



KING'S ACADEMY MODEL UNITED NATIONS 2026

International Court of Justice

**BOSNIA AND HERZEGOVINA V. SERBIA
AND MONTENEGRO**

By Faysal Alwir

Name- ICJ-KAMUN-01

Date: February 2026

TRIAL CHAMBER I

Before:

Judge Faysal Alwir

SITUATION REGARDING

THE CASE OF

BOSNIA AND HERZEGOVINA V. SERBIA AND MONTENEGRO

Under Seal

CASE DOCUMENTS

INDICTMENT

The Prosecutor, acting on behalf of Bosnia and Herzegovina, submits that Serbia and Montenegro breached obligations under the Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG), including but not limited to:

- a) Commission of genocide through organs/agents, and/or
- b) Complicity in genocide, and/or
- c) Failure to prevent genocide, and/or
- d) Failure to punish genocide.

Possible Testimonies:

For the Prosecution:

Hasan Nuhanović

Bosnian, Massacre Survivor

Florence Hartmann

French, Journalist

Dražen Erdemović

*Bosnian Croat, Former Member of Bosnian
Serb Army*

For the Defense:

Slobodan Milošević

Serbian, Former President

Vojislav Koštunica

Serbian, Former Prime Minister

Branko Krga

*Serbian, Former High-Ranking Military
Officer*

Note on witnesses: It is not essential to use these witnesses for your case and others may be introduced, these are just examples for reference.

OVERVIEW OF THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE (CPPCG)

The Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG) was adopted by the United Nations General Assembly on December 9, 1948, in the aftermath of the Holocaust and the devastation of the Second World War. The central purpose of the treaty is to define genocide as an international crime and to establish a legal implication for genocide by which perpetrators can be prosecuted. The drafters, led in large part by the lawyer Raphael Lemkin, recognized that these crimes could not simply be handled by national courts or left to political debate. Instead, they needed to be codified as violations of international law that transcend borders, making both states and individuals accountable.

The CPPCG clearly defines genocide as acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group. These acts range from killing and inflicting serious harm to imposing conditions of life designed to destroy the group. Importantly, the treaty extends responsibility beyond those who carry out the killings to those who conspire, incite, or attempt genocide. This broad definition is significant because it does not just look at the crime once it has been committed but creates a legal basis to intervene earlier. In other words, prevention is just as critical as punishment.

The convention also establishes obligations for the states that ratify it. Article I states that genocide, whether committed in time of peace or war, is a crime under international law that parties undertake to prevent and punish. This creates a legal duty that goes beyond passive condemnation. For example, it means that when evidence of genocide appears, other states cannot simply look away; they are bound to act in some capacity, whether by diplomacy, sanctions, or legal measures.

The CPPCG is significant due to it representing an aspiration for a better future and legal implications for the violators of this treaty. This treaty is regularly used as the base prosecuting system for many international disputes where one side alleges genocide and the other contests responsibility or intent. Countless courts often return to the language of the convention to assess whether the acts in question meet the strict legal threshold of genocide, making it a crucial aspect of modern international justice.

FACTS STIPULATED

In the early 1990s, the Socialist Federal Republic of Yugoslavia collapsed, leading to declarations of independence by several republics, including Bosnia and Herzegovina in March 1992. This decision was immediately followed by a violent conflict, with Bosnian Serb forces, supported politically and militarily by Belgrade, attempting to carve out territories for a Serb-dominated state. The war quickly became known for its brutality, with widespread attacks against civilians, forced expulsions, and the destruction of towns and villages.

The conflict saw Sarajevo, Bosnia's capital, placed under a siege that lasted for years. Civilians endured daily shelling and sniper fire, with thousands killed or wounded. Beyond Sarajevo, the war was marked by campaigns of "ethnic cleansing," where entire communities were displaced. Villages were systematically destroyed, mosques and cultural symbols targeted, and non-Serb populations driven from their homes. Survivors often found themselves detained in camps under horrific conditions, where reports of torture, starvation, and mass executions emerged.

However, Serbia and Montenegro have consistently rejected claims of direct responsibility for these atrocities. While acknowledging that atrocities occurred, they argue that the Bosnian Serb Army (VRS) was an independent military and political structure, commanded by leaders such as Radovan Karadžić, who did not take orders from Belgrade. Serbia highlights its involvement in peace negotiations, such as the Vance–Owen Peace Plan and other international talks, as evidence of its attempts to end the conflict rather than perpetuate it. From this perspective, the support Serbia provided to Bosnian Serbs, whether logistical, financial, or military, was part of a broader regional crisis and not a coordinated plan to commit genocide.

One of the most infamous episodes took place in July 1995 in the town of Srebrenica, which had been declared a United Nations "safe area." Bosnian Serb forces under General Ratko Mladić entered the enclave and swiftly overran it. In the aftermath, more than 8,000 Bosniak men and boys were separated from women and children, taken away, and executed. The massacre shocked the international community and became emblematic of the brutality of the conflict.

Bosnia and Herzegovina asserts that these acts amount to genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG). The government maintains that Serbia provided weapons, funding, and logistical support to the Bosnian Serb forces carrying out these atrocities. It also argues that high-ranking officials in Belgrade had knowledge of the crimes being committed and, at minimum, failed to intervene to stop them.

Serbia, for its part, acknowledges its political and cultural ties to Bosnian Serbs but rejects accusations of orchestrating genocide. Belgrade has argued that the conflict is a civil war driven by complex ethnic tensions and that responsibility lies with local Bosnian Serb leaders, not with the Serbian state.

TIMELINE OF MAJOR EVENTS

- 1991: Yugoslavia begins to break apart; Slovenia and Croatia declare independence.
- 1992: Bosnia and Herzegovina declares independence; war breaks out among Bosniaks, Croats, and Bosnian Serbs.
- 1992: Siege of Sarajevo begins, lasting nearly four years.
- 1992: Reports emerge of detention camps around the area (e.g., Omarska, Keraterm)
- 1993: United Nations designates six “safe areas,” including Srebrenica, intended to protect civilians.
- 1994: NATO begins limited airstrikes against Bosnian Serb targets.
- 1995 (July): Srebrenica falls to Bosnian Serb forces
- 1995 (August): NATO launches Operation Deliberate Force, a sustained bombing campaign against Bosnian Serb positions.
- 1995 (November): Dayton Peace Agreement is reached, officially ending the war in Bosnia and Herzegovina.

APPLICABLE STATUTORY LAW

Statute of the International Court of Justice:

- Article 36: Jurisdiction of the Court.
- Article 38: Sources of international law applied by the Court (international conventions, international custom, and general principles of law).
- Article 41: Power to indicate provisional measures to preserve the rights of parties.
- Article 59: Binding force of ICJ judgments between the parties.
- Article 94 of the UN Charter (linked provision): Obligation of UN members to comply with ICJ decisions.

Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG):

- Article I: Genocide is a crime under international law; states undertake to prevent and punish it.
- Article II: Definition of genocide.
- Article III: Punishable acts (genocide, conspiracy, incitement, attempt, complicity).
- Article IV: Responsibility of individuals, including state officials.
- Article IX: Disputes relating to the interpretation, application, or fulfillment of the Convention shall be submitted to the ICJ

EXAMPLE WITNESS AFFIDAVIT

(Witnesses do not have to memorize affidavits so the affidavits can be long, the most important part is that they are well-trained and properly understand themselves and their role in the case)

Hasan Nuhanovic:

WITNESS FOR THE PROSECUTION

I, Hasan Nuhanovic, being duly sworn, state as follows:

My name is Hasan Nuhanović. I was born on July 2, 1968, in Zvornik, Bosnia and Herzegovina. During the war in Bosnia, I worked as an interpreter for the United Nations Protection Force (UNPROFOR) stationed in Srebrenica, which had been declared a United Nations “safe area.” In that role, I was tasked with facilitating communication between local Bosniak civilians and UN personnel. My position placed me in close proximity to both the international forces charged with protecting us and the civilians who sought refuge under their mandate.

In July 1995, as Bosnian Serb forces under General Ratko Mladić advanced on Srebrenica, I witnessed thousands of Bosniak civilians gather around the Dutch UN compound at Potočari seeking protection. The atmosphere was one of panic and desperation. Families clung to the hope that the United Nations would uphold its commitment to shield them from harm. As an interpreter, I heard their pleas firsthand and saw the fear in their eyes as the enclave collapsed.

On July 12 and 13, I witnessed UN personnel under extreme pressure from Bosnian Serb forces deny entry and protection to thousands of civilians. Among them were my own father, mother, and younger brother. Despite my appeals and my position with the United Nations, they were forced out of the compound and handed over to Bosnian Serb soldiers. I never saw them alive again. Later, I learned they were among the more than 8,000 Bosniak men and boys executed.

The scenes remain seared into my memory: families torn apart at the gates of a United Nations compound, the cries of mothers begging for their sons to be spared, the hollow promises of safety, and the cold efficiency with which the deportations and executions were carried out. The betrayal of the promise of international protection turned the so-called “safe area” into a trap.

In the aftermath, I dedicated my life to speaking the truth about what happened in Srebrenica and to ensuring accountability. The actions and omissions that enabled the massacre were not random; they reflected a coordinated campaign to destroy the Bosniak population of eastern Bosnia. I testify here not only as a survivor but as a witness to the destruction of my community.

It is my firm belief that the atrocities committed in and around Srebrenica in July 1995 were part of a broader plan of ethnic cleansing, amounting to genocide. The loss of my family is a personal wound, but their deaths represent thousands of lives extinguished under a campaign of terror. I stand before this court to affirm the truth of what I saw and to call for justice against those who orchestrated and enabled these crimes.