

Regional debate on the Mandate of RECOM
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Review of opinions, suggestions, and recommendations Report

May – December 2009

1. Introduction

It has been 15 years since the end of the wars in Croatia and Bosnia and Herzegovina and almost 11 years since the end of the war in Kosovo; very few war crimes perpetrators have been brought to justice; thousands of victims still live in poverty with no hope that their life can get any better, there is very little empathy and solidarity for the victims from other ethnic groups, there is no significant societal dialogue about the past and our own responsibility. Using European integration as an excuse, political elites advocate looking to the future and forgetting the past while the families of at least 16,000 missing persons are still trying to find the secret gravesites containing the remains of their loved ones.

While searching for a solution beneficial for all victims as well as future generations, participants at the Fourth Regional Forum on Transitional Justice formed in October 2008, in Priština, Kosovo, a Coalition for the establishment of a Regional Commission for investigating and disclosing the facts about war crimes and other serious violations of human rights called RECOM. Today, the Coalition for RECOM consists of 695 non-governmental organizations, victims' associations, associations of victims' families, and individuals. This Coalition is tasked with conducting a debate on the Initiative

to create RECOM, connect various civil society groups and organizations in an effort to build an atmosphere of empathy, solidarity, and respect for all victims, win over citizens and governments to support the creation of RECOM, compile a RECOM model, organize a *One Million Signatures for RECOM* campaign and submit the initiative to create RECOM on June 1st 2011 to national parliaments of the post-Yugoslav states.

Since May 2006, when the Initiative for the creation of RECOM was first launched in Montenegro at a gathering with victims' associations and associations of the families of the missing from all post-Yugoslav states, there have been 79 debates organized at the regional, national, and local community level including five regional forums on transitional justice. These debates, or consultations, were attended by 3,471 individual from various victims' associations and associations of the families of the missing, human rights organizations, youth organizations, women's groups, associations of journalists, veterans' associations, academic communities, legal community, local self-government and other groups and organizations. In the period from May to December 2009 there have been 43 debates attended by 1,706 individuals. It is assessed that a total of 5,500 participants will take part in the RECOM related debates who will give their

contribution through suggestions and recommendations to the creation of the RECOM model as a response to an overwhelming societal need to establish the facts about the victims and a critical investigation of our own responsibility for the events of the past.

2. Credibility and legitimacy of the Initiative for the Creation of RECOM

The Initiative for RECOM is not an alternative to war crimes trials conducted before the International Criminal Tribunal for the Former Yugoslavia (ICTY) and national war crimes trial chamber in the Balkans, but it represents a response to the limitations of the approach to the truth about the conflict past which is directed at the perpetrator. War crimes trials failed to inspire a significant public debate on war crimes within or among the countries in the region, nor were they accepted as a mechanism of transitional justice that can give a comprehensive explanation of what happened and why the war crimes happened.

The RECOM initiative is a local response, “from the bottom up” to a growing societal need to deal with the past. Its legitimacy originates from a very strong feeling of ownership within various organizations of civil societies in all of the former Yugoslavia states which have found a common interest in establishing the facts about war crimes, victims, and other serious human rights violations. Victims and their families are entitled to that kind of truth. That truth is also an indispensable kind of protection against attempts of future misuse of victims for political purposes, which may have a potential to push the entire region into a new conflict. The Initiative for RECOM is a regional effort which makes it the only appropriate and efficient response to the heritage of the conflicts waged on the territory of the former Yugoslavia which were trans-national by nature. This is a first regional, post-conflict initiative for establishing the truth which has ever been established and it offers a model for dealing with the heritage of mass

crimes across the entire planet. The legitimacy of the Initiative for RECOM is also strengthened by 1 million signatures which will be collected by the Coalition for RECOM during a six-week campaign in April and May 2011.

3. Support for the regional approach

- **The legitimacy of the initiative resides in its regional character, one million signatures and the fact that is a bottom-up initiative by us for us.**
- **Facts established nationally will be hard to accept in the whole region.**
- **The regional approach enables us to move away from interpretations that cement the existing political solutions with which people are dissatisfied.**
- **It is key that facts enter documents, programs and textbooks and education of children. Only in that way can we prevent revisionist interpretations.**
- **The regional approach is not only necessary it is unavoidable. It opens the path to addressing the crimes and dealing with one's own responsibility.**
- **RECOM is crucial so that Albanian victims are spoken of in Serbia, and Serbian victims in Kosovo.**
- **The regional commission will establish the facts about the past on the basis of the events that happened which will be useful for the whole region.**
- **RECOM's greatest value is to allow young people and future generations to learn about all what happened through the stories of people from the whole area of former Yugoslavia.**
- **For the war generation someone else's war victims are not victims. Support for**

RECOM can only be given by the post-war generation.

- **Veterans from Kikinda support RECOM and want to help in establishing the facts about the past.**

This whole initiative is legitimised by this regional dimension, the regional character of the initiative; the regional debate and one million signatures provide both the legitimacy and the credibility.¹

The third segment which vests RECOM with legitimacy is that the initiative comes from below, it is ours for us and it seems to me that this focus is what distinguishes it and why it can be argued that it might succeed.²

I would like to welcome you all here and to congratulate you on this initiative. You have done a good job just by starting it. I am a family member of a missing person. Families of missing persons meet every day (...) those of us who are in Kosovo (...) but most of them are abroad and they cannot know how often we meet here.³

When we are talking about establishing the facts on a national level, I think it will be very difficult to make sure they are accepted in the entire region, and that is a very important part of this whole idea. It is crucial to talk about the wars and to establish the facts in a manner which will be authentic in the countries concerned so that from that point on it can become a foundation for building mutual trust or reconciliation among the nations of the former Yugoslavia.⁴

Regarding this famous and permanent problem of the regional approach, I think that we should all be brave enough and wise enough in this process (...). We need to make sure that the results of our work don't have any resemblance with existing interpretations which are simply being used as an enforcement of the political solution. First, that would disqualify us and secondly it would drive away a large number of people because the truth is that the majority of people are dissatisfied with

the existing political solutions (...); many are dissatisfied.⁵

If our primary task is to deal with the crimes committed directly or indirectly, it is all the same to me because we are talking about responsibility in general, then let's keep it our primary task. The only problem is that I may not be encouraged by the people I trust from Belgrade, Zagreb, Priština, or Podgorica, and this whole enterprise may turn out to look like treason and you may hear things like "if they are talking about their crimes, then we should talk about ours", right... The regional approach is not only needed, it is indispensable.⁶

I had an opportunity to analyse history books from Republika Srpska, from BiH Federation, from Croatia, and from Serbia and I was not at all surprised to find out that each interpreted the disintegration of the former Yugoslavia differently. And that's a problem that stands in the way to the process of establishing the truth. For that reason I strongly believe that such a regional approach is the only way to find the truth.⁷

We support the regional approach because we believe that the regional approach will produce some effect, where the participants will mandate the commission to interpret the history as it happened, based on events which took place and which will not permit that any sides be taken to suit the interests of a particular society and will instead bring benefit to everybody in the region.⁸

The target group you should be focusing on are young people. The generations that participated in the war (...) are really blinded (...); they have their pain and their victims. They cannot worry about victims from other ethnic groups. They just want to find their peace but within their own national environment. They will even go as far as to protect the identity of those who caused the death of others or genocide on other sides. You should strongly focus on the consciousness of the young people (...) because a young person can equally understand other nations' victims as their own (...) simply because they value every human life the same.⁹

1 Nataša Kandić, Humanitarian Law Center, Belgrade, Serbia, National Consultation with Non-Governmental Organisations, Belgrade, Serbia, December 17th 2009.

2 Nataša Govedarica, Civil Initiatives, Belgrade, Serbia, National Consultation with Non-Governmental Organisations, Belgrade, Serbia, December 17th 2009.

3 Fatime Melenica, victim's family member, Kosovo, Local consultation with victims' associations, Mitrovica/ Mitrovicë, Kosovo, September 5th 2009.

4 Vesna Teršelić, Documenta, Croatia, National consultation with intellectuals on the Initiative for RECOM, Podgorica, Montenegro, December 17th 2009.

5 Fra Mijo Džolan, the Franciscan Institute for the Culture of Peace, Split, Croatia, National consultation with religious communities on the Initiative for RECOM, Zagreb, Croatia, October 16th 2009.

6 Zdravko Grebo, law professor, Faculty of Law, Sarajevo, BiH, National Consultation with Intellectuals, Sarajevo, BiH, November 7th 2009.

7 Lidija Lešić, history and philosophy professor from Poreč, Croatia, Consultation with the local community, Pula, Croatia, July 1st 2009.

8 Ylber Mahxuni, Youth Step, Vuçitrn/Vushtrri, Kosovo, National Consultation with Non-Governmental Organisations, Priština, Kosovo, December 19th 2009.

9 Rade Mrden, Party of the Democratic Progress, Young People Council, Banja Luka, BiH, National consultation with young people on the Initiative for RECOM, Banja Luka, Bosnia and Herzegovina, October 17th 2009.

10 Radan Nikolić, Association of war veterans of the 1990s, Montenegro, National consultation with civil society, Podgorica, Montenegro, May 18th 2009.

11 Nedžad Horozović, Center for Non-Violent Action, Sarajevo, BiH, National consultation with non-governmental organizations on the Initiative for RECOM, Sarajevo, Bosnia and Herzegovina, November 21st 2009.

12 Lulzim Arapi, Association for Psycho-Social Support to Children, Đakovica/Gjakovë, Kosovo, National Consultation with Non-Governmental Organisations, Priština, Kosovo, December 19th 2009.

13 Ratko Gajica, member of the Croatian Parliament, Croatia, Consultation with the local community, Knin, Croatia, August 4th 2009.

14 Lazar Blagojević, Veterans' Organization of Republika Srpska, Šamac Chapter, BiH, Consultation with the local community, Doboј, BiH, October 3rd 2009.

For me this is an unacceptable model... That we have national commissions and national commissions have representatives. We have had this already. Montenegro had a Commission for Missing Persons. That commission has its representatives at the regional level. However, they generally do not participate and thus the voice of Montenegro is not heard, particularly in relation to the families of missing persons. So, this should be something that is at the regional level.¹⁰

4. RECOM objectives

4.1. Reconciliation

- **Reconciliation as a social process is essential in Bosnia and Herzegovina.**
- **RECOM offers healing and closure of the pain, and it is a necessary step toward reconciliation.**
- **Among the common people, there is the capacity for reconciliation.**
- **To establish trust and reconciliation it is necessary to condemn all crimes that were committed by members of one's community.**
- **Through the process of reconciliation, the victim must forgive and the aggressor must admit his guilt and make reparation for his evil and violence.**
- **RECOM's goal can be reconciliation, but it is a process that requires dialogue, an open space for reflection and different point of view.**
- **RECOM has great potential for rapprochement, reconciliation and expanding fields of common interest.**
- **Mothers from Srebrenica are insulted by the word reconciliation.**

I take into consideration the fact that reconcili-

ation is a private and individual thing and that we cannot force people to forgive or reconcile with someone, but I simply think that reconciliation as a societal process is very badly needed in Bosnia and Herzegovina.¹¹

The role of the commission is discussed amidst silence, whether or not it should be associated with reconciliation and that simply depends on the perception, how and in what way. This is obvious and it seems to me that some aversion has been created, unnecessary I'd say, to what is, after all, good for everybody. The activity of this commission can offer what we, in therapeutic parlance call the healing of wounds or closing the pain and this produces a therapeutic effect and may be, I could say, an indispensable step on a road which could be long and complicated but will eventually lead to reconciliation.¹²

I am convinced that among ordinary people there is the capacity to understand these ideas you are presenting her and, generally speaking, there is a huge capacity amongst the ordinary people to reconcile. It just has to be revealed and put under the spotlight.¹³

Dr. Ruzmir Jusufović and his wife (...) stayed in Šamac under the Serb authority for the duration of the war and I know for a fact that they had some hard times, just like Dr. Hasan Izetbegović. He went to Sarajevo only after the end of the war. I am ready to speak about injustices inflicted upon them. But, until we are all able to condemn the crimes (...) committed by members of our own ethnic groups, our own people, we will not be able to reconcile. For as long as we consider them heroes instead of criminals, we will not be able to reconcile and trust each other again.¹⁴

Forgiveness is primarily the attitude of victims not seeking revenge but trying to find peace in their souls. On the other hand, forgiveness helps curb evil and revenge and helps normalize relations. Christ's suffering and his wounds become a symbol the victim identifies with and the power of mercy helps the victims overcome their obsession with violence

and suffering, thus becoming a messenger carrying God's invitation to dialogue and establishment of trust (...) and forgiveness. And then, naturally, the reconciliation process can only start from those who have been hurt. Victims draw their strength from the way they experience God's love and mercy which help them find their inner strength to regain confidence in people and subdue emotions caused by war violence. Or, as some theology scholars like to say, in order to have reconciliation, victims have to be able to forgive those who transgressed against them.¹⁵

It is not easy to find the area of common interest among sides to a conflict and so I say, surely there are the victims and the interest to shed light on the crimes and various perpetrators who violated the human rights of those victims, well, that common interest has a great potential to bring people closer together; it even has a diplomatic value because it is cross-border by nature and I believe that in spite of the fact which is, how shall I put it, sad and looks like a legal problem, It nevertheless has the potential to bring people closer together and broaden this field of common interest.¹⁶

I will say first of all, on behalf the Movement of the Mothers of Srebrenica and Žepa Enclaves Association that we salute all commissions, not only this one, but every commission in Bosnia and Herzegovina or elsewhere because it is always better to do something than to do nothing. We understand that dialogue is needed, but I must tell you that at this moment I am offended by the word "reconciliation". I intimately know whether I can forgive somebody, whether I will be able to forget, but on behalf of thousands of mothers I cannot decide (...) whether they will be able to forgive or forget. So, I don't want this commission to mention the word "reconciliation".¹⁷

4.2. Establishing the facts about war crimes and the causes of war

- The Commission should deal with facts about where, under what circumstances and how every victim on a name-by-name

basis was killed. Looking for the causes of the war send us back to ethnic groups.

- Individual memories and public testimony are crucial for creating a new political identity in the Balkan societies.
- The only possible task of a regional commission is to collect facts. By no means should it embark on the legal qualification of war crimes.
- RECOM should be engaged in data collection and documentation, not the interpretation of facts.
- Facts must be determined first, and the context is the second step.
- Before we have a dialogue on reconciliation, the facts must be established about who started the war, why was there a war, and what was its goal.
- Facts are not enough. It is necessary to show war crimes in context, and that does not suit the authorities in the region.
- There can be no determination of truth and responsibility, no reconciliation, until we can see the causes and consequences.
- If the fact-finding is reduced to the statements of victims, we will have only the immediate perpetrators, we will not get the leaders, initiators of the policy, and state officials that organized and conducted the war.
- The facts about war crimes are not enough without an analysis of the causes and context, but in the case of the former Yugoslavia it would mean a return to the distant past [fourteenth century].
- Although the verdicts of the Hague Tribunal have set out the cause and nature of the wars in former Yugoslavia, the Commission will not be able to deal with the causes.

15 Monsignor Marin Srakić, Archbishop of Đakovo – Osijek County, Consultation with the local community, Osijek, Croatia, October 17th 2009.

16 Lazar Stojanović, film director, Belgrade Serbia, National Consultation with Non-Governmental Organisations, Priština, Kosovo, December 19th 2009.

17 Munira Šubašić, Movement of the Mothers of Srebrenica and Žepa Enclaves Association, Sarajevo, BiH, National consultation with non-governmental organizations on the Initiative for RECOM, Sarajevo, Bosnia and Herzegovina, November 21st 2009.

18 Nedžad Horozović, Center for Non-Violent Action, Sarajevo, BiH, National consultation with non-governmental organizations on the Initiative for RECOM, Sarajevo, Bosnia and Herzegovina, November 21st 2009.

19 Milena Dragičević-Šešić, Faculty of Drama Arts, Belgrade, Serbia, National consultation with women's groups, women politicians, artists, and journalists on the establishment of RECOM, Belgrade, Serbia, October 9th 2009.

20 Hajrija Mujović-Zornić, Institute of Social Sciences, Serbia, National consultation with intellectuals, Novi Sad, Serbia, September 25th 2009.

21 Dragoljub Vuković, journalist from Podgorica, Montenegro, National consultation with intellectuals on the Initiative for RECOM, Podgorica, Montenegro, December 17th 2009.

22 Biljana Kovačević-Vučo, Lawyers Committee for Human Rights, Belgrade, Serbia, National consultation with women's groups, women politicians, artists, and journalists on the establishment of RECOM, Belgrade, Serbia, October 9th 2009.

23 Željko Špelić, Croatian Officers' Assembly of Pakrac and Lipik, Croatia, Local consultation with homeland defenders, Donja Stubica, Croatia, October 28th 2009.

24 Dubravka Špančić from Pakrac, Croatia, Consultation with the local community on the Initiative for RECOM, Pakrac, Croatia, September 22nd 2009.

25 Brano Mandić, Vijesti, Montenegro, Regional consultation with journalists, Novi Sad, Serbia, September 26th 2009.

26 Senad Pečanin, Dani, BiH, Regional consultation with journalists, Novi Sad, Serbia, September 26th 2009.

I think that this commission should deal with facts explaining where, under what circumstances, and how each victim suffered individually. If we start interpreting the facts or searching for reasons why things happened, I think we will be doomed to end up in our ethnic trenches.¹⁸

*I think that insisting on precise facts and individual memories, which are very painful for us to listen to, is very important. When mother Mejra talked (...) it is very important to hear things like that, it is difficult, but it is more authentic than hearing some theories explaining the causes, the consequences (...) thousands or millions – it is no longer important. I think that recording public hearings can be the most important thing in creating a new base for developing new policies identifying the societies in the Balkans.*¹⁹

*I suggest we focus on the events and documents and not put unattainable goals before ourselves (...) because we may be easily trapped.*²⁰

*It is still unclear whether this commission will have a mandate to establish the context of the conflict. I think the commission should first establish the facts and then try to determine the context. However, this issue still remains unanswered because we are not sure who should be the people determining the context – honest historians, honest intellectuals etc... All I know is that context must be determined for the sake of future generations. They must know what happened.*²¹

*If we want to find out the truth and if this regional commission is a truth commission, we must know that the truth is not just the facts. So, the facts without a context don't mean anything, context is what gives them meaning and explains the chain of events leading to a certain event and tell us that both a victim of genocide in Srebrenica and a victim of NATO bombing are victims. That's the whole point. So, we cannot establish the truth and responsibility, we cannot achieve reconciliation in the region without understanding the causes and the consequences.*²²

*Perpetrators – who are they? If we play down the whole event to a story told by a victim, if we only listen to victims telling us about their suffering, in the end we will only conclude that the ordinary people were victimized and that the war crimes perpetrators are only those who committed the crimes directly. We will not learn about the leaders, instigators of politics and ideologies, state officials, who planned and organized the whole thing. We will not get where we want to be.*²³

*I really think that we need a sentence stating who started the war and when. I think that without it, without explaining why the armoured vehicle entered Pakrac and why a neighbour (...) took a rifle on March 1st and attacked the police station (...), we will not be able to say "that's it and we are now ready to move on" ... I am a Catholic and I am ready to forgive if a hand is offered to me (...) and I don't like it when people say that Belgrade started it. We can say whatever we want if there are facts behind it confirming what exactly happened.*²⁴

*I am a terrible pessimist when it comes to that because we know where money and power come from and these people (politicians) they don't like the truth. In Montenegro, three or four years ago (...) a documentary was made (...) about the attack on Dubrovnik. The film was full of facts (...) but the political dimension of the entire story was ostensibly missing. The film showed bearded, drunk men, attacking the world's cultural heritage driven by some cosmic energy etc. I am exaggerating it, of course, but I want to say that the context must be given.*²⁵

*The next big problem (...) is whether this commission should only deal with facts or should it analyse causes, too. If we only present the facts (...) that is an easier process regardless of whether the truth is being told by a victim or a perpetrator (...) but we cannot grasp the meaning of these facts without analysing these events (...). However, if we choose to explore the cause or the context, I'm afraid we will go as far as into the past as the 14th century. Also, I don't really see any societal groups which would like our history to be factually connected.*²⁶

5. Mandate

5.1. Temporal jurisdiction

- RECOM should not examine the distant past. The Inclusion of events before 1989 would relativize the crimes. The report should show crimes by the municipalities where they occurred.
- RECOM should not cover events that happened in the distant past.
- RECOM should look at the period of preparation for war.
- For Croatia, it is important to begin research from 1990 since the Territorial Defence Forces were disarmed in 1990 and demonstrations (meetings) of hate the word hate in the media occurred in 1990.
- RECOM should cover the time that preceded the outbreak of armed conflict in 1991.
- We cannot return to the 18th and 19th centuries, but look only at the last 20 years.

I think the time period RECOM should be investigating is 1991-2001 because the commission should also deal with the events in Slovenia and Macedonia – I mentioned the year 2001 because of the events in Macedonia. Also, I think that we should make the reports on the municipal level, where the crimes happened.²⁷

It would be wrong to go into the very distant past, into the 1800s and so on. That would mean relativization of responsibility (...) for what (...) happened a few years ago in this region. For me, that is unacceptable and I would like to suggest (...) not to go so deep into the past, or we will go as far as the Illyrians (...) without (...) establishing the responsibility of those who committed such gruesome acts in our country.²⁸

In Srebrenica, for example, three years before the war broke out some people had made roads through the woods. Why did they make roads through the woods? They said they needed them for exporting timber. But they were just preparing for the war. They also drove away arms and ammunition belonging to the territorial defence in Srebrenica. My husband was an intellectual, he knew what it meant. He asked Savo Aleksić, Chief-of-Staff of the Srebrenica Municipality and the Chief-of-Staff of the Internal Affairs Secretariat (SUP): “Savo, what are they doing?” and he replied: “Too old, I guess. They want to bring in the new ones.” However, the town was left without any means to defend itself. That meant they were preparing for the war. And we, RECOM, will have to start with these facts to be able to know why it all happened. Somebody planned these things in advance.²⁹

For that reason it is very important for Croatia to investigate the period from 1990. Why from 1990? Well, not only because the Parliament adopted the Declaration on the Homeland War, not only because the Law stipulates that the war happened in the period between 1990 and 1996, but since the Territorial Defence was disarmed in 1990 which is extremely important because that makes the entire republic of Croatia a victim. If you deprive someone of the means of defence, then that person automatically becomes a victim with respect to the force acting against that person or that entity. On the other hand, political rallies and hate speech along with the changes in the media became more frequent in 1990. Everything that happened afterwards, was just an aggravation of the situation announced by such behaviour.³⁰

In Kosovo the period between March 11th 1981 (when a student in the student canteen in Pristina threw a tray and shouted down with Tito when Tito’s relay arrived at the center of Pristina and Kosovo was due to obtain the status of a republic) ... and June 9th 1999, when the Kumanovo agreement was signed, should be the period covered by RECOM.³¹

²⁷ Dragana Nikolić, Civic Initiative Committee, Niš, Serbia, Consultation with the local community on the Initiative for RECOM, Zaječar, Serbia, December 22nd 2009.

²⁸ Salih Rasavac, Corridor, BiH, National consultation with young people, Sarajevo, BiH, September 19th 2009.

²⁹ Kada Hotić, Association Mothers of the Srebrenica and Zepa enclaves, BiH, National consultation with women’s groups on the Initiative RECOM, Tuzla, BiH, November 11th 2009.

³⁰ Ljiljana Canjuga, UDVDR PGZ, Croatia, Local consultation with homeland defenders, Donja Stubica, Croatia, October 28th 2009.

³¹ Teki Bokši, Kosovo lawyer, Fifth Regional Forum on Transitional Justice, Budva, Montenegro, May 29th-30th 2009.

32 Amir Kulagić from Srebrenica, BiH, Consultation with the local community, Cazin, BiH, October 10th 2009.

33 Rexhep Lushta, Islamic Community in Mitrovica/ Mitrovicë, Kosovo, Local consultation with civil society, Mitrovica/Mitrovicë, Kosovo, October 29th 2009.

34 Dubravka Špančić from Pakrac, Croatia, Consultation with the local community on the Initiative for RECOM, Pakrac, Croatia, September 22nd 2009.

35 Marija Lovrić, victim, Croatia, Consultation with the local community, Osijek, Croatia, October 17th 2009.

36 Željko Pinjuh, Deputy Mayor of the City of Vukovar, Consultation with the local community, Osijek, Croatia, October 17th 2009.

37 Nenad Talijanov, Kikinda Forum, Serbia, Consultation with the local community, Kikinda, Serbia, October 17th 2009.

5.2. Types of Violations

- **The Commission should deal with murder, persecution, rape, torture in detention camps.**
- **RECOM should deal with the fate of missing persons and victims of sexual and psychological violence.**
- **RECOM should address the fate of the detained and disappeared in Vukovar and the search for perpetrators of such serious crimes.**
- **In Croatia no one is talking about crimes that were committed in Osijek, and many victims have no right to compensation.**
- **RECOM should investigate the expulsion of Albanians and the destruction of their facilities in Kikinda during the NATO bombing.**
- **RECOM should deal with violations of human rights in Sandzak in the 1990s.**
- **RECOM should investigate the crimes that were committed by Serbian forces against Albanians in the Presevo valley, during the conflict with the Liberation Army of Presevo, Bujanovac and Medvedja.**
- **The commission's mandate should include the forced mobilization of refugees and citizens of Serbia.**
- **Albanians carry the burden of violence in 2004.**

We talked here about war crimes and other serious human rights violations. But, what are really these other serious human rights violations... First of all killings, then persecution, rape crimes, and finally torture in detention camps.³²

Among others RECOM should definitely endeavour to make a list of the missing. However, we should

not forget the victims of violence, from physical to sexual violence.³³

We have our people from Pakrac who were taken from Kostajnica to Manjača, Bijeljina, people from Vukovar imprisoned in Sremska Mitrovica, I never heard that any of the people involved (...) had been processed (...) I know that the commission will answer these questions and that really makes me happy.³⁴

No one ever mentions war crimes committed in Osijek as if we had forgotten it ourselves. We don't even know any longer if it really happened or we are just unwilling to admit it to ourselves. I don't know (...) in this country no one has ever asked the questions "Where are those families? What happened to these children? Did they attend school? Do they have jobs today? Or have they enough food at all?" No one cared about it. There are 33 houses on my street and they have all been demolished - each and every one. And they were all compensated except for me. I was the only one not eligible for financial compensation. Why? They told me I did not qualify for their assistance program.³⁵

We will be really glad if this commission, if RECOM, is able to shed light on the fate of at least one imprisoned or missing person from Vukovar or from our area and bring to justice at least one war crime perpetrator, of course with sufficient evidence of his guilt. The people of Vukovar would really like to see that happen.³⁶

At the beginning of the bombardment of the former Yugoslavia in 1999, many businesses of the Albanians from Kikinda were demolished or burned down; our Albanian neighbours were driven away from their homes. Someone had to issue orders to these people who destroyed so many buildings. I think we need to investigate who instigated these events, which turned all these people into a raging mob that went on a destruction spree against the Albanians and their property.³⁷

We should not (...) connect the events from 2004 with the war events. What happened in 2004 is

our own fault and we are the only ones to blame for that. We should be held responsible for everything that happened, for the churches, the houses, and everything that happened in that period and we should bear the responsibility for all of it. We should learn a lesson from the war about what we mustn't do to other communities.³⁸

What was going on in Sandžak in the 1990s can also be categorized as war crimes. These were not direct war crimes but you all know that citizens of Sandžak of Muslim nationality were tortured by the police, not by the paramilitaries, although they did it too, that is a fact. The police took people in for questioning and so on. That is not a war crime as such, but that should also be punished.³⁹

I don't know how much the Preševo Valley is going to be included in the process and it is important that it is because many crimes were committed there. Many people went missing and we don't know where they are. So, the Preševo Valley, Preševo-Bujanovac, and Medveđa should be included. The war in this region went on for a year, maybe it wasn't a war, call it whatever you want, but we call that period a war because many people were killed or went missing so that for us it was a war. I would like to know if the commission intends to cover these areas.⁴⁰

(I propose) to include yet another war crime, namely the forcible mobilisation of refugees in Serbia; and we've kept a very accurate record of this as much as we were able to (...) all the men who were forcibly mobilised ought to be victims. We also recommend checking whether these states are willing to say how many young men were mobilised forcibly.⁴¹

5.3. Powers of RECOM

- RECOM should have a mandate to examine the role of individuals and institutions.
- RECOM should be independent of political influence and have the power to subpoena witnesses.

- **Opinion is divided on the issue of amnesty for perpetrators of war crimes: some are against and some believe that RECOM may make recommendations to the judicial authorities, but not the amnesty itself.**

What is this commission going to deal with, individuals or institutions? I think that it is more important for the commission to deal with institutions because that will lead to individuals who committed all those war crimes.⁴²

Do you know that some crimes were created by the media? Do you remember what the media said about Kosovo before the war? It was all orchestrated through the media and we can safely say that many war crimes perpetrators were manipulated by the media.⁴³

I think that the mandate should not be limited to only the actions of individuals but also institutions. Individuals are the perpetrators and those are just chess pieces in the whole system. REKOM may in due time, after the presentation of the facts, initiate the question of the role of institutions. History would be empty if only individuals that committed crimes are, if one cannot see clearly the inspiration behind their acts - of course, the role of the church and education, all aspects of our society. There is an empty place in the social system which had a role in the war, in the incitement of hatred and war.⁴⁴

My colleague (...) mentioned a very important thesis (...) in addition to investigating the role of the media during the 1990s, it is also important to establish their role for the period before the 1990s when the orchestration of the events that followed actually began.⁴⁵

We can form a commission here now and then invite a witness to testify and he replies 'I don't want to' (...). It is really necessary that the commission is independent (...) from all possible political influences, and on the other hand, it is necessary that the commission has at its disposal instruments to make witnesses comply with invitations to appear. When the commission deems it necessary that a

38 Musa Mustafa, Koha Ditore, Kosovo, Local consultation with civil society on the Initiative for RECOM, Mitrovica/Mitrovicë, Kosovo, October 29th 2009.

39 Dragana Nikolić, Civic Initiative Committee, Niš, Serbia, Consultation with the local community on the Initiative for RECOM, Zaječar, Serbia, December 22nd 2009.

40 Nexharije Islami Pllana, Dona, Mitrovica/Mitrovicë, Kosovo, Local consultation with civil society on the Initiative for RECOM, Mitrovica/Mitrovicë, Kosovo, October 29th 2009.

41 Staša Zajević, Women in Black, Belgrade, Serbia, National Consultation with Women's Groups, Podgorica, Montenegro, October 23rd 2009.

42 Zekerijah Hadžić, Association of College Students from Srebrenica, BiH, Consultation with the local community, Zvornik, BiH, July 18th 2009.

43 Dževdet Hadžiselimović, Protagona Associations, Croatia, Consultation with the local community, Pula, Croatia, July 1st 2009.

44 Nevena Kostić, Žene za mir, Leskovac, Srbija, National consultation with women's organizations, Belgrade, Serbia, October 9th 2009.

45 Željko Hodonj, HINA, Croatia, Regional consultation with journalists, Novi Sad, Serbia, September 26th 2009.

46 Đorđe Radanović, Center for Youth Affirmation, Šekovići, BiH, National consultation with young people, Sarajevo, BiH, September 19th 2009.

47 Marko Grabovac, Search Organization of Republika Srpska tasked with the recovery of missing and imprisoned veterans and civilians of Republika Srpska – Search Organization of the Municipality of Brod tasked with the recovery of missing persons from Brod, BiH, Consultation with the local community, Doboj, BiH, October 3rd 2009.

48 Saša Radovanović, Institute for Serbian Culture, Serbia, Consultation with the local community, Kruševac, Serbia, September 7th 2009.

49 Šefika Murtagić, Association Key to the Future, BiH, Consultation with the local community, Cazin, BiH, October 10th 2009.

50 Nexharija Islami-Pllana, Dona, Mitrovica/Mitrovicë, Kosovo, Local consultation with civil society, Mitrovica/Mitrovicë, Kosovo, October 29th 2009.

51 Miroslav Varga, homeland defender from Osijek, Consultation with the local community, Osijek, Croatia, October 17th 2009.

52 Lazar Blagojević, Veterans' Organization of Republika Srpska, Samac Chapter, BiH, Consultation with the local community, Doboj, BiH, October 3rd 2009.

53 Alija Dautović, Vlasenica 92-95 Association of Victims' Families, Tuzla, BiH, Consultation with the local community on the Initiative for RECOM, Vlasenica, Bosnia and Herzegovina, November 14th 2009.

54 Naser Kadriu, victim's family member, Kosovo, Local consultation with victims' associations, Mitrovica/Mitrovicë, Kosovo, September 5th 2009.

*person should testify, the commission can automatically issue a warrant for that person to be brought before the commission to testify, and that warrant cannot be blocked by another authority within that state.*⁴⁶

*Not a single war crime perpetrator may be pardoned.*⁴⁷

*As for the question of amnesty (...) I am strongly against it (...). The commission should be able to give amnesty recommendations, at the same time not being allowed to make decisions (...). Now, that brings up the issue of the commission's mandate and I think that is a question for the judiciary (...) and I think that amnesty can even be a recommendation is a serious legal issue, maybe even an ethical issue.*⁴⁸

*However, I think that RECOM should not be allowed to grant amnesty or pardon. I really think it shouldn't be in its mandate.*⁴⁹

*I don't think that war crimes perpetrators should be granted amnesty and I would not recommend their sentences to be commuted.*⁵⁰

6. RECOM's specific activities

- **RECOM should list all the victims, by name and surname, and detail how they died.**
- **Resolving the fate of missing.**
- **The commission should make a list of the victims and perpetrators.**
- **List Albanian political prisoners during communism and armed conflict.**
- **List inmates, prisoners, camps and other facilities for unlawful imprisonment by a unique methodology.**
- **The Commission should make an anthology of the texts by journalists who prepa-**

red the materialization of the ideas that led to crimes.

- **List casualties during the NATO bombing, as well as determining the causes that led to the bombing.**

*What I think is really important and the reason I cherish this Coalition so much is its assumed capacity to record each and every victim by name. That is extremely important. We have numerous records of military actions, TV shows, recorded statements of various war-mongers, newspaper clips and so on. Everything has been recorded except for the victims. It is my desire and I will spare no effort to try to provide space for the victims to speak publicly, although I am aware that some people will try to interpret that in a way that best suits their interests in order to create their own truth.*⁵¹

*I think that 14 years after the end of the war waged on the territory of Bosnia and Herzegovina, the time has finally come ... for all victims to be listed by their first and last names. I think that should be the main role of RECOM. If we can't have the exact facts about perpetrators, we can at least make a list of all people who lost their lives and how.*⁵²

*What we want is to find all the missing so that we can give them a proper burial. Also, we want the perpetrators to be identified and punished (...). We all want to show the world why it all happened and who initiated it.*⁵³

*We would like to support this initiative on behalf of the families of the missing and God willing, together, and with our governments, we will be able to find our missing family members (...) my biggest satisfaction in life would be to find my father, to know where his grave is. I did not come here for lunch or for money, I came to offer my support to the families of the missing and all those who were unable to come here today.*⁵⁴

I need the person that committed the crime to tell me where the bodies are so that we can have some peace finally. I just want them to give me the bones,

to give me my child. All families whose loved ones are missing would be satisfied if they could only find out the truth about them and give them a proper burial.⁵⁵

I agree (...) that this commission should name perpetrators of war crimes because ... It is good to have a list of perpetrators of those war crimes if we are going to have a list of victims, regardless of what nation they come from.⁵⁶

One of the victims that can give direct evidence for any trial or against the State which carried out the criminal acts not covered by international conventions are political prisoners. (...) My opinion is that the first point was that we as a commission or anyone formed a committee should deal with political prisoners.⁵⁷

I was imprisoned at the Bučje detention camp but before that camp there was a detention camp in Grđevica (...) and no one knew about it, nobody from the government knew about it, only the criminals who locked us up there (...) – a secret detention camp that nobody except the party members knew about. The “great Serbs” as I would call them or the “non-Serbs” (...) we should mark it properly.⁵⁸

All three sides in Bosnia and Herzegovina have their associations of detention camp prisoners, and I think it would be a good idea for all three sides to write a definition of a detention camp or a collection centre and why they thought the place where they were held was a detention camp. That definition should be further used to assess the places of detention organized by their own entities. So, not only where I was held prisoner, but also the detention locations that my own people set up for the members of other ethnic communities. The next natural step would be to mark all these locations the way the second world war camps were marked, such as Jasenovac, Auschwitz, etc (...) I denounce each and every war crime regardless of who committed it, and I will be very glad if the victims from the Lora camp can come on the day the Stajićevo camp memorial is posted. I can guarantee that if they decide to build a memorial in

Split, at the Lora camp location, they will have my full support.⁵⁹

I support this initiative because regardless of how many different chapters are dealing with this problem, it is never enough because the crime is universal. RECOM should publish a selection of the most indicative texts by journalists who supported the war and helped implement the idea to commit war crimes.⁶⁰

Is the mandate of RECOM going to include both asking questions and searching for answers, or in other words, is it going to tackle the issue victims and causes of the NATO led bombing of the former Yugoslavia? I think that the example of the bombing of the RTS building is a very good example; we can see both a cause and consequences to understand the guilt on both our and their side.⁶¹

7. Public testimony

- **Public testimony of victims will help us to find out what happened to others.**
- **The stories of all victims must be heard. It is respect and not equalizing.**
- **The priority is to hear the testimony from Knin in Croatia in Knin, and the testimony from Vukovar in Serbia.**
- **RECOM's greatest value is to allow young people and future generations to learn about all what happened through the stories of people from the whole area of former Yugoslavia.**
- **Public testimony of victims helps us to feel the pain of others and build solidarity among the victims.**

All of us here, especially the people from Prijedor, know what happened in Prijedor (...). Last time I said that many things, and you should believe me, were unknown to me until I started coming to these gatherings and listening to vic-

55 Milorad Zimović, Association for tracing missing and killed Bosniaks of District Brčko, Brčko, BiH, Consultation with the local community on the Initiative for RECOM, Brčko, Bosnia and Herzegovina, December 5th 2009.

56 Samir Paljić, Local community Kula Grad in Zvornik, BiH, Consultation with the local community, Zvornik, BiH, July 18th 2009.

57 Liridon Jetishi, student Faculty of Political Science and Law, Priština/Prishtinë Kosovo, National consultation with students, Priština/Prishtinë, Kosovo, April 15th 2009.

58 Veljko Mandić, Association of Anti-fascist fighters and Anti-fascists, Croatia, Consultation with the local community on the Initiative for RECOM, Pakrac, Croatia, September 22nd 2009.

59 Zoran Šangut, Association of lawyers, Vukovar '91, Vukovar, Croatia, National consultation with former detention camp prisoners on the Initiative for RECOM, Sarajevo, BiH, December 10th 2009.

60 Ibrahim Bušatlija, the Council of the Congress of Bosniak Intellectuals, BiH, National Consultation with Intellectuals, Sarajevo, BiH, November 7th 2009.

61 Velimir Lipovan, lawyer, Serbia, Consultation with the local community, Kikinda, Serbia, October 17th 2009.

62 Zdravka Karlica, Republic Organization of the Families of Imprisoned and Killed Veterans and Missing Civilians of Republika Srpska, Prijedor Chamber, BiH, Consultation with the local community, Cazin, BiH, October 10th 2009.

63 Teufika Ibrahimfendić (Vive Association of Women, Tuzla, BiH, National consultation with women's groups on the Initiative RECOM, Tuzla, BiH, November 11th 2009.

64 Vehid Šehić, Tuzla Citizens' Forum, BiH, Consultation with the local community, Doboj, BiH, October 3rd 2009.

65 Mario Mažić, Initiative for human rights in Croatia, National consultation with youth, Banja Luka, BiH, October 17th 2009.

66 Amir Kulagić from Srebrenica, BiH, Consultation with the local community, Cazin, BiH, October 10th 2009.

67 Rada Borić, Center for Women's Studies, Zagreb, Croatia, National consultation with women's groups, women politicians, artists, and journalists on the establishment of RECOM, Belgrade, Serbia, October 9th 2009.

68 Mirsad Dizdar, Association of Former Detention Camp Prisoners of BiH, Jajce, BiH, National consultation with former detention camp prisoners on the Initiative for RECOM, Sarajevo, BiH, December 10th 2009.

*tims. I listen to Sudbin, this young boy sitting next to me, talk about the things that happened to him. I can't even count the number of times I watched that CD. And to tell you honestly, his testimony and everything he said, unfortunately, everything he survived, gives me hope that we can find the truth about everything that happened.*⁶²

*I don't want to get in the middle of what happened in Kalinovic, what happened in Konjic, what happened in Mostar, because I don't know these stories. I want to receive them with respect and not with judgment; I don't want to evaluate whose story is more horrific because all stories are different. That is the only way. That does not mean that we are making all stories equal because we know what the main issues are – Srebrenica, the beginning of the war, Kapija, Merkale Market in Sarajevo, and all other places where mass crimes happened.*⁶³

*These consultations will certainly encourage people to speak up. By listening to other victims, we will encourage them to deal with their feelings and understand that other people also feel the pain because of things that happened during the war and we will also try to develop a feeling of solidarity among us.*⁶⁴

*Let's say [that] the testimony they hear from Knin, depending on the year in question, is heard in Belgrade and Banja Luka, and is heard in Zagreb. That the testimony from Stolac, and Prozor is heard in Zagreb, and the testimony from Vukovar is heard in Belgrade, Nis, etc.*⁶⁵

I want my child one day (...) when he goes to the internet and when he wishes to know the details about what happened in the area where his parents lived, to find out about that which is closest to the truth, and learn something which is closest to the truth (...) and I think that this is the greatest value of this project. (Vesna Sladojević, RTS, Serbia, Regional consultation with journalists, Novi Sad, Serbia, September 26th 2009.)

8. Composition and election of members REKOM

- **Number of commissioners should be between 20 and 25. The number of commissioners from each state should be in accordance with the number of victims.**

*There should not be too many or too few commissaries. I personally think that it is ideal to have between 20 and 25 members of the commission. But we cannot have the same number of members from Montenegro, Serbia, Kosovo, Bosnia and Herzegovina, or Croatia, but the number must depend on the number of victims from each of these former republics. For example, Montenegro and Bosnia and Herzegovina cannot have the same number because compared to BiH, Montenegro only had a small number of victims.*⁶⁶

*We have to develop a member nomination strategy to be ready when the time comes. It should be done by our respective parliaments or the president. It will be easier to influence it if the president does it (...). It depends of course on who the president is. I think it is very important to have a unified opinion on this for the entire region so that the suggestion goes through all parliaments in the region. This is much better.*⁶⁷

*That person must be able to admit that members of his or her ethnic group also committed crimes so that they can listen to the other side talking about crimes without an emotional reaction like "Wait, you, too, committed crimes! So, I want the facts first so that I can look Pero in the eyes and that Pero can look me in the eyes, so that I can listen to him talking about his suffering and that Pero can hear me out when I talk about mine. It is only then that we can actually talk about RECOM. There's nothing before that. And it is only then that we can talk about our individual cases. We should talk about whether we support RECOM, who do we want to delegate, and not what my personal problems are.*⁶⁸

I have a fear that RECOM will fall apart the way

the former Yugoslavia disintegrated. I've had this fear from the beginning, when I began to think about all this. Perhaps foreigners should have a role in RECOM only to make sure it does not fall apart.⁶⁹

But what you said about who appoints the commission... Who will propose them? Who will these people be? What about their ethical integrity? It seems to me that that will not be able to prevent a valid body of facts for future historians and theorists that will provide an opportunity to truly finish, to find the right words to describe what happened in these territories and to find more adequate terms than these legal ones that we now have.⁷⁰

9. Documentation

RECOM will have difficulties obtaining information and documents in the possession of state agencies.

That commission's mandate must not be too long and it is expected that all state organs dealing with issues like this within our national states must be fully cooperative. We want them to open their archives and make them readily available to members of the commission and we want to be able to treat each and every fact in accordance with the standards established by the commission.⁷¹

10. RECOM headquarters

- The headquarters of the central office of RECOM should be rotated.
- RECOM should have offices in local communities, especially in those where there are ethnic communities that live apart from each other, as well as communities that are burdened by conflict.
- Brcko is a good place to seat RECOM.

If RECOM is going to have a central office, then it

is crucial that the office move from place to place periodically.⁷²

I come from a nationally divided community and I attend a school known as two schools under one roof. That is why I support the local concept, a local RECOM. That is a super idea because (...) if we can solve [division] at the local level, it will be easily spread to a state level.⁷³

Just a brief suggestion concerning the head office of RECOM, for the regional committee as you call it. I think that Brčko is self-indicated because it is nowhere and everywhere. That is, some attempts at political pressure by this or that authority will be quite possible everywhere. Due to the circumstances, it will be most unlikely to have a political pressure group in this lovely town and it is also well positioned, geographically speaking. As a seat, yes. Test the enthusiasm of potential commission members.⁷⁴

11. Relationship with the courts

- RECOM may encourage trials, the speed and quality processing.
- RECOM will investigate crimes that have not yet been prosecuted.
- RECOM should have direct cooperation with judicial authorities.
- The prosecution should commit to follow the law and use the documentation that the future commission will gather during its lifetime.

I expect RECOM to be able to exert an additional pressure and be educational, raise awareness in our society, especially in the judiciary. (...) because I think that the idea alone that facts are going to be registered anew may be helpful for our judiciaries to be more efficient and have better results in processing war crimes.⁷⁵

69 Dušan Visnjic, Sabac Youth Office, Serbia, consultation with local communities, Sabac, November 13th 2009.

70 Milena Dragicevic Šešić, Faculty of Dramatic Arts, Belgrade, Serbia, national consultation with women's organizations, Belgrade, Serbia, October 9th 2009.

71 Veljko Vičević, UDVDR PGZ, Croatia, Local consultation with homeland defenders, Donja Stubica, Croatia, October 28th 2009.

72 Furtuna Sheremeti, Youth Initiative for Human Rights, Kosovo, National consultation with young people, Priština/Priştinë, Kosovo, September 30th 2009.

73 Avdo Zec, Gornji Vakuf/Uskoplje Youth Center, BiH, National consultation with young people, Sarajevo, BiH, September 19th 2009.

74 Zoran Živković, Millennium, Belgrade, Serbia, National Consultation with Non-Governmental Organisations, Belgrade, Serbia, December 17th 2009.

75 Biserka Momčinović, Center for Civic Initiative, Poreč, Croatia, Consultation with the local community, Pula, Croatia, July 1st 2009.

76 Slavko Kecman, Associations for Peace, Baranja, Croatia, Consultation with the local community, Osijek, Croatia, October 17th 2009.

77 Damir Šimić, TV BH1, BiH, Regional consultation with journalists, Novi Sad, Serbia, September 26th 2009.

78 Venera Ramaj, Integra, Kosovo, National consultation with young people, Priština/Prishtinë, Kosovo, September 30th 2009.

79 Damir Salkić, Youth Initiative for Human Rights in Bosnia and Herzegovina, Sarajevo office, BiH, National consultation with young people, Sarajevo, BiH, September 19th 2009.

80 Zdravko Grebo, law professor, Faculty of Law, Sarajevo, BiH, National Consultation with Intellectuals, Sarajevo, BiH, November 7th 2009.

81 Josip Muselimović, lawyer, Mostar, BiH, National Consultation with Intellectuals, Sarajevo, BiH, November 7th 2009.

Most of these crimes that were committed in the Zvornik municipality ... are being tried through court processes. They are ongoing, but for most of these crimes no one has answered (...). The Commission would mean that there should be the closest cooperation with the prosecutors to submit as soon as possible, so to say, data, facts about war crimes (Mevludin Lupić, Association of Families of Captured and Missing Persons municipality of Zvornik, Bosnia and Herzegovina, consultation with local communities, Zvornik, Bosnia-Herzegovina, July 18th 2007.)

I am telling you this because all prosecutorial offices should have a legal mandatory duty to monitor the work of the commission. This commission can be very important from the point of view of penal law and penal policies.⁷⁶

12. Obstacles

- **States in the region that do not recognize the facts as established by the ICTY will have difficulty accepting the initiative for the formation of RECOM.**
- **There is doubt that Kosovo and Serbia will establish cooperation in the direction of establishing the facts, regardless of who will be a RECOM commissioner.**
- **One of the problems for the establishment of RECOM may be that some countries in the region do not recognize Kosovo.**
- **The biggest obstacle to clarifying the past is that politicians and public opinion believe that “their” convicted war criminals are seen as heroes.**
- **Memorials to victims and perpetrators, such as have been raised in BiH, deepen the gap between nations.**
- **The monuments to victims in Kosovo memorialize violence. All the victims were with guns. It would be better to show what**

happened in the past, not to encourage young people against a nation.

- **Perhaps it is premature to form a government commission to do this job.**

So, it is indisputable that the ICTY established the facts about all sides in the conflict, but politicians do not recognize them and that's why I think it is going to be difficult to convince the governments to accept this project.⁷⁷

I am sceptical that Kosovo and Serbia will ever be able to cooperate because the evidence we need is mainly located in Serbia. I don't know how much we can really cooperate with them or how much they can help us find the facts that we are interested in. For that reason, I really don't know how efficient all this can be and how much you really believe that this project can yield any significant results, regardless of who the members of the commission are.⁷⁸

RECOM as a (...) regional commission which should be established by an international agreement, (...) how can we overcome the fact that Slovenia already is, (and Croatia will soon be), a member of the European Union and the problem that Kosovo is not internationally recognized and that is where human rights abuses should be investigated?⁷⁹

And in the end, the convicted war criminals, I am thinking of those indicted by the ICTY, returned victoriously to their countries and it was not only the result of political manipulation, but because that's how the public feels about them.⁸⁰

In a small town near Sarajevo, a convicted war criminal was welcomed home at a football stadium with flags and music. Another was received in the Presidential Palace of Bosnia and Herzegovina. The third was flown home by a government plane. Therefore, I am not quite sure if the existing state structures are willing to give any significant contribution to the fact-finding process.⁸¹

I know that when I go to (...) eastern Bosnia (...) this is where (...) they did it, the list of what was done and the list of who did it. I agree that a memorial should be raised. A memorial is a memorial and it should be clear why it was built and how we should treat it. However, the way we do it now (...), we just make the already existing division deeper.⁸²

In Kosovo, violence can be seen in all the monuments. They are built with weapons in hand, are set (...) in public places where children see them every day and they may be affected by them in their development. They feed them the idea that one nation will always be bad until our death. Is there a concrete plan for a memorial, even on a national

level, that will not incite a person, but will only show what happened in the past?⁸³

We are witnessing situations where the government refuses to include people who have their own integrity and opinion in affairs that are less important than this one ... I can't imagine these governments setting up mechanisms, forming commissions full of free-thinking people, courageous intellectuals, willing and eager to investigate and process war crimes... I can't help thinking it is too premature for the governments to create such commissions. Of course, formally they can do it, but we'll end up having a commission which will not do the job properly.⁸⁴

82 Salih Rasavac, Corridor, BiH, National consultation with young people, Sarajevo, BiH, September 19th 2009.

83 Kora Krasniqi, Integra, Pristina / Kosovo Prishtinë, national consultations with young people, Pristina / Prishtina, Kosovo, September 30th 2009.

84 Stanko Marić, Association of the Lawyers of Montenegro, National consultation with intellectuals on the Initiative for RECOM, Podgorica, Montenegro, December 17th 2009.

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