

# ISARMUN 2019



## Study Guide



Application of the Convention on the Prevention and Punishment of the Crime  
of Genocide

Croatia v. Serbia

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## Welcome Letter

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*Dear Delegates,*

*It is with great pride that we, the chairs of the ICJ, welcome you to IsarMUN 2019! “Rebooting the International System” - with this year’s motto we try to respond to the developments we have observed unfold in the course of the past year. In times where nothing seems certain on the world stage anymore, where nationalists are on the rise, we want to put an emphasis on the fact that while some might say that the international system is outdated, there is an inherent need for such a system. It is of utmost importance that we, as the generation who would be affected the most by a potential collapse of the current system, do not watch in silence but contribute our share to preserving the achievements of international collaboration and diplomacy that we are profiting off of each and every day. Forging alliances, making friends and being a part of the international community are integral parts of this effort, which is why we couldn’t be happier, that you decided to be part of IsarMUN 2019.*

*In a fragile world order, there is nothing more important than us being able to rely on international conventions that have been formed over decades. Institutions like the ICJ that preserve the rule of law are thus crucial in providing balance and certainty in an environment where some actors try to spread doubt and skepticism. We are therefore certain, that with the ICJ, you have chosen a committee that serves as an important stabilizer of our international system.*

*In order for our committee to be able to have successful and fruitful deliberations, it is essential for you as advocates and judges to prepare thoroughly, read through the Rules of Procedure of IsarMUN 2019, familiarize yourselves with the interests and/or roles of the parties you are representing and prepare yourself for the great debates that will be expecting you upon your arrival in Munich. We hope that with this Study Guide you will get a first overview over the case we will be dealing with about at IsarMUN 2019 and also find inspiration for your own research.*

*As your chairs, we are super excited to meet you all in November and, together with you, enter into four days full of enriching debates, legendary socials, making both new friends and amazing memories and most of all, four days of having loads of fun.*

*If you have any questions, may it be concerning the case, the Rules of Procedure or anything else relating to the conference, please do not hesitate to contact us right away.*

*Now, enjoy reading through the Study Guide and see you soon!*

*Again: A very warm welcome to IsarMUN 2019!*

*Reem Al-Ghassab, Marco Garcia and Dominik Ströbel |  
Chairpersons of the ICJ / [Icj@isarmun.org](mailto:Icj@isarmun.org)*

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## Biographies

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Reem, born and raised in Saudi Arabia, moved to Germany at 18 to pursue a degree in Political Science. Having witnessed the disenfranchisement of women in her country and the instability in her region, she is deeply passionate about women's issues as well as politics and conflicts in the Middle East. After having attended her first conference at her school at age 14, she was hooked. Countless conferences later, both local and international, her thirst for more MUN experiences remains unquenched, as she cannot wait to be inspired by more delegates. Apart from her interests in politics, Reem is fond of literature, musicals and outdoors.

Marco is a 2<sup>nd</sup> year International Relations student at the University of Edinburgh, and is honored to chair the ICJ, arguably the embodiment of the greatest legal triumph of humankind in our quest for peace! Originally from Mexico, he has been jumping all over the place all his life, having lived in no less than eight countries. Thus, he has always been crazy about how different countries coexist, and he does hope he can pass that enthusiasm onto the delegates. He cannot wait to present evidence, cross examine, deliberate (and above all, party) with you all this November!

Dominik is currently a law student at Bucerius Law School Hamburg. He entered the world of debate and MUN when he spent an exchange year in the United States during his junior year of high school. Since his return to Germany he has attended numerous conferences as both delegate and chair all around the continent. Having been part of IsarMUN as delegate last year, Dominik is very much looking forward to being able to serve as your chair of the ICJ at this year's edition.

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## Executive Summary

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The Balkans, a unique mosaic of cultures, languages, ethnicities, and history is a source of conflict in Europe. In fact, the very unprecedented diversity that has shaped this region has also at times contributed to its decay. Nowadays there aren't any serious conflicts in the region that could lead to war, however, the case was different dozens of years ago. In fact, ever since the dismantling of the Ottoman and the Austrian-Hungarian Empires, a series of ethnically motivated violent conflict began to arise, colloquially dubbing them the 'European powder keg' due to the regions volatile nature. As Bosnia & Herzegovina, Croatia, Slovenia and Serbia all seek independence, they are eventually put under the same banner 'Kingdom of Yugoslavia' since conflicts along several cleavage lines hindered independence for each nation. Less merciful was the second world war that destroyed much of the region and killed over a million, not only because of the atrocities committed at the hands of the Nazis but also because of several ethnic conflicts that led to the outbreak of civil war. During this period, it is alleged that the Croatian forces committed genocide against the Serbian population within Croatia. To add salt into injury the region was then sucked into the Soviet Union and communism was instituted. The Yugoslavian state was then divided into several federal states; Bosnia & Herzegovina, Croatia, Macedonia, Montenegro, Serbia, and autonomous Kosovo and Slovenia. Separation movements, especially the rise of nationalism, only exacerbated the already imminent dismemberment of Yugoslavia. Each group began attacking the other during the Yugoslavian civil war. Serbian insurgent groups nearly wiped out countless municipalities and killing over 20,000.

The law to be considered can be mostly found in the Convention on the Prevention and Punishment of the Crime of Genocide.

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## Introduction to the Committee

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The International Court of Justice (ICJ) is the principal judicial organ of the United Nations (UN). Established in 1945, the ICJ is tasked with settling disputes between Member States or such states that have subjugated to the ICJ's jurisdiction through either declarations or treaties invoking the ICJ as the organ of choice when it comes to dispute settlement. In addition, the ICJ may also be called upon by other organs of the UN to deliver advisory opinions where necessary.

The Court, located in The Hague, Netherlands, is comprised of 15 judges, who serve terms of office of nine years each after having been elected by the UN General Assembly (GA) and the Security Council (SC). Administrative affairs of the Court, such as correspondence with the parties of the petitioner and respondent, are taken care of by the Registry of the Court.

The case at hand deals with the suit brought in front of the ICJ in July 1999 by the Republic of Croatia against the Federal Republic of Yugoslavia, and after its dissolution against its legal successor, the Republic of Serbia, alleging a breach of the Convention on the Prevention and Punishment of the Crime of Genocide by Serbia. The case has its historical roots in the Croatian war from 1991 until 1995, that followed Croatia's declaration of independence from the Socialist Federal Republic of Yugoslavia (SFRY) on June 25 1991. After Croatia had declared its independence, Serbian forces occupied Croatia in an effort to prevent its secession from the SFRY. While Croatian forces were able to end the occupation of large parts of the country, Serbian forces established the Republic of Serbian Krajina, covering about a quarter of the territory of Croatia. After a ceasefire was agreed upon in January 1992, the United Nations Protection Force (UNPROFOR) was deployed by the UN SC leading to an extended period of intermittent combat. Through Operations Flash and Storm, in 1995 Croatia effectively decided the war in its favor ending Serbian occupation of its territories. Croatia, in its suit before the ICJ, alleges that Serbia was actively involved in trying to exterminate the Croat population in the occupied territories during the years of war. While the International Criminal Tribunal for the former Yugoslavia (ICTY), established through Resolution 827 of the UN SC, has sentenced various Serbian officials, inter alia, for war crimes, the ICJ was to rule on whether or not, the Republic of Serbia, and thus its

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predecessors, systematically, willfully and knowingly engaged in behavior that was in violation of the Convention on the Prevention and Punishment of the Crime of Genocide. Such a breach of the Convention could have served Croatia as a basis for demands of damages and reparation against Serbia, which was ultimately Croatia's goal when bringing the suit against Serbia in front of the ICJ.

The case at hand itself has close ties to *Bosnia and Herzegovina v Serbia and Montenegro*, also referred to as the Bosnian genocide case, in which Bosnia and Herzegovina sued Serbia and Montenegro, just like Croatia did, for a breach of the Convention on the Prevention and Punishment of the Crime of Genocide during the Bosnian war, which took place from 1992 until 1995. The most known event that is affiliated with said war is the so-called Massacre of Srebrenica in the course of which more than 8,000 Bosnian Muslims were murdered by Serbian forces despite UN forces of UNPROFOR being present.

While in *Bosnia and Herzegovina v Serbia and Montenegro* the ICJ ruled in 2015 that the respondent indeed had violated the Convention on the Prevention and Punishment of the Crime of Genocide by not undertaking enough to stop the massacres committed by official and unofficial Serbian forces and militias, the ICJ has dismissed Croatia's claims in the case at hand after Croatia went on to pursue its claims after the ICJ, in large parts, ruled in favor of Bosnia and Herzegovina in the Bosnian genocide case. Observers were surprised by the ICJ's dismissal of Croatia's claims as there was broad agreement among experts, that Croatia, in contrast to Bosnia and Herzegovina in their case, was in a position where they should have been able to prove Serbia's systematic violation of the Convention on the Prevention and Punishment of the Crime of Genocide a lot unambiguously than it was possible for Bosnia and Herzegovina. After its ruling in *Croatia v Serbia*, the ICJ contended that the countersuit brought in front of it by the Republic of Serbia in January 2010, claiming that Croatia violated the convention in question, is not substantiated either. Documents, memoranda, judgments and any other material that either reflects the deliberations of the actual trial in front of the ICJ or was published after the court issued its judgment in the case may not be used in this conference. The cut-off date for any material is February 3 2015.

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## Historical Background

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The Balkans, due to their geographic position in southeastern Europe, have been shaped by a unique history in which multiple great religions and factions, Eastern and Western Christianity as well as Islam, influence its culture. Although hardly a booming economic region, it has access to multiple vital waterways and connecting three major empires; Ottoman, Russian and Austro-Hungarian, it possesses strategic value. Although its multiethnic nature is sometimes a source of conflict, it is also a myriad of languages, folk, and culture unlike any other in continental Europe.

### Pre-World War

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The first Great War brought about the dismantle of one of the largest empires in modern history, the Ottoman and Austro-Hungarian Empires. Their collapse triggered a series of ethnically motivated conflicts within and between countries on the European continent, especially the Balkan states, whose state at the time was considered so volatile they were even dubbed the 'European powder keg' and Otto Von Bismarck having allegedly predicted the World War I saying 'The next great European war will begin over some damned foolish thing in the Balkans'. It has also set off a trend, in which many nations would declare themselves as independent states following the profound shift in World Order culminating in the Nation-State order endorsed even by U.S. president Woodrow Wilson based on the doctrine of self-determination. In 1917, however, Croatia and Slovenia agreed to unite with the Serbian government in the forming of a democratic and constitutional 'Kingdom of Serbs, Croats and Slovenes' under the rule of the Serb dynastic family the House of Karadjordjević. It is nonetheless disputed whether the Croatian public, excluding the elite consisting of mainly Serbs, ever wished to be a part of this union given that the Croatian People's Peasant Party and the ruling Croat-Serb Coalition were excluded from the meetings. Naturally, political divide along cleavage lines and polarization amongst Croats, Slovenes and Bosniaks regarding a central vs peripheral form of government eventually led to instability and sectarian violence within the Kingdom to which King Aleksander I responded to by declaring a royal dictatorship and thereby abolishing the constitution and all democratic institutions eventually proclaiming the state 'Kingdom of Yugoslavia'. In 1934 he was assassinated by a

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Bulgarian in France. His death fueled the political chaos and motivated the Croats to seek independence.

## World War II

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The second Great War destroyed much of the Balkans, not only through its invasion by the Nazi-Fascist coalition but also by a series of ethnic conflicts leading up to civil war. Nazi Germany divided Yugoslavia into Greater Croatia, a Greater Bulgaria, Greater Albania, this however was far from a solution to the centralism vs federalism issue. Instead, violent and bloody conflicts erupted to the point of outright genocide against the Serbian Population within the Croatian state. Moreover, Nazi sympathizer and supporter Ustaša, the right wing extremist Croatian nationalistic movement, aided the Nazis in the extermination of the Jewish and Gypsy communities in Croatia and Bosnia and Herzegovina. The end of WWII, however, saw the defeat of the Nazis in Yugoslavia and the establishment of a communist regime based on the Soviet Union model. While developing the new Yugoslav constitution, Tito, a leader of the Partisans who were often regarded as the most effective resistance movement in occupied Europe, attempted to set a political narrative devoid of any ethnic tensions that had formerly been the hallmark of Yugoslavian history. The so called 'Social Federal Republic of Yugoslavia' was then divided into six federal states; Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia including autonomous Kosovo and Slovenia. Evidently, this was all just a name as Belgrade maintained a tight grip over all aspects of life under the communist regime. Upon Tito's death, Yugoslavia was already on the verge of falling apart despite demands of separatists movements in Croatia and Slovenia for more decentralization being met and nationalism was on the rise.

Slobodan Milošević, a rising serbian politician at the time pushed towards a Greater Serbia, seeking to restore Serbia and the Serbs to their 'rightful place'. This only strengthened nationalistic desires amongst the Serbs. Upon his election as president of the Serbian Communist party in 1986 he overthrew the governments of Kosovo and Montenegro and claiming their lands as Serbian. Kosovans retaliated violently to their loss of autonomy which led the occupation of Kosovo in 1990 by the Federal Yugoslav Army, effectively setting precedence to using an army against a fellow Federal state member. Growing fears in other Yugoslav republics accelerated the disintegration of Yugoslavia with non-communist

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governments building in Croatia, Bosnia and Herzegovina, and Slovenia, and even a quasi defense pact being formed between Croatia and Slovenia eventually leading to their independence in 1991. Tensions between Croats and the FRY grew so rapidly that Serb insurgent groups tied with FRY led massive attacks against Croatia, destroying over half of Croatia's 102 municipalities, killing 20,000 people and displacing more than 600,000. With one-third of Croatian territory seized by FRY, a ceasefire between Croatia and FRY was agreed upon in Sarajevo January 1992. Only a month later, the United Nations Security Council sent peacekeeping missions in several sectors in Croatia under the banner of the United Nations Protected Areas, in an attempt to end the armed conflicts in Croatia.

## **Statement of Facts**

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In a series of attempts to recover land occupied by Serbia, Serb officials called upon Serbs to evacuate the Knin areas, claiming they are under threat from the Croats. Croatia denied these allegations, claiming that FRY was in fact the one in violation of the Genocide Convention.

On 2 July 1999, Croatia filed an Application against the Federal Republic of Yugoslavia (FRY) "for violations of the Convention on the Prevention and Punishment of the Crime of Genocide". As basis for the Court's jurisdiction, Croatia invoked Article IX of that Convention to which, they claim both Croatia and Yugoslavia were parties of as well as a request for reparations for the damages that arose during the conflicts.

On March 1 2001 Croatia submitted a memorial to the ICJ.

On 11 September 2002, Yugoslavia filed preliminary objections to the jurisdiction of the Court and to the admissibility of the claims made by Croatia and, pursuant to Article 79, paragraph 3, of the Rules of Court the proceedings on the merits were suspended.

In 2003 The Federal Republic of Yugoslavia is reconstituted as Serbia and Montenegro, and in 2006 effectively dissolving that country and making Serbia its legal successor under the UN Charter.

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In 2007 a judgement is delivered in the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), in which the Court concluded that ‘the acts committed at Srebrenica falling within Article II (a) and (b) of the Convention were committed with the specific intent to destroy in part the group of the Muslims of Bosnia and Herzegovina as such; and accordingly that these were acts of genocide, committed by members of the VRS in and around Srebrenica from about 13 July 1995.’

The Court first considered the scope of its jurisdiction, which, in its view, was founded exclusively on Article IX of the Genocide Convention. Recalling that, in its Judgment of 18 November 2008, it had found that it had jurisdiction. 2010 Serbia files a counter-memorial against Croatia.

## **Procedural History**

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On July 2<sup>nd</sup>, 1999, Croatia filed an application filing proceedings against the FYR in respect to an alleged violation of the Convention on the Prevention and Punishment of the Crime of Genocide. Both Serbia and Croatia are parties to the Convention and are thus legally bound by it. Croatia acceded to the Convention on 12 October 1992 by succession of Yugoslavia. Croatia invoked Article IX of the Convention as basis of the jurisdiction of the Court:

### *Article IX*

*Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or any of the other acts enumerated in Article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.*

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## Jurisdiction of the Court

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The jurisdiction of the International Court of Justice is guided by Article 36 of the ICJ statute, which goes as follows:

1. *The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force.*
  2. *The states parties to the present Statute may at any time declare that they recognize as compulsory ipso facto and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:*
    - a. *the interpretation of a treaty;*
    - b. *any question of international law;*
    - c. *the existence of any fact which, if established, would constitute a breach of an international obligation;*
    - d. *the nature or extent of the reparation to be made for the breach of an international obligation.*
  3. *The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time.*
  4. *“Such declarations shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the parties to the Statute and to the Registrar of the Court.*
  5. *Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms.*
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6. *In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.*

The Article states that the Court has jurisdiction over any case presented to it by the parties, as well as certain type of cases specified by the Charter of the United Nations. Moreover, only state members to the United Nations may be parties to the Court. Under Article 93 of the Charter of the United Nations, all members states are *ipso facto* a party to the Court. Article 93 also provides for when a State may In this case, The Court has jurisdiction pursuant to Article 36(1) of the Statute of the International Court of Justice.

## **Applicable Law/Merits**

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According to the Republic of Croatia in its proceedings, The FRY breached its legal obligations towards the people and Republic of Croatia under Article I, II (a, b, c, d), III (b, c, d, e), IV, and V of the Convention on the Prevention and Punishment of the Crime of Genocide.

### **Article I**

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#### ***Article I***

*“The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish”*

Under Article 1 of the Convention on the Prevention and Punishment of the Crime of Genocide, it is established that genocide is a crime under international law, and it must be prevented when possible and prevented when applicable. Any state that is a party to the Convention has a legal obligation to undertake all actions, within the margins of the law, to fulfill the objectives and purposes of the Convention.

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Consequently, the Republic of Croatia must prove that Serbia not only did not take actions to prevent an act of genocide, but to add insult to injury, but also that Serbia had the possibility to prevent a genocide. To prove such, Croatia must present proof that Serbia deliberately did not take actions to prevent the events reported in the application and therefore violated its obligations under international law outlined in Article 1 of the Convention.

## Articles II and III

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### **Article II**

*“In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:*

- (a) Killing members of the group;*
- (b) Causing serious bodily or mental harm to members of the group;*
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;*
- (d) Imposing measures intended to prevent births within the group;*
- (e) Forcibly transferring children of the group to another group.”*

### **Article III**

*“The following acts shall be punishable: (a) Genocide;*

- (b) Conspiracy to commit genocide;*
- (c) Direct and public incitement to commit genocide;*
- (d) Attempt to commit genocide;*
- (e) Complicity in genocide.*

These two Articles focus on the exact meaning of “genocide”, with Article II focusing on the definition of the term and Article 3 with the acts that consist a “genocide”. Serbia has been accused of violations of Article II and III of the Convention on the Prevention and Punishment of the Crime of Genocide, by seizing control of the Knin region and eastern Slovenia from 1991 to 1995, with the intent to “ethnically cleanse” these regions, and to united them with the federal republic of Yugoslavia.

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It is the task of the Court to determine if the elements of the crime of genocide are present in the current case. Moreover, a criteria of three elements must be met: the presence of a “national, ethnical, racial or religious group”, the criminal intent and the presence of one of the listed criminal acts. If the Court finds that an act of genocide has occurred, it will further have to trigger state responsibility under International Law. If the act in question is carried out by a person whose conduct is not attributable to the state through his or her institutional function, there will nevertheless be attribution of conduct if said person is under the control of the state.

Croatia, the applicant, must present proof of a criminal intent to destroy, in addition to the nature of the group targeted. Meaning, the applicant must prove that the perpetrator must consciously desire that the acts he committed will result in the destruction – in whole or part – of the group targeted. This is known as “specific intent”, or *dolus specialis* and is how the ICJ interprets the mental elements of the case.

#### Articles IV and V

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##### **Article 4**

*“Persons committing genocide or any of the other acts enumerated in Article 3 shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.”*

##### **Article 5**

*“The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in Article 3.”*

Under Article IV, individuals who commit an act of genocide or any of the acts described in Article III, must be punished regardless of their status, whether private or official. Moreover, under Article V, States parties must provide effective penalties for persons guilty of genocide or any of the acts described in Article III. Serbia is being accused of violating the

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aforementioned Articles on the basis of a lack of prosecution and adequate punishment for the acts outlined in Article III.

The Court will have to determine whether the steps undertaken by Serbia fulfill the disposition of Article IV and V of the Convention on the Prevention and Punishment of the Crime of Genocide.

## Issues to Discuss

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While in front of the ICJ in The Hague, mainly the preliminary objections dictated the course of the proceedings, we will not argue preliminary objections during the session but will focus on the facts of the case instead.

We advise both sides to take a look at a summary of the ruling delivered by the ICJ in 2015 and consequently identify aspects that might be of interest in addition to those mentioned below. Keep in mind, however, that no material that reflects the proceedings in front of the ICJ or was published after February 3 2015 may be used at the conference.

## Croatia

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What it will come down to in the end is whether or not you will be able to prove beyond reasonable doubt that it was not only single officials within the Serbian forces that conspired to exterminate the Croatian population in the occupied territories but that there was a systematic strategy coming from the Serbian government as a whole, ordering its forces to commit genocide against the Croatians.

In order to do so, you will firstly have to find a definition of genocide or respectively interpret the one given by the Convention on the Prevention and Punishment of the Crime of Genocide, that allows for the events you refer to to be included. Also keep in mind that the alleged genocide happened while a war was raging. You will have to prove that the actions of the Serbian forces were distinct from regular acts of war, meaning that they did not solely

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kill in order to protect themselves but because they wanted to actively, knowingly and willfully destroy the Croatian population. In order to do so, you may refer to judgments handed down by the ICTY for your argumentation, for example to prove that individuals convicted by the Tribunal appear to be the ones that were in charge of making strategy decisions within the Serbian forces. Again: The question is not whether or not genocide was committed, but to prove that the Serbian government gave orders to systematically kill Croats.

## Serbia

In order for you to be able to prove that Croatia's claims are unfounded it is crucial that you succeed in making a sound argument for why your countries should not be in a position where they have to pay for actions committed by individuals that happened to serve in the Serbian forces as well. Just like Croatia, try to find a definition or interpretation of the notion genocide that serves your purpose and excludes the events and claims Croatia will bring up. In addition to developing your own line of argumentation, we strongly advise you to prepare for whatever claims and arguments Croatia might bring up in court. Try to put yourselves in the position of the petitioner. How would you argue? It is important that you develop your own arguments and do not just repeat the arguments that were brought up in the actual case. Obviously, you are more than welcome to refer to the documents of the ICJ to find a rough direction of your arguments, but please keep in mind that we expect you to develop your own line of argument as we are not re-enacting the ICJ's proceedings of the past years but that we are trying Croatia v Serbia as if the original case did not exist. In this context, as already mentioned above, please do not use any documents reflecting the actual proceedings in front of the ICJ or that were published after the judgment was handed down on February 3 2015. Please also focus on the events referred to in Croatia v Serbia and refrain from using An eye for an eye-arguments by outweighing the alleged events by referring to what war crimes or massacres Croats might have committed against the Serbian population as these events are part of Serbia v Croatia but not of our case.

## Useful Links

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- Website of the ICJ: <https://www.icj-cij.org/en>
- Convention on the Prevention and Punishment of the Crime of Genocide: <https://www.ohchr.org/en/professionalinterest/pages/crimeofgenocide.aspx>
- Croatia v Serbia: <https://www.icj-cij.org/en/case/118>
- International Criminal Tribunal for the former Yugoslavia: <http://www.icty.org>

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  - United Nations Security Council, Resolution 908, 1994
  - Dayton Peace Agreement, 14 December 1995
  - United Nations Treaty Collection, Convention on the Prevention and Punishment of the Crime of Genocide, 9 December 1948
  - United Nations General Assembly Resolution 55/12, Admission of the Federal Republic of Yugoslavia to membership in the United Nations, 2000
  - United Nations International Law Commission, Draft Articles on State Responsibility, 2001, Article 2
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