INTRODUCTION

What is RECOM’s goal? What is happening with the Initiative for RECOM? What do victims of serious human rights violations think of the Initiative?

Answering these and other similar questions is the main task of !The Voice of the RECOM Initiative. The newsletter provides information on the most recent events and developments concerning the Initiative. It carries news about the process of advocacy for RECOM, statements of political support, interviews with politicians in the region, the opinions of prominent public figures, the media and the public about the Initiative for RECOM, as well as the activities undertaken by the Coalition for RECOM.

In addition, !The Voice disseminates the voice of victims. Every issue brings testimonies of victims, opinions, of those who help victims secure their rights, opinion pieces, interviews and testimonies of those for whom responsibility, the need for truth, reconciliation and memory are social priorities. The bulletin is published monthly in electronic form, and quarterly in print. It is available through the website of the Coalition for RECOM (www.zarekom.org) and from HRC offices in print.

Why is all this necessary? The answer to that question is contained in an open letter of support written by a number of intellectuals and artists from across the former Yugoslavia, addressed to the Presidents and members of the Presidency of all successor states of the former Yugoslavia. In this letter, which was published in the media in all the countries of the region, they ask their highest political representatives to do everything in their power to enable RECOM to begin its operation on the basis of the Draft Statute adopted by the Coalition for RECOM after years of consultations with people from across the region.

“With this letter we want to give loud and strong support to the Initiative for RECOM, because we believe that the establishment, publication and acceptance of facts on a regional level is necessary for all of us, in order to create the necessary foundations...
for restoring dignity to victims, to meet their needs and rights, to determine the fate of forcibly disappeared persons, and to prevent the horrors of our common recent past from happening again... The Initiative for RECOM can make our communities better, and above all it can make us better people.”

Hence, the success of the Initiative for RECOM will be measured not only by whether the ultimate goal has been achieved, but also by assessing the path taken to achieve it. By and large, this path is becoming part of the ultimate goal – uncovering the facts and finding out the truth. The knowledge of what really happened is a prerequisite for everything that comes later: reconciliation and cooperation, building new and better relations among the peoples and nations in our region. Because there is no alternative to the truth.

Editors:
Igor Mekina
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Between April 26 and June 30 2011, 1301 volunteers in one hundred and fifty cities across Bosnia and Herzegovina, Montenegro, Croatia, Kosovo, Macedonia, Slovenia and Serbia collected signatures from the public in support of the establishment of RECOM. The campaign “One Million Signatures for RECOM” was led by youth organizations – the Academy of Progressive Ideas from Slovenia; PRONI and the Youth Resource Center from Bosnia and Herzegovina; CEMI from Montenegro; Integra from Kosovo; the Youth Education Forum from Macedonia; and the Youth Initiative for Human rights from Serbia and Croatia.
Signatures were collected at 219 points in capital cities and larger towns, as well as in a door-to-door campaign. By July 5, 542,660 support signatures had been secured.

Politicians and public figures also gave their support. The opening of the campaign was the most important media event in Priština / Prishtinë on April 26. The Health Minister of Kosovo, Ferid Agani, gave his signature of support. Deputy Prime Minister of the Republic of Croatia, Slobodan Uzelac, the Mayors of Porec, Karlovac and Vukovar, and many Croatian MPs have done the same. In Serbia, the President of the Vojvodina Parliament, Sándor Egeresi, the Prime Minister of Vojvodina Bojan Pajtic, Vice President of the National Parliament of Serbia Judita Popovic, writer and President of the Serbian Renewal Movement, Vuk Draskovic, along with many MPs and political leaders gave their signature for RECOM.

The Prime Minister of Montenegro Igor Luksic gave his signature; in Slovenia, the Ombudsman Zdenka Cebasek-Travnik and President of the Youth Branch of the Liberal-democratic party of Slovenia Borut Cink have done the same. The Initiative was supported by the State Secretary of the government of Slovenia Jozef Skolc. In Bosnia and Herzegovina, support signatures were secured from the Federation Vice President Mirsad Kebo, Minister of Culture Salmir Kaplan and the Sarajevo Mayor Alija Behmen, writer, essayist, journalist and analyst Ivan Lovrenovic, directors Dino Mustafic, Haris Pasovic and Danis Tanovic, poet, writer Ferida Durakovic, and actor Ermin Bravo.

individual victims, victim numbers and the scale of atrocities could draw the region into new clashes, and such practices must be countered with facts.

RECOM will be a platform for the victims, an extra-judicial mechanism designed to compile a record of the past based on facts, an opportunity to hear from all sides in the conflict. As such, RECOM will be modeled on renowned international commissions of inquiry (South Africa, East Timor, El Salvador) and on recognized national judiciaries of New Zealand, Belgium, Italy, Israel, Canada, and Australia.
On October 12, 2011, the European Commission adopted its annual review of its Enlargement Strategy and the progress the Western Balkan countries, Turkey and Iceland had made toward their EU membership in the previous year. A document titled The Enlargement Strategy and Main Challenges 2011-2012 was published, along with individual reports on the progress each country in the region had made. There is a separate report on Serbia.

The Enlargement Strategy sets out the goals for the coming period and summarizes the candidates’ progress. The reports form an appendix to the Enlargement Strategy in which European Commission bodies assess the extent of progress the countries have made with regard to the process of European integration. Once again, these documents voice support for the Initiative for RECOM as an important element of progress.

Section 2.3 of The Enlargement Strategy, entitled “Strengthening regional cooperation and reconciliation in the Western Balkans,” specifies that the European Commission is closely monitoring these activities, as they are essential for the stability and membership of the European Union. “The initiatives initiated by non-governmental organizations and civil society, such as... the Truth and Reconciliation Commission (RECOM)... play an important role in enhancing reconciliation beyond governments among the citizens of the region,” says the document.

Section 1.3 of the report on Serbia, titled “Regional issues and international obligations,” notes the importance of regional cooperation and good neighborly relations. The report makes a positive assessment of Serbia’s “support [for] the RECOM initiative on reconciliation.”
Official political support for the Initiative for RECOM is highlighted in section 2.3 of the report on the progress of Bosnia and Herzegovina, Croatia, Macedonia, Montenegro and Kosovo, where it is emphasized that each of these countries “continues to actively support... the RECOM Initiative.”

A Letter of Support for the Initiative for RECOM, sent on October 7, 2011, and addressed to the Presidents and members of the Presidency of the countries of the former Yugoslavia, was signed by 155 regionally renowned intellectuals and artists.

We, for whom the war in the former Yugoslavia, with all its consequences, has become the subject of professional research and artistic vision, an event for reflection and concern about the fate of memory and truth, ask you to do everything in your power to enable the Initiative for RECOM to come to life and to begin its operation, the artists and intellectuals wrote.

At a press conference held in Sarajevo on October 8, 2011, Dino Mustafic, a director from Bosnia and Herzegovina, Mirjana Karanovic, an actress from Serbia, Ursa Raukar, an actress from Croatia, and Dino Merlin, a musician from Bosnia and Herzegovina spoke in support of the Initiative for RECOM.
»This is a broad initiative from citizens who want to institutionalize the truth throughout the system,« said Dino Mustafic, and added: “We all know to what extent the victims are being manipulated and we know very well that this can only lead to new clashes.”

Ursa Raukar supports the establishment of RECOM because the commission has the potential to prevent manipulation: “Without truth, peaceful life for our children will not be possible... Horrible crimes were committed, but another major crime is the manipulation of victims.”

Mirjana Karanovic fears the return to the Serbian political scene of the rhetoric from the 1990s: “I am still angry with the way the national television of Serbia manipulated the dead.”

Musician Dino Merlin supports the Initiative for RECOM, and believes that the commission could stop the relativization of crimes: “He who denies Srebrenica, is doing the same with regard to Jasenovac.”

Slovenian director Dusan Jovanovic believes that the Initiative is well planned, and hopes the appeal for its establishment will bear fruit. He said he expected much more than just principled support from politicians.

The Letter of Support, with all signatures, can be downloaded at:

Press conference about the Letter of Support, Sarajevo, October 8, 2011
On August 29, 2011, the International Day of the Disappeared, the Coalition for RECOM called on the governments of Bosnia and Herzegovina, Croatia, Serbia, Montenegro and Kosovo to establish a database of missing persons, classified by nationality; to set up funds to support the families of missing persons; to include enforced disappearance into the criminal law as a separate offense; to give financial support for exhumations and investigations that may lead to the discovery of mass graves; and to strengthen the protection program for witnesses willing to provide information about secret mass graves. Further, the Coalition for RECOM called on the governments of the region to support the establishment of RECOM, primarily because a regional commission would contribute to a more effective resolution of the fate of the missing persons, and the detection and discovery of secret mass graves.

In cooperation with the Regional Coordination of Associations of Families of Missing Persons in the Former Yugoslavia, the International Commission on Missing Persons, and the International Committee of the Red Cross, associations of the disappeared from the region marked the International Day of the Disappeared in Brcko, Zagreb, Belgrade, Gracanica, Vukovar, Podgorica and at Ozren. The universal message at each gathering was that the governments in the region must speed up the location, exhumation and identification of the missing and stop ‘bidding up’ the number of victims by “compiling all kinds of lists and airing false promises for professional or personal interests.” “From August 30, 2002 to August 30, 2003, the fates of just 86 people was resolved. This is a tragic and devastating fact,” says an open letter addressed to the Prime Minister of Croatia by a number of non-governmental organizations, which Zdenka Farkas, head of the Center “The Appeal” read in front of the Wall of Pain in Zagreb. Thirteen civil society organizations from Croatia, among which was Documenta, issued a press release emphasizing “the importance and the role of the future Regional Commission – RECOM – whose method of impartial research into historical sources may be an important step toward clarifying and disclosing the fate of the missing and restoring the dignity of all victims.” Podgorica’s Association of Families of the Kidnapped, Killed and Missing, “Red Peony,” pointed
out that it was “necessary to create a missing persons database, which would contain specific and precise information about the circumstances of their disappearance.” Safet Halilovic, Minister of Human Rights and Refugees of Bosnia and Herzegovina, said on the International day of the Disappeared that resolving the fate of the missing was a “civil and moral obligation.” Natasa Scepanovic, Chair of the Coordination of Serbian Associations of Families of Missing Persons in the Former Yugoslavia, said that “more would be achieved if the problems were depoliticized.” She called for the “opening of all archives and the creation of a single database of missing persons.” The Coordination of Associations of Families of Missing Persons in the Former Yugoslavia requested that no country in the region become a member of the European Union until the fate of missing persons was resolved.

RECOM’s Functions:
(a) Collecting information on war crimes and other gross violations of human rights, providing a detailed account of the crimes and other violations, and describing patterns of abuses and their consequences;
(b) Collecting information pertaining to the fate of missing persons and cooperating with competent bodies of the Parties to the Agreement conducting the search for the missing;
(c) Compiling registers of human losses related to wars or other forms of armed conflict, to include:
   i. Civilians whose loss of life or disappearance was caused by the war or other form of armed conflict;
   ii. Combatants whose loss of life or disappearance was caused by the war or other form of armed conflict;
(c) Collecting information on places of confinement connected to the war or other form of armed conflict, individuals who were
As part of the event “Adopt Srebrenica: International Cooperation for Memory – The Fifth International Week of Dialogue and Encounter,” held on September 5-6, 2011, the organization “Amica” from Tuzla and the Alexander Langer Foundation from Bolzano jointly organized a meeting of a group of students from Italy and Bosnia and Herzegovina with HLC employees and associates.

Aleksandar Obradovic presented the activities of the Coalition for RECOM from its inception to the current phase of advocacy.

During a discussion with Natasa Kandic about the Initiative for RECOM, the responsibilities of young people and the idea of reconciliation, the students shared their opinions about a regional truth commission project. They pointed out that RECOM was necessary, primarily because anonymous victims are impossible to remember, and therefore cannot be continuously present in the minds of the people of the region.

RECOM will be confronted with problems, the students suggested, because to the majority, it is difficult or even impossible to understand that the concept of human rights applies to all mankind, and those people are irritated when war crimes committed against a community to which they deny such rights, are incontestably documented. It is hard to say whether such individuals are shocked by the fact that war crimes, they do not even hold to be crimes (but legitimate belligerent actions), are being recorded, or by the fact that the human rights of people deprived of rights are being defended.

According to the students, as many mechanisms as possible should be used to secure justice for the victims and as many options as possible devised for physical and moral reparations. Briefly: trials and RECOM, together. The Italian students cited one example from their country: thirty years after World War II, there was still no mention of the civil war in their country, just as terrorism was not spoken of in the 1970s. Italian society saw the enormity of the problem of silence: the entire social structure was in danger of collapsing unless society dealt with the past.
Students from Bosnia and Herzegovina said they believed the Initiative for RECOM would face great difficulties, because nationalism was still very strong in the minds of many people in the former Yugoslavia. Zarko from Srebrenica, however, was optimistic: public testimony, which would be an integral part of RECOM, would have a positive effect because it would create a strong emotional reaction, which would effectively make the audience aware of the sheer horror of the crimes.

When asked whether it was more dangerous to deny the past or return to the past by remembering, documenting and marking, the students responded emotionally. One of the more common replies was: “Denying the past is always part of the political discourse.” These young European intellectuals noticed a great difference between truth and social necessity on the one hand, and politics on the other. They saw the current political discourse primarily as a selfish struggle for short-term goals, within which the unpleasant truth was all too often ignored. On the other hand, they understood that dealing with the past was an immediate and urgent matter, which has been left unfinished for too long already.

At the International Forum for Transitional Justice in Post-Yugoslav Countries, held on June 27, 2011 in Sarajevo, Bosnia and Herzegovina, renowned international experts presented their views of how and why the Initiative for RECOM was important.

At a panel discussion moderated by Drazen Lalic from the Faculty of Political Sciences in Zagreb, the following participants expressed their views: Christian Axboe
Nielsen (Aarhus University, Denmark), Diane F. Orentlicher (Washington College of Law, USA), Eric Gordy (UCL School of Slavonic and East European Studies, Great Britain), Florence Hartmann (journalist, France), Jasna Dragovic Soso (Goldsmiths College, University of London, Great Britain), Lazar Stojanovic (film director, Serbia), Marlies Glasius (Universtiy of Amsterdam, Netherlands), Mladen Ostojic (Queen Mary College, University of London, Great Britain), Vera Krzisnik Bukic (Institute for Ethnic Studies, Slovenia) and Vladimir Petrovic (Institute for Contemporary History, Serbia).

Opening the discussion, Drazen Lalic explained the purpose of the forum and its discussion: “Every citizen with some academic background, living in a system that only looks democratic but is in fact totalitarian, must be aware of the horrific events that took place, the murder of the prisoners of war and other similar atrocities...”

Diane F. Orentlicher warned that it was necessary to check whether what was important to us was really what the victims needed: for example, the victims wanted the International Criminal Tribunal because they saw it as a mechanism for justice, while justice for victims is never discussed in connection with the Tribunal. The Tribunal, she said, was generally criticized by the public as unfair, although it continually emphasized the need for justice. Trials took too long, criminals were sentenced to short sentences, the courtroom was converted into a stand for the promotion of political platforms...

Eric Gordy said that the Tribunal was the first legal body with such a purpose – the Nuremberg Tribunal and the court in Tokyo were military institutions, which adjudicated in haste and did not provide for the adequate defense of the accused. One of the greatest achievements of the Tribunal was its collection of detailed documentation which prevented the denial of facts. This made the conflicts and crimes in the former Yugoslavia “the best documented in the world.” The main limitation of the Tribunal was that it was unable to answer the question: what would be a sufficient number of trials necessary to achieve some form of justice? “Any number is seen as either too big or too small,” he said. From 2000, the public reaction ranged from complete denial, through relativization, to today’s ideological view of the crimes as “acts of defense” or “victory.” The reason for this was the nature of the trials – a trial, he said, was a technical process, the main goal of which was to provide satisfaction and recognition to victims. But if the idea of reconciliation was to come to life in the region, the people must receive the information about the war from someone they trust more than they trust the ICTY and national courts. Political institutions and the media were not trusted. Citizens believed victims first of all, those individuals whom they saw as similar to themselves. They wanted to hear “personal stories,” to gain an insight into other people’s feelings.

Mladen Ostojic submitted a report on his investigation of the relationship of Serbian political elite to the Tribunal. “I think it is in fact one of the key lessons of the Hague Tribunal that the international transitional justice initiatives cannot succeed without the support of local political elites,” he said at the beginning of his speech. The seed of Serbian political elite’s insincerity to the Tribunal lay in the fear that the Tribunal would threaten
the stability and legitimacy of Serbian institutions. This fear of institutional destabilization has been transferred to the army and police, and finally led to the assassination of the Prime Minister, Zoran Djindjic, he added. The consequence of this fear was an attempt by the authorities to persuade the indictees to surrender, which practically left the state standing behind the indictees, in much the same way as in Croatia and in Bosnia. The final outcome of this process was the “socialization of criminals” and their public idolizing, he said.

**Jasna Dragovic Soso** pointed out that in the former Yugoslavia the political climate was finally changing, and that it was finally time for some initiatives that failed in the past. But there was still no public debate in the region about the crimes committed in the recent past. Even when something very important happened, such as the arrest of Mladic, the debate consisted of rehashed arguments from the 1990s. RECOM had the power, he said, to establish the basic facts about what had happened in the region. This was very important, because there was no universally accepted version of the events from the 1990s at the national level.

**Christian Axboe Nielsen** commented on a statement by the Serbian Minister of the Interior, Mr. Ivica Dacic, who said that the “brotherhood and unity of criminal groups” was the only remaining survivor of the former Yugoslavia. Neilsen said that in all the countries of the former Yugoslavia, war crimes and organized crime were two sides of same coin. However, “the prosecution, rather than the study of” these criminal groups was much more important for the future of the region, as this would create a complete “picture of the history” and at the same time remove a number of problems in society.

**Vera Krzisnik Bukic** said she saw RECOM as “the necessary reaction of civil society to the sphere of arbitrary policy.” As a historian, she approached the issue of reconciliation through the example of the Cazin uprising, the revolt of peasants against Communist terror in 1950. These events were taboo until 1991, when a large study presented the facts about the rebellion to the public. RECOM should do the same: presenting as many indisputable facts as possible would set the basis for a just resolution of the problem.

**Marlies Glasius** noted that transitional justice was facing a nearly impossible task. Establishing the official truth about events, providing redress to victims, and deterring future crimes – these tasks were so difficult that they became especially frustrating to those for whom they were primarily intended. One should pay closer attention to the trials before the Tribunal from an expressionist standpoint, and see them as theater: a ritual that conveys a message to society, she said. But, she added, trials were incapable of effectively bringing forth the truth. First, there was tension between the processing of criminal acts and public statements about the truth – trials direct attention to the accused and his or her specific crime, which was why “different trials arrive at different truths.” Secondly, international tribunals are financed and organized by the Western countries, which makes it likely that the truth established in them will be rejected as “Western theater.” Finally, during a trial the accused will do everything in their power to sabotage the court procedure, which she said created two versions of the truth and destroyed public confidence in the Tribunal.
Florence Hartmann started from the view that the process of international justice would always remain incomplete unless the “historical narratives of groups involved in the conflict” were changed, and this could be done through education. Article 45 of RECOM’s Draft Statute proposes “the mechanisms which will help integrate the established facts into the educational systems” in the region. However, such proposals took time, she said; meanwhile, the post-war generations are being shaped by conflicting narratives and “systems where historical education and transitional justice are not part of the same sphere.” So far, instead of meeting the needs for justice, democratization and reconciliation, education had been emphasizing the differences between nations in the region. “The reform of history requires a lot of time – this has always been the case and always will be,” She added. Before transitional justice mechanisms, such as RECOM, begin to affect the educational system, the media should publish the facts instead of hiding the atrocities that caused so much suffering.

Lazar Stojanovic spoke of the aspects of RECOM that differentiate it from judicial institutions that deal with moral and political responsibility. Collective responsibility does not exist, but it was acceptable to speak of the mass political responsibility “of all those who raised their hand to support the arrival of a criminal to power and further his criminal policy,” he said. Recognition of such responsibility was essential to the process of establishing a truth and reconciliation commission in the former Yugoslavia, because for the first time in history, a regional commission will be established. Therefore, recognition of political responsibility would help each state to recognize its crimes, and it would show that it accepted its own crimes as much as it did the crimes committed against it.

Vladimir Petrovic singled out an interesting fact – that in the process of dealing with the past and in the field of transitional justice there are virtually no historians. The reason, he said, was that historiography is one such discipline which “made a major contribution to the dissolution of Yugoslavia, and […] has done much to turn this dissolution into the war, and then […] did a lot to present the character of the war as vaguely as possible.” It was impossible to expect people who had invested their careers in a specific political project to critically reflect on their own commitment and the project itself. This was the reason behind the project The End of Yugoslavia, which was essentially an attempt to disclose, in a critical edition, the most relevant documents concerning the break-up of Yugoslavia, in the hope of creating a factual basis for further discussion.

Drago Pilsel, reflecting on half a million signatures in support of RECOM, and the positive reaction of the Montenegrin political elite, concluded that there was a chance “to finally settle history.” Through his life story, he talked about the moment when he had realized that it was not possible to be an Argentinian leftist, a Croatian fascist and a student of theology, all at the same time. “The inability to settle history in ourselves” was, he said, perhaps something RECOM could help people do.

Amir Kulagic, a survivor of Srebrenica, said that processes such as the Initiative for RECOM, are “the best proof that we still have the strength and courage to fight our own
difficult experiences.” He referred to the theory that all victims speak the same language and pointed out that it was not true: victims do not agree even on the meaning of the term “victim,” “crime,” “heroism in the war.” There was also the problem of seeing reconciliation as the goal of transitional justice: “First we need to say who should be reconciled with whom. Is it a reconciliation on a personal level? Is it on the level of ethnicity or society?” Reconciliation involves both recognition of the crime and an apology for it. But reconciliation must be preceded by trust “between people, between communities and then oat the level of society,” he said.

Let’s see what art can do with the facts collected on the ground, and let’s see how art can restore the facts. What is left of the facts when art does with them what I see as an artistic task? Let there be no misunderstanding: RECOM is an almost perfect initiative in an imperfect world. Only a handful of us, artists, deal with evil, only a few of us talk about victims. But they are all, mostly, our own victims. I fear that in what little time we have left on the earth, this kind of exchange of one dead for another will have become dominant, and I am afraid victims will continue to be manipulated. Art must decisively fight against the division of victims into “ours” and “theirs.”

(Slobodan Snajder, writer, Zagreb, Croatia, Regional consultations with artists about the Initiative for RECOM, Bosniak Institute, Sarajevo, Bosnia and Herzegovina, April 7, 2010)

Not only do I support, but I also signed the petition for RECOM! Information and names of people must be found. This does not mean that we will necessarily agree on the truth. I should remind us all that the wars were fought first with ideas, then in the newspapers, and finally with bullets and bombs. And everyone had his own truth. But the differences among these truths will be diminished, at the expense of innocent victims, if we manage to show the facts before we attempt to interpret them. This is why I support RECOM.

(Slobodan Uzelac: „What would have happened if Tadic had met Karadzic or Mladic?“, http://danas.net.hr/intervju-tjedna/page/2011/09/01/0075006.html, Danas, September 2, 2011)

The Initiative for RECOM is indeed a political action, and one of highest importance. This is why the Croatian media are so consistently silent about it, so that the whole thing can be somehow overturned and killed. But there is no political work of greater importance today.
but to produce that big book of the dead, which would contain the names of all those killed, persecuted or displaced since 1991, including the names of the killed killers, every single one of them. [...] The idea of RECOM is not [...] an attempt to arrive at one undeniable truth. The goal is to arrive at undeniable facts: people with names, descriptions of their suffering, and finally – the total number of victims. This is both the least and the most one can do for the victims at the end of any war, and yet this has never been done here. Further, there is no better way to prevent a future war from breaking out than with the facts of the past wars. And what kind of truth will be drawn from these facts, and what kind of history will have been written on the basis of them, that is indeed less important. [...] The truth will communicate with the truth if the data, names, numbers are known.

(Miljenko Jergovic, „Why I Supported RECOM“, in: Jutarnji list, May 31, 2011, p. 21)

As always, for truth and justice to make their way to us, we must face up to the past. That is the task of RECOM, or more precisely – of the future Regional Commission for establishing the facts about war crimes in the former Yugoslavia. We need this commission to build relationships in the region on a different basis, but also because such commission would be the start of a multilateral partnership based on recognition and appreciation of openness and respect. We cannot to live a lie, one must hear the voice of victims, so that victims and their families are given back their dignity, so that, plain and simple, the dignity of man is restored. The denial of a crime is not permissible. The denial of a crime is no better than participating in the crime.

(Alija Behmen, Mayor of Sarajevo, at the International Form for Transitional Justice in Post-Yugoslav Countries, June 27, 2011, Sarajevo, Bosnia and Herzegovina)
When I went to my village, I saw a neighbor, and he asked: “Do tell me the truth, as man to man.” Which is to say – let’s forget, if what happened can be forgotten. Then I said: “Just give me a piece of information so that I can find them, so that I can bury them, so that I can close this chapter of my life,” so that I can go to the cemetery and tell the children who their grandfather was […] I would like the truth to be known and all those who disappeared – Serbs, Croats or Bosnians – to be found, to be buried and to put an end to it all, to see the real truth, to say who did what, when and where.

(Slavoljub Peric from Vozuce, Bosnia and Herzegovina, The First Regional Forum for Transitional Justice, Sarajevo, Bosnia and Herzegovina, May 5-6, 2006)

For me as a human being, justice means finding the man or the group that killed my loved ones and asking them why they did it. Did these people even know my closest family? Why did they kill them in the cruelest way and then perhaps leave them somewhere where I can never find them? That would be justice for me. [...] For me, the truth would mean that I
am told where my dead ones were killed, and where I can find them to bury them with dignity somewhere, where I too could come and recite the Fatiha, and be with the souls of my beloved ones at least for a moment. This is truth for us.

(AMIR KULAGIC, Association of the Women of Srebrenica, Bosnia and Herzegovina, The First Regional Forum for Transitional Justice, Sarajevo, Bosnia and Herzegovina, May 5-6, 2006)

On October 22, 2011, Serbian daily newspaper, Politika, and other leading daily newspapers in the region published a letter in which one hundred and fifty five artists and intellectuals from post-Yugoslav countries expressed their support to the Initiative for RECOM, calling on the heads of states in the region to jointly establish the Commission. The letter prompted Dragan Popovic and Miljenko Dereta from Civic Initiatives to once again publicly express their attitude towards the Initiative. In an article entitled “RECOM is Doomed to Fail,” which Politika published on October 24, 2011, Popovic objects that the Draft Statute proposed by the Coalition for RECOM contains provisions inconsistent with constitutions of the countries in the region. Popovic, however, doesn’t reveal the questionable Statute provisions, nor does he cite which constitutions they are in conflict with. In addition, in the text “RECOM Statute Bad for Good Idea,” carried on the B92 web site on October 23, 2011, Popovic states that he personally is “against determining the causes of wars and war crimes.” In setting this as its goal, argues Popovic, the idea of a regional commission is doomed. Another reason why he adamantly claims that the idea as a whole will come to nothing is that the establishment of the Regional Commission is advocated by a small group of people: “When a small group of people is trying to push through such a big idea, it is difficult to pass. This way of advocacy has not made any progress, anywhere in the world, and will
not in the former Yugoslavia either.” Popovic’s boss, Miljenko Dereta, is not versed in the provisions of the Draft Statute RECOM but nevertheless states in the article that “time has shown the Commission does not really solve anything.”

Given that neither Dereta nor Popovic have backed their allegations with facts and arguments, I am in no position to argue with them. That is why I point out a few facts, which should contribute to (their) having a better insight into the process of the development of RECOM.

First, the Coalition for RECOM adopted its Draft Statute on March 26, 2011, following a three-year consultation process that involved more than 6,000 civil society activists, including victims, families of disappeared persons, judges, prosecutors and lawyers. Facts about war crimes and the causes of war are the goals espoused by the Coalition for RECOM. Whether or not the states will accept these goals, remains to be seen. What follows is a phase in which governmental working groups from across the region will be asked to consider the Draft Statute proposed by the Coalition for RECOM, in order to give their verdict on the issue. If the states officially determine, as did Popovic, that the establishment of the causes of war is an impossible task for a regional commission, that particular task will have to be omitted from RECOM’s Statute, regardless of the fact that it had been initially included in the Draft Statute proposed by the Coalition for RECOM.

Secondly, in no way is the Coalition for RECOM a small group of people: it consists of 1,880 organizations and individuals, victims and intellectuals alike. By June 2011, about 550,000 citizens of post-Yugoslav countries endorsed the Petition for the Establishment of RECOM. Likewise, renowned artists and prominent intellectuals gave their support to the Initiative for the Establishment of RECOM. Starting in November 2011, the advocacy process, directed towards politicians, will be led and managed by the Regional Team, members, who are: Professor Zarko Puhovski (Croatia), Professor Zdravko Grebo and director Dino Mustafic (BiH), Professor Biljana Vankovska (Macedonia), a lawyer Azem Vlasi (Kosovo), journalist Igor Mekina (Slovenia), journalist Dusko Vukovic (Montenegro) and journalist Dinko Gruhonjic and I from Serbia. (I am part of this group mainly because I initiated the process, not because I’m worth as much as the other team members).

Thirdly, the theory and practice of transitional justice acknowledges that restorative justice (truth commissions, commissions of inquiry, local reconciliation initiatives) vastly contributes to restoring dignity to victims, to social integration of former combatants, and to peace building, and has the potential to prevent the recurrence of crimes. Theorists and practitioners who deal with the transition of the successor states of the former Yugoslavia believe that RECOM can overcome the objective limitations of criminal trials (long duration, insufficient capacities of the court systems, old age, sickness and death of witnesses and victims) and provide a factual portrait of what happened in the former Yugoslavia in the period from 1991 to 2001, and why.
Fourthly, politicians have not, as Popovic and Dereta claim, “merely given declarations of support” to RECOM. In June 2011, the Government of Montenegro formed a working group to review and assess the Initiative for RECOM. What follows now is a phase in which other governments in the region will officially take up the Initiative for RECOM for consideration.

My fifth point is that the professional community has so far been actively engaged in shaping the mandate of RECOM, as evidenced by the numerous regional consultations held from 2006 until March 2011, when RECOM’s Draft Statute was adopted. Detailed information about the consultation process is available at: www.zarekom.org.

Finally, I agree with Miljenko Dereta that “daily politics continues to hinder a number of processes.” RECOM, both as an idea and in practice, has the potential to prevent political manipulation of the number of victims and the spinning of national myths about the conflict, and it has the power to allow this region to finally begin a social, rather than petty political reconciliation process.

**Natasa Kandic**

*The articles Natasa Kandic is responding to can be downloaded from www.zarekom.org:*

RECOM is Doomed to Fail (REKOM osuđen na propast) -

RECOM Statute Bad for Good Idea (Statut REKOM-a protiv dobre ideje) -

The initiative for the establishment of RECOM has received a number of positive media reports and public statements of support, but has also been fiercely criticised. In his text “Analysis of Public Criticism and Support of the Initiative for RECOM,” publicist Igor Mekina considers positive and negative views of the Initiative for RECOM in the regional media. Summing up the arguments against the idea of establishing a regional truth commission, including the famous Ristivojevic-Ivanisevic controversy on the subject of RECOM’s legal status, Mekina shows how arguments against RECOM are often based on logical errors.
According to the “Analysis,” the unfounded accusations against RECOM, the fact that the media that attacked proponents of RECOM in most cases did not give the accused a chance to respond to serious allegations, and later insults and slander at the expense of some well-known proponents of the Initiative, are “undoubtedly examples of violations of journalistic ethics.”

Media that have reported on RECOM in this way, are characterized “primarily by hate speech, lies, decontextualization and concealment of facts.”

Despite widely acknowledged ethical standards which require journalists, when presenting serious accusations against individuals, to seek a response from persons to whom the charges relate, those supporters of RECOM who have been attacked in such articles had no opportunity to put their case. This, according to Mekina, is not only evidence of the unprofessional nature of these media, but also a violation of international standards of reporting, primarily of the Munich Declaration, which sets standards recognized by many respected international media outlets. In his analysis, the author emphasizes that comparative analysis of critical texts about RECOM proves that they are erroneous, logically incoherent, and contradictory. Hence, regardless of how convincing they may seem when read separately, “together they amount to little more than nonsense and falsehoods.”

Full text of the “Analysis” can be accessed at:

WHAT NEXT?

The Coalition for RECOM is yet to meet with the President of Kosovo, Atifete Jahjaga, Boris Tadic, President of Serbia, and Gorge Ivanov, President of Macedonia to present them with the signatures in support of RECOM. The Coalition will then work to win the support of the relevant institutions to initiate the procedure for signing an international treaty or a political agreement to establish the Commission.