “all/only Serbs are convicted” resonate with media reports on the ICTY trials, listing the number of Serbs accused, of their high rank in military or political positions, as well as the harsh sentences. The lack of proceedings/ verdicts against other groups’ perpetrators, on the other hand, sealed this imbalance as a political decision. It is interesting to note that empirical support for the claim of a “political court” stems from the knowledge about individual cases, and the next section will deal with this knowledge in more detail.

The most direct argument of the ICTY as “victors’ justice” is given by one student who draws an historical analogy to World War II, claiming that the ICTY is “like Nuremberg, a place where

victors prosecute the defeated.”⁵⁹ A similar interpretation was confirmed in other groups since “the West” was responsible for the outbreak of war: “I don’t know. Where did they get the right to judge anyone?”⁶⁰ “Foreigners caused the war and established the Tribunal,”⁶¹ which disqualifies it as an impartial body. The main reason for such a partiality might but does not have to be a characteristic of this particular institution, as one of the participants noticed: “History has always been written by winners. It is impossible that there won’t be some influence.”⁶² One student in the sixth group expressed a somewhat diverse understanding, differentiating between the positive start of the institution and its infamous closure: “In the beginning it was good, since they would never be on trial here, but later it was very politicized. (The Tribunal) searched for the compromise to satisfy all parties, and justice was not achieved.”⁶³

This presentation of Serbs as the only guilty party in war is closely connected with the perception of collective guilt ascribed by the Tribunal and an attempt to portray Serbia as a “genocidal nation,” hence the ICTY writing Serbian history. “The biggest ‘success’ of the Tribunal is that they convicted us, and when thrown some bad image, created bad images about Serbs. I agree that the perpetrators of the crimes should be convicted, but all others should be convicted also.”⁶⁴

Some students especially stressed the negative impact of these judgments, since they “enter history.” The rewriting of (Serbian) history and presenting Serbs as a genocidal people is then taken as a reason to establish the tribunal in the first place.⁶⁵ In other words “[b]ig nations separate their own negative deeds, and try to present them as excesses – it’s not the Germans, it’s the Nazis; it’s not the Croats, it’s the Ustashas, but with us, Serbs are genocidal people.”⁶⁶ This attempt is strongly opposed, and historical examples are searched to prove that such notions of collective guilt are inadequate: “taking into account that Germans are not marked as a genocidal people, I don’t know how they could [say that about] us ... After such a war [World War II] when one nation caused so much suffering [...]”⁶⁷ In other words, a comparison with Nazi Germany reveals the inappropriateness of the perpetrators’ image ascribed to Serbs.

In the argument of the “Tribunal writing history” students mainly focused on the character and content of the history told, rather than on the objection that legal institutions should not write history. This might imply some kind of openness for legal narratives, once they are discovered or confirmed as trustworthy.

The question about the Tribunal’s (potential) success seemed to have surprised students, who obviously never encountered this idea. So after a short silence, one group started laughing. In the end, one of the students said that the greatest success is that the Tribunal has persisted for so long, so that many people have jobs and salaries.⁶⁸ Others found no success in this. In the third group, they also agreed that there was no success, while one student added that he does not know of any case in which they actually reached a verdict.⁶⁹

Interestingly, none of the participants claimed that the Tribunal was an impartial institution with the potential for bringing about reconciliation. This stands in stark contrast to the strong assumption that is often made in literature on transitional justice (see above), however, it does not mean that students think reconciliation itself is unimportant. On the contrary, they seem to be upset by the fact that the Tribunal actually “disperses hatred” and they highly value the need for peace. They also indicate that “war crimes” are still a very sensitive topic, which cannot be approached calmly and rationally in such a short period after the conflict. In other words, they are aware of the political and media manipulations of the topic, but are unable to create their own consistent narrative; first, because of the lack of empirical facts which would support it, and secondly, because the Tribunal as a neutral, objective legal body is not available at an intermediate, interpretative level.

The Empirical Level: Knowledge About the ICTY Trails

Finally, the analysis of the empirical level and the way knowledge about ICTY trials is used to support a general framing of the past, shows that all facts that the students can provide about the Tribunal are consistent with the failure image, including the acquittals of the military commandants Ante Gotovina of Croatia,⁷⁰ Ramush Haradinaj⁷¹ of Kosovo-Albania, and Naser Orić⁷² of Bosnia-Serbia; the Šešelj⁷³ trial (derided as a circus); the death of Milošević (“Milošević was killed”⁷⁴), and the controversy about witnesses in the Haradinaj case. The case of Vojislav Šešelj, who was acquitted by the ICTY months after interviews with the groups, seems to be especially familiar to most of the students, probably due to the wide circulation of certain video clips of his trial. The defendant’s vulgar language and defiance of authority seemed to be popular among teenagers. The unexplained, long imprisonment of defendants prior to their sentence was evidence of the court’s procedural mistakes, while the acquittals proved that there were political motivations behind the indictments. Since a number of participants in the discussion groups were law students, the Tribunal’s troublesome procedures were criticized.

“What about Serbian victims?” is a recurring question in all discussion groups, as a reminder of the unjust Tribunal, but also as a reminder of the political impotence of the state to adequately defend Serbia and represent the case to the world. There is a strong sense of injustice towards the Serbian victims and antagonism towards the demonized picture of Serbs, which is omnipresent in the West. The Tribunal is blamed for creating and disseminating this picture. “Operation Storm,” the organ trafficking affair, the acquittal of Haradinaj, and the impunity of those responsible for victims in Bratunac suggest that the ICTY considers certain victims to be irrelevant. Some of the students had heard about false witnesses and false testimonies, which were later rebutted, especially in the Šešelj trial. As one of participants said “I don’t know about cases where they [the Tribunal] proved something, but I know about those in which the accused proved that false witnesses and false evidence had been imposed against them.”⁷⁵ On the other hand, non-legal “hearsay” is cited as “hard evidence”⁷⁶ for crimes against Serbs; Šešelj and Haradinaj are mentioned in four out of six groups with detailed depictions of witness testimonies or other details from the case. They are aware that the ICTY acquitted Šešelj, but they think of it as an additional outrage as he spent twelve years in custody. Conversely, they barely heard about acquittals of Momčilo Perišić⁷⁷ and Jovica Stanišić⁷⁸, Milošević’s wartime heads of military and state security.

In every group, the question of whether “genocide” could be proven in some of the trials led to confusion and long negotiations. During the discussion phase, all forms of denial present in Serbian print media⁷⁹ would be repeated, from the epistemological form (number of killed varying from 1,000 to 8,000), to the legal (genocide as a specific crime which is hard to prove) and the political (suspicion is raised due to the instrumentalization of the crime for political purposes). Besides the denial arguments, the counter narratives recalling the Bratunac victims range from those in which children and women were allowed to leave (as a proof that it was not genocide), to the rumors about some of the killed actually being alive somewhere. The counter narratives were presented by refugees in the discussion groups, who have more detailed knowledge about the cases, whereas the Serbian students usually invoked epistemological, political, and legal arguments.

Sometimes, these negotiations were rejected, as in the fourth discussion group, where one of the students noted: “it doesn’t matter what you call the deaths of 1,000 or 10,000 people; it is a moral failure of some individuals, and that is terrible however you call it.”⁸⁰ Whereas some of the

participants claimed that a verdict establishes the number of 8,000 killed, there was no denialist response. It seems that the students take for granted a certain amount of confusion (or ignorance) and do not confront these claims with counter arguments or emotional responses. In all groups, there were longer discussions on whether there has already been an ICTY judgment confirming genocide in Srebrenica, sometimes ending with those who claimed at the beginning there has been one, and then changing their mind.⁸¹

Confronted with the crimes (e.g., Batajnica, Srebrenica), some of the participants expressed their moral outrage: “I’m ashamed if this is all true, that’s terrible if it’s true”⁸² adding that they are ashamed “of what these people did.” In another group, one of the participants mentioned that for him the biggest personal shame is that a mass grave with 700 bodies of Albanian civilians is located near Belgrade, and that no one knows about it. Another participant jumped in: “I’m shocked [...]. In some sense it is better that we don’t know [...]. Now, I’m completely disappointed.”⁸³ During her comment, several other students jumped in: “I’ve never heard about that!” Another voice added, “Me neither!” Interestingly, her disappointment was somewhat comforted by the fact that those responsible had been punished or were being punished. She asked, with hope: “Some people are punished for that, right?” indicating that prosecution of those responsible and the justice that trials bring might play an important role in the future perception of crimes, once their existence is established beyond a reasonable doubt.

Apart from such intense moments, the students’ outlook on responsibility is very general, such as “if he is guilty, he should be held responsible.” Nevertheless, every time students try to go into more details, their knowledge about “their” acquittals re-appears and literally obscures the view. The discussions showed a striking discrepancy between a univocal, passionate dismissal of the Tribunal and the lack of knowledge about the cases establishing facts about war crimes. Participants claimed not to have heard of any evidence brought to court in the Srebrenica case, testimonies of survivors who reached Tuzla, or of those who survived mass executions. The same is true for Kosovo; participants do not know about mass graves in Batajnica (and do not connect it with the “Kosovo six” case⁸⁴) or with any other Kosovo war crime.

It is important to note that the students are aware of media bias and their exposure to one-sided stories and also of their lack of knowledge and insufficiency of information, but they seem unwilling or unable to approach the subject differently. They do show interest in the past and would like to hear more information and new interpretations (for example, asking the moderator to provide more facts on the Srebrenica or Kosovo cases).

At the same time, although participants have a concept of “manipulated media,” they do not use it to critically examine their own media consumption. Mostly, they do not use any of the alternative sources of information (such as the media platforms Sense, Birn, Peščanik, and sources from NGOs). A few mentioned the Tribunal’s website as offering much information, others pointed to RSE and Peščanik as trustworthy sources.⁸⁵ It seems that students confirm the general fallacy seen in the research “ICTY Attitudes” whose respondents feel largely uninformed about the Tribunal’s activity, but by an equally large margin claim that the tribunal is not impartial. Furthermore, they seem largely unaware of an obvious cognitive dissonance in their attitudes.

Collective Orientation Patterns

The second step of interpretation is reflection, identifying the main collective orientation patterns common in individual speech turns during the discussion groups. We identified two main

orientation patterns. One pattern consists in confronting the external (tribunal's) justice and truth with the participants' notion of justice and truth. The other pattern is oriented on elaborating the general distrust of domestic and international institutions alike, from educational and legal institutions, to media and political institutions.

External/internal Justice (truth): Confronted with the proposal that the Tribunal might be a fair institution, bringing justice for victims, students engaged in setting boundaries to the notion of "justice" as applied by the Tribunal, and distancing "real justice" from the Tribunal's justice. Several metaphors were repeated: "victors' justice," unfair, illegitimate, selective justice, while specifying what and how examples are used led to the failure of the Tribunal both in terms of legal performance and reconciliation. In depicting the Tribunal's justice (or external justice) in this way, they clearly indicate the existence of some other justice which was not present in the Tribunal, but around which they implicitly agree. This perception is based on the knowledge about crimes (inner truth about war), which wasn't shown in Tribunal, and external, Tribunal's produced truth about past (external truth) which is strongly contested. In defining the boundaries of inner truth, participants often reached toward family memories and peer group conversations, which offer eyewitness accounts of events to confirm the inner truth.

Students share general distrust of institutions, which are held responsible for very little information about the last war they have. Participants engaged in differentiation and exemplification of this topic by pointing to both a lack of the subject or to selective and rather limited knowledge they are provided with in school. This sense of distrust of history as it is taught in schools is complemented with a general distrust in political elites and also media that both are regarded as concealing important information and manipulating facts. Three participants also stated their negative evaluation of Croatian and Bosnian media. An analysis of this apparent distrust towards domestic media, political elites and domestic education is beyond the scope of our research, but this political disaffection is confirmed in a recent survey of 1,200 citizens of Serbia between ages fifteen and twenty-nine.⁸⁶ The results indicate fairly low rates of trust in political institutions: only about twenty per cent of young respondents profess to have "some extent to a lot" of trust in the media and in the Serb government; about sixteen per cent in the Serb parliament and about eleven per cent in the political parties.⁸⁷ Judged against a background of such results about the political attitudes of young Serbs, one might interpret the results of the discussion groups also as an indicator of a larger distrust towards international and national institutions alike and their pronouncedly negative attitude towards the ICTY as a symptom of wider disorientation.

Conclusion

The results of discussion groups confirmed our initial concerns about the scope of denial. To avoid cognitive biases, we devoted much attention to the methodological approach, which was constructed from the bottom up; general categories were created from the focus metaphors identified during the coding process. We aimed not only to demonstrate the attitudes of Serbian youth, but also to understand the underlying thought patterns. In the first step of formulating the interpretation, the analysis of patterns underlying the discussions about the ICTY resulted in a three-level model composed of an interpretative level (nationalism, Realpolitik, cosmopolitanism), an intermediate level (political influences on the Tribunal) and an empirical level (the utilization of knowledge about cases and their relation to the intermediate and interpretative levels). The elements of the interpretative level to some extent resonate with political discourses on the past,

which focus on nationalism (rightist political parties) or Realpolitik (pro-European parties), while completely neglecting cosmopolitanism and human rights discourses.

On the second level, there was a larger convergence in the participants' statements and the perception of a political bias of the court seemed to prevail. Interestingly, even those few students who thought the Tribunal was neutral and objective at its beginning concluded that the last acquittals compromised justice for the victims. Their opinion resonates with public discourses of human rights NGOs and their general support of the Tribunal in the beginning, which turned into bitter disappointment after the infamous acquittals.

Finally, the third level mainly points to the general lack of (correct) information about the ICTY in media. The very distinction between what is known and what is not known indicates selectivity in the media presentation of the war crime trials. Most importantly, students were perceptive of new facts and interpretations, showing that they have a genuine need to understand the past and obtain neutral, objective information. The problem persists that there are few, if any, objective, neutral institutions which they perceive as trustworthy. Interestingly, it seems that the level of education or high grades do not influence these findings, and neither does the background of students in social sciences and humanities, which suggests that the educational system suffers from crucial problems on all levels, from elementary school to postgraduate courses. In the meanwhile, the Serbian government was adamant about keeping the results of the ICTY distant from the educational system, containing its impact on alternative hubs with low dissemination. Ongoing negotiations with the ICTY to include lectures about the cases in the high-school's curriculum were publicly rejected after the second Gotovina judgment, with Minister of Foreign and Domestic Trade and Telecommunications, Rasim Ljaljić, expressing his contempt with the Tribunal's intention to teach Serbian youth about history and reconciliation.⁸⁸ In the absence of any sort of comprehensive political education, the entire generation seems left to make sense of the world on their own. In such an environment, reproducing the surrounding stereotypes comes with a foreseeable outcome. At the same time, if reaction to the ICTY is only a variation of general mistrust of international and domestic institutions alike, an ambitious educational program might start from this destructive skepticism in fostering more reflexive attitudes.

We would like to conclude our analysis by emphasizing that in order to obtain more solid judgments about current perceptions towards the ICTY in the former Yugoslavia, the analysis of Serbia's youth is only one element and requires more comparative studies. The widespread perception of the ICTY as "anti-Serb" renders the analysis of this case especially relevant but is far from exhaustive on the matter. In addition, when interpreting the statements of the student participants in the discussion groups, one should also keep in mind that the questions posed concern the most sensitive issues of a political community. Dealing with one's violent past, confronting crimes, guilt and victimhood, is a tremendous and often painful challenge to any community. As the institutional structures, both within media system and public education, are failing to fulfill that task, disorientation among the youth is an unavoidable consequence. One hopes that such confusion would evolve into desire to obtain more knowledge about war crimes in former Yugoslavia and to discuss multiple perspectives on the violent past. However, as of yet, there is no evidence to support such hope.

Notes

- 1 We gratefully acknowledge the funding for our research project by the German Foundation for Peace Research (*Deutsche Stiftung Friedensforschung*).
- 2 Ruth N. Bolton et al., “Understanding Generation Y and Their Use of Social Media: A Review and Research Agendannull,” *Journal of Service Management* 24 (June 14, 2013): 245–67.
- 3 Diane F. Orentlicher, *Shrinking the Space for Denial: The Impact of the ICTY in Serbia* (New York: Open Society Institute, 2008).
- 4 Besedništvo Pravni fakultet, “Nikola Petrovic, besednistvo 2012“, in *You Tube*, 31 July 2012, minute 0.55 <<https://www.youtube.com/watch?v=lzmm86Ch6qU>> (30 May 2016); our translation.
- 5 Michael Bloor, ed., *Focus Groups in Social Research: Introducing Qualitative Methods* (London, Thousand Oaks, Calif: SAGE Publications, 2001), 17.
- 6 Judy Batt, Jelena Obradovic-Wochnik (ed.), War Crimes, conditionality and EU Integration in the Western Balkans, Chailot Paper no 116 (June 2009), <http://www.iss.europa.eu/uploads/media/cp116.pdf>; Nikolas M. Rajkovic, *The Politics of International Law and Compliance: Serbia, Croatia and The Hague Tribunal*, New York: Routledge 2012.
- 7 Slobodan Milošević was president of Serbia from and of Federal Republic of Yugoslavia from 1997. Indicted by the ICTY in 1999 for crimes committed by Serbian forces on Kosovo, he was ousted from power in October 2000 and transferred to the ICTY in June 2001. International Criminal Tribunal for the former Yugoslavia (ICTY), Slobodan Milosevic Case http://www.icty.org/case/slobodan_milosevic/4 (30 May 2016). The case against him was broadened to crimes committed by Serbian proxies in Bosnia (Radovan Karadžić <http://www.icty.org/case/karadzic/4> and Ratko Mladić <http://www.icty.org/case/mladic/4>) and Croatia (Goran Hadžić <http://www.icty.org/case/hadzic/4>). The process against Milošević was terminated in March 2006 as he was found dead in his prison cell.
- 8 Mark Osiel, *Mass Atrocity, Collective Memory, and the Law* (New Brunswick, N.J: Transaction Publishers, 1997).
- 9 Victor Peskin, *International Justice in Rwanda and the Balkans : Virtual Trials and the Struggle for State Cooperation* (Cambridge [UK] , New York: Cambridge University Press, 2008).
- 10 Martina Fischer and Ljubinka Petrović-Ziemer, *Dealing with the Past in the Western Balkans: Initiatives for Peacebuilding and Transitional Justice in Bosnia-Herzegovina, Serbia and Croatia* (Berlin: Berghof Foundation, 2013); Janine Natalya Clark, “Transitional Justice, Truth and Reconciliation: An Under-Explored Relationship,” *International Criminal Law Review* 11 (2/2011): 241–61(21).
- 11 Allison Marston and Jenny S. Martinez, “Guilty Associations: Joint Criminal Enterprise, Command Responsibility, and the Development of International Criminal Law,” *California Law Review* (2005), 75–169, 85; Peskin, “International Justice in Rwanda and the Balkans,” 10.
- 12 Orentlicher, “Shrinking the Space for Denial.”
- 13 Jelena Subotić, *Hijacked Justice Dealing with the Past in the Balkans* (Ithaca and London: Cornell University Press, 2009).
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- 15 Belgrade Center for Human Rights, “Attitudes Towards the International Criminal Tribunal for the Former Yugoslavia (ICTY),” in *Organization for Security and Co-operation in Europe*, 2011 <<http://www.osce.org/serbia/90422>> (20 May 2016).
- 16 *Ibid.*, 26–27, 43.
- 17 *Ibid.*, 30.
- 18 *Ibid.*, 45.
- 19 *Ibid.*, 31.
- 20 European Commission, “Standard Eurobarometer 83,” in *ec.europa.eu*, Spring 2015, Annex, T 30 <http://ec.europa.eu/public_opinion/archives/eb/eb83/eb83_anx_en.pdf> (30 May 2016).
- 21 Vojin Dimitrijević, ed., *Novosti iz prošlosti. Znanje, neznanje, upotreba i zloupotreba istorije* (Beograd: Beogradski centar za ljudska prava, 2010), 36.
- 22 *Ibid.*, 153.
- 23 *Ibid.*, 31.
- 24 Howard Schuman and Jacqueline Scott, “Generations and Collective Memories,” *American Sociological Review* 54 (3/1989): 359.

- 25 Aleida Assmann, "Memory, Individual and Collective," in *The Oxford Handbook of Contextual Political Analysis*, ed. Robert E. Goodin and Charles Tilly (Oxford; New York: Oxford University Press, 2006), 214.
- 26 Ibid., 217.
- 27 Ibid., 218.
- 28 Ibid., 219.
- 29 Tamar Zemach-Marom, Akiba A. Cohen, Jurgen Wilke, Birgit Schenk, *The Holocaust and the Press: Nazi War Crimes Trials in Germany and Israel* (Cresskill, N.J.: Hampton Press, Inc., 2002); Rebecca Wittmann, *Beyond Justice: The Auschwitz Trial* (Cambridge, Mass.; London: Harvard University Press, 2005).
- 30 Wittmann, "Beyond Justice", 262–263.
- 31 Hannah Vogt, *Schuld oder Verhängnis? 12 Fragen an Deutschlands jüngste Vergangenheit*, 10th. ed. (Diesterweg: Sonderdruck, 1969); Reinhard: Henkys, *Die Nationalsozialistischen Gewaltverbrechen. Geschichte Und Gericht. Mit Einer Einleitung von Kurt Scharf Und Einem Beitrag von Jürgen Baumann, Herausgegeben von Dietrich Goldschmidt.*, 1st. ed. (Stuttgart/Berlin: Kreuz-Verlag, 1964).
- 32 Schuman and Scott, "Generations and Collective Memories," 373–374.
- 33 Bloor, "Focus Groups in Social Research."
- 34 Ralf Bohnsack, "Group Discussion and Focus Groups," in *A Companion to Qualitative Research*, ed. Uwe Flick, Ernst von Kardorff, and Ines Steinke (London, Thousand Oaks, Calif: Sage Publications, 2004), 217.
- 35 Eva Breitenbach, "Sozialisation und Konstruktion von Geschlecht und Jugend. Empirischer Konstruktivismus und dokumentarische Methode," in *Die dokumentarische Methode und ihre Forschungspraxis*, ed. Ralf Bohnsack, Iris Nentwig-Gesemann, and Arnd-Michael Nohl (Wiesbaden: VS Verlag für Sozialwissenschaften, 2013).
- 36 (DG [Discussion Group] 6, 0:52:30).
- 37 (DG 6, 1:25:33).
- 38 (DG 6, 1:26:00).
- 39 (DG 2, 1:20:00).
- 40 (DG 2, 1:20:45).
- 41 (DG 2, 1:21:30).
- 42 (DG 2, 0:03:51).
- 43 (DG 3, 0:19:18).
- 44 (DG 6, 0:53:06).
- 45 (DG 6, 0:55:10).
- 46 (DG 6, 1:35:10).
- 47 (DG 6, 0:20:50). The military operation by the Croatian military in August 1995 in Krajina in which Serbian people were forced to flee was known as "Operation Storm."
- 48 (DG 6, 1:37:50).
- 49 (DG 6, 1:35:05).
- 50 (DG 2, 00:05:00).
- 51 Interestingly, even this fact – the only one actually used to support this opinion – was wrong. = Wikipedia's article about Serbia states that 76.8 per cent of all judgments on the accused are of Serbian origin. https://sr.wikipedia.org/wiki/%D0%A5%D0%B0%D1%88%D0%BA%D0%B8_%D1%82%D1%80%D0%B8%D0%B1%D1%83%D0%BD%D0%B0%D0%BB Wikipedia in English, on the other hand, states the number 94, not as a percentage but the number of accused (or 94 out of 161) https://en.wikipedia.org/wiki/List_of_people_indicted_in_the_International_Criminal_Tribunal_for_the_former_Yugoslavia accessed 27.08.2015.
- 52 (DG 2, 0:02:56).
- 53 (DG 3, 0:06:55).
- 54 (DG 4, 0:24:30).
- 55 (DG 4, 0:32:30).
- 56 (DG 3, 0:18:00).
- 57 (DG 4, 0:14:30).
- 58 (DG 3, 0:17:32).
- 59 (DG 4, 0:10:43).
- 60 (DG 2, 0:05:03).
- 61 (DG 3, 0:05:50).
- 62 (DG 3, 0:33:35).
- 63 (DG 6, 0:09:06).
- 64 (DG 2, 0:12:06).

- 65 (DG 6, 0:46:16).
- 66 (DG 6, 1:43:53).
- 67 (DG 3, 0:19:03).
- 68 (DG 2, 0:11:54).
- 69 (DG 3, 0:38:53).
- 70 Ante Gotovina was Croat General, Commander of the Split Military District of the Croatian army from October 1992 to March 1996. As a commander of Krajina during the military operation “Storm” in 1995, he was charged on the basis of individual criminal responsibility with persecutions as crimes against humanity and plunder of property and wanton destruction of towns not justified by military necessity as violations of the laws or customs of war. He was also charged with murder and inhumane acts as crimes against humanity. Trial Chamber convicted Gotovina to 24 years of prison, finding him guilty of persecution, deportation, and murder as crimes against humanity and plunder of property, wanton destruction as violations of the laws or customs of war. Appeal Chamber acquitted Gotovina on all charges, finding he was not guilty of any crimes. ICTY, Ante Gotovina Case, <http://www.icty.org/case/gotovina/4> (30 May 2016)
- 71 Ramush Haradinaj was a commander of the Kosovo Liberation Army. According to the indictment, he was part of the JCE with the plan to unlawfully remove Serbian civilians from the Dukagjin area. The Indictment includes the attacks against one refugee camp and killings of civilians, as well as mistreatment of detainees in the detention facility in Jablanica. He was charged on the individual criminal responsibility with persecutions as crimes against humanity, and cruel treatment, murder, torture, rape as violations of the laws or customs of war. Both trial and appeal chamber found Haradinaj not guilty on all counts of the indictment. Nevertheless, trial chamber notices that trial was held in the atmosphere where “witness felt unsafe” which served as a reason for the retrial, nevertheless ending with the acquittal. ICTY, Ramush Haradinaj Case <http://www.icty.org/case/haradinaj/4> (30 May 2016)
- 72 Naser Orić was commander of Bosnian Muslim forces in eastern Bosnia from 1992 till 1995. He was accused for knowing but not preventing or punishing maltreatment and murders of prisoners in Srebrenica Municipal building. Furthermore during the period May 1992 to February 1993, Muslim armed units conducted number of military operations against Serb Army, destroying and burning number of Serbian villages and hamlets, while Serbian population fled the area. He was charged on the basis of individual and superior criminal responsibility with wanton destruction of towns not justified by military necessity and murder and cruel treatment as violations of the laws or customs of war. ICTY, Naser Orić Case, <http://www.icty.org/case/oric/4> (30 May 2016).
- 73 Vojislav Šešelj is a Serbian politician, founder of an extreme nationalist Serbian Radical Party which procured significant number of volunteers implicated in war crimes in Croatia and Bosnia. Charged for these crimes, as well as for consequences of the hate speech which characterized his public appearances, Šešelj surrendered to the ICTY in early 2003, leading to a 12 years long trial beset with controversies, ending in acquittal in March 2016. ICTY, Vojislav Seselj Case, <http://www.icty.org/case/seselj/4> (30 May 2016)
- 74 (DG 2, 1:32:20).
- 75 (DG 3, 0:40:10).
- 76 (DG 2, 0:23:10).
- 77 Momčilo Perišić, Chief of the General Staff of the Yugoslav Army from 1992 until 1998. Indicted by the ICTY in 2005, he was sentenced in first instance but acquitted on appeal in February 2013. ICTY, Momcilo Perisic Case <http://www.icty.org/case/perisic/4> (30 May 2016)
- 78 Jovica Stanišić, Chief of the State Security of Serbia from 1992 until 1998. Indicted by the ICTY in 2003, he was acquitted in December 2015 and is currently on retrial alongside with his deputy, Franko Simatović. ICTY, Jovica Stanisic Case http://www.icty.org/case/stanisic_simatovic/4 (30 May 2016)
- 79 Ristić, “Imaginary Trials.”
- 80 (DG 4, 0:29:34).
- 81 (DG 2, 0:44:51).
- 82 (DG 3, 0:1:26).
- 83 (DG 6, 1:09:53).
- 84 Kosovo Six refers to the case against top political (Nikola Šainović, Milan Milutinović), military (Dragoljub Ojdanić, Nebojša Pavković, Vladimir Lazarević) and police (Sreten Lukić) figures indicted in 1999 for crimes committed in Kosovo. Apart of Milan Milutinović, then president of Serbia, who was acquitted, all the others were sentenced in first instance and on the appeal in December 2014 – Lukić with 20, Lazarević with 14, Pavković with 22 and Šainović with 18 years of imprisonment. ICTY, Šainović et al. Case, <http://www.icty.org/case/milutinovic/4> (30 May 2016)

- 85 Belgrade Center for Human Rights, "Attitudes Towards the International Criminal Tribunal for the Former Yugoslavia," 26–27.
- 86 Smiljka Tomanović and Dragan Stanojević, *Young People in Serbia 2015: Situation, Perceptions, Beliefs and Aspirations* (Friedrich Ebert Stiftung, 2015).
- 87 Ibid., p. 110.
- 88 RTS, Dnevnik 2, 16. 11. 2012. Interview with Minister Rasim Ljaljić