



MEDIA RELEASE

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For immediate release

Children born as a result of wartime rape get their first legal recognition in Bosnia and Herzegovina

Sarajevo, 2 August 2022 - After years of struggle to obtain recognition of their existence and their status, as well as the long-lasting psychological, economic and social impact on their everyday lives, children born as a result of wartime rape have at last been acknowledged as civilian victims of war, for the first time in Bosnia and Herzegovina (BiH). On 14 July 2022, the Brčko District, one of the three administrative units of BiH, took the first significant step to grant them such status within the newly adopted Law on Civilian Victims of War.

“We welcome this significant step forward, the value of which is primarily reflected in the symbolic act of the final legal and social recognition of children born as a result of wartime rape as a special category of civilian victims of war”, said [Adrijana Hanušić Bećirović](#), Senior Legal Advisor of TRIAL International. The organization, jointly with the association Forgotten Children of the War, has been advocating for some time for the recognition of the status of children born of wartime rape.

For years, the rights of children born of rape during the 1992-1995 war constituted a topic that was often avoided and ignored in BiH. The indifference and the taboo around this subject lead many of them to feel “forgotten”. Unfortunately, there is no official data on the exact number of these children as no records have been kept of their births, which only further highlights a lack of systematic support.

“Children born of wartime rape have always been a neglected category in our society. This is an important step in the global fight for human rights”, [said](#) Ajna Jusić, herself a child born of wartime rape and the president of Forgotten Children of the War.

In BiH, children born of wartime rape are facing numerous problems tied to their identity, including stigmatisation, marginalisation and isolation. Mothers often raised them in difficult socio-economic conditions, without any additional support. Therefore, the recent recognition is not only significant for the children themselves but also for their mothers.

“We are very happy and proud and would like to thank our mothers. We applaud them for their strength. We congratulate them because this is a very important moment in their lives. They are aware that their children will at last have an opportunity to enjoy their basic human rights and be part of the society, which is what they always wanted”, added Ajna Jusić.

This historic step is not only first of its kind for BiH, but for Europe as well, as this is the first time on the continent that these children are recognized as a specific category of victims of war. This comes after the UN Secretary General and various UN human rights bodies have recently called for national legislation to address the needs of children born of war. The move also resonates with recent decisions taken by the International Criminal Court confirming that children born of rape and sexual slavery are direct victims, eligible and deserving of reparation.

TRIAL International is a non-governmental organization fighting impunity for international crimes and supporting victims in their quest for justice. TRIAL International takes an innovative approach to the law, paving the way to justice for survivors of unspeakable sufferings. The organization provides legal assistance, litigates cases, develops local capacity and pushes the human rights agenda forward.

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"A momentous step recognising children born as a result of wartime sexual violence as a separate category of victims. Such children will be given special consideration in the investigations and prosecutions by my office", [commented](#) Karim Khan, the International Criminal Court's Chief Prosecutor.

However, the newly adopted law in the Brčko District is not without flaws. Although children born as a result of wartime sexual violence can obtain the status of civilian victims of war, the law does not provide any additional rights for them, such as support in obtaining education and scholarships, which was one of their main demands.

"Children born of wartime rape never had any opportunities in their lives. I am 29 years old and I never had the chance to get a scholarship", said Ajna Jusić.

Furthermore, according to the new law, only children whose mothers endured wartime rape and have previously been recognized in the administrative procedure as civilian victims of war, can obtain this status. Not only is the number of conflict-related sexual violence survivors that received this status in BiH staggeringly low, amounting to around 1,000 survivors out of an estimated 20,000 victims of these crimes, but also many children were placed for adoption and are not in contact with their biological mothers.

"This is an unduly restrictive provision which will also lead to the exclusion of children like those whose mothers were not ready to seek recognition of their status or whose mothers left the country and could thus not be granted such status", explained Adrijana Hanušić Bećirović.

"The remaining two administrative units in BiH, the Republika Srpska and the Federation of BiH, must now also ensure that children born of war are given a status of civilian victim of war, while addressing at the same time the issues left open by the Brcko District law", concluded TRIAL International and Forgotten Children of the War.

Discover the testimony of Ajna Jusic's, a child born of the war:
https://www.youtube.com/watch?v=n_C0z72wch0

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