

CHAPTER 8

THE BOSNIA-HERZEGOVINA CRISIS AND THE UN'S DISPUTE RESOLUTION

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INTRODUCTION:

The Dissolution of Yugoslavia

During the Cold War years, the Socialist Federal Republic of Yugoslavia stayed away from the Eastern and Western blocks because of the independence-based policy of President Josip Broz Tito called “The New Path in Socialism”.¹ By the end of the Second World War, although he had become closer to the Soviet Union, Tito was disturbed by Stalin’s ruling attitudes. Belgrade joined the Non-Aligned Movement², which has become a rising international force while not having close relations with the United States. However, due to the ineffectiveness of the movement, Tito directed his quest towards Yugoslavian domestic politics, wanting to reinforce the idea that each country should follow a specific path using the political system he called *Self-Management Socialism*.³

Tito died in May 1980 and since then, the growth of independence movements has accelerated in the republics of Serbia, Bosnia and Herzegovina, Slovenia, Croatia, Macedonia

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- 1 İrfan Kaya Ülger, *Yugoslavya Neden Parçalandı, Balkan Dramının Perde Arkası*, Kocaeli: Umuttepe Yayınları, 2016, p. 99.
 - 2 İbrahim Kamil, “Soğuk Savaş Sırasında Balkan Devletleri (1945-1990)”, *Soğuk Savaş Sonrasında Balkanlar (1990-2015)*, edited by İbrahim Kamil, Ankara: Nobel Yayınları, 2017, pp. 30-32.
 - 3 Josip Broz Tito, *Özyönetimli Sosyalizm*, translated by İlhami Emin, İstanbul: Koza Yayınları, 1978, pp. 27-30.

and Montenegro, as well as in the autonomous regions of Vojvodina and Kosovo.⁴ The process ended in 1990 with the dissolution of the Soviet Union and the Eastern Bloc, which was the other pole of the adversary international system during the cold war, and this affected Yugoslavia. In this Republic, the independence of Slovenia, Croatia and then of Macedonia, Bosnia and Herzegovina led to the collapse of Yugoslavia.⁵

Through this process, the Republic of Bosnia and Herzegovina followed a moderate policy against Slovenia and Croatia's efforts to leave the Republic.⁶ It mediated between the two countries and asked for the establishment of a soft confederation rather than the disintegration of Yugoslavia. Serbia and Croatia signed a secret agreement against Bosnia and Herzegovina.⁷ Slobodan Milosevic and Franyo Tucman shared the Republic of Bosnia and Herzegovina with the Karacorvevo Agreement in 1991, leaving the Bosnians a small buffer zone between Serbia and Croatia.⁸

Following this agreement, representatives of the Bosnian Serb and Croat communities met in Graz, Austria to continue negotiations. Mate Boban, leader of the Croatian Democratic Community in Bosnia and Herzegovina and Radovan Karadzic, President of the Srpska Republic, attended a secret meeting in February 1992 in Graz, Austria.⁹ In this meeting, they decided to split the territory of Bosnia and Herzegovina 3 ways: 60% to Serbs, 30% to Croats and 10% to Muslims.¹⁰ Franyo Tucman and Yugoslav President Chosic also held a confidential meeting where they agreed to share Bosnia and Herzegovina. Finally, despite a boycott by the Serbs, on 15 October 1991 after the participation of Muslim and Croat deputies in parliament, two resolutions were adopted to ensure Bosnia and Herzegovina's sovereignty and separation from the Yugoslavian Federation in the near future.¹¹ Alongside these two resolutions, it was also emphasized that if other parts of Yugoslavia accepted the continuation of the federal union of Yugoslavia, Bosnia would join the issues, too.¹²

4 Müzehher Yamaç, "Multi cultural Ethnic Composition in The Balkans, Minority Rights and Bulgaria", *International Balkan and Near Eastern Social Sciences Conference Series IBANESS Conference Series-Plovdiv/Bulgaria*, edited by Dimitir Kirilov Dimitrov, Rasim Yılmaz, Günther Loschnigg, March 12-13, 2016, p. 715.

5 Nesrin Kenar, *Yugoslavya, Yugoslavya Sorununun Ulusal ve Uluslararası Boyutu*, Ankara: Palme Yayıncılık, 2005, p. 1.

6 Miša Gleni, *Balkanite (1804-1999)*, translated by Svetlana Lekova, Izdatelstvo Riva, Sofya, 2004, p. 584.

7 *Türkiye Gazetesi*, 3 October 1991; "Müslümanlara Komplö", *Günaydın Gazetesi*, 23 July 1991.

8 Tanıl Bora, *Milliyetçiliğin Provokasyonu*, İstanbul: Birikim Yayınları, 1991, p. 215.

9 İlker Alp, "Soğuk Savaş Sonrası Bosna-Hersek ve Srebrenitsa Mezâlimi", *Soğuk Savaş Sonrasında Balkanlar (1990-2015)*, edited by İbrahim Kamil, Ankara: Nobel Yayınları, 2017, p. 116.

10 Nesrin Kenar, "Bosna-Hersek Savaşı", *Balkanlar El Kitabı, Çağdaş Balkanlar*, Volume: II, Ankara, 2017, p. 179.

11 İlker Alp, "Balkanlar ve Yugoslavya Olayları", *The Journal Of Armed Forces*, Year. 111, No: 332, April, 1992, p. 23.

12 Zekeriya Yıldız, *Geçmişten Günümüze Bosna Hersek*, İstanbul 1993, p. 140; *Türkiye Gazetesi* 23 October 1991; *Cumhuriyet Gazetesi*, 16 October 1991.

1. The Establishment of the Republic of Bosnia and Herzegovina

The biggest reaction to Bosnia and Herzegovina's decision to leave Yugoslavia came from Serbia and the Bosnian Serbs. Serbia has, to some extent, accepted the separation of Slovenia, Croatia and even Macedonia from the union. However, due to the geopolitical and geostrategic importance of this country, it has resisted efforts to prevent the separation of Bosnia and Herzegovina. Serbia's administrators have included this republic in the New-Third Yugoslavia project, which consists of Montenegro, Sandžak, Kosovo and Vojvodina. According to Serbs, if Bosnia and Herzegovina did not participate in the formation of the new Yugoslavia, the Sandžak¹³ would also be lost. This meant that Serbia's physical contact with Montenegro and its exit from the Adriatic Sea were cut off. It would also cause Serbia to lose control of the Western Balkans. In addition to these geopolitical and geostrategic issues, Serbia did not want to lose any of its rich mineral deposits in Bosnia, and it aimed to incorporate the Serb minority in Bosnia and Herzegovina. Serbia, therefore, began to exert intense pressure on Bosnia by amassing 100,000 Federal Army Units. At the same time, the Serbian minority, with the guidance of Serbia, announced the establishment of the Northern Bosnian Autonomous Serb District on November 4, 1991 in the north of the republic.¹⁴ On 21 December 1991, the Bosnian Serb Parliament declared the establishment of the Republic of Srpska and declared the independence of the Serbs.¹⁵ The Parliament also announced that Republic of Srpska would be directly linked to "New Yugoslavia", not Bosnia, but Serbia and Montenegro.

The US did not choose to intervene directly in the crisis in Bosnia and Herzegovina. Rather, it was content to support the measures taken by the UN and the EU its own initiative. On 25 September 1991, the UNSC decided to stop the shipment of weapons and equipment to all the former Yugoslavia¹⁶ to prevent a crisis and possible war by passing Resolution 713, which was the decision to enforce an embargo.¹⁷ Again, on 27 November 1991, the UNSC decided to establish a Peacekeeping Force as soon as possible through decision 721 and meticulously implemented the embargo.¹⁸

13 For more information about Sandžak see: İlker Alp, "Soğuk Savaş Sonrasında Sancak'taki Gelişmelere Dair Bir Değerlendirme", *Trakya University Journal Of Balkan Research Institute*, Volume: 6, p. 2, December 2017, pp. 227-260.

14 "Bosna Hersek'te Yedinci Sırp Özerk Bölgesi Kuruldu", *AFP*, 4 November, 1991.

15 İsmail Soysal, Şule Kut, *Dağılan Yugoslavya ve Bosna-Hersek Sorunu: Olaylar-Belgeler 1990-1996*, İstanbul: Ortadoğu ve Balkan İnceleme Vakfı, 1997, pp. 12-13; "Sırlar, Bosna'da Cumhuriyet Kurdu", *Tercüman Gazetesi*,

16 UN-DOC.S/RES/713 (1991); Mustafa Selver, *Balkanlara Stratejik Yaklaşım ve Bosna*, İstanbul: IQ Kültür-Sanat Yayıncılık, 2003, p. 143.

17 Hüseyin Emiroğlu, "Soğuk Savaş Sonrası Birleşmiş Milletler: İşlevi-Sorunları", *Cumhuriyet University Journal of Economics and Administrative Sciences*, Volume: 7, No: 2, 2006, p. 69.

18 Emiroğlu, p. 69.

Similarly, in February 1992, a UN Protection Force – UNPROFOR - was sent to Bosnia and Herzegovina to prevent the war from spreading throughout the region. At the same time, an arms embargo was placed on Bosnians, Serbs and Croats. However, this embargo only affected the Muslim Bosnians. Serbia was armed with Bosnian Serbs from the Federal Army of Yugoslavia. While Austria, Germany and Croatia secretly provided all kinds of military supplies to the Croats,¹⁹ there was no neighbor or large state to support the Muslim Bosnians.²⁰

The Banditry Commission was established to examine the applications of the republics that left Yugoslavia to be recognized by the EC and to decide the matter. The Banditry Commission examined the application for recognition of the existence of the Republic of Bosnia and Herzegovina as an independent state.²¹ However, the Commission stated that the Serbs had the right to determine their own future because of their opposition to the independence of Bosnia and Herzegovina and that the matter would be decided on the basis of the result of a referendum with the participation of all Muslim, Serb and Croat citizens in the country.²² For this reason, the Republic of Bosnia and Herzegovina went to a referendum on independence between 28 February and 1 March 1992,²³ in accordance with the provisions of the Federal Constitution, to comply with the EC requirement for recognition. The question in the public vote was: “Are you in favor of a state structure where all citizens belonging to Muslims, Serbs, Croats and other nations living in the country would have equal rights?”²⁴ Despite the boycott of the Serbs, many Bosnians and Croats went to the polls, with 64.14% participation and 2,067,969 valid citizen votes. Of these, 99.44% or 2,061,932 persons voted yes for independence²⁵. In reality, Bosnian Croats did not want the creation of an independent Bosnia-Herzegovina state because they wanted to conjoin Croatia. For this reason their real plan and goals were in two stages. The first phase, was to ensure that the Republic of Bosnia and Herzegovina, where they would also be included, was separated from the Yugoslavian union. The second stage was to leave Bosnia and join with Croatia. Thus, they would be able

19 İlker Alp, “Balkan Yarımadasındaki Gelişmeler”, *Askeri Tarih Bülteni*, Year: 23, No: 4, February 1998, p. 15.

20 Kader Özlem, “Soğuk Savaş Sonrası Dönemde ABD’nin ve Türkiye’nin Balkan Politikalarının Bosna Hersek, Kosova ve Makedonya Krizleri Örneğinde İncelenmesi”, Edirne: *Trakya University Journal Of Balkan Research Institute*, Volume: 1, No: 1, December 2012, p. 27.

21 Hari Papisotiri, “Bosnenskata Voyna (1992-1995), Stratejiçeski Analiz”, *Novite Balkani*, edited by Djordj A. Kurvetris vd., translated by Valeri Yotov, Sofya: Hermes Publishing, 2006, p. 168.

22 Omer İbrahimagiç, *Državnost i nezavisnost Bosne i Hertsegovine, Viyeçe Kongresa boşnyaçkih intelektualatsa*, Sarajevo 1997, pp. 60-61; Edin Mehanović, “Kutilyero v mirovni plan za Bosnu i Herstsegovinu”, *Pregled*, Y. 54, p. 1, Sarayevski Univerzitet, Sarajevo January-April 2013, pp. 72-73.

23 İlker Alp, “1990’larda Yugoslavya ve Bosna Hersek”, Edirne: *Trakya University Journal Of The Faculty Of Letters*, Volume: 1, No:1, 2011, p.14.

24 Mark Mazower, *The War in Bosnia: An Analysis, Action for Bosnia*, London, 1992, p. 7.

25 Mark Thomson, *A Paper House: The Ending of Yugoslavia*, London, Vintage 1992, p. 318.

to revive the Independent Croatian State (Hrvatska Nezavisna Država) that they had established with the help of the Germans in the years of World War II. Bosnian Serbs who opposed independence by boycotting the Referendum and proclaiming it to be a cause of war had similar goals. The Bosnian Serbs primarily aimed to ensure that Bosnia and Herzegovina remained within Yugoslavia, while in the second phase, they aimed to establish the Greater Serbia by ensuring that Bosnia and Herzegovina was united with Serbia.²⁶

On 3 March 1992, the administration of Bosnia and Herzegovina, which relied on support from the European states and, to a greater degree, the US, declared its independence.²⁷ Meanwhile, the citizens of Bosnia and Herzegovina were divided into three groups. Only the Bosnians defended the existence of an independent, sovereign State of Bosnia and Herzegovina by preserving the integrity of the country. In contrast, Bosnian Serbs in the Republic of Srpska regarded Serbia as their homeland.²⁸ The Croats of Bosnia also recognized Croatia as their homeland. Bosnia and Herzegovina's independence decision was therefore a source of motivation for Serbs and Croats who wanted to join their homeland.²⁹

The independence of the Republic of Bosnia and Herzegovina was recognized by the EC on 6 April 1992 and by the United States on 7 April 1992.³⁰ On February 6, 1992, earlier than the EC and the US, Turkey announced its recognition of the independence of the Republic of Bosnia and the republics of Slovenia, Croatia and Macedonia separated from Yugoslavia unity in 1991.

2. The War of Bosnia and Herzegovina

In 1990, the Muslim Bosnians in eastern Bosnia, especially those along the Drina River, constituted most of the population.³¹ For example, according to the official records of the 1991 Yugoslavian census, 7,000 people lived in the town of Srebrenica. The population of Srebrenica, together with its environs, reached 36,666.³² This population was made up of:

26 Osman Karatay, "Bosna-Hersek Federasyonu", *Balkanlar El Kitabı, Çağdaş Balkanlar*, Volume: II, edited by Bilgehan A. Gökdağ, Osman Karatay, Karam, Ankara: Vadi Yayınları, 2007, p. 203.

27 Faruk Sönmezoglu, *Son On yıllarda Türk Dış Politikası (1991-2015)*, İstanbul: DER Yayınları, 2016, p. 216; Selver, p. 143; Bora, p. 84

28 Miryana Kasapović, *Podiyelyeno društvo i nestabilna država*, Zagreb: Politička Kultura, 2005, p. 15.

29 M. Hakan Keskin, Ulviyye Aydın, "Bosna-Hersek", *Çağdaş Balkan Siyaseti, Devletler, Halklar, Parçalanma ve Bütünleşme*, edited by Murat Necip Arman, Nazif Mandacı, 2nd Edition, Ankara: Seçkin Yayınları, 2014, p. 186.

30 Naim Demirel, *BM Güvenlik Konseyi ve Uluslararası Barışın Korunması*, İstanbul: Derin Yayınları, 2nd Edition, 2015, p. 260; Mehanović, p. 72; Alp, *1990'larda Yugoslavya ve Bosna Hersek*, p. 15.

31 Smail Çekiç, "Genotsid nad Boşnyatsima Srebrenitse; Sigurnezone UN-a, yula 1995", *Novi Muallim*, No: 30, Udruženje Ilmiye İslamske Zayednitse BiH, Sarajevo 29 June 2007, p. 10.

32 Alp, *Soğuk Savaş Sonrası Bosna-Hersek*, p. 122.

75% Muslim Bosnians, 23% Serbs, and those who registered themselves as Yugoslav along with the remainder accounted for 2%.³³

Eastern Bosnia, within the geopolitical-geostrategic context, was within the borders of “Velika Serbia” (Great Serbia). However, the Serbian administration aimed to purify the “Great Serbia” from other nations, making it a country where Serbs would live. For this reason, before the start of the Bosnian War, Serbs had planned to conduct ethnic cleansing throughout the country, especially in Eastern Bosnia, where Muslims were in the majority.³⁴ For this reason, Bosnia and Herzegovina was attacked by Serbian militia forces on the day it declared its independence.³⁵

In addition, after the events of 1992, the Bosnian Serbs and the Yugoslav Army attacked Srebrenica and occupied many settlements of Eastern Bosnia and ejected 100,000 Bosnians from their homes. Serbs also used their aircraft in these attacks and bombed the Bosnian cities. To stop the shelling, the UNSC adopted Resolution 781 on 9 October 1992. With this decision, a flight ban was introduced on Serbian aircraft flying in Bosnia-Herzegovina airspace.³⁶ Moreover, as of 16 November 1992, the UNSC imposed a naval blockade on Serbia and Montenegro.³⁷

The Bosnians who escaped the persecution of the Serbs sought refuge in Srebrenica. For this reason, the town's population increased to 60,000. Serbian forces surrounded Srebrenica and cut off contact with the Muslims.³⁸ As of 11 December 1992, the Serbs blocked humanitarian aid to Srebrenica and closed water and electricity supplies. In this way, the Bosnians, which were kept under siege, were depleted of basic foods, medicines and medical supplies.³⁹ Therefore, the UN decided to provide food aid to the Bosnians on 1 March 1993

33 Jan Willem Honig, Norbert Both, *Srebrenica Record of a War Crime*, New York: Penguin Book, 1997, p. XVIII; *Zločini nad Bošnjacima u Srebrenitsi za vriyeme agresije na Republiku Bosnu i Hertsegovinu 1991-1995, Dokumenti i svedočenja*, compiled by Smail Čekić vd., Institut za istrajivanye zločina protiv čovyeyčnosti i meunarodnog prava Univerziteta u Sarayevu, Sarayevo 1999, pp. 25-26.

34 <http://www.circassiancanada.com/tr/arastirma/almanyadaki-turk-diasporasi%C4%B1.htm>, p. 2, 22. October 2009.

35 İbrahim Kamil, “Dayton Sonrası Bosna Hersek: İdari-Siyasi Yapı, Ekonomik Durum ve Dış Politika (1995-2017)”, *Soğuk Savaş Sonrasında Balkanlar (1990-2015)*, edited by İbrahim Kamil, Ankara: Nobel Yayınları, 2017, p. 165.

36 UN-DOC.S/RES/781 (1992); Selver, p. 144.

37 Selver, p. 144.

38 Tilman Zülch, “Zločin Genotsida u Srebrenitsi: u Sigurnosnoy Zoni Srebrenitsa 1995”, *Zbornik Radova Zločini nad Bošnjacima u Srebrenitsi za Vriyeme Agresiyena Republiku Bosnu i Hertsegovinu 1991-1995, Institut za istrajivanye zločina protiv čovyeyčnosti i meunarodnog prava u Sarayevu*, Sarayevo 1998, p. 27.

39 Beçir Matsić, “Genotsid u Srebrenitsi do 1995. godine”, *Genotsid u Bosni i Hertsegovini – Poslyeditse presude Mecunarodnog Suda Pravde, Zbornik rado vamecunarodne naučne konferentsiye odrjane 10. i 11. yula 2009. godine u Potočarima (Srebrenitsa)*, K: 2, Sarayevo 2011, p. 913.

and US aircraft began to give air support to the Bosnian cities under siege.⁴⁰ In addition, the UN Security Council declared Srebrenica and its environs as a safe zone with decision 819 on 16 April 1993⁴¹ and declared that it would be protected against all kinds of attacks and other hostile activities and urged Serbs to stop all attacks immediately and withdraw from Srebrenica.⁴² The UN Security Council also declared 6 regions as being part of the Safe Zone; namely, Sarajevo, Tuzla, Bihac, Srebrenitsa, Jepa and Gorajde.⁴³

The civilian Bosnians in Srebrenica (declared as a Safe Zone on April 16, 1993), were apparently taken under the protection and assurance of the UN Protection Force.⁴⁴ But the major states with most influence in the UN were not able to effectively protect these areas in the face of the brutal attacks by Serbs.⁴⁵ UN General Secretary Boutros Ghali and UN Special Representative Akashi prevented the intervention of NATO aircraft and forbade any attack on the Serbs' aircraft.⁴⁶

But UN Security Force Commander General Wahlgren forced Bosnians to sign a Srebrenica District Abolition Agreement with Serbs on 18 April 1993, contrary to Security Council resolution 819.⁴⁷ The arms of the Bosnians were collected by the UN Protection Force on the basis of the establishment of safe zones.⁴⁸ The Serbs were not disarmed, however, and so the Bosnians were left totally defenseless against the Serbs and Croats who were already superior in military terms.⁴⁹

Tens of thousands of Bosnian civilians sought refuge in Srebrenica to save their lives from the neighboring areas occupied by Serbs. The UNHCR - The UN High Commissioner

40 Selver, p. 144.

41 UN-DOC.S/RES/819 (1993).

42 *Agresiyana Republiku Bosnu i Hertsgovinu genotsid nad Boşnyatsima, Spetsialno izdanye yuli 2011, U povodu obilyejavanya 16.godişnyitse genotsida nad Boşnyatsima u sigurnoyzoni Uyedinyenih Natsiya Srebrenitsi yula 1995. godine*, Hazırlayan: Smail Çekiç, Universitetzki İnformativni Glasnik Info, Sarayevo 2011, p. 29; Smail Çekiç, "Genotsid nad Boşnyatsima...", p. 11.

43 Gleni, *Balkanite (1804-1999)*, p. 587; Demirel, *BM Güvenlik Konseyi*, p. 260; <http://www.balgor.org.tr/2004srebrenitsa.html>, p. 3, 10 February 2006; Mesud Şadinliya, *Teritoriyalna Odrbrana Bosne i Hertsegovine 1986-1992*, Sarayevo 2014, p. 95.

44 <http://www.circassiancanada.com/tr/arastirma/almanyadaki-turk-diasporasi%C4%B1.htm>, p.2, 22 October 2009.

45 Honig and Both, p. XIX.

46 Ali Dikici, "Bosna Savaşı'nda Srebrenitsa Savunmasının Komutanı Naser Oriç'in Hikâyesi", *Avrasya Etütleri Balkanlar Özel Sayısı*, Year: 22, No: 50, 2016/2, pp. 201-203.

47 *Agresiyana Republiku*, p. 30.

48 Karatay, p. 8; Dikici, p. 198.

49 Zilha Mastaliç-Koşuta, "Genotsid nad dyecom u Srebrenitsi-Sigurnoy Zoni UN-a yula 1995", *Genotsid u Bosni i Hertsegovini – Poslyeditse Presude Mecunarodnog Suda Pravde, Zbornik radova mecunarodne naučne konferentsiye odrjane 10. i 11. yula 2009. godine u Potočarima (Srebrenitsa)*, K: 2, (Institut za istrajivanye zločina protiv çovyeçnosti i mecunarodnog prava Univerziteta u Sarayevu), Sarayevo 2011, p. 1035.

for Refugees transferred some of the refugees to Tuzla. Nonetheless, 42,000 civilians, mostly women and children, remained in the Srebrenica safe zone.⁵⁰ Upon the massacre of Muslim Bosnians by Serbian attacks, the UNSC adopted Decision No. 820 on 27 April 1993. With this decision;

1. Except for humanitarian aid, all goods were prohibited from entering Yugoslavia.
2. The financial assistance received from foreign countries by Yugoslav authorities was stopped.
3. An area of 12 miles of territorial waters belonging to Yugoslavia in the Adriatic Sea was inspected.
4. The operation of Serbian ships outside the waters of the Danube River was prohibited.
5. Any ships, aircraft and trains which did not comply with these prohibitions were confiscated.⁵¹

The Serbs, however, did not comply with the UN's decisions on the provision of humanitarian aid and the agreement they signed.⁵² From the early days of 1992 until the occupation in July 1995, the Serbs hardly allowed entry of any medical supplies, food and basic substances required for the survival of the public due to the blockade they were implementing.

Serbian and Bosnian Serbs decided to expand the areas of occupation to gain more profit in the 1995 peace talks. To that end, the President of the Bosnian Republic of Srpska, Radovan Karacic, gave written and verbal orders to the Serbian Army on 8 March 1995 in a directive entitled No. 7 Operational Directive on the occupation of Srebrenica and Srebrenica and Srebrenica and all of Eastern Bosnia with the security zones of the UN.⁵³ The armies of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Srpska Krajina, the Bosnian Republic of Srpska and the gangs they founded participated in the offensive.⁵⁴

The Serbs started their attacks - known as Operation Krivaya 95 - on 31 May 1995, seized control points held by the Dutch on 2 June 1995, and on 6 July 1995 the safe zone bombed Srebrenica with cannon and tank fire. Upon the launch of the Serbian attacks, the Bosnians

50 Zülch, p. 27; Koşuta, p. 1035.

51 UN-DOC.S/RES/820 (1993).

52 Şadinliya, p. 95.

53 Velid Šabić, "Genotsid u Srednjem Podrinju 1992-1995", Genotsid u Bosni i Hertsegovini – Poslyeditse presude Mecunarodnog Suda Pravde, Zbornik radova mecunarodne naučne konferentsiye odrjane 10. i 11. yula 2009. godine u Potočarima (Srebrenitsa), K: 2, (Institut za istrajivanye zločina protiv čovyečnosti i mecunarodnog prava Univerziteta u Sarayevu), Sarayevu 2011, pp. 897-898.

54 <http://www.circassiancanada.com/tr/arastirma/almanyadaki-turk-diasporasi%C4%B1.htm>, p. 2, 22 October 2009.

asked for the return of their weapons, which they had delivered in 1993, in accordance with the demilitarization agreement. However, this request was rejected by UN officials.⁵⁵ On July 8, the Serbian armies captured the Bilyek and Lyubisavic military facilities and captured the Dutch UN Guardian soldiers.⁵⁶ On July 9, Radovan Karadzic ordered Serbian commanders, “You must kill everyone, as in the case of Western Slavonia. Kill everyone you can!”⁵⁷

On 11 July 1995, the Serbian Army invaded Srebrenica, the center of the UN’s safe haven.⁵⁸ The speech of the Bosnian Serb Army commander, General Ratko Mladic, in Srebrenica square was broadcast on Serbian television. Referring to the Turkish government and Bosnians in the Ottoman period, he said it was time to get his historical revenge on the Turks and he presented the city of Srebrenica as a gift to the Serbian nation.⁵⁹

While Serb attacks continued, thousands of Bosnians wanted to flee from Srebrenitsa and go to the UN Dutch military camp in Potachari Village.⁶⁰ However, only a few thousand Bosnians were able to enter. Around 25,000 Muslim Bosnians, especially the elderly, women and children, who had accumulated around the camp until the evening of July 11, tried to hide in the factories in the surrounding forest areas.⁶¹ General Radislav Kırstic ordered the Serbian soldiers and their gangs (who had been following those Muslims who had fled Srebrenica in their rush to save themselves), on the radio to kill everyone and leave no one alive.⁶²

The Bosnians, who had accumulated in Srebrenica and Potachari or tried to escape to Tuzla, became easy targets for the Serbs. Taking advantage of this, between the date of 11 and 23 July 1995, the Serbs killed⁶³ 8.000-12.000 Bosnian men, whose ages were between 14 and 65 years.⁶⁴ In addition, they raped girls and children of all ages.⁶⁵ Serbs committed this brutality in front of the UN officials and Dutch troops who were obliged to protect the safe

55 *Agresiya na Republiku*, p. 30; Matsıç, p. 908.

56 Smail Çekiç, *Genotsid nad Boşnyatsima*, pp. 11-13; Koşuta, p. 1040.

57 Koşuta, p. 1040; *Agresiyana Republiku*, p. 30; Şabiç, p. 899.

58 Papatotiriu, *Bosnenskata Voyna* (1992-1995), p. 176; Şabiç, p. 899.

59 Lara J. Nettel field, *Courting Democracy in Bosnia and Herzegovina*, New York: Cambridge University Press, 2010, p. 80; “Srebrenitsa Katliamı”; “The report of IHH (İnsani Yardım Vakfı-The Foundation for Human Rights and Freedoms and Humanitarian Relief)”, <http://www.ihh.org/modules.php?name=sections&op=printpage&artid=58>, p. 1, 25 March 2005.

60 http://www.diplomatikgözlem.com/haber_oku.asp?id=137, p. 1, 16 February 2004; <http://www.balgor.org.tr/2004srebrenitsa.html>, pp. 6-7, 10 February 2006; Çekiç, *Genotsid nad Boşnyatsima*, pp. 12-13.

61 Koşuta, p. 1041; Çekiç, *Genotsid nad Boşnyatsima*, pp. 12-13; Şabiç, p. 899.

62 Dikici, p. 206.

63 İlker Alp, “Srebrenitsa Soykırımı (Temmuz 1995)”, *Avrasya Etüdları*, 52/2017-2, p. 156.

64 Smail Çekiç, Meldiyana Arnaut-Haselyiç, Beçir Matciç, *Masovne Grobnitse u Bosni i Hertsegovini- Sigurna Zona Uyedyinyenih Natsiya Srebrenitsa*, Sarayevu, 2010, pp. 174-175.

65 Emiroğlu, p. 68.

areas. With the order of the Dutch Colonel Karremans, the Dutch UN soldiers handed over the Bosnians, who had taken refuge in the camp, to the Serbs.⁶⁶

It was understood from the excavations that the massacres against the Muslim Bosnians had continued for four years and their bodies were buried in mass graves. It was estimated that the Serbs buried the Muslim Bosnians in many mass graves, of which 133 were found,⁶⁷ and that the number of those who had not yet been found was 200,000.⁶⁸ The Srebrenica massacre was recognized as a genocide by the International Court of Justice on 26 January 2007,⁶⁹ and the European Parliament and the United Nations also recognized it.⁷⁰

3. UN Plans to Solve the Crisis

Because of the arms embargo imposed, the Bosnians had difficulty defending their countries against the armed attacks of Serbs and Croats. For this reason, the Bosnians only stayed in the Bihac region in the northwest end of the country, in Goraj, besieged in Eastern Bosnia, Srebrenica and Jepa and Central Bosnia.⁷¹ As a result, 60% of the country was seized by Serbs, some parts were occupied by Croats and Muslim Bosnians were squeezed into a small area of 15-20%.⁷²

Western states have made many attempts through the international platform to resolve the issue of Bosnia and Herzegovina for their own interest. The basis of these was the Yugoslav Conference in London in 1991, but it was not successful. The efforts of EU mediator José Cutileiro before the war also failed.

Between February and March 1992, representatives of the Muslim, Serbian and Croatian parties met in Lisbon to discuss a cantonal confederation model. According to this plan, which was prepared under the Lisbon Agreement or "Cutileiro's Plan", it was intended that the State of Bosnia and Herzegovina be formed from three separate cantonal republics that would be connected flexibly to the center and transformed into a group of states. On March 18, 1992, three leaders, Aliya Izetbegovic, Radovan Karadzic and Mate Boban, signed a blueprint of assigning 44% of the country's territory to Muslims, 44% to Serbs and 12% to

66 <http://www.balgoc.org.tr/2004/srebrenitsa.html>, pp. 6-7, 10 February 2006; <http://www.diplomatikgozlem.com/haberoku.asp?id=137>, p. 1, 16 February 2004.

67 Smail Çekiç, Meldiyana Arnaut, *Masovne Grobnitse*, p. 655; Alp, *Soğuk Savaş Sonrası Bosna-Hersek*, pp. 131-132.

68 Alp, *Soğuk Savaş Sonrası Bosna-Hersek*, p. 132.

69 Dikici, p. 183.

70 *Suçunu Kısmen Kabul Etti*, Milli Gazete, 27 June 2017, p. 1.

71 Karatay, p. 5.

72 Alp, *1990'larda Yugoslavya*, p. 17.

Croats.⁷³ This EC plan was not prepared to protect the interests of all parties and the integrity of the country. In addition, population rates were taken into consideration. For this reason, aggressive Serbs were rewarded and Muslims and partly Croats were victimized. For example, 44% of the geopolitical-geostrategic and industrially important places was given to Serbs, whose population was 32% of Bosnia and Herzegovina. 12% of the country with a very important position in terms of geopolitical-geostrategy and suitable for merging with Croatia was given to Croats with a population of 17%. On the other hand, unregistered and non-industrial regions - 44% of the country - were given to the largest group of Muslims, who were 49% of the population. In this case, a large part of the territory of the Republic of Bosnia and Herzegovina would be in the hands of Serbia and Croatia. Under the current circumstances, Muslim Bosnians would not be able to survive in an independent political establishment. For this reason, Bosnians and Croats did not accept the plan. Nevertheless, the peacekeeping efforts of the UN Secretary-General, EU, US and international organizations continued, and Vance-Owen, Safe Zones and Three-Entity Plans were raised.

3.1. Vance-Owen Peace Plan

The “International Conference on the Former Yugoslavia” was organized in London on 26/27 August 1992 under the leadership of the EU and the UN.⁷⁴ At this conference, the British diplomat Lord Owen (on behalf of the EC) and the American diplomat Cyrus Vance (on behalf of the UN) were tasked with preparing a joint plan for the solution of the Bosnia-Herzegovina crisis.⁷⁵ After the conferences held in Geneva and New York, the UN and the EC supported a solution plan to protect the so-called peace,

1. Bosnia and Herzegovina would have a decentralized state structure in which the executive power would be concentrated mainly in the States,
2. Bosnia and Herzegovina would be divided into 10 provinces, three of which would be controlled by Serbs, three by Croats, three by Muslims, and Sarajevo would have a neutral and bi-communal status,
3. States would have independent judicial organs and their own parliaments, but they would not have the rights of representation in the international arena,

73 Svein Monnesland, *For Yugoslavia, og etter*, Oslo: Sypress Forlag 1999, pp. 289-290; “İzetbegovićpotpisao, paodbacioKutiļjerov plan, *Novosti*, <http://www.nezavisne.com//novosti/bih/izetbegovic.potpisao-paodbacio-kutiljerov-plan/290287>, 20 June 2017; David Binder, “U.S. Policy makers on Bosnia Admit Error in Opposing Patition in 1992”, *The New York Times*, 29 August 1993, <http://www.nytimes.com/1993/08/29/world/us-policy-makers-on-bosnia-admit-errors-in-opposing-patition-in-1992.html?pagewanted=all>, 2 June 2017.

74 Nedime Aşlı Şirin Öner, *Dram Sonrası Bosna, Mültecilerin Geri Dönüşü Üzerine Bir Alan Araştırması*, IQ Kültür Sanat Yayıncılık, İstanbul, 2013, p. 59.

75 Alp, *1990'larda Yugoslavia ve Bosna Hersek*, p. 17.

4. Bosnia and Herzegovina would be represented in the international platform by a central parliament, which would be based on elections
5. Free movement rights would be for everyone in all Bosnia and Herzegovina territories
6. The three main Ethnic Societies and other societies would be guaranteed by the constitution of Bosnia and Herzegovina
7. The presidency would be formed by the representatives of the legislative bodies of the three provinces,
8. The first elections would be supervised by the UN, the EC and the OSCE,
9. Disarming under Bosnia and Herzegovina, EC and UN control.⁷⁶

According to this plan, the proportion of nations left in the land was as follows; 43% for Serbs, 15% for Croatians, 27% for Muslims, 11% for Croats and Muslims jointly and 4% for Sarajevo, which was considered as the international region.⁷⁷ Thus, the borders of the Republic of Bosnia and Herzegovina would be seemingly maintained. In fact, Bosnia and Herzegovina would no longer be a state, and there would be no state dominance over the whole country and population.⁷⁸ In summary, Bosnia and Herzegovina would lose its status as a state.

After the interviews, the plan was modified. Izetbegovic accepted and signed this plan after the number of states held by Muslims decreased to four and the states of the Croats were reduced to two. The Serbs did not agree with the reduction of 70% of their land to 43%, and they did not adopt this plan because they wanted to connect to Serbia. After the Serbs rejected the plan, the UNSC adopted decision no. 816 of 1 April 1993 and wanted to reduce the Serbian planes that did not comply with the flight ban under certain conditions. The implementation of this decision was initiated by NATO aircraft on 12 April 1993.⁷⁹

Under pressure, Radovan Karadzic was obliged to sign the Vance-Owen Plan in Athens on May 2, 1993, provided it was approved by the Bosnian Serb Parliament.⁸⁰ The Bosnian Serb Parliament did not accept the plan after a two-day meeting on 5-6 May 1993 and decided to go to a referendum. On 16 May 1993, 96% of the participants in the Republic of Srpska (Bosnian Serbs Republic) refused the plan and voted for the independence of the republic. Thus, the Vance-Owen Plan lost its validity.⁸¹

76 *Bosna-Hersek Krizinde*, p. 39; Bora, p. 112.

77 Oya Akgönenç -Mughisuddin, "Bosna-Hersek, Kosova, Sancak ve Makedonya", *Journal of Armed Forces*, Year: 112, No: 336, 15 April 1993, pp. 57-58; Alp, "1990'larda Yugoslavya ve Bosna Hersek", p. 18.

78 Alp, *1990'larda Yugoslavya ve Bosna Hersek*, p. 18.

79 UN-DOC.S/RES/816 (1993); Selver, p. 144.

80 Emel G. Osman Çavuşoğlu, *The Wars of Yugoslav Dissolution and Britain's Role in Shaping Western Policy 1991-1995*, Ankara, 2000, pp. 135, 137.

81 Soysal and Kut, p. 41; *Bosna-Hersek Krizinde*, p. 41.

3.2. Safe Zones Plan

Upon the rejection of the Vance-Owen Plan by the Bosnian Serb Parliament,⁸² the UN Security Council was urgently convened on 7 May 1993. At the end of the meeting, the UN Security Council adopted the Safe Zone Plan as a temporary interim solution.⁸³ On March 12, 1993, the UN peacekeeping commander, French General Philippe Morillon, announced that the town was a safe area by erecting a UN flag on Srebrenica.⁸⁴ In addition, the UNSCR declared on April 16, 1993 through resolution no. 819,⁸⁵ that Srebrenica had been taken under protection against all kinds of attacks and the Serbs were asked to stop the armed attacks immediately and withdraw.⁸⁶ Thus, from April 16 to May 6, 1993, the UN resolutions 819 and 924 made it possible for critical Muslim regions to be placed under UN protection and declared safe zones to be made available.⁸⁷ Considering the areas where refugees were gathered, the regions in question were determined as Sarajevo, Tuzla, Jepa, Gorajde, Bihac and Srebrenica.⁸⁸

On 22 May 1993, representatives of the United States, the Russian Federation, the United Kingdom, France and Spain adopted the Joint Action Plan. Based on this action plan, the implementation of the Safe Zones Plan was started on 4 June 1994. Officials from Serbia and the Bosnian Republic of Srpska considered the Safe Zones Plan as an achievement for themselves. Radovan Karadzic stated that this decision meant that the great powers had given up the option to engage in military intervention.⁸⁹

The Bosnians were not supported by the Safe Zones Plan because this plan would eliminate the Vance-Owen Plan and lead to the establishment of ethnic colonies within the country. It would also provide a basis for the Serbs who had conquered almost 70% of the country to do so. Since it did not foresee the application of military sanctions against Serbia and Bosnian Serbs, this plan would not ensure that the Serbs withdrew from the occupied territories and would not be able to stop the Serb attacks. On the contrary, it would facilitate

82 Suzan Udvard, *Balkanskata Tragediya, Haosit i Razruhata Sled Studenata Voyna*, İzdatelstvo "Siela", Sofya, 2002, p. 511.

83 Alp, *1990'larda Yugoslavya ve Bosna Hersek*, p. 19; *Bosna Hersek Krizinde*, p. 43.

84 Smail Çekiç, *Genotsid i istina o genotsidu*, (İnstitut za istrajivanye zločina protiv čovyečnosti i meunarodnog prava Univerzitetu u Sarayevu), Sarayevu, 2012, p. 86.

85 UN-DOC.S/RES/819 (1993).

86 *Agresiya na Republiku*, p. 29.

87 UN-DOC.S/RES/836 (1993); Selver, p. 145.

88 Robert M. Donia, *Sarajevo: A Biography*, University of Michigan, 2006, pp. 25-27; Kenar, *Yugoslavya Sorununun*, p. 183.

89 Kenar, *Bosna-Hersek Savaşı*, p. 186.

the ethnic cleansing of Serbs. Therefore, UN and NATO circles stated that they regarded the Safe Zone Plan as a temporary solution, not a permanent one.⁹⁰

3.3. Three Entities of Bosnia and Herzegovina

With the efforts of the international mediator Lord Owen and former Norwegian foreign minister Thornvald Stoltenberg, the peace negotiations resumed on June 15-16, 1993 with the participation of Izetbegovic, Milosevic and Tucman in Geneva to resolve the issue of Bosnia and Herzegovina. This new plan, called the Geneva Plan, proposed by Lord Owen and approved by Tucman and Milosevic, foresaw the division of Bosnia and Herzegovina into three nationally-based national states.⁹¹ According to the first plan, a flexible confederation would be established and 52.08% of the lands would belong to Serbs, 28.29% would be Bosniak and 16.59% would be owned by the Croatian State. The cities of Sarajevo and Mostar would be included with a special status.⁹² However, while the status of Sarajevo remained unclear, the Bosniak State would consist of two separate parts from the geographical area, namely the Sarajevo-Tuzla-Zenitsa triangle in the center of Bosnia and Herzegovina and the Bihac region in the Northwest.⁹³

The Three-Entity Bosnia-Herzegovina Plan brought forward by the Croats and Serbs was defended in June 1993. Vance-Owen also supported the creators of the 10-District Cantonal Plan.⁹⁴ Lord Owen stated that this solution was more realistic in EC meetings and that the old plan had lost its validity. The Muslim Bosnians did not support this new plan. According to the Bosnians, the plan would lead to serious border issues and disputes because determining the boundaries of the three regions would be extremely difficult in many parts of the country since people from three different ethnic backgrounds and different religions and sects live there. Likewise, the population would cause new population exchanges and it would make it hard for Muslims to risk going overseas.⁹⁵

The Geneva negotiations in the Three-Entity Bosnia-Herzegovina Plan continued despite intermittent interruptions.⁹⁶ Muslims were obliged to discuss this plan, even if they were reluctant to oppose extinction and were against the oppression of the great states. In the

90 *Bosna Hersek Krizinde*, p. 44.

91 *Kenar, Bosna-Hersek Savaşı*, p. 183; Bora, p. 125.

92 Mirko Peyanović, "İstorijsko oblikovanje regija i mogućnosti uspostave regionalne strukture Bosne i Hertsegovine u post deytonskom periodu", *Godišnjak 2007*, Fakultet političkih nauka Sarajevo 2007, p. 74.

93 Bora, p. 125.

94 Alp, *1990'larda Yugoslavya ve Bosna Hersek*, p. 20.

95 *Bosna-Hersek Krizinde*, p. 45.

96 Alp, *1990'larda Yugoslavya ve Bosna Hersek*, p. 21.

meantime, to ensure that the Bosnians were included in the Geneva talks and to discourage the Serbs from the attacks, the NATO Permanent Council committed to taking hard measures on August 4, 1993, if the Serbian siege around Sarajevo and other Muslim regions continued.⁹⁷

As part of the negotiations in Geneva, a new map outlining the division of Bosnia and Herzegovina was prepared which gave Serbs 52%, Muslims 31% and Croats 17%.⁹⁸ Considering the population rates, which had partially changed, the territorial distribution plan against the Muslims was reiterated because of the pressures of Westerners. According to this plan it was envisaged that the Republic of Serbia would have 49.2%, the Republic of Croatia 17.5%, the Bosnian Republic 33.3% land and the Bosnian Republic would be leased for 99 years with the permission of Croats to the Adriatic Sea. In the same way, it was decided to give the Republic of Srpska a port and a corridor that would enable access to the Adriatic.⁹⁹ Such reconciliation schemes to the detriment of the Bosnians meant that Westerners were determined to divide the country into three and took the last steps on the Bosnia and Herzegovina question.

4. Security Institutions Established in the Framework of the UNSC Decisions

4.1. United Nations Protection Force

The United Nations Security Council (UNSC) established a UN Protection Force (UNPROFOR) on 21 February 1992, with decision 743,¹⁰⁰ to prevent the crisis in the former Yugoslavia and to stop the conflicts between the Serbs, Croats and Bosnians.¹⁰¹ The operational competence of UNPROFOR included Croatia, Bosnia and Herzegovina, Macedonia, Montenegro, Serbia and Slovenia.¹⁰²

The mission of UNPROFOR was to ensure the security and humanitarian assistance of the Sarajevo airport and to receive assistance from the parties for the realization of peace.¹⁰³ As the area of conflict in the region gradually increased, UNPROFOR's mandate extended to include additional tasks such as assistance to the International Red Cross Committee, control of non-flight areas, prohibition of military flights on Bosnia and Herzegovina and the

97 Ibid.

98 Bora, p. 134.

99 Bora, p. 137

100 UN-DOC.S/RES/743 (1992).

101 Kenar, *Yugoslavya Sorununun*, p. 303; Burak Tangör, *Avrupa Güvenlik Yönetişimi, Bosna, Kosova ve Makedonya Krizleri*, Seçkin Yayınları, Ankara, 2008, p. 102.

102 Tangör, *Avrupa Güvenlik Yönetişimi*, p. 103.

103 Kenar, *Yugoslavya Sorununun*, p. 304.

monitoring of cities declared as safe zones by the UNSC.¹⁰⁴ In February 1994 UNPROFOR also signed a cease-fire¹⁰⁵ between the Bosnian Croat government and the Bosnian Croatian forces and the cease-fire that was regulated on 1 January 1995, between the Bosnian government and the Serbian forces.¹⁰⁶

UNPROFOR performed the demilitarization of Mostar¹⁰⁷ and sent 40 military observers to the area.¹⁰⁸ UNPROFOR also observed the ceasefire that allowed negotiations to continue the Dayton Peace Treaty. Together with the ceasefire, the parties decided to end the UNPROFOR's mission and take the place of IFOR under the control of NATO.¹⁰⁹ On December 19, right after the Dayton Agreement was signed, IFOR took over the role of UNPROFOR.¹¹⁰

In the process of discussing the Dayton Treaty, a Peace Implementation Conference was held in London on 8 December 1995. The purpose of this conference was to provide international support for Dayton Peace. At the conference in London, the Peace Implementation Council was established with UNSC resolution 1995/1029. The Peace Implementation Council was composed of 55 countries and aimed to support the peace process in Bosnia and Herzegovina. The Peace Implementation Council implemented the military part of the peace process in Bosnia and Herzegovina and gathered military strength from NATO-led countries. The Council met six times at the ministerial level after the conference in London. On December 9, 1997, the Peace Implementation Council, in the meeting in Bonn, Germany, decided to establish the Office of the High Representative (OHR) and expanded the Council's powers.¹¹¹ The Board of the Peace Implementation Council was also established and was made up of Canada, France, Germany, Italy, Japan, Russia, UK, USA, the European Commission and Turkey as a representative of the Organization of the Islamic Conference.¹¹²

104 Suzan Udurd, *Balkanskata Tragediya, Haosit i Razruhata Sled Kraya na Studenata Voyna*, Izdatelstvo Ciela, Sofya, 2002, p. 491.

105 Tangör, *Avrupa Güvenlik Yönetişimi*, p. 111.

106 Kenar, *Yugoslavya, Bir Dönemin Perde Arkası*, p. 305.

107 Tangör, *Avrupa Güvenlik Yönetişimi*, p. 111.

108 Tangör, *Avrupa Güvenlik Yönetişimi*, p. 103.

109 Necmettin Alkan, "Dayton Sonrasında Bosna-Hersek", *Çağdaş Balkanlar*, edited by Bilgehan A. Gökdağ, Osman Karatay, Ankara: Akçağ Yayınları, 2017, p. 206.

110 Pınar Yürür, "Balkanlarda Uluslararası Himaye Yönetimleri: Bosna-Hersek Örneği", *Avrasya Dosyası, Balkanlar Özel*, journal of the institute for international relations and strategic research, Volume: 14, No: 1, 2008, p. 164.

111 Selver, p. 159.

112 Amin Numanoviç, *Dayton Sonrası Bosna Hersek ve Avrupa-Atlantik Entegrasyonu*, Unpublished master's thesis, Ankara University, 2011, p. 30.

4.2. Office of the High Representative

The United Nations (UN) High Representative Office (OHR) was established within the framework of the Dayton Peace Treaty¹¹³ signed on 14 December 1995.¹¹⁴The office was in Sarajevo. There was also a representative office in Brussels.¹¹⁵The OHR was the most competent authority to oversee the implementation of the Dayton Peace Treaty.¹¹⁶ In 1997, its powers were further increased, and it became the appointed dictator of Bosnia and Herzegovina.¹¹⁷ The task of this office was to contact international organizations outside of Bosnia and Herzegovina.¹¹⁸The Peace Implementation Council (PIC), founded on 8-9 December 1995 appointed the High Representative In order to ensure the implementation of the London Peace Treaty, including Turkey, the United States, France, Britain, Germany, Italian, Canadian, the EU Presidency, the European Commission and the Organization of Islamic Conference (OIC).¹¹⁹ The High Representative, which was approved by the UN Security Council (GK), started to use the title of EU Special Representative in Bosnia and Herzegovina as of February 2002.¹²⁰

The duties and responsibilities of the High Representative are defined in annex 10 of the Dayton Treaty. According to the text of the treaty, Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, the Republic of Srpska, Croatia and Yugoslavia agreed to make the civilian implementation of the peace by the High Representative. According to the first paragraph of Annex 10 of the Treaty, the High Representative was assigned to continue the humanitarian aid, to repair infrastructure, to make economic reforms, to establish the constitutional and political institutions of Bosnia and Herzegovina, to ensure the return of refugees, to respect human rights, to organize the elections and to call the international institutions.¹²¹

113 Gülten Haliloğlu, “Bosna-Hersek’in İdari-Siyasi Yapısı ve Kimlik Sorunu”, Atlas İnternational Refereed Journal On Social Sciences, Volume. 4/12, September/2018, p. 973.

114 Nurcan Özgür Baklacioğlu, “Savaş Sonrasında Uluslararası Yönetim Altında Dış Politika: Bosna-Hersek Örneği”, *Dış Politika, Karşılaştırmalı Bir Bakış*, compiled by Faruk Sönmezsoğlu, Özgün Erler Bayır, İstanbul: DER Yayınları, 2014, p. 354; Tangör, *Avrupa Güvenlik Yönetişimi*, p. 111.

115 Numanoviç, p. 30.

116 Yürür, *Balkanlar’da Uluslararası Himaye Yönetimleri*, p. 165.

117 Mustafa Türkeş, “Türkiye’nin Balkan Politikasında Devamlılık ve Değişim”, *Avrasya Dosyası, Balkanlar Özel, journal of the institute for international relations and strategic research*, Volume: 14, No: 1, 2008, p. 262.

118 Peace Implementation Council, availableonline: <http://www.ohr.int/pic>, 10 February 2011.

119 Tangör, *Avrupa Güvenlik Yönetişimi*, p. 111.

120 Keskin and Aydın, *Bosna-Hersek*, p. 190.

121 Osman Karatay, *Bosna Hersek Barış Süreci, Dayton Barış Antlaşması Eki İle*, Ankara: Karam Yayınları, 2002, p. 179; Tangör, *Avrupa Güvenlik Yönetişimi*, p. 111.

In the second paragraph of Annex 10 of this treaty, it was proposed that a representative be appointed to bring together the parties to coordinate the activities for the civilian front of peace and to encourage and support those who try to protect the peace in a way that was not contrary to the issues stated in the UNSC bulletins.¹²² In this context, as the High Representative, Carl Bildt of Sweden was appointed as the EU mediator. German Michael Steiner was appointed as assistant.¹²³

In the third paragraph of Annex 10 of the Dayton Peace Treaty, the duties of the High Representative were determined. Some of these tasks as follows; observing the implementation of peace, organizing non-governmental organizations, assisting in the restoration of Bosnia and Herzegovina, and informing the relevant parties about the developments in the UN, EU, USA and Russia.¹²⁴ In addition, the High Representative was responsible for issuing the required laws and monitoring whether political parties are acting within the framework of the provisions of the treaty. It also has the authority to remove politicians who are acting in contradictory acts.¹²⁵

The decisions of the Office of the High Representative are prohibited by the judicial bodies of Bosnia and Herzegovina and against these decisions. The office does not have to make any statement to any independent body on decisions taken by politicians or political parties.¹²⁶ The Representative also has the authority to remove the President. For example, on March 7, 2001, the High Representative dismissed former Croatian Democratic Union President Ante Yelavic as the President of Bosnia and Herzegovina on the grounds that he was striving to form a third Croatian unit in Bosnia and Herzegovina.¹²⁷

The Office of the High Representative was, in the first instance, a means of communication between local political actors and international actors, and in the next stage, it ensured the interaction of the international community with the national authorities in Bosnia. In 2003, the EU appointed the Special Representative for Bosnia and Herzegovina. The High Representative in Bosnia and Herzegovina also started to serve as the EU's Special Representative for Bosnia and Herzegovina.¹²⁸

122 Karatay, *Bosna-Hersek Barış Süreci*, p. 179.

123 Numanoviç, p. 32; Karatay, *Bosna-Hersek Barış Süreci*, pp. 179-181; Tangör, *Avrupa Güvenlik Yönetişimi*, p. 112.

124 İbid.

125 Tangör, *Avrupa Güvenlik Yönetişimi*, pp. 111-112.

126 Numanoviç, pp. 31-32.

127 Murat Necip Arman, "Batı Balkanlarda Kırılğan Bir Fay Hattı: Republica Srpska ve Milorad Dodik'in Siyasal Retoriği", *Yeni Türkiye, Rumeli-Balkanlar Özel Sayısı*, Year: 21, No: 70, March-June 2015, p. 5341; Tangör, *Avrupa Güvenlik Yönetişimi*, p. 102.

128 Numanoviç, p. 31.

4.3. United Nations Mission of Bosnia and Herzegovina

To observe the proper implementation of the Dayton Peace Treaty, the UNSC adopted Resolution 1035¹²⁹ on 21 December 1995. According to this decision, the UN International Police Force (IPTF)¹³⁰ and the UN Office for Civil Aviation (UNCF) were established in the territory of Bosnia and Herzegovina and these two units were called the Mission of BiH (UNMIBH).¹³¹

The need for the IPTF by the UNSC was due to the lack of police reform in Bosnia and Herzegovina to address the current complex situation. At that time, the Federation of Bosnia and Herzegovina and the Republic of Srpska had their own police units. Since the police could not enter the boundaries of the other sub-state when a crime was committed, it was easy for criminals to flee from one to the other. They could not be arrested. The police force of the two sub-states could not interfere in their affairs. The UNSC had called for the establishment or reform of a police force in two different places and not under the influence of politics.¹³² The Federation of Bosnia and Herzegovina accepted this proposal, while the Republic of Srpska refused to lose their police force. It also prevented the emergence of police reform law. In April 2008, however, the two sub-states came together and aimed to unite the police forces under one roof.¹³³ The International Police Force was not authorized to carry weapons, arrest or interrogate. It was only responsible for supervising the local police. During its tenure, the IPTF has assisted in reorganizing, training and reducing the number of police units in Bosnia and Herzegovina.¹³⁴

The staff of the Mission of Bosnia and Herzegovina (UNMIBH) consisted of 2057 civilian police and 5 military connection offices. The headquarters were in Sarajevo. They worked with IFOR and later with SFOR. Although the term of duty was defined as one year, it was extended several times for various reasons. The UN International Police Force (IPTF), the Judicial System Evaluation Program (JSAP), the Civil Relations Unit (UNCO), the Human Rights Unit, the Public Relations Office and the Administration Unit are under UNMIBH. UNMIBH undertook tasks such as the implementation of the Dayton Treaty decisions, ensuring the implementation of the legal rules by ensuring peace, monitoring human rights, making elections regularly and ensuring economic restructuring.¹³⁵

129 UN-DOC.S/RES/1035 (1995); Kenar, *Yugoslavya Sorununun*, p. 317.

130 Tangör, *Avrupa Güvenlik Yönetişimi*, p. 112.

131 Kenar, *Yugoslavya Sorununun*, p. 317.

132 N. Aslı Şirin Öner, *Dram Sonrası Bosna, Mültecilerin Geri Dönüşü Üzerine Bir Alan Araştırması*, İstanbul: IQ Kültür Sanat Yayıncılık, 2013, p. 322.

133 Öner, *Dram Sonrası Bosna*, p. 323.

134 Tangör, *Avrupa Güvenlik Yönetişimi*, p. 112.

135 Kenar, *Yugoslavya Sorununun*, pp. 317-318.

The UNMIBH also trained police in the area of organized crime and drugs within the framework of a special education program, and carried out tasks such as weapons control, prison control, traffic and crime control. The UNSC, with its decision dated 11 December 1997 and numbered 1144, gave additional duties to UNMIBH.¹³⁶ These are;

a. Establishment of IPTF units for the prevention of problems that threaten public safety, such as the return of refugees, organized crime, drugs, bribery and terrorism.

b. Cooperation with the Council of Europe and the OSCE in legislative and judicial reform in Bosnia and Herzegovina.¹³⁷

The task of the UNMIBH was ended on 31 December 2002¹³⁸ and the EU assumed all the responsibilities of the organization.¹³⁹ On 1 January 2003, the EU Police Force (EUPM) took over the position¹⁴⁰ and was quickly deployed to Mostar.¹⁴¹

CONCLUSION

The six constituent republics of the Socialist Federal Republic of Yugoslavia and the peoples in the two autonomous regions (except Vojvodina) declared their independence shortly after 1991. The Republic of Bosnia and Herzegovina went to a referendum for independence which took place in the international arena as an independent state with 99.44% of respondents.

The expansionist state Serbia, which considered that the Republic of Bosnia and Herzegovina was an obstacle on the road to Great Serbia, attacked Bosnia and Herzegovina, causing the deaths of hundreds of thousands of Bosnian Muslims. In Srebrenica, the killing of at least 8,000 people caused deeper wounds in conscience, and this was described by international law as the genocide of the Bosnians by the Serbs.

In the ongoing war between 1992 and 1995, Serbia, which could not tolerate the existence of different ethnic and religious communities other than themselves in the geography of Yugoslavia, tried to seize vast territories. Attempts were made to obstruct these expansionist aspirations of the Serbs by international organizations such as the UN, NATO, EU and the United States, Britain and France. However, the war between the Serbs, Croats and Bosnians

136 UN-DOC.S/RES/1144 (1997).

137 Kenar, *Yugoslavya Sorununun*, p. 320.

138 Kenar, *Yugoslavya Sorununun*, p. 317.

139 Tangör, *Avrupa Güvenlik Yönetişimi*, p. 112.

140 Kenar, *Yugoslavya Sorununun*, p. 322.

141 Cüneyt Yenigün, Ümit Hacıoğlu, "Bosna-Hersek: Etnik Savaş, Eksik Antlaşma", *Dünya Çatışma Bölgeleri*, edited by Kemal İnät, Burhanettin Duran, Muhittin Ataman, Ankara: Nobel Yayın Dağıtım, 2004, p. 190.

could only be stopped after many years. A series of decisions taken by the UNSC for the resolution of the conflict and the resolution of the crisis had an impact, and as a result of the negotiations of the parties, Vance-Owen, the Safe Zones and the Three-Entity Plans were accepted.

Likewise, the contributions of the security organizations formed within the framework of the UNSC resolutions to the establishment and maintenance of stability and peace after the War of Bosnia and Herzegovina have been great. Among them, the UN Protection Force fulfilled the task of delivering humanitarian aid in a timely manner, control of no-fly zones, and monitoring of cities declared as safe zones. The Office of the High Representative ensured coordination with international organizations other than Bosnia-Herzegovina, overseeing the implementation of economic reforms, constitution of constitutional and political institutions in Bosnia-Herzegovina, elections and respect for human rights.

The Bosnia and Herzegovina Task Force also sought to regulate the current complex situation in the country as a Mission to Bosnia and Herzegovina through the Police Force and the Civilian Office. The Task Force has worked in full cooperation with other organizations and has been involved in the establishment of a non-policy security organization and provision of necessary training. The mission of Bosnia and Herzegovina was also concerned with the problems of refugees, struggling with elements that threatened security, such as organized crime, drug trafficking, bribery and terror, and collaborated with international organizations in the reforms needed in Bosnia and Herzegovina. The United Nations tried to implement preventive diplomacy in the former Yugoslavia, where wars and crises were not lacking.

Within this framework, it was observed that the UN was effective in its efforts to stop the war, make the warring parties sit down at the peace table by following the resolutions of the UNSC, and to ensure and maintain tranquility in the region. The UN Protection Force, the Office of the High Representative, and the Implementation Force in Bosnia and Herzegovina also played a role in this achievement.

However, although partially accepted, the Vance-Owen, Safe Zones and Three Zonal Plans did not satisfy the warring parties, failed to meet expectations and could not achieve the desired results. The solution proposals put forward by the UN for the fair fulfillment of the interests of the parties were not successful.

The UN is expected to solve a problem before its deterioration by using preventive diplomacy much more actively at the initial signs of emergence of regional and/or international crises. It has become the expectation of the international community that the

UN should take more effective and urgent measures to prevent disagreements arising from conflicts of interests or competition from being transformed into civil wars, regional crises and genocide.

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