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CENTER FOR DEALING WITH THE PAST

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INTRODUCTION

This handbook offers only some of the possible answers to the question how to deepen the discussion on the past in polarized societies where denial and/or relativization of crimes is an everyday practice and where one can hear exclamations such as "There is only one truth!" more often than questions "What has happened to you and your family?" The pages you are reading have been written for all those who have doubts and question a black-and-white picture of a 'better past', subject to adjustments and polishing in order to make 'us' look more positive and 'them' negative. The handbook deals with some of the possible ways in which facts can be documented, suffering of every victim and survivor acknowledged and dignity of every person respected.

The idea for publishing this handbook was born on my way to Canada where I was supposed to present the process of dealing with the past in Croatia and the neighbouring countries, from my own perspective, to colleagues from both North and South America and other continents. Interest into our experiences, expressed by ancestors of children who were taken from Indigenous peoples' villages near Vancouver, with "the best intentions of better education", as well as by artists from Colombia who work with traumatized families of the killed and missing and by priests who are preparing a truth commission in Burundi, but also positive reactions from Bjelovar, Pakrac, Osijek and Sarajevo, encouraged us to write this handbook. National Foundation for the Development of Civil Society also recognized the importance of learning through exchange of experiences and supported this handbook.

Texts in the handbook describe experiences of people who have, for decades, been trying to find ways in which to talk about hidden, unpleasant facts and crimes committed in their neighbourhood. The authors have gathered in initiatives such as that for the return of the name of the Victims of fascism square in Zagreb or Anti-war campaign Croatia and started organizations such as Centre for peace studies, Delfin, Pravda and MIRamiDA Centre. In an attempt to initiate the process of dealing with the past and to establish a fact-based truth about the war and contribute to shifting public discussion from the level of dispute about facts towards a dialogue on interpretations, these organizations founded *Documenta* – Centre for Dealing with the Past (hereafter *Documenta*).

It was established in order to systematically deal with violence inherited in the period since the beginning of the Second World War until today. The key reason for making this effort was experience in silencing and forging war crimes and other war events in the period from 1941 until 2000, which has affected the recent history of Yugoslavia, but also of post-Yugoslav states and societies.

During their work, the authors have opened questions which are, at the same time, difficult and important for everyone. Experiences which they have documented cannot be implemented universally, but can perhaps serve as an inspiration for opening up the dialogue about the past and about the adequate ways of remembering those killed in different locations.

Since they are aware that there are no uniform recipes for thinking about the past and selecting the way in which to discuss difficult issues, they sometimes start from their own position and position of their own family, and sometimes point to global problems. The order in which you choose to read the text is not important. Regardless of whether you choose to first read about personal, family, institutional or social sphere, the texts will lead you to taking a stand towards violence in all spheres.

Considering the fact that we still live in exclusive societies in which security is often based on closing oneself in a group of people of the same nationality and/or those who think alike and who do not refrain from radical nationalism, ideological exclusiveness, degrading people of different nationality, making fun of ideological opponents or denying facts on committed war crimes, our starting point, in the work we do, was acknowledgement and emphasis of human dignity of those who were killed, suffered or were abused, regardless of the side on which they found themselves due to their belonging, geography, choice or political beliefs. The same values may also be your own starting point.

Since respect of dignity and equal rights is the foundation of freedom, justice and peace, all human beings are born free and equal in dignity and their rights, as stipulated in the Preamble and Article 1 of the *Universal Declaration of Human Rights*, adopted at the UN General Assembly on December 10, 1948. While a struggle for recognition

of rights which are stipulated in this declaration is still going on, we can ask ourselves how many more decades will need to pass in order for the 'new' rights to truth, just court proceedings, reparations and guarantee to non-repetition of crimes, which are being affirmed within the U.N. in the past ten years, to become a world-wide recognized standard? Even if we are talking about a century of advocacy, we should not be discouraged by the slowness of changes, because taking a stand to violence on an every-day basis means a lot to those who have been hurt. Even in times of dictatorships, the destiny of those who suffered becomes visible only when others, outside one's family circle, recognize it as such. Building mutual trust after a war and conflicts is connected to the acknowledgement of victims' past suffering, and in Croatia and other post-Yugoslav countries, contemporaries of three cycles of violence, the Second World War, post-war violence over political opponents and the 1990s wars, are still alive. The decision on how far in the past one should go when conducting research is not an easy one. In social processes of dealing with difficult past violence, it is not easy, and sometimes even impossible, to single out only one group of crimes, especially in disputes which touch upon traumatic experiences of participants themselves. Every initiative for deepening a dialogue about the past will decide what would be a relevant period in the context of its own country. In countries with the history of colonialism or slavery, it will, for example, be necessary to take into account more layers of history. In this handbook, the authors primarily use examples from Croatia regarding three layers of the past, the contemporaries of which are still alive. In other countries, it will perhaps be possible to focus only on the last cycle of violence or it will be necessary to look back a couple of centuries back, for example to the period when colonization started.

In our work thus far, it has become clear that personal, family, institutional and social dealing with the past is not only important for the protection of rights of those groups which suffered during wars or political violence, but is also important for the process of civilizational development of a society as a whole. Open, inclusive societies in which horizontal communication about all, even unpleasant topics, is encouraged, are more successful in every respect. When working through a trauma, through dealing with the past, we affirm inclusiveness and openness of a society, as a general good which should be protected.

However we engage in the process of dealing with the past, it will demand from us to condemn spreading of hatred. Regardless of whether we decide to have private

conversations within our own homes or to critically examine the most important decisions adopted by government institutions, the first step we make could be to condemn violence. It is less important whether this condemnation will influence our relationship with ourselves and our closest family members or whether we find a way to express this condemnation by critically commenting on the world around us. What is important is this essential step of condemning all forms of violence. The scope of your intervention, research or action will depend on your ability to include and motivate others. It is not important whether the initiative will start from one person's wish to document his/her memories for future generations¹, from a conversation between two worried individuals² or from years-long preparations of experienced organizers for founding a research-documentation centre which would systematically monitor trials and document human losses. In moments of revolt caused by a general lack of respect for values that you find important, decisions on taking action will be made in a second, while decisions on starting new organizations may take several years.

But before diving into an examination of methodology, the question that should first be asked is the one about the purpose of dealing with the past. One of the possible answers, which has emerged throughout the work of human rights organizations, is that dealing with the past lessens the burden of the past, which stalls complete development of societies affected by war and political violence. Only by revealing systematically hidden and silenced information on human suffering and by gradually accepting facts about committed crimes are we creating a chance for personal and social healing, as well as providing space for realizing the rights of young people on learning about fact-based history.

Emina Bužinkić, Igor Roginek, Goran Božičević, Ana Bitoljanu and Vesna Teršelić are the editors of this handbook. It contains texts on factography of suffering, recoding of personal memories, preparation of public advocacy and war crimes trials monitoring. We believe the handbook to abound in different styles, approaches, language and experiences and hope you will find it helpful.

Vesna Teršelić

¹ For example, Đorđe Gunjević's personal memories described in the book "Evacuated to Pakračka poljana" from 2010.

² As, for example, in Osijek, where Kruno Sukić and Katarina Kruhonja established Centre for Peace, Non-Violence and Human Rights in 1992.



INTRODUCTION TO DEALING WITH THE PAST

SHORT REFLECTIONS ON MOTIVATION FOR WORKING ON DEALING WITH THE PAST PROCESSES

Well, it's hard to remember precisely. I didn't have some kind of...break down, nothing specially happened and I didn't find myself suddenly standing in the light of activism sun. Somehow, I've been feeling my whole life that it is very important to participate in the life of a community, to follow some principles, to fight for some values...

This attitude has, perhaps, been formed under the influence of books I'd read. Generally, I have always felt this drive inside. When I was very little, even before I started school, I already liked reading very much. And I read, back in the 1980s, partisan stories such as "Eagles fly early" by Branko Ćopić, and books like that. And I remember growing up with this war, with Germans and partisans. It was as if this war had happened yesterday! I was born in 1983 and already in 1987 or 1988 I was able to read, and all the books I read and movies I watched were about partisans and Germans, and these 'rotten apples', chetniks and ustashe. I remember talking to my Dad, who died in 1991, it was just before the war broke out. I remember vividly a conversation I had with him. This must be the way it is, when you lose a parent early as a child, you go back later to some things.. I asked

him "Dad, who won this last war?" I meant the Second World War and of course I knew who had won, but this was just an introduction to my following question. These were some of my authentic reflections. He said: "Son, we won." "Son", you know, this is how they call daughters there where I come from (laughter). I said: "And what about when a daughter asks her father in Germany about who had won the war, what does he tell her?" I really wanted to know if all children were growing up like me, with this war in which We had won, or was it just a fairy-tale that our parents tell us all when we are little, something like Santa Clause (so not very authentic), did all children, in Japan, Germany, South African Republic, have this privilege to grow up with stories about partisans, about our fight and victory...

I think that dealing with the past is, first of all, important in as much as it confronts these daily politics, daily-political trends, about how to think and what to say, which are necessarily ideological and behind which always lie some interests, regardless of what government we are talking about. I think that this oral history, that I am working on, is a more democratic history, because

it is a 'bottom-up' history. I think that when you place stories like that, one next to the other, it is more visible how stories are actually very similar on different levels. In this way, people can more easily recognize similarities that they have with those who are, or were, 'on the other side'. Maybe even more than with someone who belongs on 'their side'. And regardless of national and nationalistic elites, which are, actually, the entire time trying to make them believe that the enemy is the person across the street or within shooting range. I would like for this recognition to initiate a certain horizontal solidarity among the deceived and robbed nations, and to disavow nationalistic narratives which were promoted, and are still being promoted, by the only winners in these wars – the already mentioned national elites.

Milena Ostojić, Documenta

In order to be able to deal with everything that is happening right now. To be able to understand where it all comes from. Politics that is now sailing on the waves of ethnic and religious conflicts was not born yesterday. And it will not give up before our superior and reasonable arguments. Neither will the people who create it nor those who support it. What else are we left with than to try and understand what, where from and why, and then to offer this need of understanding to others.. In order to reduce the space of reproduction of one-sided narratives created due to some frustrations. At least we can ventilate this frustration and hear each other, for a start.

Boro Kitanoski, Mirovna akcija Prilep

Dealing with the past because the past hurts. Because we need time and a process to heal the wounds. Because it is important to know everyone's truth. To understand and make clear, but that does not mean to justify and forgive, if someone does not feel ready or is willing to do so. Dealing with the past in order to know what had happened. Dealing with the past in order to take responsibility (at least symbolical). Dealing with the past so that it is never repeated again. And the most important – to create space, some healthy grounds for establishing new, more human relations. My personal motivation is to give my self some space and time to heal; to get out of my own vicious circle of negation and emotional blockage. To give myself space to say loud and to share what it means to grow up under constant tensions on personal and social level. To be able to say that it still hurts. So it would become known. So I would feel better. So it would never happen again.

Dealing with the past is important for me and my society so that we do not leave traumas (on personal and/or collective level) to build one onto another. So we can become aware of them. In order not to build on them something new (with best intentions), but unconsciously deepening them at the same time. In order to be able to start from the beginning, with more honesty, transparency, and humanity, to build relations which would be grounded on equality, respect and freedom for all.

Albulena Karaga mirovna aktivistica Skopje/Kičevo

The most important aspect of dealing with the past is creating possibilities for people to meet. Not in any way and in any circumstances, but in space and time dedicated for this. This means meeting personally, telling relevant stories and listening to those stories. Stories about oneself during the past times, one's experience of these times, difficulties that one was going through and deep, personal interpretations of these events. Emotions accompanying these conversations, in the one who speaks but also the one who listens, are necessary. They open doors to true understanding, and compassion and

encourage participants to think differently. When someone's story touches you, your world unavoidably changes. And so does your attitude towards the past and future. While working with war veterans from the same or different sides, with the young in divided communities and people whose experiences are very different, I have witnessed that the moment when they started to tell and listen to stories with those who they shared this space with, was the moment when a true process of dealing with the past started.

Milan Colić, MIRamiDA Centar Beograd

I am tired of listening to different stories when we are in the company of 'our own' and when we 'mix', of constant thinking how one, other or third side can interpret something, of different justifications and victimizations, of finding out that we are clearly not free enough to fall in love with whoever we want, and neither will our children be that free, of constant divisions and importance of ethnic identities.. And all this seems to be happening because of the fear of the past, of what happened and ignorance of what happened. Let's encourage ourselves to openly speak about the past, because whatever we try to build will not succeed without it. Let's try to conquer the fear that we will (again) bring bad luck if we dig through it, because living in this way does not guarantee much of happiness either.

Ana Bitoljanu Miramida centar Grožnjan/Skopje

REMEMBERING VICTIMS AND THE RIGHT OF YOUNGER GENERATIONS TO LEARN FACTS-BASED HISTORY

Vesna Teršelič

When talking to people from different sides of social divides, I have witnessed the fact that piety to 'their' victims is needed in order to establish normal relations with the living. As a child, I heard a neighbour, who lost her husband, saying that she expected the public not only to talk about fascist camps, such as Gonars to which my grandfather was taken from occupied Ljubljana in 1942, but also of prisons such as the one in which she herself was imprisoned after WWII in 1945. She wished that her suffering, from the hands of repressive institutions of that time, to be also remembered. Today we remember that some soldiers, who themselves were victims of Nazi crimes and prosecuted as partisans and communists, after the war became themselves violent prosecutors and torturers. Although emphasizing piety to all innocent victims is slowly becoming a widely accepted standard of political correctness, few countries have approached the ideal of overcoming divisions into 'our' and 'their' victims, in which conditions have been met to investigate circumstances of death and memory of all who had suffered.

Recognizing the need to investigate all crimes does still not mean that unavoidable disputes on appropriate ways to commemorate victims would finish, but only mirrors a certain readiness for public dialogue on possible ways to remember. Today we cannot know who will be recorded in historiography books and history textbooks in one hundred years. We cannot predict what kind of a trace would leave important documentaries produced by Factum, books by Slavenka Drakulić, theatre plays by Borut Šeparović and Oliver Frlić, which have time and again reminded us of the responsibility to victims whose suffering is neither visible nor recognized. Political decisions, scientific research, but also diligence of victims themselves and civil initiatives which articulate a need for remembrance of a group, which is not visible enough or is not politically favourable, all influence the social process of remembering/forgetting, within which some will be remembered, and some will be forgotten.

In most of the countries, localizing memories of crimes committed over former fellow-citizens is yet to come. No matter how firmly is the image of Auschwitz as a place of a unique crime, the Holocaust, anchored in the consciousness of societies around the world,

its reverse side is complete oblivion of the Ustashe crimes committed in 1941 at sites such as death camp Jadovno or the Serbian Orthodox church in Glin. The symbolism of Gulag often overshadows local places such as St. Grgur island near Goli otok (the Barren Island). In this place, female prisoners accused of supporting the Informbiro Resolution adopted on June 28, 1948, by which Stalin accused the Yugoslav Communist Party of having distanced itself from Marxism, were imprisoned. Will a memorial area on St. Grgur and the Barren Island, where the communist regime imprisoned 11.650 people after Tito's break-up with Stalin, ever be opened?

Although less than 20 years have passed since the wars of the 1990s, destinies of many people who died are still in the shadow of genocide in Srebrenica and the destruction of Vukovar. Throughout the world, there are many more forgotten sufferings than sites of memory which have been marked with monuments or memorials. I do not wish to advocate for erecting marble plaques in all places of torture and killings or the opening and organizing of memory centres in all places of imprisonment and forced labour.

In expert and public discussions, a question will again be raised on how much the topographies of terror should/can mark the present. The dialogue on adequate ways of remembering can be valuable even when it does not lead to an answer on how to set up a memento or a museum exhibition. The question on adequate ways of remembering and learning history is always relevant. And it is never too late to ask oneself how children and grandchildren of those who were killed feel at unmarked sites of crimes, as well as to ask what about the young who have for years been passing next to former places of torture, but never knew about these facts.

The question on how we remember those who died is closely related to the responses we have today to racism, xenophobia and exclusion. Taking a stand towards victims of the Holocaust, as a unique crime in history, as well as towards all those who survived other genocides or severe human rights violations, such as rape, and are still dealing with consequences of those crimes, is inseparable from our relation to problems of minorities today.

Taking a stand towards violence in the past goes hand in hand with a response to the exclusion of the Roma and to not respecting the rights of other national minorities. Dealing with the past, focused on acknowledging the suffering of all victims of war, begins with a dialogue with all those who were themselves victims of prosecution in the past or are still being discriminated, as a contribution to the development of an open and inclusive society in which contribution of every individual and every social group will be welcome. While decades long systematic work on education about the Holocaust contributed to decreasing xenophobia against Jews, weak interest in investigation of genocide against Serbs and the Roma, as well as in ideology-based executions, still feeds prejudices against offspring of these crimes' victims. Denial of crimes from the past is often followed by discrimination in all spheres of life.

To live without being offended and to be free to create and to learn history also means that we have the right to live without being offended by symbols which celebrate extremists and which can be seen in public. In no public space (including football matches) should hate speech be tolerated (and neither should exclamations which call for past genocides). When talking about dealing with the past, we are talking about the respect for human dignity and creating possibilities for everyday polite and tolerant behaviour towards the others.

An important test for every society is the question on whether remembrance is used to respect the dignity of victims and to reveal hate or is it often misused to encourage divisions and xenophobia? Politicians and the media who spread exclusion played an important role in preparations for the wars of the 1990s. As Tatjana Gromača Vadanjel wrote in her latest book: "hatred needed to be disseminated in order for the war to happen in the first place, because the war should have started between those who thought they were not enemies, but brothers, of whom some lived in more eastern parts than the others. Considering the fact that there was still some hatred left, from the time of the big war, between those who lived in the east and those who lived little less in the east, it was not at all difficult to spread hatred, and it soon skilfully and completely covered everything, turning over night all doubts and measures into lethal weapons, bullets, bombs and fires, hollowed eyes and disembowelled insides" (Gromača:32). Unacknowledged suffering from one (unfinished?) war have been abused to prepare a new one. The solution is not to give up on acknowledging the suffering and dealing with the past, but to do

additional research about facts, while being at the same time conscious that it is the responsibility of everyone speaking in a public space to choose whether he or she would include the established facts into an interpretation which would help building peace or would use them against another man.

How to fight denial and relativization of crimes in a surrounding where even well-documented suffering is brought into question? Denial happens everywhere. The best we can hope for is that facts about a crime would be accepted by everyone, and almost never can we hope for a social consensus within which it would be impolite to question indisputable facts about suffering. If we take a look at the bombing of Guernica on April 26, 1937 by Luftwaffe forces, the destiny of which has become world-known through one of the most important paintings by Pablo Picasso, facts about this crime are still today not completely accepted in the Spanish society. Publicist Geert Mak, in his book on which the TV show "In Europe" was based, said: "Bombing is seen in as many ways as there are observers. For Europeans, this was a crime characteristic of the Nazis over an innocent Spanish town, a rehearsal for Warsaw and Rotterdam. For an average Spanish person, this was first and foremost one of Franco's dirty tricks. Until this day, the Basque nationalists see Guernica as violence perpetrated by Madrid over their 'holy' city. Old supporters of the Franco regime take a different stand: the bombing had never happened. They say that Guernica was burnt by the 'red' Basques themselves. The Germans admitted they were guilty several years ago, but the Spanish government was never ready to give up on Franco's interpretation" (Mak, 2008: 330). The German official apology, signed by the then president Roman Herzog, arrived on the 60th anniversary of the bombing. But social disputes in Spain have not stopped.

The way in which the most massive crime committed in Croatia in the 20th century by the Ustashe regime in the Jasenovac death camp is brought into question is only one of the examples of denying and relativizing crimes. Not even after a 1,888 pages-long list of names of victims of the Jasenovac concentration camp has been published, in which 72,193 names of killed victims were recorded, has denying of crimes stopped. Maybe it is easier to ignore the crimes, because in Zagreb's public space there are no traces of deportations. How to make destinies of European and Croatian Jews visible?³

³ According to the 1857 census, 5,132 Jews lived in 330 inhabited places in Croatia. According to the 1931 census, there were 20,567 Jews. According to the 2001 census, there are only 576 Jews. (Švob, 2010: 64).

Few people remember that first transports started from *Zagrebački zbor* (the Zagreb Assembly) in June 1941. In the streets which lead to the then city fair, today the student centre, passer-bys had to notice that Jews, Serbs, the Roma and all those whom the Ustashe considered political enemies were being taken away. Today's students, who on the very spot attend theatre plays, do not know that in these pavilions former neighbours of their grandparents awaited deportation. How much would they be influenced by a memorial plaque and how much are they influenced by speeches held at annual commemorations which are held in Jasenovac every April? How much are they influenced by scarce information they can get from history textbooks?

In Berlin, at the Grönewald train station platform from which Berlin Jews were deported, on a memorial dedicated to all deported people, it can be seen how many Jews were deported on a certain date. The first transport left the station on October 8, 1941 to Łódź, and 1,251 Jews were deported. The last transport with 18 Jews left on March 27, 1945 to Teresienstadt. All those who lived, during the deportations, in the quiet, green street which lead to the train station had to hear the trucks. But during the decades after the war, the platform was used in everyday suburban traffic. Passer-bys and passengers from other cities, even from other Berlin districts, did not know that Jews had been taken from that very place, until the 1990s when, on a women's initiative, the first informative memorial plaque was erected, and later also a memorial which is now the site of regular commemorations. As in other cities all over Germany, words inscribed on the memorial plaque have become part of the topography of memory to Nazi terror, making oblivion in this way more difficult.

Regardless of the number of first-instance judgements in crime proceedings, the silhouette of committed crimes is defined through a complicated mosaic of messages sent from public, formal commemorations, the contents of which are not necessarily related to investigative work on establishing facts. Family heritage and oral history often have a stronger influence on the creation of a picture about the past, then does scientific historiography. In presenting the past, one of the important questions is how to show an entire spectrum of reactions to violence, from collaboration to active resistance. Not even in extremely dangerous times was resistance to violence missing, either in the form of simple good deeds motivated by personal beliefs or as organized non-violent and unarmed resistance.

Remembrance of saving people in dreadful circumstances⁴, as well as civic courage, is particularly inspiring for the young. In developing the culture of remembrance, specialized institutions, such as museum of resistance, play an important role. During the 1980s in Berlin, Museum of Resistance was opened and was, next to those in Amsterdam, Vienna, Copenhagen and the Italian cities, one of the rare in Europe. German author Hans Fallada in 1947 wrote a famous novel about an elderly couple which, after their only son had died at a battlefield in France, started writing letters against Führer and the Nazi regime, leaving them in busy places in Berlin, in order to encourage other people to think. When her husband first told her he would write the letters, Anna asked him: "Is what you plan to do too little, Otto?", and he replied: "Whether it is little or a lot, Anna, if they find out, they will kill us" (Fallada: 133). The novel is based on true events, the actors of which were killed, and it has been only in the last couple of years, through English and now Croatian translations, made available to readers outside Germany. Great interest of the public shows how much examples of resistance are valuable and stimulating to the readers, even when these are only small steps with almost no chances of success. Examples of refusing to cooperate with a violent regime are particularly motivating for new generations. How do we remember resistance to fascism, war and violence? In our country, in the early 1990s, former museums of revolution were closed, because ideological interpretations did not correspond any more with the overall atmosphere and democratic system inaugurated with the first multi-party elections. But with giving up on one-sided interpretation of the war, valuable collections which reminded us of resistance to Ustashe, Nazi and fascist violence disappeared. As long as we do not even have a museum dedicated to resistance to fascism, it is difficult to expect a collection dedicated to peace initiatives from the 1990s.

Initiatives to permanently mark sites of suffering in all countries ask for patience and persistency in advocating. Germany has, perhaps, more than any other country learned to live with its Nazi past in a complicated process of gradual development of the commemorative culture. But one should not forget that even these early initiatives for institutionalized memory were ignored. Joseph Wulf, a historian who survived Auschwitz, started in 1965 an initiative to establish an international documentation centre in a villa where extermination of the European Jews⁵ was decided. The centre was opened only 27 years later as Haus den Wansee Konferenz. During the last decade,

⁴ For example, the award "Righteous among the Nations", which is awarded for saving Jews during WWII, by risking one's life and lives of one's family members. More than 23.000 people around the world have been awarded this medal, the highest Jewish state recognition for non-Jews, and among them were 104 people from Croatia.

⁵ The project was unsuccessful due to the lack of political will and financial support. Wulf committed suicide in 1974. The memorial and educational centre was finally founded in 1992 (Steuer: 192).

in the centre of Berlin near the Parliament, memorials to the killed European Jews (2005), homosexuals (2008) and the Roma (2012) were built⁶.

How do children of survivors comment on the German pursuit for an adequate way to remember? How does Mimi Schwartz, daughter of a Jew who escaped to America in the 1930s before the borders were closed, feel on the day when, in her father's village in Schwartzwald, Germany, a reconstructed synagogue turned into a Protestant church is being opened?

Turning synagogues into churches, as well as many other solutions of cultural monuments at sites of suffering, is certainly not the best possible option for the Jewish community, but reflects today's needs. Today in the village there are no more Jews, the number of Protestants increased, and there are more and more Turkish families. Above the church doors, next to the original sign from the burnt synagogue which reads "This is God's house, these are the doors of heaven", in Hebrew and German, a memorial plaque was erected reading "To remember and to warn: In Benhaim, until 1939, existed a Jewish community which erected this building in 1837 as a synagogue. In the night of pogrom between November 9 and 10, 1939, the synagogue was destroyed and set on fire. The Torah was saved. Today it can be found in the village Oleh Zion (Israel), which was built by former inhabitants of Benhaim. We remember our Jewish fellow-citizens and victims of Nazi terror and all those who lost their homes."

Eighty-nine Jews from the village were killed in the Holocaust. On the day when the rebuilt church was opened, Mimi Schwartz wrote: "That this is a day of celebration. That there is nothing to celebrate. That there's a good spirit here. That I feel a great loss here" (Schwartz; 251). Despair over irretrievable loss of those who were killed cannot completely overshadow the moment in which Nazi crimes are being condemned without hesitation, and not in some abstract way, but through remembering destinies of people who were taken from the village. But parallel mourning and enthusiasm when a community in which the crime was committed gradually takes over part of responsibility to remember, is a permanent burden of offspring of the survivors. At the end of the 19th century, in a community of some 1.200 inhabitants, lived Catholics, Jews and several Protestant families. There was only a third of Jews. At the Jewish cemetery there are still 946 graves,

which are taken care of by members of Träger & Förderverein association, which is active in the field of commemorative culture. During the 1970s and 1980s in Germany, a lot of local initiatives started, dedicated to remembrance and communication with children of their parents' former neighbours, as well as to creating memory of violence in the neighbourhood, which form an important part of their activities.

In the countries of the former Warsaw Pact, in which political violence could be freely discussed only after the fall of the Iron Curtain, suffering at the time of socialism was considered to be an important part of a joint European history. Despite the research conducted after the fall of the Berlin Wall, a lot of questions remain unanswered. Publicist Anne Appelbaum said: "before a nation is recovered, its citizens need to understand how it was destroyed. How were institutions undermined, how was language twisted, how were people manipulated. They should know the details and not just general theories and they should hear personal stories, and not just generalizations about masses. They should get an idea about their predecessors' motivation, they should see them as real people, and not just as black and white characters, victims or criminals. Only then will slow recovery be possible" (Appelbaum: 496, 498).

How do all those who were affected by committed crimes, which were not mentioned in history textbooks, feel? Filomena Franz, a forced labourer whose words were used as a motto in a publication issued by the German foundation "Remembrance, Responsibility, Future", said: "The young have a right to their history. We still need to accept it. And it has not even finished yet."⁷ Dealing with the past does not only mean taking a stand towards committed crimes over our contemporaries, but is linked to responsibility of providing the young and future generations with information. The young have the right to find out interpretations of the past which are based on facts, in order to be able to take a stand towards violent heritage and in order not to, like their parents, become prisoners of exclusion, which fed violence in the past and which still feeds intolerance towards minorities and xenophobia today.

Even at moments when suffering is acknowledged, survivors carry the burden of sadness. But in a society, this burden can considerably decrease by agreeing to include remembrance of victims and resistance

⁶ Denkmal Für Die Ermordeten Juden Europas/Memorial To The Murdered Jews Of Europe

⁷ Foundation Jansen, Michael and Saathoff, Gunter (ur.) (2009.) A Mutual Responsibility and a Moral Obligation: The Final Report on Germany's Compensation Programs for Forced Labor and Other Personal Injuries, Berlin: Foundation „Remembrance, Responsibility, Future“

to violence on every country's cultural map. This may be the most important experience of the countries which have consciously been working on dealing with the past for several decades.

In order to create a platform for victims and interested witnesses of the past, we have started, in *Documenta*, to video record personal memories. In a country in which there is almost not a single family which does not transfer memory of suffering from one generation onto another, and the battle for supremacy in the area of memory of one side and oblivion of the other rarely comes to a halt, it seems that inclusion of as many people as possible and recording personal testimonies is a possible path towards healing. In realizing the rights to truth, just legal procedure, reparations and guarantee of non-repetition of crimes, we have developed a series of methods described in the pages that follow. But every local initiative should start from its own analysis in order to choose the best methods and actions.

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DIALOGUE ON WAR LEGACY

PREPARING THE WORK ON DEALING WITH THE PAST IN A COMMUNITY⁸

Emina Bužinkić

Dealing with visible and invisible consequences of the war puts in front of us a long-term and difficult task of establishing sustainable peace, peace which creates a possibility of deconstruction of power, building equality and establishing the culture of respect and non-violence. Peace does not merely mean the absence of war, but establishment of lost trust with the creation of just socio-economic and political conditions for life in a community. Visible consequences of the war are images of severe human suffering and losses, mine fields and echoes of explosions even after the war, severe poverty, material devastations with completely or partially ruined cities, villages and infrastructures, as well as lower possibilities of quality education, work and continuation of life. There are also invisible, deep consequences which often, years after the war, escalate into another, renewed conflict. They are hidden in people's attitudes and views which are often transferred from one family generation to another, so that new generations grow up with messages of violence, pressure for revenge and further deepening of trauma, which can also be reflected in social structures, legal hierarchy and human rights.

War is a catastrophe created by people. Devastating human action stems from the culture of violence and repressive structures. For this reason, peace, except in

'the human mind', needs also to be built in culture and in the structure. The central part of work on dealing with the past is in turning viscous circles of violence into positive circles: reconstruction, reconciliation of the warring sides and resolution of the roots of conflicts, together with peace-building as a capacity for dealing with conflicts, empathy, and non-violence, in a creative way (Galtung, 2002:5). This is much easier when the level of structural and cultural peace is high (Galtung, 2002:10), i.e. when causes which had led to a violent conflict have been removed.

Facing great catastrophes, destructions and long-term consequences for human lives is very complex and often risky. Preparation for opening painful processes does not often go according to plans and requires a strong will, adequate communication skills, skills to act in various new situations, patience and adjustment to a local mentality. Preparation for work in a community during and after a conflict opens a series of questions to which we have been searching for answers during years-long work in smaller and bigger local communities in Croatia, which have been affected by the war, and later by difficult socio-economic living conditions, deep national, ethnic, religious, linguistic and other divisions.

⁸ The text has been prepared in cooperation with Goran Božičević and Katarina Kruhonja over early morning coffee, phone calls and exchange of e-mails. Examples mentioned in the text have been prepared in cooperation with Documenta's volunteer, Nives Jozić.

This text is a modest contribution to the recording of valuable experiences in peace-building in a community and dealing with visible and invisible consequences of war.

Pioneer attempts at peace-building

War devastations, in many parts of Croatia, have encouraged a part of the population to re-establish communication and connections, to build a different life in communities, to reconstruct their lives and create grounds for reconciliation. They have encouraged members of some communities, as well as by-standers and other citizens, to express out loud their ideas of peace existence and to get involved in building peace and communities, by connecting people and places, turning the state of truce into a state of permanent and positive peace. In Gandhi's words – there is no road to development, development is the road.

Widely speaking, peace-building refers to a social change which contributes to overall decrease of violence and injustice in the world. Our experience in peace-building is the one in a post-war situation, a situation after an armed conflict, during which connections in one or more communities have been cut, so that there exists a need to work on a definite end of the war, on demilitarization of a society, return of refugees, physical and social reconstruction, building a feeling of security and trust in a society, building efficient institutions and the rule of law/justice and on dealing with the past. The experiences are related to post-war areas, and to the opening and developing of processes which create space for an individual's and a community's facing of violent events and experiences of war, which are often denied, belittled, and relativized and about which we are often not ready to hear and accept them.

Exactly for this reason, it is extremely important to be ready for this demanding and long-term process of dealing with almost unthinkable post-war situations, with ruins, poverty, difficult destinies, political one-mindedness, non-functioning systems and other. One should be sure of one's own choice, transparent towards oneself and others regarding one's **motivation**

and settling accounts with injustice, while finding efficient means of communication with the powerful (Quaker: *speaking to power*). Motivation is changing of social relations, strengthening of the weak and vulnerable, building mechanisms of control of the powerful, non-violent social structure and behaviour. Motivation can, and maybe even must, be changed over time, but it is important to be aware of it at any moment. It is important to build one's own resources, to encourage self-reflection and build relations towards a problem, in the sense of being able to cope with a problem and having adequate experience.

It is important to be moral and to cherish **ethic principles and values of non-violence, respect of a community and the ways in which it 'breaths and lives' and to be responsible:** towards a community, i.e. members of a community, towards participants of an activity/project outside the community, towards organizational structures and set agreements/rules, towards the donors.

One should be careful not to cause damage to a community, not to impose solutions and attitudes, to listen to needs and to try and understand them. **Responsibility** also means presenting one's own motivation and ideas in the same way to different sides in order not to create any contradictions and cause any misunderstandings. In that sense, it is important not to do anything that can cause damage to ourselves and those with and for who we work and to sense and find **support** of a community, co-workers, and organizations, although it should be mentioned that support is often missing in difficult conditions. Support includes: infrastructure, financial means, building skills, transfer of knowledge and experience, various means of communication and cooperation, as well as support from the political level.

Some Questions Non-Official Intervenors Should Be Asking Themselves (Lewer, Ramsbotham, 1993:72)

- *Do I have the right to intervene, without being asked to do so, although I am not 'wanted'?*
- *Is my methodology in line with the cultural tradition?*
- *What are my motives, for example religious, political, humanitarian? What is the relation?*
- *How much will my intervention be successful if, for example I help only one person?*
- *Am I adequately prepared/trained?*
- *Do I possess the needed resources and support base?*

- Have I considered wider implications of my intervention?
- Do I possess dedication to long-term work?
- Can I, for interventions such as 'active mediation', guarantee confidentiality regardless of, for example, pressure from the donors/academic institutions (from which I come)?
- To what extent can I be manipulative with hidden agendas?
- To whom am I responsible for my own actions? Do I have a need for support/advice/evaluation group?
- How close should I be with the 'official' level?
- Is there a point at which I withdraw from a conflict?
- Do sides in the conflict welcome my intervention?
- What are the motives of a protagonist to call for an outside intervention?
- Is my intervention based on the 'contents' or more directed to a 'process'?
- Do I find myself to be truly unbiased or do I have sympathies for one of the sides?
- Can my intervention worsen a conflict?
- Will my intervention lessen or interfere with some other efforts?
- Is the group I work with representative of the local population?
- Will my intervention provoke ungrounded expectations?
- Why have I chosen this specific conflict at this very moment?

Peace activists who have been working in Croatia and other post-Yugoslav countries testify of numerous challenges in particularly difficult conditions of divided cities and other areas where the population was or still is in conflict. Working in a community opens up questions of legitimacy of an intervention, but also of an 'entrance ticket'. Direct contacts with certain **persons, groups or organizations** are particularly important. **Official permissions and work transparency** are equally important. Nothing less important are also unofficial permissions given by

the community. Neither of them should be underestimated, because 'fishy' and non-transparent work causes damage at the very beginning. Before entering a certain community, it is necessary to make preparations, to get ready and become prepared. This is often done through preparatory workshops and trainings, which are informing-educational and strengthening in character, and have served as a space of growth in every sense. If there were possibilities, **supervision and retreat/vacation workshops** have sometimes also been organized.

In this text, our aim is to present to the readers and future users several examples of peace-building in communities through volunteer and educational programs, programs of listening, mediation and support. One of the most significant examples of long-term and multi-layered peace-building in Croatia is almost twenty-years long work in Pakrac, a town which has been divided for years and almost completely destroyed. This work has started with the so-called 'Volunteer project Pakrac', which has opened a path to numerous individuals and groups to work on future reconstruction and reconciliation. International volunteer camp of social reconstruction was active in Pakrac between July 1993 and February 1996, in cooperation with United Nations Protected Area (UNPA) sector West. International volunteers in groups between 5 and 25 persons, which worked in three-week shifts, worked on physical and social reconstruction of the town. The camp also initiated work on the territory of the then Republic of Serbian Krajina in cooperation with the Belgrade Centre for Anti-War Action. Numerous organizations, such as Anti-War Campaign Croatia, Centre for Peace Studies⁹ and newly-established organizations like Women's Club Pakrac and Delfin – Centre for the support and development of civil society¹⁰, which is still working today, have left their traces in the town.

I have listened to activists who have travelled through a brave and thorny path on the territory of the former state, while I was reading stories to my children: some of them have truly fascinated me. I have started my own path: I participated in a 'minority' training in Budapest, and at that time I had already been working in a peace organization, I was teaching a course 'Ethnic identities' at Peace Studies, travelled to western Slavonia, from where a part of my

⁹ www.cms.hr

¹⁰ <http://delfin-pakrac.com/press/>

identity originates, have mapped the field and started doing field work. In the first years of working in the field, I enjoyed great support from Mirjana Bilopavlović from Pakrac, Delfin and other people she knew. With years, I have built a base of people in the field. We learned about conflicts, the art of non-violence, dealing with the past, minority identity, human and minority rights, building of a local community, but at the same time we have strengthened them to take over the work in local communities on themselves, in the framework of their own knowledge and possibilities. With these people, I have started going around helping people, mostly in remote villages of western Slavonia where Serb refugees/returnees lived. We worked with them in such a way that we talked to and spent time with them, listened to them and helped them with things such as legal advice and psychosocial help (driving them to the doctor's to get medicine and to get humanitarian aid).

Mirjana Mikić, coordinator of the program

'Inter-ethnic relations and inter-cultural dialogue' of the Centre for Peace Studies

Centre for Peace, Non-Violence and Human Rights Osijek¹¹, the aim of which is to strengthen individuals and build a democratic society grounded in the respect for human rights, building security and developing the culture of non-violence, in an early post-war period, through peace trainings, supported the opening of first communication channels, the return of refugees and displaced persons and the insurance of a social cohesion in ten particularly vulnerable communities. Leaning on the tradition of peace council in local communities, they started a process of creating pre-conditions for the establishment of mediating services. Trainers Amalija Krstanović, Zehra Delić and Katarina Kruhonja held, in 2002, the first elementary-level educational workshop for mediator-volunteers in a community. After this, they worked with judges, the police, and union representatives in elementary and high-schools. Handbook for mediation was partially used in educations of students and teachers for mediation in schools (the result of which was initiating of a student mediating service in three elementary schools) and in educations about non-violence and dealing with violence for citizens. In cooperation with several local self-administrations, they worked on preparations for the establishment of mediation services. The education was based on their own experiences of working with the local population, which was still burdened with war traumas.¹²

Mediation is grounded in the belief that sides in a conflict know the best what the problem is, that they know what solutions could satisfy their needs and interests and which of the proposed solutions is the best for them, least complicated and the easiest to implement. Centre for Peace, during a two-year program of educations,

trained mediators and introduced mediation as a service in Osijek and Beli Manastir. Since January 24, 2006, "Mediation Centre Osijek" offers free help in conflict and dispute resolution. Police officers and judges, who have finished a training program together with mediators, can recognize conflicts and disputes which are suitable for mediation, give citizens a correct and full information on the very process of mediation, its advantages and main characteristics. Cases which can be solved with an agreement between the warring sides include: inter-neighbourly conflicts, family conflicts, conflicts at a workplace, conflicts about property and damage compensation, conflicts about public order, conflicts between parents and teachers, conflicts between children and teachers, conflicts among peers, and many other.¹³

Mediation or intervention also includes the young in schools (students of 4th to 8th grade) with the purpose of helping their peers in solving conflicts. Students who are trained as mediators possess important communication skills in negotiating, listening, understanding and solving problems and conflicts.¹⁴

Even before the mediation activities, the Centre implemented a project entitled *Building a democratic society based on the culture of non-violence. Post-war peace-building in eastern Croatia*, through a transformation of post-socialist society in eastern Croatia, devastated during the war, towards sustainable peace, joint security and democracy based on citizens' participation, pluralism, human rights and rights of minorities, social justice and sustainable development.

¹¹ <http://www.centar-za-mir.hr/>

¹² Source: http://www.centar-za-mir.hr/uploads/dokumenti/prirucnici/web_Medijacija_u_zajednici.pdf, 25. veljače 2013.

¹³ Source: http://www.centar-za-mir.hr/index.php?page=article_svi&article_id=256&lang=hr, 25. veljače 2013.

¹⁴ Source: http://www.centar-za-mir.hr/index.php?page=article_svi&article_id=257&lang=hr, 25. veljače 2013.

A network of trained multi-ethnic, international, multi-confessional (Croats, Serbs, international volunteers) peace teams (PT) was established in five multi-ethnic communities (Okučani, Tenja, Dalj, Beli Manastir and Vukovar), with the aim of strengthening the local population for social reconstruction and peace-building in early post-war and post-UN period (2-5 years). In each of the communities, a series of activities on community building were developed, such as: joint actions of cleaning and tidying up the environment, re-activating the local chess club and climbing association of a multi-ethnic composition, strengthening and re-activating an association of the Roma, setting up several support groups for women and the young, organizing Culture of Peace Days at all locations, inter-religious round table discussions and ecumenical prayers for peace, cooperation with schools on peace education, looking for volunteers to monitor the elections. Multi-ethnic teams witness of the fact that Croats and Serbs can work together on peace and reconciliation.

The first step of a direct work in a community was the **listening project**. On the basis of results of the listening project, and this means on the basis of needs, interests and possibilities of a local community, programs adjusted to each community are being initialized. These projects concern activities on community building, education of grown-ups, psychosocial development, strengthening of the local population in problem-solving, organizing joint small solidarity projects, self-support groups for women and the young, organizing ecumenical dialogues and educations about elections. The activities respect no ethnic boundaries. The basic principle of the listening project is active non-violence, an attempt to face people and problems in the spirit of trust and truth. The basic method consists of structured interviews, which are conducted by trained 'listeners'. The interviews consist of a set of questions which are structured in such a way that they

provide people with space to talk about war traumas, current issues and needs; they treat an individual as part of the solution and enable finding individuals who are ready to get involved in problem-solving. This is the basis of a very simple action-research approach to peace- and community-building activities. Goals of a listening project implemented in Berak in 1999 were: to help the local population in overcoming traumatic experiences from the war; to direct them towards peace-building in themselves and in the community; to decrease tensions and to prevent future escalation of violence; to find out what the local population found important for post-war peace and justice building, what would help to heal traumas and initiate a process of reconciliation; to draft a proposal on a comprehensive approach to justice and peace building in places where direct conflicts happened, based on the experience gained through the work in Berak and suggestions made by the local population.

In Vukovar, everyday work of the European House Vukovar¹⁵ was of special importance for bringing back to life a divided city through discussions, public debates, round tables, actions and workshops. Particularly important was the project of training the local population in self-help in the area of keeping and improving mental and physical health, through overcoming traumas and increasing the level of tolerance in stressful situations. This project was held under the title **Ekosana** and was implemented through lectures, reading of written materials, discussions about the lectures and the read materials, relaxation exercises, physical and mental exercises, which were done within self-help workshops together with a prescribed program of activities done at home, as homework. Ekosana program consists of twenty workshops, which can be divided into three parts: theoretical lectures and discussions on the topics of lectures, physical and mental exercises.

The program also includes transfer of knowledge activities, i.e. activities which are educational in character, activities which turn the learned knowledge into skills (workshops trainings and homework) and discussions with workshops participants and support to confidence-building. Except for this, it also includes: expert monitoring, preparation of materials for workshops, preparing the work environment, recording the workshops, communication and coordination with partners and donors, purchasing the needed workshop materials, making schedules for workshops, making menus and preparing recipes according to the established program, keeping records of workshop participation, updating waiting-lists, technical maintenance of equipment, book-keeping, making work evaluations and work reports¹⁶. Evaluation which was implemented after the completion of a four-month work program showed that participants' health condition improved by 60 – 70 percent, while their tolerance to stressful situations, as well as their ability to overcome unpleasant emotions, significantly risen. At the same time, excessive use of medicine decreased by 75 percent, which, according to a financial analysis, amounted to some 7.500 kuna per year.¹⁷

¹⁵ <http://www.edvu.org/spip/>

¹⁶ Source: Project proposal "Healthy citizens – the key to a community's development potential"

¹⁷ Source: <http://www.edvu.org/spip/spip.php?article239>, February 22, 2013

There is a number of examples which could be singled out as a contribution to peace-building, establishment of trust and initiating a process of dealing with the past. To the above-mentioned examples, we can also add **MIRamiDA trainings**, peace-building trainings for citizens, peace activists, and the young, which were held between October 1995 and 2011, mostly in Bosnia and Herzegovina and Croatia, and which were initiated by Goran Božičević, a peace activist. Several-days-long MIRamiDA trainings gathered people of different world-views and experiences, such as peace activists and war veterans. They were held far from their homes, in groups of between 8 and 25 people, and they were also held in centres of local communities, with accommodation in houses of the locals. Field team consisted of persons from different places, who parallelly worked on their own relations and cooperation. The trainings presented a space for learning and exchange, but also an expression of solidarity with people, support to them

and their inclusion into peace-building activities and development of civil society. The trainings caused changes in people and communities.

Change of a situation or state is that what we aspire for. We want better and different, but are also aware that this is possible. Peace activism is a catalyst for good dialogues and horizon of development, and co-operation means peace-building in itself. As Goran Božičević would say: "peace-building is mutual co-operation and support, unselfish sharing of information, meetings, sharing of resources and knowledge, of one's own work and time, dilemmas and everything else. Strengthening, education, networking. Approach to peace-building is security and trust that personal testimonies, small steps and listening achieve changes. This is no philosophy. Only communication, dialogue, cooperation, meetings, listening, getting to know someone, educations. We all change during the process."

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DIALOGUE ON WAR LEGACY

Ana Bitoljanu, Goran Božićević

I remember how it all started and how people were reluctant to mention the very topic during dealing with the past workshops. When we said “today’s topic is dealing with the past”, some kind of heavy silence would fall over the room. In the beginning, we didn’t even use that phrase, *dealing with the past*. We tried to introduce conversations about the past into various workshops, we did a lot of different things, aware of the fact that we have no chance of a joint future, without discussions about what had happened, how we deal with it today and whether we are at all ready to hear different views on what had happened. Sometimes, we called this work on dealing with the past “inter-ethnic dialogue”, sometimes we called it “opening communication in divided communities and groups”, sometimes it was an integral part of non-violent transformation of conflicts, but one way or another, we always talked about the past. In the meantime, we have reached a point when, at trainings that we organize today, we spend most of the time working on dealing with the past. And this is neither unpleasant nor unfamiliar any more. It has not become easy, far from it, but the phrase “dealing with the past” is no longer so scary and unknown. We have slowly reached the point at which people have trust in us and perceive the workshops as safe space in which they can talk about what had happened, what they had been through and survived. It has even happened that participants said: “OK, this communication, non-violence, gender, all this is great, but when are we going to talk about the past? It was because of dealing with the past that we applied for this training in the first place”.

Workshops on dealing with the past are among rare ones which have a purpose in themselves. At workshops, we do not deliver any knowledge, do not try any new skills, do not prepare for any activities or actions, do not develop sensitivity for anything, at least not directly. Communication, team work, gender, peace-building, non-violence, recognizing violence, etc. are all extremely important and needed topics, but only when we work on dealing with the past, we do not ask for anything, do not plan anything, but dive intensely deep into the past at the present moment, because of the importance of that past. Workshops are usually structured in such a way that first, through personal experiences, we share what it was like for us and our families, we share what we thought was happening, while avoiding getting into political stories or group narratives. First we listen to each other, on a personal, human level, speak about probably the hardest period of the past, and then about

the context before and after that period. The next step can be a search for different answers about why this is important to me, and what answers we are looking for. In case we work on preparing certain activities, it is probable that people will, through answering questions such as “why is the past important to me?”, reach questions such as “what do I want to do regarding this issue?” Somewhere at this point we step onto the group or social level. It is important to encourage personal reflections and not to hide behind “we speech”, to encourage discussions about stories and problems which can be heard when members of only one group get together. Re-examining one’s own side, where are the groups we belong to and what is their responsibility for what happened, what is our relation to others, who do we consider as victims. Where are we ourselves in relation to the dominant narratives of ‘our’ groups, what is our relation to factual truth, etc. From taking time to listening to and exchanging personal stories to joint work on topics such as: causes of wars, conflicts and violence. Different groups within the same topic have different needs. In working with war veterans, focus will, more often, be on personal experiences; in working with the young who were still children during the war, focus will probably be on family events and war heritage; with somewhat older generations, dealing with the past will start before the Second World War, with the young it will start in the 1980s or 1990s. But it is important to set aside enough time for this topic, to think and assess how personally and how deeply we are ready to discuss it.

A need for such discussions is obviously still present and this need does not become lesser as time goes by, but we can only respond to it by creating space for discussions about the past. As our societies rarely create public space for discussions about the past where people, without fearing that they would be attacked, could speak about their experience of the past, workshops and similar events have for long presented such gatherings at which one could talk to the other side, sympathize with it and ask for sympathy from the other side, even wish to make some kind of change in cooperation with the other side. Luckily for all of us, workshops are no longer rare places for such conversations, because dealing with the past has become part of public stories and there are more and more constructive ways to look back on the past. Let’s support them.

Workshops on dealing with the past

Today it is no longer a rare case that topics of transitional justice and dealing with the past are included, discussed and offered at peace-building trainings in Croatia and other post-Yugoslav countries. It took some ten years for these topics to become a part of the peace-building curriculum, to cause no surprise and to have enough qualified trainers for these kind of workshops. What are the pre-requisites for classifying and calling some of the workshops 'dealing with the past workshops'? They need to discuss topics which are mostly unpopular in countries and societies that participants come from and be related to wars and structural violence from the (recent) past. Participants are active, exchange their views and experiences, and are encouraged to think and articulate their positions about crimes which were committed by 'their side' (whatever exactly that means).

Treatment of the topic follows certain rules: participants are informed about the concept of dealing with the past, when and how it is implemented, what are its advantages and disadvantages, and what is the relation between dealing with the past and peace-building.

In how many details the topic is discussed depends on the goal of the workshop, age and mental state of participants, duration of the workshop and on the skills and experience of workshop trainers. We can differentiate a) introductory workshops; b) advanced workshops; and c) personal and group dealing with the past. Instead of focusing on 'appropriateness', it is more useful to look at what is 'not appropriate', and that is a superficial exploring of a topic in a group which is ready to go much deeper, as well as exposing the group to demanding topics and processes when the group either does not have time for this or some individuals are not ready for that.

Next to workshops, there exists a whole series of other methods: lectures, presentations, public dis-

cussions and events, round tables, film screenings, public testimonies, etc. Workshops are specific because a lot of attention is paid to the processes that an individual, as well as a group, is going through, to gradual 'diving' into emotional and other depths, to relative control of the process, which means that trainers constantly need to build a 'safe space' for every person involved, and to certain seclusion and discretion of the process.

It is important to stress out here that we are organizing workshops which we consider to be, in a more general sense, peace-building, and not psychotherapeutic in nature. Although there are some shared characteristics, trainers need to be careful and conscious of the borders, as well as to have adequate experience in this emotionally demanding process. Workshops on dealing with the past do not have as their primary goal therapeutic work on participants' traumas and workshops with traumatized participants should be avoided. The more traumatized the participants are, the more qualified and experienced trainers should be.

Goals of workshops on dealing with the past are/can be: to inform about the concept of dealing with the past; to connect the work on dealing with the past with the needs of one's own community; to open difficult and taboo topics in one's community and find ways to discuss them in an appropriate manner; to spot the existence of different views on particularly tragic events and open space for their coexistence; to open a dialogue within one's community or with another community on difficult/controversial topics; to understand the principles of evil and committed crimes and to prevent possible future crimes; to build a society in which all, and particularly difficult topics, can be publicly discussed, without provoking violence and insulting those who do not think the same.

Preparations of workshops

Since workshops are here still a concept which is relatively unfamiliar to the general public, and the topic itself sounds not attractive enough for people to rush to the workshops, gathering participants is traditionally the most difficult task. As much as we perceive a certain community as 'burdened with war legacy', it does not necessarily see itself as such, and even if it does, for different reasons, a resistance rather than interest to participate in workshops will exist.

What is relatively easy to do and what we support is inclusion of dealing with the past into programs of trainings/workshops/seminars which also deal with other topics, such as empowerment of women, communication among war veterans' associations, community building, democracy and human rights, preparation for EU membership and other topics. If such a training takes place, for example, during two weekends, one session of 3.5 hours in duration (with

a break), which discusses dealing with the past, can be 'inserted' into the program. It is important that it aims at making participants interested into the topic, to empower them to work on the topic and to make them familiar with basic principles and benefits of the topic.

The group should never be burdened with problems that it cannot deal with itself, which would result in individuals, and the whole group, becoming additionally traumatized. There are a number of examples from Croatia, particularly from the Centre for Peace Studies or trainings of the Centre for Non-Violent Action in the region, when dealing with the past topics were equally included in days-long trainings in a very successful way. If participants are approached in an appropriate way, while respecting every personal view and opinion, and, at the same time, being careful not to twist facts which have been established by courts and not to allow the workshop to become a place of political manipulation, the interest of participants will grow and the healing effect of workshops will have a full impact. Workshop trainers need to have skills to be able to assess, during the preparation and holding of a workshop, what the participants are ready to discuss and why and to find ways to empower them. If during a days-long train-

ing on preparations for EU accession (a topic which is emotionally not very demanding) the topic of dealing with the past is included, then the connection with the main topic should be clear to everyone (for example, the EU was formed as a response to bloody wars and rivalries among European countries). That workshop should aim at opening the space for future work on the topic, i.e. at identifying individuals who wish to work further on this topic and to create an encouraging atmosphere for accepting the process of dealing with the past.

There are positive examples when certain age groups, for example the young aged between 20 and 26, from one or more countries, are invited to apply for a training on dealing with the past. The lowest age limit is important, although exceptions are possible, because participants need to be mature enough to work on this topic. In this text, we talk about working with adults and not with minors, with whom dealing with the past topics can also be discussed in a way appropriate to their age. Invitations for applying to dealing with the past trainings should be transparent in describing the topics and should ask for active participation of all participants and for their readiness to a process and group work.

Workshops programs

This text is intended for people who have knowledge about workshops and group work of an interactive type and with sharing of experiences. If your knowledge is scarce, be sure to include someone with more experience in preparation and implementation. Since these are difficult topics, we do not recommend you to start leading a demanding group process if you do not possess adequate skills, approach and experience.

Introductory workshops are the beginning for many who plan to actively engage in dealing with the past or peace-building. They need to be 'light' enough in order not to provoke in participants a resistance to tackling this topic, but also 'demanding' enough to give an impression of seriousness and healing potential. We received requests to hold introductory dealing with the past workshops for a group of the young who came from places where mass crimes had been committed. However, we did not manage to have an agreement with those who made the request, since they wanted the topic to be covered without going into too many details. This brings us to one of the key postulates of our work: working on dealing with the past is an extremely demanding process, because it mobilizes the participants' entire personality, their

experiences, attitudes and actions. It cannot be easy, because the topic itself is not easy. The art of mastering the topic lies in the relevance of the process, its quickness and depth, abilities of everyone in the group and constant empowering and encouraging the feeling of safety and support in the group. Workshops' programs should possess a balance between personal experiences and attitudes of participants and the overall frameworks and concepts of dealing with the past/transitional justice processes, the aim of which is to additionally encourage participants. They are encouraged by explaining to them that what we do here has been done by many others in post-conflict settings, that we use their experiences, learn from their mistakes and offer them our insights.

As attractive as the idea that our war was like no other war ever before may seem, it is empowering to know that there are positive experiences of people who went through similar things and that we are doing something that, next to personal, also has a universal value. Dealing with the past workshops, during which we expect from participants to dive into their own emotions, fears and traumas and to expose their own and to listen to others', possibly opposite, beliefs,

start by building a safe space. Every person should feel respected and we must build together an atmosphere and framework in which there are no insults, no humiliations and no ridicule. We take people out of their social roles with which they came to the workshop: a director of an institute for history, a mother of a killed war-veteran, a parent of a missing person, a voluntary army member, a disabled person, a peace activist, a returnee, a refugee, etc. Our aim is to reach every person, so that everyone speaks in their own name and not what 'their' side expects them to tell or what 'these people here' should be told, but to express a personal opinion, dilemma and feeling.

When we finish building that space, we start taking on the challenge of deeper exploration of dealing with the past topic. How deep into the topic we will go and how much time we will spend on it depends on the overall amount of time we have and on the dynamics of the group and its most vulnerable members. General idea is to: a) go deep enough for the participants to understand that the effort they put made sense; b) have enough time to go back, as a group, to 'normality', to express their feelings and to step out of the process. During one regional, five-day training at Jahorina, for a group of the young aged between 21 and 26, the group constantly kept resisting to admit that there are topics which burden them. We spent day after day being politically correct and avoiding discussions about potentially conflicting topics. The team leaders found themselves in a dilemma – should they try to discuss with the group a conflicting topic on the day before the last one or was it already too late to heal potential emotional wounds? We believed that without an experience of joint work on this difficult topic the group would not continue to work on the topic in the future, and that, in this way, we would not reach our goal and that denial of the existence of a problem would 'take over the victory'. In any case, we did not want to enter an emotionally demanding topic on the last day of our gathering, because then participants would leave the workshop traumatized and would not have a joint

experience necessary for working through a trauma. Having chosen the right method, an exercise in which there were no facilitators to give the floor to participants, but everyone spoke about anything they liked while sitting down on one of the three or four chairs put in a circle, we managed to reach the topic which had been burdening relations in the group: the problem of Kosovo's independence and its connection to Republika Srpska's status. In less than an hour, a number of participants gave their very emotional views on the topic and a real verbal battle ensued. As a result, the group finished the workshop prepared to continue their education, which followed. The message we learned was this: the work on dealing with the past through workshops needs to bring some results. These are not lectures in which communication goes only in one direction. Workshops on dealing with the past are group efforts of 'breaking through' difficult topics. The prize lies precisely in that – we have succeeded in discussing together (but also everyone for themselves) topics on which we disagree, on which we have strong emotional viewpoints, we have managed to face the existence of different views, we have heard each other out (feeling that we have kept our own opinion because nobody imposed on us their, different opinion) and have come stronger out of this experience.

It is also nice to have a guest in the program, especially if they talk about their own experience or their own work. For example, a guest lecture by one war veteran at the regional training on dealing with the past was very powerful. He completely surprised the participants, due to his look as an extreme radical. He spoke exclusively about the crimes committed by his own army and his own engagement in sanctioning these individuals, but also about the importance of this for all his co-fighters who did not commit any war crimes. Needless to say, this example of 'cleaning in one's own backyard' had an empowering effect on everyone, and especially on members of the opposite warring sides.

Workshop trainers

Workshops on dealing with the past are specific. The question that arises is who is capable of running them. The easiest answer is – a team that consists of several trainers. But we often do not have such a team. We are strong advocates of the idea that trainings on dealing with the past, which last for more than one day, should be organized by a team of at least three members. In that case, at the end of each day, participants can form small groups and spend

an hour with one of the trainers in an unstructured, safe environments. This is a space for processing the events from that day, for asking questions, telling personal stories, and for all that for which there was no time or opportunity in a larger group.

Although it is, at least to us, clear that demanding workshops and working on difficult topics about the recent past ask for experienced and skilled trainers,

in practice this is not so. It has been known to happen that dealing with the past is put at the same level with other topics such as human rights, gender and sex, civil society, and organizational development, so that people who work for one of the organizations working on transitional justice/dealing with the past are invited to talk about a specific topic. This is much better than having people, who only finished a training for trainers or received a certificate but are not actively involved in dealing with the past, lecture on the topic. We do not want to give dealing with the past a bad reputation, but would like to warn that (successful) workshops on dealing with the past deal with deeply rooted opinions (fears), unprocessed traumas, topics about which most people think they know a lot (such as understanding of the war, sequence of causes and consequences, the role of 'our' and 'their' side, etc.), and with a number of resistances. In order to do no harm, it is important that trainers know what they are getting themselves into and to what limit they want to go.

Dealing with the past topic is new enough, demanding enough and burdened with enough negative emotions, so that it does not need to be covered in a bad way. It is also not helpful to 'make' people to listen to 'the other side', warn them that 'they are wrong', point to what is good and what bad, or to politicise in

any way. (During the last few years, various gatherings tend to put equal blame on 'all sides' and to relativize crimes. Luckily, the time of denying crimes is behind us, as is the time of mixing causes and consequences, and imposing certain forms or understandings that we are all in the same or similar situation.) In order to run a quality dealing-with-the-past workshop, a trainer needs: to have work experience with different, demanding groups and to be familiar with group processes; to be well-informed about basic dealing-with-the-past concepts (origin, methods, retributive and restorative justice, different classifications of truth, psychology of victims and perpetrators, differences between responsibility and guilt, existing mechanisms for sanctioning the perpetrators, etc.); to be ready to clearly and promptly react to every (un)conscious attempt to twist facts (we differ from facts and interpretations/views. Facts are generally accepted and are not questionable and there are firm grounds for their existence, for example in court judgements, in their acceptance by different sides. Views are subjective and as such legitimate.); to have a clear system of values and motivation; to be lacking in stress caused by a personal trauma or some other motivation (such as political engagement); to have enough time, health and other resources.

Work with specific groups

We already said that, at the workshops, we want to make people leave their social roles. This is very important. For this reason, special attention should be paid to specificities in preparation of workshops, and especially in holding workshops with specific groups – groups in which all or most of the members share a joint, public identity, so that we consciously choose to work with them as representatives of that identity.

Workshops on dealing with the past differ in the type of their participants: there are workshops for civil society activists, war veterans, one or the other side in a conflict, the young, victims of war, journalists. But this difference is not the crucial one. We can have, with all these groups, the same goals, but achieve them with the use of different methods. Thus, for example, civil society activists will say out loud that

they are open for different views (which does not necessarily need to be the case in reality); war veterans will stress that they did not come to change their beliefs (which is why it will be needed to additionally respect that belief, while, in time, they might turn out to be more ready for changes than some other groups); with the young, special attention needs to be paid to the level of their emotional maturity and to whether their refusal is a sign of rebellion against authorities or disagreement with views of others; with disabled people we should be careful not to pity them or to look at them as people of lesser importance, etc. The conclusion is really simple: different identity groups have their specificities, which we need to respect, and we should approach different groups in different manners in order to achieve the same goals.

EDUCATION OF THE YOUTH GROUNDED IN EXPERIENCE-BASED LEARNING AS PART OF THE DEALING WITH THE PAST PROCESS

Emina Bužinkić

‘I wish them to contribute to the lives of a generation which will make the work of their parents truly unnecessary, because they will live in such a way that no corrections will be needed’

Paulo de Greif

One of the most important guarantees of dealing with the past process is the guarantee of non-repetition of a violent past, which included intolerance, inequality, human rights violations and war crimes. These guarantees are mostly connected to institutional and legal measures of protection and they are rarely discussed in wider, social and cultural frameworks, such as educational, cultural, economic and other policies and social practices, which could, in the long-term, prevent the violent past from repeating. As a particular form of social and political reparation, but also as a role in the lives of younger generations, education of the young about the past is undoubtedly a quality and long-term guarantee of non-repetition of violence and a step towards a more responsible society.

Except for history education, enriched with multiperspectivity and facts, detailed and descriptive textbooks, participative and engaging work methods and encouraging techniques of learning and understanding past events, learning about the past through experience, which is initiated by facing that very past, opens an important opportunity for

personal and collective understanding and healing. Learning through experience has proved to have an extensive educational role in encouraging reflection, understanding, learning and strengthening the young in questioning past events and strengthening their role in and feeling of responsibility for non-repetition of violence. It can be implemented in formal education through history teaching and learning about human rights, but also in various informal forms of learning which stimulate articulation and exchange of experiences.

In the focus of quality learning about the past are facts and understanding of narratives about the war, but also personal and social memories about historical periods and their relation to them, as well as transfer of those experiences and memories to new generations. Such multi-perspective learning about the past, enriched with personal memories and multi-layered narratives, offers an opportunity to deal with the past on personal and social level, as well as an opportunity to younger generations to face the past with full respect to their relation to and experience about the past.

Three main questions constitute the framework of this text:

- Why is dealing with the past important for younger generations?
- How can education help in dealing with the past?
- What is the role of learning through experience in dealing with the past process?

Why is dealing with the past important for younger generations?

The young in Croatia and other countries of former Yugoslavia carry a heavy burden of war legacy and have difficulties in understanding past events from the wars, which is why they are often said to have inherited a trauma. The surrounding we grow up in offers selective and often biased narratives about the

past, which are produced within families, educational systems and the media. We live in areas where pictures of suspects or indicted war criminals are displayed and turned into heroic images, as a reminder of what had happened. Do we really know what hap-

pened and where our path of searching for the truth, facts and experiences of others begins? Where do we create spaces for our own interpretation of the past and how do we resist widely accepted views?

Dealing with the past offers a kind of exit strategy for younger generations. It recognizes the space of questioning one's own feelings, memories and experiences, of inquiring into and listening to the others, understanding different views, and stressing the necessity of achieving justice. Numerous young people today want

to initiate and actively participate in dealing with the past, they want to know the truth and learn about the facts, to ensure for themselves and future generations a safe future. This safe future rests on a responsible approach we take today. The young are not responsible for past events, but bear the responsibility for the manner in which they are going to talk about historic events and for the ways in which they are going to build the future and a safe environment.

The young do not have a responsibility for war-related suffering, which hundreds of thousands of people experienced during the 1990s in post-Yugoslav countries and we need an open discussion about the real and true motives of the young to take on them, to choose the responsibility for dealing with the past, for which they do not bear responsibility.

Marina Škrabalo, Centre for Peace Studies, Croatia,
National consultations with the young,
Zagreb, Croatia, July 20, 2007¹⁸

Consequences of conflicts and injustices committed during wars in the recent past can be seen and felt in our youth, in our lives and in the society we live in. Today's problems, which worry us all, such as violence in the society and among the young, corruption, unemployment of the young and other citizens, all have roots in the recent past which we, the young, did not want, did not support and did not influence its development. For this reason, there should be great interest among the young for this area.

Dealing with the past as doors to building a different future is a process not only meant for younger generations, but a process also asking for their inclusion, presence and participation which reflect responsibility towards both the present and the future. Responsibility for understanding, making changes and influence. When talking about the responsibility of the young, I find important at least these three levels of responsibility.

1

Primary responsibility lies in deciding how we will live and build our societies. Central are decisions which will be made for present and future generations, communities and states, while building prevention mechanisms as a guarantee for non-repetition of armed conflicts and violence. Here lies a chance for creating conditions for citizens' participation, democracy and a system of respect of human rights and liberties, as well as for a quality, multidisciplinary and multi-perspective learning about the past.

I think that, after ten years, and this isn't much, victims are forgotten by the public and are only mentioned during certain ceremonies. In the entire region, some 16000 persons are considered to be missing, and still nothing is known about their destinies. Our duty as citizens is to do much more for them, since the government, which is directly responsible, has not done anything to uncover their destinies. This is why we are obliged to push things forward and make our contribution, give our support and warn the government and public of the need for dealing with the past.

Vjosa Rexhepi, Youth initiative for human rights Kosovo,
National consultations with the young,
Prishtina, Kosovo, September 30, 2009

¹⁸ Quotes from participants of consultations on forming of RECOM, published in "The young and the past – why should I be interested in this?"

2

The second level of responsibility paints the relation to historical facts and narratives. The young are expected to understand historical events and numerous narratives. They are expected to convey stories and experiences of their grandparents in the right way.

When they reach the age of 15 or 16, they already have perfectly developed and learned ideology of others. We have people who, based on some information or something a member of their family had said or what they had seen in the street, create certain opinions.

*Ivana Kešić, Civitas, BiH, National consultations with the young,
Sarajevo, Bosnia and Herzegovina, June 27, 2007*

3

The third type of responsibilities that the young need to build is an attitude to difficult consequences of wars and war crimes which have often been committed in their name.

This ideology can be seen in denial of crimes, in celebrating crimes, in the fact that there is no justice, that we do not know the truth and everything that is reality for us today. I see our responsibility in that we, by not acknowledging all those things which exist today, actually prolong our crimes, we stand behind them. With everything we do or do not do today, we can actually create fertile ground for the repetition of crimes. This is why I believe every one of us should see this responsibility.

*Maja Stojanović, Youth initiative for human rights Serbia,
Regional consultations with the young,
Belgrade, Serbia, October 21, 2007*

The young generations are mostly perceived as generators of change, especially regarding a more just society. The society has high expectations from the young. An important question is what the society of-

fers younger generations? Is it creating conditions for their prosperity and does it give them enough motivation for questioning their own heritage?

How can education foster the process of dealing with the past by strengthening the young?

Quality education can foster an empowering process of dealing with the past. Formal and informal learning plays an important socialization role in the lives of most of the young and gives meaning to things, events and processes which surround us. Education of any kind provides us with public space for the development of the culture of memory, discussions and exchange of experiences, deconstruction of historical narratives and learning of facts. It enriches the perception of the past from below (Schimpf-Herken, 2004). Schools as public spaces should enable and encourage memory and critical thinking about the past. Teachers as representatives of different seg-

ments of a society should encourage an open discussion and exchange of experiences. Dialogical pedagogy and participative methods of learning through experiences, but also project-oriented education, enable students to express their fears and traumas more easily (Schimpf-Herken, 2004).

Except for education in schools, the quality of which should be reflected in transfer of facts and multi-layered narratives, in participative methods of work and nurturing of the culture of memory, what also proved efficient in practice is development of civic and official political educational programs, which emphasize

the development of critical attitudes and reflections, experiences, skills and competencies, and which are regularly left out of traditional approaches to education and teaching methods. Linking history education with civic/political education opens up the work on education about human rights, civic participation and interculturalism, political literacy and participation, as well as peace-building and non-violence.¹⁹ Dealing with the past is present in all of the mentioned aspects.

Due to its sensitive character, education which fosters dealing with the past asks for support within the exist-

ing educational framework, as well as for innovation, creative approaches to learning which opens new and different perspectives. It recognizes the importance of examining feelings and attitudes, memories and experiences of others, understanding of different expectations and scenarios of future development, justness and security. Often the space for this kind of learning was not possible in Croatian schools and similar examples of learning and education were mostly developed in the form of informal educational programs.

Marko Smokvina: How to teach about the past in schools?

When talking about educating the young on dealing with the past in the framework of formal education, we are actually talking about an absence of education of the young on dealing with the past. This does not only include the problem of not dealing with "sensitive" and controversial issues from the recent past, but also the problem of absence of dealing with other issues as well, such as the issue of national minorities and of the notion of the Other and different. What is also a big problem is the fact that teachers and professors are not informed about the process of dealing with the past, that they insist on conservative and old-fashioned historiographical methods and are sceptical towards the method of multiperspectivity, which is why they lack capacities to transfer knowledge and skills needed for the development of critical thinking and independent questioning of the past.

A holistic approach should include curricula of more courses in order to get more information and an overall picture about some event. School curricula should also include teaching about heritage, history, culture and customs of national minorities. Teaching about a national history, during any period, is impossible without a regional and European context. Except for teaching about Croatia's inclusion into regional, European and world events, it is also necessary to teach about the history and culture of neighbouring nations.

In teaching about the past, it is important to avoid teaching and using one "historical truth" and a narrative which is promoted by the state and official politics, and to provide students, with the use of multiperspectivity method, with the notion of different views ("truths") and different interpretations of the same events. Analyses of texts from different textbooks which speak about events from a distant and more recent past (which happened in one state, but also in different states), showing video recordings of personal memories of wars, watching and comparing documentaries from Croatian and foreign production and discussion about the watched materials can help develop critical thinking, forming an independent view about the world today and in the past, and can help raise awareness about how the past is written and constructed by different interpretations and experiences of the same event.

Field work and visits to sites of memory or monuments and discussion on what they represent, why they look like the way they do, what kind of message they send (and what kind of message in case they are destroyed or damaged) can provide the students with a broader view of the past and its construction and can develop critical thinking. For this activity no filed work is needed (although it is desirable), but a visit to monuments in one's own town or neighbourhood can be enough. A similar activity is also making of a list and discussion about a town's graffiti which, in their contents and iconography, speak about the recent past. Similar activities can also be used to mark globally important dates, such as the International day of Holocaust remembrance or the Day of victory over fascism.

¹⁹ Council of Europe promotes education for democratic citizenry and human rights, based on the four mentioned components.

Documenta published in 2005 a **supplement to recent history textbooks** (*One History, More Pasts*), in order to contribute to a public dialogue about important issues of presenting and teaching recent war events and to point to all the difficulties in writing history down as an overview of all past events in history and historiography.

Learning about the past based on the exchange of experiences among the youth

Questioning one's own relations and feelings and exchange of experiences, accompanied with a need for a secure life and a good perspective for personal and social development, is one of the basic and most important approaches to work with the young on the process of dealing with the legacy of wars. Legacy has an important role in our lives and our upbringing, more than we usually think, so the fact that experience-based learning is often not used as a pedagogical measure in formal education is not legitimate. However, experience-based learning has been one of the most often used methods in informal educational programs on dealing with the past, peace building and non-violence, in the past twenty years. The method is being used by civil society organizations, youth organizations, educators, trainers and numerous experts. It is mostly used in non-institutional circles which nurture a free approach to education, but in which educational programs' participants often feel greater security and trust.

Such education based on an exchange of experiences is often grounded in a strong value system which encourages individuals to undergo personal reflection and

pondering into one's own being, experiences and possibilities. Richness of experience-based learning, in the work with the youth on dealing with violent past, encompasses: personal questioning and reflection, sharing and exchanging significant and difficult experiences, analysing and revealing individual and group experiences, encouraging compassion, taking on responsibility and strengthening individuals and groups.

In numerous programs of education and encouragement, which we have organized with the young during the past twenty years, we have started with understanding the reasons why the young should care about past events and have faced them with consequences of trauma and uncertainties they live with today. During the initial phase of opening up these issues, most of the participants do not find this topic important and needed, and also declare themselves as having a good knowledge about the past. A smaller part is ready already during the initial phase of education to share different views and experiences, which are often followed by unease and suffering.

Participant²⁰: *My Dad was a soldier. I never asked him what he was doing in the war, and he never speaks about that. But I would like to know. I am glad I have said this in front of everyone. I think we all need this.*

The education continues with an overview of important events, facts and existing narratives about the war/s and specific events in social-political (and economic) context. This is when most participants face their scarce knowledge which creates in them a feeling of confusion, surprise and even anger. This is when they start to understand manipulation and deconstruction of the 'truth'.

Furthermore, their deeper understanding is enriched with direct statements about personal experiences and memo-

ries of the war and political violence through guest lectures of victims or watching documentaries. These are civilian victims of war, persons who have suffered losses of family members or have lost their homes. During this phase of education, questioning and reflections about what has been presented and one's own position towards that are provoked. They ask themselves: What should we do about this now? This question is often followed by confusing emotions: sadness, compassion, frustration, motivation, ideas.

²⁰ Workshops on dealing with the past were held at Human Rights School of the Centre for Peace Studies (www.cms.hr). The schools were held in Croatia for ten years, and are part of a wider project Education for human rights and active citizenry, which is being implemented in the countries of former Yugoslavia.

Participant: I was mostly shaken by personal stories, memories which have been transferred. This really gives the war one completely different dimension.

Participant: If you know more, you are more aware. The more you listen to certain stories, the more hurt you feel. Today I have realized how manipulated people were. The war didn't just start one day, something lead to it starting. Every conflict starts with violation of some human right, such as prohibition to use the Cyrillic script. War memories are heavy, but I am very grateful for having listened to them. Now I want to do something, I want to participate in some initiatives, I need to change something.

During the last phase of education, participants think about and plan approaches to work on dealing with the past and peace-building in their own families, schools, organizations and wider communities. They tend to promote the principles of general good and social usefulness, establishing of facts, the right to

truth and justice... They emphasize that they deserve quality and complete education, the guarantee to non-repetition of crimes and a happy future, life without discrimination and prejudice. They promote reconciliation and living together.

Participant: The truth is important in the present, so that we can have a future. We can influence our present and future. We do not deserve a corrupted image of the past. It does not give us a chance for development. We need to stop celebrating war criminals as heroes. We need to fight nationalism and borders between nations. We do not want new political manipulations. I want to live in a society without prejudice, discrimination, hatred and violence.

The last phase of education is usually the one after which participants start to act independently. Part of them gets engaged in the existing civic groups, initiatives, student associations, researches, school projects, international projects. They continue their education and gaining of particular skills, they seek

security and support for concrete actions. Educations we organize last between a half and several days and their frames consist of questions which we are presenting next through the examples of workshops and discussions.

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REMEMBERING VICTIMS AND COMMEMORATIVE PRACTICES

(UN)CULTURE OF REMEMBRANCE: THE ROLE OF MEMORIALS AND COMMEMORATIVE PRACTICES IN POST-CONFLICT SOCIAL RECOVERY

Tamara Banjeglav

In each post-conflict society which comes into existence and develops after traumatic events, such as wars and other forms of physical violence, there are attempts to suppress the memory of those events in order to “move on” and to “leave the past behind us”. However, memory is instinctive and cannot be suppressed just like that. It will, inevitably, occur,

come to the surface in one form or another. For this reason, in an attempt to master the violent past, we are often faced with a challenge how to best use our memory with the aim of learning from past events so that they would never be repeated again.

As historian James Young argues, “memory is never shaped in a vacuum; the motives of memory are never pure”²¹. The reasons why we remember and erect memorials²² as well as the type of memory they necessarily generate, are different and so are the sites at which memorials are being erected. At these sites, we remember the past in accordance with different national myths, ideologies and political needs. From the perspective of the state, public memorials and monuments are very often, in words of Benedict Anderson, connected to nation-building and defining of an “imagined community”²³.

Memorials can play a very important function in building national identity and reinforcing that identity which a given community has chosen. What that community, through memorials, remembers may not necessarily be what had actually happened, but what the governing (post-conflict) elites consider to be politically convenient at a given moment. The goal of the state, for that reason, may not be to commemorate victims and to contribute to the public dialogue about the past, but to reinforce and secure, in a public space, certain identities which usually range from victim identity to the identity of a hero and a winner. French historian Pierre Nora warned that “the less memory is experienced from the inside the more it exists only through its exterior scaffolding and outward signs”.²⁴

By building memorials and monuments we, in a way, shift the burden of memory on them and encourage them to remember instead of us, while we ourselves become more and more forgetful.

However, the relationship between those who build memorials and memorials themselves is not a one-way or a simple relationship, because memorials, after they are erected, live their own lives. Depending on the context within which one pays a visit to a memorial, it can be filled with new meanings in a new time and under new social conditions. Goals and purposes of building a memorial are various. From the perspective of a civil society, the aim of which is to deal with violent events from the past, the purpose of a memorial is in acknowledging of suffering of victims in a public space and in initiating a public dialogue within a society about what happened in the

past, why it happened and what we can do in order for this events never to occur again. Such a dialogue, if lead in the right way, can contribute to granting victims of violence their rights to acknowledging their suffering, as well as to peace-building and democratization processes. However, attempts to erect memorials can also present a danger for post-conflict peace-building, because memorials erected without public discussion and without engaging certain actors (victims’ associations, their families and civil society as a whole) often commemorate only certain victims, while others are (intentionally) forgotten. In this way, they acknowledge and accept only the suffering of (most often) that group which constitutes a majority in a given community, which deepens the already existing divisions and prolongs tensions and mistrust between different groups.

What should, therefore, successful memorialization look like and can it influence the process of remembering at all, as well as faster and easier dealing with (unwanted) past? Memorialization is an umbrella term which denotes a wide spectre of processes the aim of which is commemorating and remembering. Memorialization satisfies societies’ need to pay respects to those who suffered or died during a conflict, but it also becomes a tool for re-examining and re-evaluating the past. Through the process of memorialization, the past can be interpreted in such a way as to satisfy certain political and social needs, as for example to establish certain actors as heroes or victims and to build a national identity based exactly on the role of a nation as a victim or winner in a war.

For this reason, memorialization is a field which has a potential of becoming a political battle field on which different narratives about the past clash. This not only makes it more difficult to overcome divisions within a society, but they also become stronger, and differences between different groups and actors are stressed out even more. Unfortunately, memorialization has still not been recognized as a significant transitional justice mechanism, which is the reason why national and international actors involved in transitional justice processes often miss a chance to include memorialization in their initiatives.²⁵

²¹ James Young. 1993. *The Texture of Memory: Holocaust Memorials and Meaning*, New Haven and London: Yale University Press

²² The difference between memorials and monuments is understood in line with James Young’s definition, who stresses out that monuments relate to material objects, sculptures and installations, which serve as a reminder of a person or a thing. Memorial, on the other hand, can be a memorial day, conference or space, but does not need to be a monument, while monument is always some sort of a memorial. (ibid.)

²³ Benedict Anderson. 1983. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*; Verso, London

²⁴ Pierre Nora. 1989. “Between Memory and History: *Les Lieux de Memoire*”, *Representations* 26, The Regents of the University of California, Spring, p. 13

²⁵ Barsalou, Judy and Baxter, Victoria. 2007. “The Urge to Remember. The Role of Memorials in Social Reconstruction and Transitional Justice”. *Stabilization and Reconstruction Series*, No.5, January, Washington: United States Institute of Peace

For this reason, avoidance of dealing with memorialization, as one of the ways in which a society can deal with the past, but also as a negative factor which can slow down such a process, leads to more difficult peace-building and a stall in implementing other transitional justice mechanisms. Successful memorialization uses the knowledge and experience of experts from many different fields, such as transitional justice, history, sociology, museology, anthropology, pedagogy, art history, human rights. They, however, often do not cooperate with each other, although their knowledge and skills, in the area of memorialization, are complementary.

As one of transitional justice mechanisms, memorials can speak of the past legacy and publicly recognize the suffering of individual or groups of victims and survivors. They can also reveal and make publicly visible names and stories of victims, which often remain forgotten and silenced. Memorials and

monuments also have a potential to force societies to, through a process of consulting and deciding on their form and erection, face and critically examine what happened in the past, as well as the reasons behind these events. Monuments are usually erected at sites where crimes happened or at sites where mass graves have been found, and, in this way, turn these places into sites of remembrance of what happened and sites of memory of victims of these crimes. For these reasons, it can be said that memorialization process has a double role and function: on one hand, it enables us, through commemorations, to face the past and pay our respects to victims and to articulate narratives on their suffering. On the other hand, it enables us to think about the future and to ascribe to memorials an educational function which would help future generations to develop and accept a culture of tolerance and respect for human rights, which meets one of the prerequisites for non-repetition of crimes.

WHY IS IT IMPORTANT TO PUBLICLY REMEMBER VICTIMS/PUBLIC REMEMBRANCE OF VICTIMS?

Memorials and monuments erected in the memory of victims of war are important not only in order to keep the memory of those who are no longer present, but also to offer their family members some kind of acknowledgement and symbolic reparation for their suffering. However, laws and legal practices often make it impossible for societies to remember all victims, and public remembrance of certain victims is often not desirable by those who believe that their victim and their suffering was bigger and more important than the suffering of others. For this reason, monuments and memorials erected after a war often produce a dominant, hegemonic narrative about the war, while other narratives are expelled from public space and from the sphere of remembrance, which makes it impossible to take into account the entire picture of war-related suffering and victims.

In the Republic of Croatia, erecting monuments in the memory of civilians and soldiers who died during the 'Homeland War' is regulated in the Act on marking the sites of mass graves of the Homeland War victims²⁶. According to this law, which was adopted back in 1996, victims of the Homeland war are defined as "Croatian defenders and civilians who died in mass executions during the Serbian-Montenegrin chetnik aggression and aggression of the Yugoslav National Army on the Republic of Croatia".

This definition, which stands in one of Croatian laws, shows why marking of memory of the Homeland War victims in Croatia is problematic and limited. If only soldiers and civilians who died during "the Serbian-Montenegrin chetnik aggression and aggression of the Yugoslav National Army on the Republic of Croatia" are considered to be victims, then not only victims who were killed by Croatian army forces are not considered to be victims at all, but, under the same logic, they also do not hold a right for their suffering to be marked and commemorated in public space. Monuments to victims of Serbian nationality are erected exclusively at the initiate of associations of citizens, local governments and victims families. Rare monuments erected in the memory of Serbian civilians who died during the war in Croatia are regularly surrounded with tensions and controversies around their setting up, which often result in their removal. One of the examples of such controversies is the monument which residents of the village Golubić near Knin tried to erect in the memory of Serbian citizens (inhabitants of the village) who died in the period 1991 to 1995. The monument and memorial plaque in the memory of the dead were set up in front of the local Orthodox church of St. Stephen in Golubić, and the memorial plaque bore the names of 34 villagers of Serbian nationality the majority of which died in 1995 during operation

²⁶ Odluka o proglašenju Zakona o obilježavanju mjesta masovnih grobnica žrtava iz Domovinskog rata [Decision on adopting the Law on marking the sites of mass graves from the Homeland War], Narodne novine [The Official Gazette], no. 100/96 at http://narodne-novine.nn.hr/clanci/sluzbeni/1996_11_100_1963.html

'Storm', but there were also several names of those who died in 1991 and 1992. The memorial plaque provoked different reactions and a heated public debate, as well as revolt of war veterans, around the question on whether the plaque also bore names of the Republic of Serbian Krajina army members, who died while fighting in the war, or only the names of civilian victims.

A decision issued by the then interior minister Tomislav Karamarko banned holding of the commemoration and revealing the monument to Serbian citizens, due to the risk that the commemoration would upset the citizens and disrupt public peace and quiet. Besides this, the state inspection office of the Environment Protection, Physical Planning and Construction Ministry established that the space in which the monument was built was state-owned and that no permission and agreement for its erection were issued.²⁷ In November 2011, the plaque on the monument was changed, so that names of the controversial Serbian citizens were removed. The new plaque read, in Cyrillic letters, that the monument was being erected in the memory of all residents of the Golubić village who died in wars, without mentioning in which wars or when they died, which now makes this plaque 'acceptable'.²⁸

Unwillingness of a large part of the Croatian public and government to also mark the memory of Serbian victims who were killed or died during operation 'Storm' can also be seen at the example of unsuccessful erection of a memorial plaque to refugees from Knin and the surrounding area, who had to leave their homes on the eve of operation 'Storm'. Non-governmental organization Youth initiative for human rights from Zagreb attempted to erect a memorial plaque to operation 'Storm' victims who had to leave their homes, on the occasion of the 15th anniversary of the operation, in August 2010. However, the memorial plaque was removed in less than 24 hours from the place where it was put up, on request of the city of Knin authorities, because no permission had been issued for its putting up.

The above-mentioned examples clearly show how memory of (certain) victims in Croatia is still problematic and point to which victims can and which still cannot be remembered in Croatia. Since acknowledging the suffering in public space of all victims of war still does not constitute an official part of commemorative practices and memorialization initiatives, distrust among different groups has still not been overcome.

Considering the fact that memory of a war necessarily produces different narratives about what happened, since every memory is unique and individual (although under various outside influences), a space needs to be created in which these different narratives will be able to co-exist without bringing into question and without diminishing anyone's suffering and tragedy. Successful memorialization should, for this reason, find a way in which memorials would, in a symbolic way, at the same time speak out to different groups of victims, survivors and their family members, but also convey a message of peace and tolerance to younger generations which will remember these events indirectly through the erected memorials and commemorative practices. What is particularly important, even more important than the physical memorial itself, is the *process* of making decisions and holding consultations of different social groups on what a memorial should look like, in what place it should be put up and in memory of which events or persons it is being erected. This process remains important even after a memorial is built, because people who have experienced the war themselves are encouraged to, through this process, investigate problematic events from the past, to learn and critically think about the past and this is, in the end, more important and useful for reconstruction of a society than the physical memorial itself.



²⁷ "Karamarko zabranio otkrivanje spomenika srpskim žrtvama u Golubiću" [Karamarko bans opening of the monument to Serbian victims in Golubić], *Slobodna Dalmacija*, October 1, 2011

²⁸ "Branitelji: Spomenik u Golubiću se i dalje gradi" [War veterans: Monument in Golubić is still under construction], November 6, 2011, at www.tportal.hr

STARTING DIFFERENT INITIATIVES RELATED TO THE MEMORY OF VICTIMS, EVENTS AND SITES OF SUFFERING

During the 1990s in Croatia, one of the most important initiative related to memory in public space was the initiative for bringing back the name of the Victims of Fascism Square, which was renamed, in December 1990, into Square of the Croatian Great Men. The renaming resulted in fierce demonstrations and public debates. After the governing party's decision to abolish public memory of victims of the fascist regime, a committee for bringing back the name of the Victims of Fascism Square was formed. The committee organized, every year on the symbolic date May 9 or the Day of victory over fascism, public demonstrations and commemoration for victims of the fascist regime at the square, at which more and more people gathered year after year. Demonstrations and commemoration were held for 10 years in a row, until the square was given back its name, but this happened no sooner than December 2000 after HDZ party lost the elections and a new government was formed.

Some of the initiatives which were started with the aim of public memory of people who died or were killed during the 1990s war are the initiatives for naming public spaces after the Zec family, Josip Reihl-Kir and Milan Levar. The initiative for naming a park after the Zec family was started by the Youth Initiative for Human Rights from Zagreb. The initiative was submitted on the occasion of the 20th anniversary of the war crime, i.e.

murder of this family from Zagreb of Serbian nationality. Organizations *Documenta* – Centre for Dealing with the Past, Civic Committee for Human Rights and Centre for Peace Studies submitted the initiative for naming streets after Josip Reihl-Kir and Milan Levar. Just like in the case of the Zec family, murder cases of Josip Reihl-Kir and Milan Levar have not received its court epilogue and have acquired a strong symbolic meaning in dealing with the past processes. Except for paying respects to these people through naming of streets after them, these initiatives would also promote the values of truth, justice and peace in public consciousness of a city.

One of the initiatives for marking one of the forgotten sites of memory is Virtual Museum Dotrščina²⁹, the idea for which was developed by Saša Šimpraga and the initiative realized as part of *Documenta's* culture of memory program. Dotrščina is today Zagreb's biggest city park, but also the site of most massive crime committed in the modern history of Zagreb. In this place, during the Second World War, the ustashe authorities shot several thousands of Zagreb's residents, opponents of the fascist regime. Today, many of Zagreb's residents do not even know where memorial-park Dotrščina is, and those who do know and visit this park, are not familiar with the facts about what had actually happened here.

For this reason, the main goal of the Virtual Museum Dotrščina is to bring back this place onto the mental map of the city's collective memory. In its essence, the virtual museum is a web site which offers information about this place, its history and history of the city in which it is located. Other aims of the museum also include research activities, i.e. starting additional scientific research not only about this place, but also about similar sites of memory and forgetting in Zagreb and its surrounding area. Additional goal of this initiative is also affirmation of the antifascist past of the city of Zagreb. In that sense, the development of memory culture is supported so that it does not come down only to commemorative events, but that it also become a live and interactive memory.

These initiatives show how important public memory of victims, event and persons from the past really is, because the manner in which we publicly remember the past (through the erected monuments, memorials, renaming of streets and other public spaces) is a reflection of an image of the past that a society is ready to support and marks the values and ideologies which it is ready to adopt.



²⁹ www.dotrscina.hr

STUDY VISITS TO SITES OF MEMORY

Visits to sites of memory are also one of the ways how to learn about past events, one's own home-town and local commemorative events. During visits to sites of memory, it is important to learn about historical facts about the events that happened in these places, which is why these visits usually include engaging experts (historians, museologists, anthropologists, sociologists..) who could offer participants, in an educational manner, general information on the visited sites. It is also important, if possible, to include in these visits persons who have either survived or witnessed the events in the places which are visited and to learn from their first hand experience about what had happened.

As part of its work, Documenta has organized a series of study visits to sites of memory. The visited places in Croatia related to the Second World War included, among others, ustashas death camp Jadovno; Italian fascist camp Kapor; Danica near Koprivnica – the first camp opened in the Independent State of Croatia (NDH); Tezno near Maribor – the site where mostly members of the NDH army, together with Serbian and Montenegrin chetniks were killed in the second half of May, 1945; and other similar sites in Croatia and the

neighbouring countries. The series of regional study visits included visits to such sites as concentration camp Jasenovac and Donja Gradina memorial, which is part of the Jasenovac complex; memorial complex Mrakovica on Kozara in Bosnia and Herzegovina; Syrmian front in Serbia, as well as forgotten sites of memory in Sarajevo, Jajce, Belgrade, Split and Mostar. In the future, we plan to widen the scope of these study visits to include sites related to the 1990s wars in former Yugoslavia. In this way, by including younger generations in these study visits, we try to educate the young about events from the 1990s wars, considering the fact that they, as part of their regular school curricula, still do not have a chance to learn in more details about important events from Croatia's recent past. Learning about the past, through these study visits, is particularly important and stimulating for younger generations. For this reason, elementary and high-school students should be brought to such places as part of their school curricula, which would not only give them a chance to learn about the past of the places where they live, but also to educate them about the culture of memory and such values as justice, tolerance and freedom.

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DOCUMENTING THE WORK ON DEALING WITH THE PAST

Why the documenting approach?

Živana Hedbeli

I went to Jasenovac this spring. I talked to my fellow travellers, mostly older than 80, victims or family members of victims. Their main question, almost seven decades since the suffering, is: why?

“Why have my relatives, all tall and strong men, been killed?” “Why grandchildren of my relative, who was killed in Jasenovac, never came to Jasenovac?”

A part of the answer to their question “why?” also answers the question “why the documenting approach?” Why even seven decades after the killings, although World War II, Independent State of Croatia, camps and victims have been written and are still written

about, people cannot comprehend Jasenovac? “Why” is one of the basic questions which the human race asks. The answers are, depending on temporal and spatial coordinates, various. More or less successful, never all-encompassing. I do not fool myself that this text will, in that respect, be any different. My wish, as an information expert and an archivist, is to give one of the possible answers to why, why document?

On December 10, 1948, little over three years after WWII had ended, the U.N. General Assembly adopted and declared the General Declaration on Human Rights. Building of a world in which human beings would enjoy freedom of speech and belief and would not live in fear and poverty, was declared the greatest aspiration of all people. I find the General Declaration my own inheritance as well. I know that all human beings are born free and equal in dignity and rights, gifted with reason and awareness that they should treat each other in the spirit of brotherhood.

The rights which we all have, and which are important to stress in this handbook, are freedom of thinking and expression; the right to education; the right to free participation in cultural life of one's own community, to enjoy the arts, to contribute to scientific development and to use its advantages. In order to realize the mentioned rights, in order to have the ability to think and make judgements about the world around us, we need information. Information can be largely found in documents. According to the Croatian encyclopedia dictionary, a document is an official paper which can be used as evidence or information; to document means to contribute to filing evidence, to support with evidence; documentation means a collection of documents, supporting a claim with evidence, to prove something with written testimonies, to prove something with evidence.

Wikipedia says: “A document contains information. It often refers to a real written or recorded product and is meant for communication or storing of a data collection. Documents are often in the focus and interest of administration. The word is also used as a verb ‘to document’ to describe a process of creating a document. An expression ‘document’ can be applied to any description of an intent, but is most often used for a physical thing, as one of more printed pieces of paper or for a ‘virtual’ document in an electronic (digital) form.”

Work of every organization (government or non-government) creates documents, whether printed or virtual, which document the organization itself and the filed of its work. We live on the territory on which new states were established in 1918, 1941, 1945 and 1990, which attempted to distance themselves from their predecessors and start *ab ovo*. With changes of state administrations, most of the documents created during the existence of ‘old’ state administrations had no practical value for the ‘new’ administrations and did not receive any attention, but were regarded as surplus which should be destroyed or, in best case, deposited in some kind of basement.

The situation is somewhat ambivalent, because, at the same time, with more or less care for real documents (Hedbeli, 2005), exists a frantic interest in the (glorious) past. Kathrin Meier-Rust writes about national myths *made in Europe*: “200 historians from 30 European countries worked for five years on comparing national history writing in European countries. This research results are so degrading that the historians recommended that national history writing should be abandoned altogether. In the 20th century, national history created the very foundation all fascist and authoritarian regimes. And whenever expulsions and genocide needed to be legitimized, whenever a question of borders arose – historians were there to do the dirty work.” Sociologist and activist Srđan Dvornik emphasizes: “... repressed memory of severe ethno-political violence during World War II and in post-war times gave strength to ethno-national grouping in Socialist-Federal Republic of Yugoslavia and during its dissolution. Due to the regime suppression, there was no working through the memory in the form of a discussion, historical analysis and rational mastering of it, so that the memory was left to myths and legends on collective suffering, which endangered the entire ethno-national communities”.

Redesigning of the past is not an exclusivity of us who live here and now. Vaclav Havel describes the work of Czechoslovakia's first president Masaryk. In 1817, in Czechoslovakia, alleged medieval manuscripts of patriotic epic poems were discovered, which should have testified to the national culture's ancient roots, the richness of its past and the strength of its myth-making. Masaryk collected evidence showing that these manuscripts, although excellently written and inspired with best intentions, were a forgery. A ‘battle for manuscripts’ ensued, which is an extremely important period in the history of the Czech Republic. A minority, which insisted on the fact that the manuscripts were a forgery, was accused by the majority as traitors of the nation and blamed for destabilizing national self-esteem and endangering the attempts at self-liberation, since it questioned

the most precious relics of the Czech people. To reject authenticity of the manuscripts meant taking great personal risk and losing complete trust with the patriotic public. Masaryk did not retreat and did not succumb to the tempt appeasing the public. The danger of losing a good reputation, respectability and popularity did not scare him, and he kept to his beliefs.

For him, it was unacceptable, and a matter of principles, to ground the awareness of a national identity or the fight for legitimate rights of his people on lies and deceit. The truth was, for him, the only right and sustainable ground for the existence of his nation. Masaryk's unrelenting support of the truth, regardless of the cost, bore fruits in the end. All traces of Masaryk's existence could have been hidden and he could have been forgotten just because he swam against the tide. However, Masaryk's behaviour showed that the real devotion to the truth meant imperturbability, regardless of the results, regardless of whether it would result in general respectability or disapproval, regardless of whether a fight for the truth lead to success or to complete condemnation and obscurity.

In what way does revision of the past affect us? For the beginning, we live in fear. Philosopher Lars fra. H. Svendsen believes: "Fear has become a feeling which directs the public, and more and more sociologists claim that today's society could be best described as 'the culture of fear'. Fear has become a culturally conditioned magnifying glass through which we look at the world... A confident man lives in a reliable world, while an insecure man lives in a world which can, at any moment, turn against him, in which the ground beneath his feet can be lost at any moment. Fear is a particularly important political asset for public government, political parties and interest organizations. In times when old ideologies no longer have such strong motivation force, fear becomes one of the most important means in political discourse".

We fight the fear by facing it, for which facts are needed. Facts should be recorded, in order to be used, remembered and checked. In principle, legal and physical entities do not create records which can incriminate them. A murderer does not leave his/her written admission lying next to the victim. Members of various military formations, who killed civilians and members of other armies during different wars and conflicts, without being prosecuted, did not do this while, at the same time, dictating for the record who they had killed (date, and place of birth, address...), when, where and why, and then signed the record in the presence of a witness. Even today, 67 years after WWII had ended, on the territory of former Yugoslavia, we still do not know where pits

with victims are located and who exactly the victims are. I believe that even children in elementary school know about lobbying, agreements 'under the table', corruption, fixing tenders, etc., when things are being settled in advance and adoption, for example, of a law in the parliament or choosing the highest bidder is just a formality.

We live on the territory where almost every generation has an impression that the world has started with it, where Weber's ideal of governance is something that needs to be achieved over and over again, and where reckless behaviour towards office administration, archiving and protection of documents are an integral part of the overall world-view.

Every civil society organization creates documents with its work. Civil society organizations are, in principle, very easy-going in their office administration and working with 'papers' is seen as a nuisance. In the handbook entitled "What and how with civil society organizations 'papers': to preserve, protect and use" (Hedbeli, 2008), I have written about the need to organize in order office administration and archives of civil society organizations (CSO).

Next to written documents which are created through the work of CSOs about CSOs themselves, there are also documents created which document the filed in which CSOs work. In their very nature, CSOs work in those fields to which 'official' organizations, for some reason, do not pay enough attention. There have been numerous texts written about activism and I believe every activist has already explained to themselves their own motivation. However, I plead that activists create and archive records about their activities, and actions of their CSOs. Regardless of whether a CSO works on dealing with the past, promotion of the right of women without partners to **artificial insemination**, environment protection or the right to free education, and regardless whether the activity is a round table, presentation of a handbook or field work.

CSOs' activities always shed light on a dark area. Actions and activities should be documented, it should be recorded what had happened, where and why it happened, who was there... I know that, after a round table (which sometimes even seems unneeded), writing a report about the event asks for an additional effort, but if no record remains after an event, it will seem as if nothing had happened. Trying to prove something in retrospect yields extra energy and work, with not insignificant possibility of non-objective or partial account.

In order to master the fear and things rationally, we need objective, non-passionate discussions and

analyses, which is impossible without facts. It is exactly because of a lack of unbiased discussions and analyses that some traumas have still not been overcome even after seven decades, and because of the fear we are easy to manipulate. If we do not wish to live in a world shaped by myths and legends, we need to make additional effort and leave written traces of our actions. The fight of a person who cannot be cured for his/her only remaining dignity, the choice of one's own death, is drama of that person' and his/her closest family members. But, if their drama is documented, next persons and families in the same situation will receive bigger support. By documenting dozens of similar destinies, the public will be sensitized and this might lead to more adequate legislative. Documenting of one single case

makes it impossible for anyone and in any time to deny a problem. Of course, documenting asks for courage of actors, as well as of the person creating the documentation. Everybody has a right to anonymity. The ultimate answer to the question why document is identical to the answer to questions why choose the good, the truth, and why help people in need. Maybe Czechoslovakia did not fall apart in a bloody conflict because of Masaryk and his insistence on the truth. Everyone deals with his/her ethic questions on their own, but our actions influence everyone, regardless of whether we share the same time and space coordinates. We share the same goal – to live in a world in which human beings enjoy the freedom of speech and belief and are spared of fear and poverty.

Concentration camp Jasenovac was a place of imprisonment, forced labour and liquidations of mostly Serbian Orthodox people which, with the aim of creating an ethnically clean territory, needed to be completely erased from the territory of the Independent State of Croatia, together with the Roma and Jews, the population which was discriminated against with the use of racial laws. A significant number of Croats also died in the camp – communists and anti-fascists, members of Croatian national-liberation army, together with their family members and other oponents of the ustashe regime.

Memorial complex Jasenovac, together with the memorial museum, was founded in 1968 at the proposal of the Association of Fighters of the National-Liberation Struggle of the Socialist Republic of Croatia, "in order to preserve a permanent memory of victims of the fascist terror and fighters of the national-liberation struggle who died in the Second World War in concentration camps Jasenovac and Stara Gradiška, as well as to preserve the legacy of anti-fascism".

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ARCHIVES IN A NON-INSTITUTIONAL ENVIRONMENT: DOCUMENTING, ORGANIZATION AND PRESERVATION

Nikola Mokrović

Introduction

Documenting is a kind of relationship towards all documents or, in a wider sense, towards all artefacts created as a result of human action. Today there are three recognizable types of institutions which work on preserving memory: archives, libraries and museums. Although the principal difference in types of objects that these three institutions possess is clear and well-defined, what connects them is inheriting and preserving values which were created through human action. As such, these institutions are institutions of memory, as much as they are institutions of documenting.

Documenting is mediation of human action, of each individual human act and its trace which connects it, in a meaningful way, with other acts. Acts and their traces are in a constant interplay of connecting,

interpretation, change of shapes and media which constitute the overall record of human action. Although acting necessarily produces documented consequences, here we are particularly interested in its specific form as a conscious and subsequent, re-constructive establishment of previous practices and past actions, as well as in reconstruction of past documenting in the sphere of civil society and human rights protection. However, subsequent reconstruction does not only constitute a new order of documents or enable an overview with the aim of remembering or working with finished and established facts. It includes, from the starting motivation, through entire process to the end product, confirmation, realization and enrichment of certain values, which gain new meaning in new circumstances.

Work of non-governmental organizations and preservation of documentation

Political and social situation in Croatia in the 1990s were marked by war, authoritarian tendencies of the political system and various human rights violations. Different non-governmental organizations, i.e. human rights organizations worked on documenting, warning and raising the awareness about mass human rights violations. However, as Petrović and Hedbeli wrote (2010), “according to the available information, materials which were created during the 1990s have not been systematically arranged and archived and there is a great danger that it will not be preserved. Awareness of the importance of these materials has still not been raised within civil society organizations themselves, but also more widely.” The problem can be viewed from two angles: from the angle of the organizations as creators, and from the angle of institutions with the function of preservation. From the angle of organizations as creators of the materials (in this text, we primarily refer to civil society organizations), there is a number of problems. For the beginning, it could be argued that

organizations are often not aware themselves that their everyday work produces evidence which will one day have different role than the one it had when it was created, i.e. that these documents will one day be used by other persons (for example, researchers) in a surrounding which can be very different from the current one. On the other hand, from an institutional point of view, organizations live in a very fluid, unstable and changeable surrounding with scarce resources. This creates problems for orderly keeping of documentation and its systematic archiving after the period of active use, and a big problem also appears when an organization ceases to exist. A set of problems stems from the fact that organizations like this are not under public jurisdiction, because of which their remaining traces are left under care of people on whose good will depends their future destiny. These traces are hard to bring back into a space (for example, of an organization which does similar kind of work) in which they could be adequately taken care of and given a new life.

Moreover, the research which *Documenta* conducted in 2008 showed that organizations “need support in sorting materials, but want to keep their materials with them and not offer them to an archive, because they have no trust in archives” (Petrović, Hedbeli, 2010).

Another set of problems stems from the need to fund-raise additional means and resources, which asks for subsequent putting in order and arranging fallen behind and messy documentation funds. In case that means and resources (space, experts, technique, inventory, consumables) are not raised in a sufficient amount, researchers who happen to come across such documentation are forced to find their own way through papers in the condition they were left in, which is problematic not only from the position of the documentation itself, but also from the position of research which is made more difficult. It should be kept in mind here that we are primarily speaking about organizations working in the 1990s and the work of which was based mostly on paper documentation, while contemporary organizations, the production of which is to a large extent digitalized, possess a different logic of functioning, organization and preservation.

However, just as paper, with the passing of time, deteriorates, electronic recordings in the widest sense are just as much endangered amidst technology development.

From the side of public institutions which keep the materials, the joint conclusion of three authors

(Hedbeli, 2007, Lučić, 2004, Ketelaar, 2008) is that classical archives do not recognize, to sufficient extent, the work and legacy of civil society organizations. Difficulties arise when trying to determine criteria for organizations’ assessment, i.e. when trying to select their materials for permanent archiving in authorized archival institutions. Structure of civil society organizations is horizontal and not vertical/hierarchical as in classical administration/management institutions, which makes it difficult to decide which one of them, on the basis of its jurisdiction or focus of work, deserves primacy or preference. Moreover, it can be argued that creator categorization process does not include actors important for the understanding of civil society functioning. Some authors put emphasis on the fact that legal formulations treat the value of materials only in relation to the ‘state’, but not to the ‘society’. Possible reasons can be of technical nature as well: reluctance of the archives themselves to receive large amount of materials which, in the case of more open acquisition politics, would need to be processed, i.e. a lack of expert employees which would be specialized in working with this type of materials.

A special problem, which we will only mention here, consists of the fact that organizations, in their work, often need to turn to institutions not only as to those which possess, but also as those which create materials, and these materials are often not easily accessible.

Documenta’s archive

The organization’s name itself already testifies to a certain methodological tendency towards ‘documenting’. This tendency results partially from the legacy of earlier human rights organizations, to which *Documenta* links its work, and which list ‘documenting’ of various forms of human rights violations and resistance practices as their important activity and value. *Documenta*’s different projects and programs, which correspond to different contents and forms of documenting, produce different types of contents, digital and physical objects which ask for systematic management. Within *Documenta*, we can talk about several units of documentation managed by different systems.

Documenta’s archive and records office exist as a separate unit within the organization, and is in charge of receiving and giving reference number to documents, digitalizing, classifying and storing documents.

Although this type of work is not exclusively under the jurisdiction of this unit, it is largely being done within it. Documentation is collected from various sources and its complexity varies, but can be roughly divided into archival fonds created by the organization and those which the organization possesses. Archival fonds which *Documenta* possesses are the Anti-War Campaign Croatia archival fonds and a collection of documents on the destruction of books in 1990s Croatia, collected and handed over to *Documenta* by Ante Lešaja. Different collections ask for different types of processing, but the goal is to create unique descriptions and tools which would be public and would provide an overview of the richness of documentation which can here be found, as well as define the right of access policies, since a large number of documents contain personal/classified information.

Except for a set of documentation practices, which serve both institutional and program functions, we

can also talk about a series of scientific-research practices and advocacy initiatives. Within this context, it would be sufficient to mention initiatives on the promotion of systematic work on civil society organizations' documentation management, which have, among other things, resulted in two handbooks, Le Goff (2006) and Hedbeli (2008), and which have been comprehensively documented in Hedbeli and Petrović (2010).

Continuous work on assorting and describing materials, as well as a wish to create a more systematic

and wider documentation base of civil society organizations' work, and particularly of human rights organizations, resulted in different acquisitions and transfers of materials and created a need to strengthen this organization unit within *Documenta*. In this way, after assortment and description of materials of the Anti-War Campaign Croatia is finished and presented to the public, Human Rights Archives will be symbolically opened²⁹.

Anti-War Campaign Croatia archival Fonds

Anti-War Campaign (Anti-War Campaign Committee – Croatia, Anti-War Campaign Croatia) was formed in 1991, first as a citizens' association, and then as a network of organizations and groups, and finally as an alliance of non-profit and non-governmental groups.³⁰ The materials arrived to Documenta in 2006 from AWC's last coordinator Natalie Šipak, in the context of discussions on AWC's material legacy and the need to form a documentation centre of human rights organizations. Since then, the materials have been arranged according to series, a preliminary list of all materials has been made and a structure of the fund has been created. In 2011, on the eve of marking the 20th anniversary of the Anti-War Campaign, an additional process of documenting started, the purpose of which was to determine objective and subjective dimensions of work of this network of organizations.

*A group of people, which coordinated the whole process, was formed, and the process included research of documentation, discussions with actors and witnesses of AWC's work, and gathering of additional documentation. Documenta, as an organization, acted here as an initiator and platform which enabled the whole process, the aim of which was to gather a large number of people who are, directly or indirectly, interested into AWC. Research results were published in the book *Anti-War Campaign 1991-2011: An Untold History* (Janković, Mokrović, 2011). Structure of the book followed the researchers' intention: to encourage, with a recorded and transcribed discussions of founders and other actors, people to try and reconstruct fact-based development of AWC and of the socio-political context through inter-subjective and joint recollections, to reflect their dilemmas and to take a wider look, from a perspective enabled by time-distance, at the meaning of their civic engagement.*

The next part of the book consists of two chronologies – AWC chronology and a general chronology. While the aim of the first chronology was to reconstruct the program and institutional metamorphosis of the organization – the manner in which it changed formally and structurally, what were its interest fields, what types of human rights violations it covered, what were the important public and internal events – the aim of the latter chronology was to reconstruct the surrounding in which AWC functioned and which it attempted to influence through its work.

AWC chronology covers the time period from 1991 to 2006, and the general chronology from 1990 to 2001. A series of associates and researchers worked on the chronology, and all actors, via a mailing list or informal contacts, were asked to contribute to the establishing of facts. The next part of the book gives AWC development scheme, the aim of which was to reconstruct and provide a visual overview of the development of organizations which came out of the AWC 'core' from 1991/1992 until the first half of

²⁹ Web-site of the Archive, i.e. a virtual archive, can be found at <http://arhivzaljudskaprava.org>

³⁰ For a comprehensive description of founders see (Petrović, 2009)

the next decade. Here we can see the diversity and inter-connectedness of different focuses and manner in which it (next to other factors) created the network of organizations which work on different aspects of protection and advocacy for human rights and other topics. Next in the book are published various original documents (correspondences, public statements, press articles, photographs, etc.), the aim of which is to visually establish authenticity of the document's contents. Although the entire book consists of a number of re-prints of various documents, they are put in the foreground in this part of the book.

The next part of the book consists of a study conducted with the use of questionnaires to which international volunteers, who were coming to Croatia in the 1990s and were working on AWC various projects, gave their responses. The aim was to record the existence of a regional and international network of peace activists, which provided strong support to founding of AWC and its work, from the perspective of people who, after the return to their home countries, no longer shared the same reality and context of these events and related work. The last chapter is a study conducted by Bojan Bilić, in which the author analyses the establishment, development and articulation of the anti-war movement in Croatia from a sociological perspective.

This short review shows that recording of the entire phenomenon was meant and realized as an interdisciplinary task, which equally includes and takes into account not only the informational value of documents, but also live and fragile memory of actors coloured with different emotions, an attempt to reconstruct as many different factual situations as possible, as well as intimate reflections on the meaning of one's own work. The final document on documenting was designed by one of ARKzin³¹ designers, the aim of which was to point to the continuity or re-evaluation of virtual continuity on the level of form. The process lasted for one year and was marked with a number of working meetings, two discussions of founders, creating a temporary web site with key documents, as a help to participants in the process of recollecting about facts, organization of a round table and a concert on July 4, 2011 and a book launch in Zagreb and in Pakrac. As part of the entire project, a conference Legacy of Peace Initiatives was organized on March 1 and 2, 2012, gathering activists and theoreticians, at which the topic of founding and developing an anti-war and peace movement was approached through different thematic units from a regional and an international perspective.

In the light of this process, a detailed archival analysis of AWC funds and creation of relevant information tools have again proved as crucial, in order to make it easily accessible for researchers and interested public (although different researchers already use the fund). What is also of crucial importance are digitalization and placing digital objects into an open digital archive on the Internet, as well as the need to continue, after a general frame has been created, with research on AWC's special areas of work and of the organizations which constituted it.

During 2012 and 2013, the work on fund processing and digitalization continued. Since the materials were not organized, i.e. they had no logical or consistent structure, they were thoroughly reconstructed and a new order of documents was created.

A new structure was formed, according to which the materials are arranged and subsequently described from the highest (fund) to the lowest level (a piece). Some of the problems we encountered during this process are:

- incomplete materials – how to finish arranging the materials and provide all relevant information when the materials are partial and often do not follow the work logic of an organization, group or project or changes in their legal status. This basic limitation is considered to be the starting position for understanding the process of materials;

³¹ For concept and contents development of the magazine see Janković, Mokrović (2011)

- *the question of creators of the materials – how to unambiguously determine the creator in a fluid organization structure, i.e. in a network of organizations, groups and projects;*
- *non-transparency of data – a series of documents do not possess basic formal data or meta-data which could appropriately place them in a certain complex; individual documents, particularly correspondences, which include a number of subjects; formal correspondences mixed together with informal correspondence, etc.*

Anti-War Campaign Fund was put on an ICA Atom platform developed by a programming company for the International Archival Council, following all standardized norms of archival description, with the aim of copying the relation between documents in a material archive into a virtual archive and enabling, at the same time, maximal public access to materials.

Information system (IS)

The idea to create an information system emerged already in 2004 on the basis of a conclusion that organizations working on establishing facts about human rights violations during the wars in former Yugoslavia have to cooperate at a regional level, due to the need to increase the level of information flow, standardization and harmonization of data structures and research methodologies.

Direct war events and all indirect, not necessarily war events, which include various forms of human rights violations, present extremely complex data sets, as far as information are concerned, for the management of which systems using relational data bases are needed, in order to appropriately record, analyse and group information according to certain parameters. Due to spatial interconnectedness and the fact that incidents which are the object of documenting and research always have at least two sides of which each ‘records’ or leaves some kind of trace, i.e. a certain part of information, it has been concluded that cooperation of all interested sides is needed in order to undertake a thorough and full reconstruction.

Activities on the establishment of regional cooperation of research-documentation centres officially started with a meeting in Budapest, held on January 14 to 18, 2004, and continued with a meeting in Vukovar on February 20 and 21, 2004, while the initial phase finished on April 6, 2004 in Sarajevo with the signing of the “Protocol on regional cooperation in order to research and document war crimes in post-Yugoslav countries”. According to that document, “three sides in the agreement, Research-Documentation Centre from Sarajevo, Centre for Research and Documentation from Zagreb [today Documenta] and Humanitarian Law Fund from Belgrade, assured that documenting war events, and particularly war crimes and other serious international humanitarian law violations in post-Yugoslav countries, from 1991, is an important presumption of sustainable peace in the region; assured that learning the truth, establishing justice and changing attitudes towards victims of war crimes is a precondition for the overall development and democratization of societies in the region; with this Protocol establish basic preconditions and rules of mutual cooperation in researching and documenting war events, particularly war crimes.”

The first working meeting of interested sides was held on December 7, 2010 in Human Rights House Zagreb; since then a series of working meetings have been held in Zagreb, Osijek and Belgrade, at which programming and development of IS have been discussed.

The goal of the information system, except to support research-documentation work which unites a number of Documenta’s programs and projects, is also to enable moving of the organization’s entire working processes to e-business. According to that idea, the system has been divided into six functional modules: document management (the module is used for uploading, describing, and reviewing all digital objects), analysis (the module is the ‘core’ of the system and, through the module, data from all available documents are analysed

and compared in the case when the aim is to create a virtual card of each incident/event and each person who participated in the event and when there is a related legal proceeding which concerns these incidents and/or persons); processing of a request (with the help of this module, incoming requests for documentation or information are processed), finances (the module serves the purpose of monitoring projects and financial administration), administration (keeping records about employees, working hours of employees and about the equipment) and record of events (includes overview of all events which Documenta organized, public and internal, or other events at which Documenta employees participated).

Development of the information system represents an attempt to bring documenting process to a technically sophisticated level, in order to get more accurate and complete work results in terms of quality and data precision, while, on the other hand, on the level of organization's doing of business, it represents an attempt to have as clear structure of working processes as possible. The process of the system's development, at the same time, represents a form of collecting specific technical expertise in the sense of creating complex and abstract systems which manage complex entities and their relations and which, in addition, can serve other organizations as technical or advisory support. Moreover, Documenta owns the system code and can give it up to other organizations which have similar needs and, if needed, modify it.

Recommendations

Problems and challenges which occur from the standpoint of managing material or digital documents, in civil society organizations, are numerous.

- A need to define a special role of the person or persons in charge of organization and management of documentation. This need increases proportionally to the amount of documentation which an organization creates, collects and with which it works, i.e. to special characteristics which that documentation contains. In civil society organizations, which often have a fluid and unstable structure, due to non-existence of a stable and long-term structure which exists in classic public institutions, this problem is particularly present. The position of documentation management asks for stability, continuity and a system which enables unambiguous and organized receiving, dissemination and storing of documents. Such a position asks for a certain kind of institutional, and not program engagement, which can create considerable costs for an organization.
- From the standpoint of documents themselves, it is necessary to take into account that every document has written, as clearly as possible, its characteristics, which name the creator, receiver, subject, date of creation and other information which appropriately position the document within a certain program, project and subject field. In accordance with this, the organization should also appropriately use a unique and unambiguous way of document description. A safe way to keep records of official papers which go in and out of an organization is a registry, which records all classic entries of contents and travelling path of a document. Moreover, with the purpose of making an uncomplicated and accurate course of a document through an organization, it is needed to establish clear receiving and sending protocols, as well as protocols on processing and storing of documents. An appropriate way to do this is to create a set of rules with a clearly defined set of procedures.
- From the standpoint of long-term storing of documents, a system, which treats documents as a part of a particular subject, project and program unit, needs to be developed, i.e. a classification system needs to be established, while from the standpoint of reading and subsequent use of documents, it is desirable to describe documentation in accordance with standard description norms, such as ISAD (G),

General International Standard Archival Description; ISAAR (CPF), International Standard Archival Authority Record For Corporate Bodies, Persons and Families; ISDIAH, International Standard for Describing Institutions with Archival Holdings; and ISDF, International Standard for Describing Functions.³²

- When managing documentation, one needs to follow two basic principles of the archival sciences: the principle of provenance and the principle of initial order. The principle of belonging, i.e. of the respect of the fonds, means that the materials created through the work of one creator should not be mixed with materials created through the work of other creators. According to the principle of initial order, the system of arranging documents in the office of the creator should be kept and, if needed, reconstructed.
- The next thing that should be kept in mind is the relation between documentation which is actively created and used and the one which is not used. In principle, following the model of classic institutions and office management, documentation in different phases of use should be clearly separated. Persons conducting program activities for a particular problem manage documentation during the entire duration and then submit it to a person in charge of its archiving. Here a clear documentation arrangement procedure should be settled among actors, because a person creating documents also creates their order, and on this order later depends its service value. A clear transfer procedure also needs to be settled. What is important is that during the phase of document creation preconditions are also being created for an easier subsequent use of documents in every sense.³³
- Problems which arise here concern the horizontal nature of communication, where correspondence and general creation of documentation is regularly conducted by a number of actors, and the fact that correspondence can have both classical paper and an electronic form. A large number of actors, which conduct direct communication with the outside world on a daily basis, relativize and additionally layer the concept of provenance, as well as the official nature of documentation, although everything that is being created on behalf of an organization belongs to its official documents. However, double communication channel, in a classic and digital form, also raises the question on what the final point of collecting documentation related to an individual subject is. These doubts require detailed planning and ask for substantial organizational and technological resources.
- Electronic documentation of each organization member should be appropriately ensured and be placed on a platform which enables its readability.
- In their work, organizations often also collect different books, periodical publications and other materials (leaflets, booklets, audio-visual materials, etc.). Such materials also require organization and management, especially if they are to be used by organization members and by outside users. There is a number of open source software which support catalogization and records of books and non-book materials.
- The use of documentation is particularly conditioned with technological needs. Creation and use of digital objects is one of the most important points in documentation management. Reasons for digitalization can be preservation (transfer to another media in order to preserve a document) or easier use (digitalized documents can be used by a number of users from a number of places). Digitalization itself is a process which requires several phases. Material quality of materials determines the needed technology of scanning. One should be careful with the use of standard scanning formats, but also of formats which are portable and easy to

³² The standards are available at ARHinet web site http://arhinet.arhiv.hr/_Pages/ArhivskiStandardi.aspx

³³ For a detailed description of materials arrangement and management in civil society organizations, see Hedbeli (2008) and Le Goff (2006).

use; constantly check the quality of digitalization itself; in cases when a document is to be made 'deeply' readable, i.e. better readable than when using a set structure of meta-data, a document needs to be processed in one of the programs for optic character recognition (OCR). Regardless of the scenario, digital objects management requires certain platforms which enable input and description of documents. Documents can be kept on a joint server or on a platform which enables parallel access to both an object and its description, i.e. some kind of *document management system*. There is a series of platforms which enable management of this kind of tasks. Such platforms can, in principle, be bought as finished products, they can be self-developed, or taken over as open source platforms³⁴ which are being used as different types of data and document bases or repositories. The choice of a platform or a solution depends on a number of variables: the relation between document description from the stand of its meta-data and the stand of its contents, disposable financial resources, technical knowledge and equipment, etc.

- Managing a repository/archive depends also on whether a documentation, already in a state of production, is mostly digital or analogue. In the first case, more suitable for that job are persons with a wider spectrum of knowledge on information technologies, particularly data managers, while in the second case more suitable are experts specialized in office management and/or archives. In case of linking analogue with digital, their close cooperation is desirable. If an organization chooses one of non-commercial solutions, i.e. if it wants to organize its own virtual/digital archive, persons who know how to manage servers and data bases need to be engaged. In case of creating a repository, what is important is standardization of meta-data, in order to link it and make it visible in other data bases, as well as to follow the development of technological standards in general.
- From the standpoint of the needs of office management, there is a whole range of collaborative software that can be downloaded from the Internet and which enable management of organization processes and present data bases and dms systems at different levels.
- Each archive or repository needs, in case it contains materials created by another creator, clarify and define its right to possess the mentioned materials, i.e. to define and regulate rules, conditions and limits of disposal and availability for the users of its fonds.

Finally, from the standpoint of research itself and of a particular form of documenting, as many sources as possible need to be accessed. In case of researching various forms of human rights violations and the work of civil society organizations, sources, particularly primary (original documentation) are often difficult to access. There is a number of secondary sources: different monographs, edited volumes and magazines, which also offer a series of information. Networks of institutions, organizations and initiatives, as well as individuals, actors or witnesses, with their stories and experiences, are also very valuable sources. Regardless of whether we are talking about advocacy, documenting or research, for each event which we know had happened, there is some kind of trace, no matter how hidden it might seem. Due to their informational value, which often points to hidden or forgotten events, it is necessary to insist on their keeping, enabling access to them, and researching about them. In that sense, it can be argued that legitimacy and advocating for certain values rests, to a large extent, on the very accessibility and visibility of certain materials, i.e. that the civil society gives legitimacy to its actions through the history of its work, which is reflected in its material legacy.

³⁴ Some of these platforms are ICA Atom, DSpace, Eprints, Fedora, etc.

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DOCUMENTING HUMAN LOSSES IN CROATIA

Slaven Rašković

Introduction

Since its establishment, *Documenta* has viewed establishing facts about war events as one of necessary steps towards the process of dealing with the past. Due to the fact that human losses are the hardest consequence of armed conflicts, we expected that state institutions would do everything in their power to list, by their name, all victims of war, regardless of their ethnic, religious, political or social background, and that the list would also include key identification information and circumstances of their death.

However, even 18 years after the war in Croatia ended, there is still no unique, publicly accessible and verifiable list of Croatian citizens who were either killed or went missing during the war. Such a situation still enables ideological and political manipulation of the number of victims and, for sure, neither contributes to

easing the effects of the war nor does it enable opening of the space for building trust and sustainable peace. This was exactly the reason why *Documenta*, at the beginning of 2009, started a research on human losses in Croatia. This research aims to pay respects to victims of war by making their names and circumstances of their death publicly known. We believe that it is an obligation of every society to raise awareness of the fact that victims of war are not just mere numbers, but people with first and last name. For this reason, *Documenta* was one of the first organizations to be included in an international initiative for advocating the *Charter for acknowledging every casualty of armed violence*, which was started in London in 2011 and which has, by now, been adopted by more than 40 humanitarian and human rights organizations from all over the world.³⁵



³⁵ Information about the initiative can be found at <http://www.everycasualty.org/>

The *Charter* is directed towards all countries of the world, which are asked to ensure that every casualty of armed violence is recorded, identified and publicly recognized. These requirements have been made on the basis of experience and information of an international network of non-governmental organizations and academic institutions, which *Documenta* is also part of, and which work on documenting victims of past and current armed conflicts all over the world. At this point, in order to better understand the research itself, but also *Documenta*'s wider field of work, it is important to stress out that *Documenta* acts in the framework of civil society, which has its unique characteristics.

When it happens that different activities implemented by a civil society actor in order to advocate to the government institutions for resolution of a certain issue fail, there is a possibility that this civil society actor will take over the role of a state institution and

start doing itself the work for which it believes that the state should be doing.

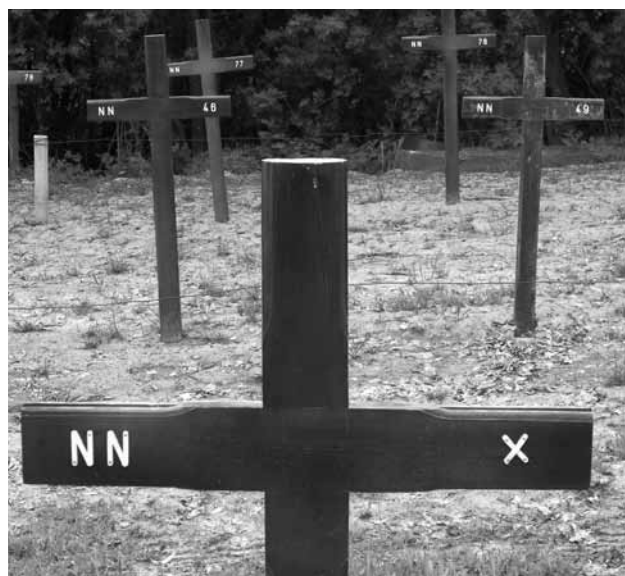
On the other hand, the question of data availability, personal data confidentiality and, in the end, the issue of legitimacy of a civil society organization, which derives its legitimacy only from the right to free association and the right to free expression, to implement such a research, present special issues which have to be seriously considered. At the same time, a situation in which a civil society organization, which works on peace-building and human rights, assumes an obligation to do a scientifically-based research about victims of war also presents a special challenge on the ethical level. All these specific challenges and present condition of materials on victims of war have resulted in a choice of methodology tools and settings to be used in the research, which is discussed below.

Context of the research

The wars which were fought on the territory of former Yugoslavia during the 1990s resulted in extremely hard consequences which lead to different forms of suffering. In the 1990s wars, some 130.000 were killed. Almost 20.000 people on the territory of former Yugoslavia went missing, and the number of refugees is around one million (Kardov et al., 2010:11)

In Croatia, there is no list of victims of war which would include their names, although the war ended more than 17 years ago, but there are different estimations on the number of killed and missing. According to the data of the War Veterans Ministry, it is estimated that in Croatia more than 20,000 died, and 1.761 people are still missing.³⁶ Demographer Dražen Živić says that 8,147 (36.7%) Croatian war veterans were killed, together with 6,605 (29%) Croatian civilians, while the number of Croatian war veterans and civilians who went missing is 1,218 (5.5%), which together amounts to 15,970. Živić estimates the number of killed and missing Serbian soldiers and civilians to be 6,222 (28.0%) (Živić, 2005:5). The war took, according to Živić's research, 22,192 victims, citizens of the Republic of Croatia. Ivo Goldstein estimates that the number of victims on the Croatian side (both killed and missing) is 14,752, of which 8,147 are soldiers and 6,605 are civilians, while on the Serbian side died 6,222 persons, of which more than a third are civilians (35.8%) (Goldstein,

2008:751). There are also some estimations that some 18.000 people were killed³⁷, but taking everything into account, it can be concluded that the number of killed and missing Croatian citizens is around 20,000. Taking into account these estimations, at the beginning of 2009, when *Documenta* started its research on human losses in Croatia, an analysis of the existing situation in the filed of lists of names of war victims needed to be made. This analysis showed that there have been numerous attempts



³⁶ <http://www.branitelji.hr>, last accessed on August 23, 2012

³⁷ Nataša Kandić in an interview for *Vijesti.ba* (<http://www.vijesti.ba/vijesti/bih/124065-Koliko-zrtava-prognanih-jugorativima.html>), last accessed on January 12, 2013

by individuals, associations and state institutions to make lists of names of war victims, but unfortunately the majority of these lists did not take an all-encompassing approach which would cover all killed and missing citizens of the Republic of Croatia. These were mostly made with the aim of including names of victims in some local commemorative practices (erecting monuments, including them in books and publications...), lists made by associations of war veterans, parents and widows for their members or lists which were made in order to realize some rights for victims' family members. The majority of these lists included only one group of victims, while other groups were completely left out (for example, *Petrinja victims list*, *Nova Gradiška victims list*, *Heroes do not die*, *Military operation Storm and after*, etc.) Regarding the use of all these lists/sources in *Documenta's* research, what presented the key problem was a lack of methodological standardization on one

side, and lack of information on the methods used to create a certain list, on the other side. Such a situation, to a large extent, made it more difficult to check mutual independence of sources.

Regardless of everything mentioned, it was clear that during a relatively long period of time since the end of the war, a large number of lists with names of war victims was created, presenting a good starting point for researching human losses, which in no way should have been neglected. Having made realistic assessment of the extent of research and analysis of the existing sources which could be made useful, we started creating the most suitable and most effective methodology which could be used to finalize a list with names of all those who were either killed or went missing during the war in the Republic of Croatia.



Types of research

There are several main approaches in the field of documenting human losses which are used depending on a few important factors:

- in which time period is a research being conducted (in relation to the end of a war/armed conflict)
- what is the estimated number of victims of war/armed conflict
- what is the security situation in the area where the research is being conducted (is there a possibility of a relative safety of field research)
- what is the goal of the research, i.e. how much detailed information about victims the research tries to gain

Depending on the mentioned factors, methodology of research in documenting human losses can be divided into three groups:³⁸

- documenting based on documents – this type of research uses, as the main source of research, documents produced by others (institutions, organizations...). Information about victims are based on mutual comparison of different documents and on testing their credibility. The quality of final research data is, to a large extent, determined by the quality and number of accessible documents.
- documenting with the help of a network of associates in the field – this type of research is based on a network of research associates who collect data about victims in the field. Often the role of these associates is not that of researchers who are engaged in documenting, but they do some other type of work and provide information which they find out while doing their work (local organizations or institutions, religious organizations, families...). This type of research often has uneven number of information about particular victims and is rarely as detailed as the other types of documenting.
- analysis of all available sources – In this type of research, the widest spectrum of all available sources in which data about victims can be found is being used. Moreover, a special emphasis is put on additional filed verification of each particular case for which there are not enough sources or for which sources are not detailed enough. This verification in the field is usually conducted by communicating with the family or friends of a victim. The goal of this type of research is to get as detailed description of each particular victim as possible. This type of research is most often conducted during a post-conflict period, because this methodology is hard to implement in conditions of a conflict which is still ongoing.
- Although the quality of results obtained from various methodological practices can be very different, it is important to stress the usefulness of each of these methodologies. Methodology of each particular research is often chosen in relation to the capacities of a person conducting the research, status of a conflict the consequences of which are being researched, and to the goal to be achieved. The chosen methodology is often the only possible one that can be used at a certain moment and in a certain territory. Moreover, incomplete and less detailed results of one research can later become a very important source for more systematic and detailed research related to the same conflict/area.

Methodology choice

Considering the fact that *Documenta* started researching human losses in 2009 or 15 years after the end of the war, the fact that the first analyses in the filed of victims' lists showed the existence of a large number of sources which could be used in the research, as well as considering the fact that, from the beginning, the aim was to create a list with names of all killed and missing citizens of the Republic of Croatia, the choice of methodological approach to be used in the research was quite simple. It was clear that the only correct way to do the research was to analyse all available sources, while putting special emphasis on filed verification and supplement of all available sources with information obtained from family and/or friends of victims. It is also important to emphasize that we, while deciding on methodology to be used, took into account positive experiences of our partner organizations from Bosnia and Herzegovina, Serbia and Kosovo.³⁹

³⁸ The elements of division, set forth in a research conducted by the organization Oxford Research Group on the main practices of documenting in the world, have been partially used here and adjusted by the author.

³⁹ Humanitarian Law Centre Belgrade; Humanitarian Law Centre Prishtina; Research-Documentation Centre Sarajevo

1. RECOMMENDATIONS FOR PREPARATION OF FIELD WORK

The key thing in preparing field work with the aim of documenting human losses in an area is the analysis of available sources about victims. For this purpose, it is important to visit all institutions in which relevant materials about victims can be found (national and university library, state archives, local libraries, local museums...). After that, potential partner organizations, which are active in the field, need to be identified, and their interest for cooperation in the research assessed. Cooperation with local partner organizations is important in case we want to include local volunteers into field work, and partner organizations play the key role in identifying and finding potential volunteers. When everything above-mentioned is done, all potentially interested actors need to be informed (local self-administration units, religious organizations, state administration bodies, non-governmental organizations...) about the beginning of research and meetings with them need to be arranged in order to present to them the research. After that, filed research can start, in the frame of which interviews with family members and friends of victims are conducted.

2. ASSESSMENT OF THE EXTENT OF RESEARCH

When deciding on the beginning of documenting in a certain area and during certain time period, it is important to determine the focus of research. Is the research going to focus on one incident/crime, more incidents/crimes or on documenting all human losses in one town, county or state? The decision to document all human losses in a country is usually preceded by years-long work on documenting individual crimes, as was the case in Croatia and other post-Yugoslav countries. Due to the lack of own information, Anti-War Campaign translated and prepared, in 1993, the Amnesty International and Helsinki Watch reports "War and Human Rights on the Territory of former Yugoslavia" and "War Crimes in Bosnia and Herzegovina". Croatian Helsinki Committee, in 1995, conducted the most comprehensive research of human losses during and after operation 'Storm'. After years-long researches, which started in the 1990s, Humanitarian Law Fund published Kosovo Book of Remembrance and Research-Documentation Centre published Bosnian Book of the Dead. It is important to understand that researches of human losses are long and demanding processes and that documenting should start as soon as possible in order for research results to be published after several years.

3. RISK ASSESSMENT

When deciding on the start of documenting human losses, it is important to take into account risk assessment for all actors involved in the documenting process. One should not lose sight of the fact that certain results of this type of research can contribute to criminal processing of war crimes perpetrators, which exposes researchers conducting the research to danger, sometimes even years after a conflict ends. Security aspects of a situation in which documenting is conducted should be taken into account when deciding on the most suitable research methodology.

In order to gather information from families/friends of victims in a systematic and standardized way, it was necessary to develop and test a questionnaire which would be filled in with respondents in the field. While developing and testing the questionnaire, we have come to the conclusion that it is important that as many questions in the questionnaire as possible are closed questions and this has to a large extent been accomplished. The only question which was left open-ended was the question on the description of circumstances which have lead to an injury/killing of a person. The main aim of the research was to gather as many concrete information about people who

were killed or went missing as possible, and, for this purpose, closed questions which lead a respondent to a clear and concrete answer were in any case a more suitable tool.

The questionnaire itself consists of a number of identification questions (first and last name, parents' name, place and date of birth, personal identification number...), questions which specify what kind of human rights violation the person suffered (place and time of imprisonment, place and time of body burial, type of location where a body was found, etc.) and an open-ended question which gives a precise

description of the circumstances which had lead to the death or disappearance of the person. At the end of the questionnaire, identification and communication details of the person with whom the questionnaire was filled are also taken, with the purpose of further contacting that person in case there is a need for some additional questions.

Regarding the very process of filling in a questionnaire, after its testing, we came to a conclusion that it was necessary for the questionnaire to be filled in by educated researchers, and not to have respondents themselves fill it in, with the purpose of getting

systematic, standardized, and quality information. When it comes to the open-ended question about the circumstances of a death or disappearance, the researcher listens to the respondent's story, paraphrases, summarizes it and writes it down, and after that reads it to the respondent in order to check if the described circumstances are in line with what the respondent had said.

After it is filled in, the respondent signs the questionnaire in order to guarantee with his or her signature the accuracy of information given in the questionnaire.

Protection of researchers

In psychological literature, the theory of secondary traumatization has been for long present. Secondary traumatization is experienced by persons who have not been directly exposed to a traumatic experience, but have indirectly been traumatized through conversations with and exposure to persons with primary traumatization. Persons suffering from secondary traumatization are usually those who provide aid, through their work, to traumatized persons (social workers, medical staff, psychologists...) and traumatized persons' family members. Symptoms which appear are usually very similar to the ones in primary traumatization.

Considering the sensitivity of the research topic and the danger of secondary traumatization with researchers, due to constant work with those who have suffered severe traumas, when planning the entire research we decided that filed teams would consist of two researchers. We thought that, in this way, we would ensure mutual support to researchers at the moments when support is most needed and when the majority of stressful situations happen.

Except for this prevention of secondary traumatization, all researchers are also offered free psychological help, which they can use at any moment when they or their superiors feel it is needed. Moreover, it is important to organize regular, periodical psychological evaluation of all those who are exposed to the risk of secondary traumatization in order to detect on time potential symptoms and prevent further deterioration of a person's health.

Next to its preventive role related to secondary traumatization, the creation of two-member teams also proved to have another role – the concept is very useful in a number of unpredictable situations

which are bound to happen, due to a large number of days which researchers spend in the field (cars getting stuck in snow and mud, cars breaking down, unpleasant respondents, etc.).

Despite the advantages of two-member teams, after the completion of a pilot research project conducted on the territory of Sisak-Moslavina county, we came to a conclusion that we still needed to find a different solution due to the need to speed up the entire research in order to finish it as soon as possible. This was the key reason why we decided to include local volunteers in the implementation of field research.

With the inclusion of local volunteers in field work, we started practising a type of work in which the team consisted of one volunteer and one researcher. We aimed at making each researcher responsible for several volunteers with whom the researcher would arrange field activities depending on their availability.

This type of work carries certain positive and negative changes in relation to the first teams model, which we practised. On one hand, local volunteers know better than researchers the territory on which the work is being done and the people who are potential respondents in the research and are, in this way, a great help to the researchers in their work. Moreover, by educating volunteers to work on the research, we have indirectly raised the capacities of local organizations and individuals for participation in some other similar research. Furthermore, participation of a local community in conducting such a research gives an additional legitimacy to the research itself and makes it easier to present its importance to the public in local communities. Positive changes in terms of efficiency are, of course,

obvious, since, in this way, we doubled the number of field teams.

On the other hand, considering the fact that the work of preparation and planning field activities, as well as filling in questionnaires, was, according to

the previous model, divided among two researchers, in the newly-existing situation each researcher had more obligations and responsibilities. Delegating certain tasks from this domain to volunteers happens occasionally and in accordance with each individual volunteer's affinities.

Preparation and planning of field work

When talking about preparation and planning of field work activities, it is important to mention a few key things. The basic geographic units into which the work is divided are counties which existed according to the administrative set up before the start of the war. We believe that the research should be approached by following the same circumstances which existed when war events started to happen.

While doing research, we cover regions one by one, and within regions, each researcher is given one or more former counties. There are a couple of reasons for this. When doing region by region (for example, first western Slavonia, and then the eastern when the western is finished), all researchers are at the same time located in near-by areas and the information that they gain, and which are often related to the neighbouring county, can easily be shared. On the other hand, by giving certain autonomy to each researcher in covering the territory of one county, the possibility of doing the same work twice is decreased, independent planning of field work is made easier for each researcher and only one person is responsible for work done in a certain area.

After the areas are divided among researchers, each of them is responsible to find, while preparing field work for that area, as many available sources as possible, in order to create a preliminary list on the basis of which verification and field work are being conducted. While making this preliminary list, different sources (publications, documents, audio and video recordings) are being used. Moreover, it is important that each researcher is made familiar with the local context and events which happened in that area, in order to better understand information gained in the field.

Regarding the field work itself, it mostly consists of looking for and communicating with family members or friends of victims for whom information are sought. When coming to a respondent's home, the project is presented, while stressing its importance, and the respondent is asked for his/her permission to fill in a questionnaire for a particular victim. Except for filling in the questionnaire, the respondents are

also asked for any additional documentation they might have about a victim and the documentation is then photographed or scanned in order to have as many sources and information as possible for each particular victim.

At the beginning of the research, there was a fear that one of the biggest problems could be a lack of interest from respondents to participate in the research and provide information about victims, but it turned out that this fear was not justified, since the number of persons who have refused to participate in the research so far was lower than 5 per cent when looking at the overall number of people who participated in the research.

Except for communicating with respondents, taking photographs of all sources which carry some information about a victim (monuments, grave stones, sites of killings...) also constitutes an important part of field work. Moreover, when arriving to a certain area, all potentially interested actors are contacted, the research is presented to them and they are asked to contribute to it in the form of already existing information about victims (county offices, libraries, archives, associations, museums...).

Our practice so far has been to rent a house or an apartment for researchers in the field, in which they are accommodated while working in a particular region, so that researchers who work on the project have by now lived in Sisak, Petrinja, Pakrac and Osijek. This long-term stay in one area has positive effects on getting to know an area and people who live there, as well as their customs and peculiarities, but it is also the other way around – people from local communities, after some time, get to know the researchers better and these acquaintances have often turned into friendships.

All documentation collected in the field, together with the already existing documentation collected in earlier phases of research, is uploaded into a data base, which marks the beginning of the final phase of research and that is processing and analysis of the collected materials.

Conclusion

Documenta's researchers, by working intensively for four years on documenting human losses in Croatia, have so far talked to several thousands of family members and friends of victims and during these conversations collected more than 4,500 questionnaires about victims, spent more than 2,500 working days in the field, collected more than 50,000 pages of different documentation and developed a special data base software in which more than 20,000 documents have been uploaded.

But the research has not yet been finished. We are obliged to continue and finish the research by a huge amount of effort invested in it so far, but are also obliged by responsibility to all Croatian citizens who have lost their lives or whose destinies still remain unknown.

We have a duty to, with this research, step outside the sphere of manipulations and speculations on the number of killed and missing citizens and to start talking about human destinies on the basis of their names and factually established circumstances of their suffering.

Considering the fact that Reserach-Documentation Centre finished its *Bosnian Book of the Dead*, that Humanitarian Law Centre Belgrade and Prishtina are finishing their work on the *Kosovo Book of Remembrance*, and that Humanitarian Law Centre is working on a research about Serbia's citizens, after the completion of our research, for the first time on the territory of former Yugoslavia, we will have fact-based lists of victims of war, which would present a strong foundation for future efforts in peace-building in this region.

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COLLECTING PERSONAL MEMORIES WITH THE USE OF ORAL HISTORY METHOD

Maja Dubljević, Tanja Petrović

The methodology which *Documenta* – Centre for Dealing with the Past uses in collecting personal memories is partially grounded in the basic methodological principles of the oral history method. It has been used since 1948, when the oral history method was accepted in the scientific community as a technique of documenting history and it enables *Documenta*, as a human rights organization working on the process of dealing with the past, to respond to unique request which are set before the organization. Except for trying to respect scientific principles of documenting with the use of oral history method, the methodology we use also includes a step forward towards a social engagement.

As part of the wider process of dealing with the past, *Documenta*, through its activities related to collecting

and recording personal memories, tries to provide an opportunity to people, who have neither been active in creating historical events nor have carried any political power during certain periods, to affirm themselves as social actors. On the other hand, by insisting on the principle of multiperspectivity, we try to present to the public plurality of different narratives. Our aim is to contribute to a deeper and all-encompassing understanding of certain historical processes which have significantly affected the lives of people from these areas. The methodology of our work on the project “Personal memories of wars and other forms of political violence from 1941 until today” consists of several phases which follow one after another and are in part complementary.

1. ON ORAL HISTORY METHOD

The first “lesson” which needs to be learned when doing oral history is the lesson on what oral history really is and what the added value which it brings into scientific research is.

There are several facts we find crucial for understanding the concept of oral history:

- oral history means collecting and preserving personal memories as historical documentation, which usually has not been documented, and is based on human experience
- oral history is the best source of information on what a certain historical period and historical events meant to people who were their contemporaries and how they lived through these events
- oral history can help us understand the ways of life and a widely accepted system of beliefs which was present during a certain time period, and can help understand social factors which created conditions for certain historical events to happen
- oral history enables research of historical heritage which, on the level of a society, appears through the form of collective consciousness, and on personal level through the form of family heritage and transgenerational transfer
- oral history, through retrospective thinking and remembering, provides a possibility to better understand the current situation. Explaining the past, due to a need for coexistence in the present, is a particularly important goal for societies facing “the memory of evil”
- oral history provides an opportunity of analysis of the space between remembering and forgetting. According to contemporary understanding, “forgetting” is a creative reflection of remembering, which depends on social/political circumstances, but also on individual capacities of people

2. METHODOLOGY

Methodology of collecting personal memories with the use of oral history method includes the following phases:

2.1 Preparation and research phase

Preparation and research are crucial for recording personal memories. The experience gained so far has showed that the more an interviewer is informed, the better the interview will be. Factors which need to be taken into account are familiarity with the **basic information on the place/area where the**

interview is recorded and familiarity with basic information about the interviewee. Knowledge about these kind of information makes it easier for interviewers to conduct an interview, gives them certain guidelines in conducting an interview and contributes to an interview's quality.

2.2 Before the beginning of conducting an interview

Before the beginning of an interview, attention should be paid to the following things:

1. ESTABLISHING TRUST WITH AN INTERVIEWEE BEFORE THE RECORDING

Establishing trust and a good relationship with an interviewee is necessary in order to successfully record an interview. For interviewers, this relationship begins with the first contact with an interviewee, so it is necessary to find a right balance between close

relations and a formal approach. It is necessary to show respect for the person whose memories we are recording, but at the same time to be relaxed and friendly.

2. THOROUGH INFORMING OF AN INTERVIEWEE ON THE PROJECT AND THE PURPOSE OF RECORDING HIS/HER MEMORIES

Communication should be suitable for the interviewee in order for them to understand, as much as possible, the goal and purpose of recording their memories. At this stage, it is desirable to show an interviewee

a list of questions and to point out the fact that the interview will follow the time chronology of events.

3. SETTING UP OPTIMAL CONDITIONS FOR INTERVIEW RECORDING

During the initial conversation, it is necessary to inform an interviewee that video recording with the use of a camera requires certain conditions to be met and to ask them for cooperation and understanding in that sense. Possible sources of unwanted noise, such as phone, mobile phone, household appliances, etc. should be turned off.

It is also necessary to explain to an interviewee that an optimal number of persons present during interview recording is the interviewee himself/herself, the interviewer and cameraman/woman.

4. DOCUMENTS NEEDED FOR CONDUCTING INTERVIEWS WITH THE USE OF ORAL HISTORY METHOD

PROTOCOL

Protocol is filled in before the start of the interview recording, and serves in order to collect general information on an interviewee. Information from the protocol can serve as guidelines when asking questions in such a way that, on the basis of the protocol, the interviewer will get an idea on what segments of the interview to put an emphasis. For example, if an interviewee answering the questions from the protocol, says he/she was imprisoned in a camp, the interviewer should, during the interview, pay attention that this part of memory is adequately represented.

Link to document: <http://www.croatianmemories.org/en/methodology/>

AGREEMENT

Just before the start of recording, the interviewee is given an agreement for recording. By signing this agreement, an interviewee consciously agrees to be recorded.

After the recording, interviewees decide whether they want their interview to be made publicly accessible or they want it to be available for scientific research only. It is extremely important that the interviewer clearly explains to the interviewee what

the agreement for making an interview publicly accessible means, as well as to explain the meaning of the agreement for making an interview available for scientific research, so that their decision on what an agreement to sign would be grounded in a deliberate choice. The interviewee is also given a possibility to decide which part of the interview he/she does not want to be made publicly accessible.

Link to document: <http://www.croatianmemories.org/en/methodology/>

LIST OF QUESTIONS

Personal memories which *Documenta* is collecting are based on a semi-structured interview. Questions on the list follow time chronology depending on the age of an interviewee and serve as a reminder to the interviewer during the interview. It is possible to modify the list of questions to some extent in order for them to be more suitable for an interviewee. Moreover, interviewers have a possibility to ask additional questions in case they find them necessary for understanding the story.

Link to document: <http://www.croatianmemories.org/en/methodology/>

2.3 Recording/conducting an interview

When conducting an interview, an interviewer needs to be discreet, emphatic and polite. Semi-structured interview, as the one we use, consists of open-ended questions which allow for a free flow of an interview. An interviewer, during an interview, must avoid asking questions which suggest an answer. An interviewer tries to channel the flow of an interview and not to enforce it.

Our aim is to include memories of the time period which stretches from the start of WWII until today, so

an interview can include the whole life history of an interviewee. Most of the interviews are between one and two hours in length, but, depending on experiences and memories of an interviewee, can even last longer. Interviewers must adjust the amount of time dedicated to each time period depending on a number of factors: complexity and layers of memories, age of an interviewee, memories of events which had an extraordinary effect on the life of an interviewee, etc.



2.3.1 Interviewing techniques

When recording of an interview starts, an interviewee should be asked to state clearly his/her name, date and place of birth. The interviewer basically follows the chronology of an interviewee's experience and tries to determine those experiences which take up the central place in an interviewee's life. Interviewers should avoid suggestive questions and a series of 'questions and answers'. They are advised to, instead of asking questions which begin with "have you...", "can you...", "would you...", form open-ended questions which include phrases such as: "tell me something about" or "can you please describe", "what surprised you?", "how did you manage?", "who/what else do you remember?".

The interviewer should, during an interview, bear in mind that the interview needs to be clear, as much as possible, to themselves, but also to those who will be listening/watching the interview as end recipients.

In order to establish the exact names, dates and other time frames of the events being described, it is necessary to ask additional questions. If an interviewee cannot remember a particular fact related to the experience he or she is speaking about or says something which is not in line with historical facts (for example, gives a wrong date of an event), an interviewer should refrain from correcting or confronting the interviewee. Instead, it is recommended that the interviewer tries to determine the correct information by subtly asking additional questions or more details from the interviewee in order to stimulate his/her memory. Moreover, it is extremely important that the interviewer refrains from confronting

an interviewee in the case that he/she thinks that the interviewee's attitude is wrong or bad.

While conducting an interview, attention should be paid not to say words such as "aha", "hmmm", "yes", etc., which are usually being used in everyday communication. Moreover, interviewers should pay attention not to interrupt or speak at the same time as the interviewee, since silences and pauses are usually a very effective way to get answers from interviewees. An interviewee should be given an opportunity to think, remember and recollect some events. Interviewer's comments (except for the asked questions) should be minimal. Non-verbal communication is extremely important. Head-nodding, hand gestures and keeping eye-contact encourages an interviewee to continue speaking and shows that the interviewer is engaged and concentrated on what is being said.

Sometimes, an interviewee can speak of people and places the names of which are incomprehensible or pronounced in a dialect. After an interview is finished, it is needed to check the exact names with the interviewee or afterwards, when transcripts of the interview recording are made.

Since the recorded interviews are archived in their entirety, the recording should keep going even when an interviewee becomes visibly shaken, upset, starts crying or needs a couple of moments to collect his/her thoughts. The interviewer should, in that case, use non-verbal communication and not try to offer

verbal comfort. In order to ensure that an interview is uninterrupted, the recording stops only in extreme cases or in the case when the interviewee cannot continue and asks for the recording to stop.

During an interview, it is possible that an interviewer will feel uncomfortable or will have hard time listening to an interviewee's story. In such situations, a natural reaction to such a story is acceptable as long as it does not disturb the interviewee. It is important that the interviewer is aware of his/her feelings and that he/she focuses on the interviewee and the flow of the interview.

In cases when an interviewee says that he/she had been writing a diary, fiction, poetry, music, etc. during the war, he/she can be encouraged to show the works in front of the camera at the end of an interview.

Sometimes the chronology of a story can be interrupted, so the story becomes incomprehensible. The interviewer, in such situations, can ask for clarifications by saying: "Please correct me if I understood this wrong, but you said that...", "And then you went...", or "Please tell me once again, who...?".

2.3.2 At the end of an interview

After the recording of an interview, the interviewee should be thanked for the trust and time he/she had set aside for the interview. Often, interviewees want to talk some more and say how they felt during the interview.

After the camera is turned off, the interviewer checks how names of people and geographical locations, mentioned during the interview but not comprehensible, are spelled. In the end, the interviewee is given the agreement for making publicly available/research available to sign.

4. INTERVIEWEES

A significant part of efforts, strain and dedication is invested in finding potential interviewees willing to share with us, and in the end with a wider public, their often traumatic and painful personal memories. Although during the process of finding interviewees a large number of people is contacted, when making the final selection of interviewees it is necessary to keep in mind the balance in gender, age, ethnic belonging, background, etc., in order to achieve a representative sample of interviews.

Attention should also be paid to representativeness of interviewees from different places and areas which have been affected by war, and particularly those

places which have suffered the severest devastations or which are surrounded with certain political controversies.

Interviewee target groups are: people from the region which are interested in contemporary local history, especially witnesses and actors of war events from the period 1941 to 1995, war veterans, police and other military and paramilitary formations members, refugees and displaced persons, civilian victims of war, evicted persons, human rights activists, media and religious communities representatives and others.

5. WORKING WITH VOLUNTEERS

Including volunteers in this project meant finding professional, aware, motivated and interested young people, but also engaging in their education and training. Volunteer engagement in the project meant participating in organized educational and preparation activities, as well as conducting field work and interviews and filling out the necessary documentation.

Considering the fact that the project includes memories of the war from all over Croatia, volunteers travelled to various locations throughout Croatia and, if a need arose, also to the neighbouring countries where, for example, actors and witnesses of the war in Croatia currently live.

5.1 Evaluation and following the work of volunteers

Documenta is working systematically on training and evaluation of volunteers. Before conducting an interview independently, workshops are organized for volunteers, the aim of which is to make the volunteers aware of their personal motives and fears related to conducting of interviews, as well as of their own potentials and weaknesses in communication, and to offer them a chance to show readiness for improving their communication skills. It is equally important to inform volunteers, through education,

of the most important aspects of dealing with the past process and to offer them materials which will enable them to understand the meaning of this process. Except for joint educational activities and regular meetings, individual consultations were also organized for volunteers. During the consultations, volunteers have a chance to analyse, together with an expert from *Documenta*, and get feedback on the interviews they conducted. If a need arises, volunteers can ask themselves for consultations.

6. EVALUATION OF THE ORAL HISTORY METHOD USED FOR COLLECTING AND DOCUMENTING PERSONAL MEMORIES

Except for continuous evaluation of the work of volunteers, evaluation of the methodology used for collecting materials is also conducted. The aim of methodology evaluation is to conduct an analysis

of the methodology used so far and to determine whether it is needed to make certain changes for the future use of the implemented model.

7. DISSEMINATION OF THE COLLECTED MATERIALS

The materials collected within the project “Personal memories of wars and other forms of political violence from 1941 until today” should be made accessible to as many people as possible and used in as many scientific, artistic, documentary and educational program as possible. One of the modes of presentation is directed towards raising the awareness on different perspectives and experiences of war and suffering, and on the importance of respecting human rights. Knowledge about the suffering of one’s neighbours or people from other parts of a country, and particularly those who belong to different ethnic communities, should initiate debates in local communities and contribute to establishing communication between different social groups. Our aim is to contribute to the creation of a social climate in which awareness about

others’ war experiences will initiate compassion and solidarity towards all victims. In that sense, the material is appropriate for different uses in the media, as well as for artistic and documentary purposes (publishing featured articles about interviewees in the media, documentaries, art exhibitions, etc.)

The other type of activities related to dissemination of the collected materials is directed towards the use in educational purposes, for research in the field of humanities and social sciences, research related to psychosocial consequences of war and political repression, for case studies, etc.

*For more information please visit
www.croatianmemories.org*

ANALYSIS OF THE NEEDS AND SUPPORT TO CIVILIAN VICTIMS OF WAR

Emina Bužinkić

Our war and post-war experience has been marked with terrible and widespread sufferings of civilians. As one of the central questions in dealing with the past and peace-building processes in the Croatian society, we ask ourselves how we can offer adequate support and contribute to providing justice and reparations to civilian victims of war. In doing this, we create and support research, analytical, educational and public political activities, but also methods of direct support to civilian victims of war.

Compensations and reparations to victims are one of the key elements of transitional justice. They enable victims to receive public recognition of their suffering and compensation for the endured pain, humiliation and losses. By setting up reparations programs, the state implements a system of respecting

human rights and answers the needs of victims as one of the most endangered social groups, groups in constant risk of social exclusion and bad socio-economic situation. The state is obliged to deliver justice and ensure their citizens full respect of human rights, and victims have the right to protection and safety. Reparations come in many forms, from legal mechanisms through symbolic and material reparations to group or individual reparations programs. According to the resolution **Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law**⁴⁰, civilian victims of war have the right to **adequate, efficient and timely reparation**.

Who are civilian victims of war?

Civilian victims of war are persons who have suffered, individually or within a group, certain damage. Damage includes physical and mental injuries, emotional suffering, material losses or other serious violations of their rights through acts or errors which present gross violations of international human rights law or serious violations of international humanitarian law. The term 'victim' also includes close family members or protégées of direct victims and persons who have suffered damages in an attempt to help victims in trouble or to stop their victimization⁴¹.

Civilian victims of war are⁴²: persons who were directly killed in war; persons who died of consequences of war, during or after the war, such as diseases, malnutrition or violation of rights – consequences

which are usually not present in cases where war events are absent; victims in one-sided conflicts in cases when a state commits violence on its citizens; victims of rape and other forms of war-time sexual violence; refugees and internally displaced persons; persons who died of war injuries after a war.

Civilian victims of war can also be other social groups, regardless of their age, sex, socio-economic status, and belonging to a certain social or political group, depending on warring strategies and protection level of certain civilian groups. Examples show that, in some countries, some groups of civilian victims of war were given a status of military victims due to their contribution to warring operations, defence or due to their mass suffering.

⁴⁰ U.N. General Assembly Resolution 60/147. Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law

⁴¹ UN General Assembly Resolution 60/147. Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law

⁴² Roberts, Adam: *Lives and Statistics: Are 90% of War Victims Civilians*, Survival, vol. 52, 2010.

Analysis of civilian victims of war needs - methodology

A large number of civilians have suffered during the war in these parts. It is estimated that, in the entire region of former Yugoslavia, more than 130.000 persons died, more than 20.000 went missing, and almost a million people became refugees. It is also estimated that in Croatia, between 4.000 and 8.000 civilians suffered from war-related consequences, but official statistics and other documents on civilian victims of war, categories of their suffering, legal proceedings and realization of civilian victim status, as well as general statistics on civilian victims of war and other segments concerning this problem, are either not available or do not exist at all. In order to do a qualitative and comprehensive analysis, reliable statistical data on the number and categories of people's suffering is needed. Unfortunately, that was not possible in many countries and cases, so that our analysis of victims' needs was also based on estimations, i.e. on a representative sample of civilians who had suffered in all war-affected and previously occupied territories of the country.

The analysis of civilian victims of war needs was done through field work research in the entire country with the aim of identifying key problems, needs and experiences of victims, in order to gain a better understanding of victims' status and to better advocate for their right to compensation. Choosing a sample of 105 persons of different age and sex and from different war-affected areas, we conducted months-long action research. Action research, i.e. its results are directed towards a social change and it represented a systematic process of observing, describing, planning, acting, reflecting, evaluating, and modifying (McNiff and Whitehead, 2002:56). Research of a participative character, with the aim of considerable promotion of civilian victims of war, has been conducted in cooperation with civilian victims of war as equal participants of the research, experts, politicians and representatives of political institutions. Politicians' response was extremely low, which made the research even more practical and emancipatory in character. In the research, we used a number of research tools and methods, such as individual and group semi-structured and in-depth interviews, focus groups, public discussions, case studies and a number of documents, and the research included field work and research analysis.

During preparatory activities, which included analysis of documenting human losses and personal memories, which we are describing in this handbook,

we made sure to establish, as accurate as possible, the place of one's suffering, the estimated number of victims and suffering of all ethnic groups. While organizing field visits to civilian victims, we have established cooperation with associations of victims and organizations of family members of the wounded, imprisoned, killed and missing persons. With the help of these organizations, we arranged, by phone or e-mail, individual interviews in victims' and their family members' homes or focus groups and group discussions on the premises of organizations or in municipal spaces.

The main research tool we used was a questionnaire which we prepared in advance and with which we tried to comprehensively document circumstances and type of suffering, as well as social, political and economic aspects of suffering and the level of realised rights and compensation. Researchers, except for the questionnaire, also used guidelines which consisted of three main pieces of information: presentation of Documenta's work, role and aims of the research, information to interviewees about the voluntary nature of filling in the questionnaire, as well as about the anonymity in case an interviewee chooses this option, and information to interviewees about their legal rights before, during and after the interview. During interviews, researchers wrote down interviewees' answers and collected relevant documentation, in case a person filed any complaints or started any court proceedings. Documentation about cases is important for painting the entire picture about circumstances and type of suffering, as well as for the analysis of justness and efficiency of proceedings before relevant state bodies. Except for this, the documentation is also important for keeping records on the number of cases and their contents when publicly acting in advocating for the rights of civilian victims of war to compensation.

Key parts of the questionnaire⁴³ and of the interview itself are: circumstances of war-related actions and suffering, categories of suffering and the number of civilian victims of war in a family, legal proceedings on compensation and the level of realised rights, obstacles in realising rights, court proceedings and receiving professional help, problems and information during court proceedings, initiating criminal investigation of a perpetrator, existence of non-appealable court judgements for war crimes and influence on the realisation of the right to compensation, legal and other obstacles in realisation of the right to compen-

⁴³ The questionnaire is attached at the end of this text.

sation, work of institutions in informing and supporting victims, realisation of medical and psychological help and other forms of rehabilitation and reintegration, victims' needs and identification of actors who provide help and support.

After collecting questionnaires and related documentation, and after the analysis of legal-institutional framework, we started a quantitative and qualitative analysis of results, which included: international and national institutional-legal mechanisms of realising the right to legal remedy and reparations to civilian victims of war, problems and experiences of victims, socio-demographic data (age, sex, geographical area, number of victims and categories of suffering),

number of requests for specific forms of reparations and the level of their realisation, provided help and support, civilian victims of war needs, experiences of certain groups of victims in relation to the realisation of rights to reparations, recommendations and examples of good practice (recommendations resulted from research and public events and examples of good practice have been analysed in countries which have set up reparations programs after a war/conflict). All data collected from questionnaires have been analysed together for the general population of all victims who participated in the research, but also individually according to specific groups of victims and this was also shown in the research text.

Advocating for the right to reparations

Position of civilian victims of war is in the centre of Documenta's years-long public work, despite a lack of political support and the discouraging messages being sent. The key starting point is to ensure social rights and other forms of reparations, as well as to affirm the right to reparations for civilian victims of war and for new generations. Raising visibility and realising the rights of victims is the key step towards a complete process of dealing with the past in the Republic of Croatia. Political public action relates to systematic and

constant advocating before political institutions, using numerous methods of public communication and cooperation with other actors. Methods used for advocacy are: open letters and reaction letters to the media, public and political institutions, press conferences, round tables, public events, conferences, campaigns, civic actions, guest appearances in the media, publication of research, analysis of documents, monitoring court proceedings, collecting documentation about cases, cooperation and networking and other methods.



All methods were used in order to warn of and react to certain problems, such as a large number of cases of civilian victims of war who have lost court cases regarding compensation for their suffering or the necessity of adopting legal regulations which would regulate the issue of compensation, but also in order to present research results, inform the public about

problems of victims and other issues. Our public policy work lately received a strong impetus in the form of the media campaign **Victims have waited for too long** (www.civilnezrtve.hr), which consists of individual stories of civilian victims of war, conveying a message to the public and relevant institutions.



Our example showed that key elements in good public advocacy are: legitimacy of the action which follows from direct cooperation with groups of civilian victims of war, but also with citizens interested in the process of dealing with the past; systematic consultations and participation in the work of experts from the academic community, the media and different institutional and non-institutional programs of support to socially excluded groups and civilian victims of war; as well as cooperation with human rights organizations and those organizations who support

our work on ideological and political principles. This last element turned out to be particularly valuable for the process and results in the year when parliamentary elections were to be held and in which we, as an organization, joined a coalition called Platform 112. The coalition asked from the Croatian government to meet 112 requests in order to build a better and more responsible state. Referring to the right and obligation of paying reparations to civilian victims of war and of establishing the rule of law, a theme field called **Heritage of war, dealing with the past and**

⁴⁴ Platform 112 gathers around 60 civil society organizations which have, for a number of years, been working on human rights protection, democratization, peace-building, fighting corruption, and protection of public resources, particularly environment. The organizations, in 112 requests sent to all political options on the eve of parliamentary elections, defined priorities and concrete measures for Croatia, in which the rule of law is a stronghold for acting of individuals, institutions and political elites. Platform 112 asks for and expects consistency and political responsibility of the new government, but also of all other political actors and institutions, in order to achieve real and permanent changes in five priority and mutually connected areas: stabile, responsible and democratic government institutions and equal access to justice; quality of democracy; fight against corruption and public interest; equality and dignity of all people; and the heritage of war, dealing with the past and peace-building.

peace-building has been emphasized in a document entitled Platform 11244. This field stresses the need for consistent and non-biased dealing with the past as a sign of democratic developments in a society, through effective and non-selective investigation and processing of war crimes, focusing on the improvement of victims and witnesses support system, and uncovering the destiny of persons who went missing during the wars in former Yugoslavia. In relation to this, a request was sent to the government asking it

to start a procedure for forming Regional Commission for establishing facts on all victims of war (RECOM), in cooperation with the governments of other post-Yugoslav countries, and to take responsibility for damages incurred. The request also insisted on the formation of a reparations system and on writing off legal costs by amending relevant laws, in order to ensure compensation for civilian victims of war and adoption of a National program and Law on establishment of a compensation fund for all war victims.

Support to civilian victims of war

Complementary to the identification and analysis of problems, experiences and needs of civilian victims of war, we have built our experience in offering active, direct support to victims, but also to initiatives and organizations of victims which have been established with the aim of advocating for their rights to compensation and other forms of socio-economic support. There are numerous ways of everyday communication with civilian victims of war throughout the country – via telephone calls, e-mails, filed visits, etc. Civilian victims of war are key informants in public advocacy and all public events in which they participate - such as the already mentioned media campaign, conferences, guest appearances in the media, etc. - are arranged in consultation with them. As one of the main means of communication with civilian victims, we use two web sites, Documenta's web site (www.documenta.hr) and a web site containing up-to-date information

on the improvement of civilian victims of war status (www.civilnezrtve.hr). The latter web site also contains a contact form through which victims regularly contact Documenta's team with a series of questions on how to acquire civilian victim of war status and accompanying rights.

The main forms of support which we provide include: regular legal and other advice; directing victims to relevant institutions or centres for psycho-social and other help; friendly conversations; information on improvements in resolving their problems/cases or political improvements; documenting and analysing administrative proceedings; support to victims in court proceedings before Croatian courts and the European Court for Human Rights; registering civilian victims, their experiences and needs and the accompanying documentation; providing support and education through workshops and public advocacy for the rights to reparations.

Ethical principles in working with civilian victims of war

Although more than a decade has passed since the war in Croatia ended, a state of stable and sustainable peace has not yet been established. A strong ethnical polarization is still present in the society, which provokes frequent verbal and physical conflicts, particularly in the so-called divided cities which were severely affected by the war and in which ethnic composition of the society changed, due to refugees and migrations, but also due to ethnic cleansing and killings of members of a certain ethnic group. This polarization is also present among organized groups of civilian victims, which have only recently started approaching each other, communicating and establishing cooperation in advocating for the needs of civilian victims of war. This cooperation has partially resulted from the relationship between political institutions and courts on one side and organizations of civilian victims of war on the other, since these institutions have not secu-

red compensation even for the majority population in Croatia and have, thus, put both the minority and majority population in the same, unfavourable position.

Documenta's ethical principles are based on the respect for all contributions and sharing of experiences of all groups of victims, taking care of mutual relations, systematic informing and cooperation with civilian victims, respect of privacy, anonymity and voluntarism of victims, stressing out problems and needs of all groups of victims and advocating for the compensation to all civilian victims in an equal way, as well as for just and non-discriminatory treatment of all, regardless of ethnic belonging, language or other characteristics.

We believe that providing of adequate support offered by our employees, who are responsible for their

own mental health whilst being exposed to a transfer of traumatic experiences of victims and sympathizing with them, is an important aspect of our work with victims. The help they provide changes and affects them, which is why all Documenta employees have a possibility to attend regular supervision in order to

deal with and face consequences of their field work more easily and to preserve their mental health, retain the quality of their work, as well as the psychosocial climate of both the team and the organization in which they work.

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MONITORING THE WORK OF INSTITUTIONS AND ADVOCATING FOR CHANGE

PUBLIC ADVOCACY

Vesna Teršelič

There is no country or society in which presentation of the shameful pages of own past could not be improved and support system to the traumatized

enhanced. In order to create space for a quality discussion about the past, for additional research of facts about violence and for teaching of fact-based

history, you will need to advocate for changes in deeply rooted practices of selective representations of suffering. With your suggestions, you will attempt to motivate as many people as possible, who were not interested so far, both in the public and government institutions or – in other words – you will need to advocate.

The success of advocating for proposals in public discussions will depend on their quality and accountability of an advocate, on the manner in which a proposal is presented and on the ability to communicate about a condition, values, ideas and requests towards other people, media and government institutions. Even the best proposals, supported by arguments, data and analyses, will not have the desired effect, if they are not presented in

an understandable and interesting way. You should not be discouraged by unpleasant silence which often accompanies public disclosure of facts about committed crimes. When initial shock is over, a storm could ensue. Regardless of whether a discussion about a violent past has already been open or is just starting, when preparing your public action, you should count on harsh reactions, because, in public, initiatives related to remembrance of violent heritage are usually met with divided reactions.

Regardless of whether you are preparing an initiative in your own town or on the national level, you should probably count on years-long advocacy for your proposal and arm yourselves with patience. For some initiatives, such as the one described in the first example, you will need ten or even more years.

EXAMPLE 1:

Initiative for the return of the name Victims of Fascism Square

When the Victims of Fascism Square in Zagreb was renamed into Square of the Croatian Great Men in 1990, citizens gathered into a civic initiative and asked for the return of the old name. For the next ten years, they organized protests on the Day of the Victory over Fascism and Day of Europe, May 9, and the protests first gathered some 100 people, but later several hundreds of people attended the protests. In the vicinity of the square, in Zvonimirova Street, Maks Luburić's office, who was commander of all camps in the Ustashe Independent State of Croatia, was located between 1941 and 1945. The Ustashe Surveillance Office was located on number 4 in the same street. On the very square were also located the Ustashe police and prison. Among other people, Andrija Hebrang was also investigated here, while Zdenka Baković, a member of the illegal resistance movement, either jumped or was thrown from this building's window. Since 1943, Gestapo office's were located on the square. On May 5, 1943, Reichsfürer Heinrich Himmler visited the Independent State of Croatia president Ante Pavelić in Zagreb on was given, on this occasion, a medal of King Zvonimir's Crown. The Ustashe handed over to him 1700 Jews which they were able to find in Zagreb. They were just remnants of once large Jewish community. Among them, together with her mother Ivka and younger brother Saša, was young Croatian actress Lea Deutsch. These people were directly transported to Auschwitz. Only some ten people survived the war.

Zoran Pusić, one of the initiators of the initiatives, says: "The name Victims of Fascism Square became important for me when they tried to change it, at Tuđman's direct orders, sometime in the second half of 1990. They removed the plaques and put the ones bearing the name Square of Croatian Great Men, in late November 1990. It was then that we organized a Committee for the return of the square's name, because someone who has a problem with the fact that victims of fascism existed can only go so far as to revise and lessen the malevolence of those ideas which resulted in these victims. This was the beginning of a marathon action which lasted for 11 years. At the end of 2000, we managed to bring back the name Victims of Fascism Square. The idea was that streets bearing names of Croatian rulers, princes and kings finish on this square. We have written, in these 11 years, numerous petitions and articles, because we thought, among other things, that it should not

be beneath Croatian rulers that their streets end on the Victims of Fascism Square, because before all rulers, princes and kings should come those, often nameless, people who fell as victims or died while fighting against tyranny, and there is no better example than victims of fascism. At the beginning of the 1990s, witnesses and survivors who were imprisoned in prisons on this square were still alive. The name Victims of Fascism Square was very suitable for this space. We were aware of the danger and malevolence of ideas which brought to victims of fascism and of the danger that memory of the malevolence of these ideas could be erased from the memory of a peoples.” From the film *DOCUMENTA MEMORIAE*, Study visits to sites of memory and suffering related to WWII, Zagreb – directed by Dijana Mladenović. One of the longest civic actions in modern history of Croatia bore fruits. When the square finally got its old name back, all neuralgic issues related to the memory of suffering and of the national-liberation struggle in the Second World War were not even nearly resolved. But it became politically incorrect to deny victims of fascism. During the 1990s, more than 3.000 antifascist monuments in Croatia were either destroyed or damaged.⁴⁵ Only a few dozen of them were repaired. Of previously open 7 memorial areas at the sites of suffering and anti-fascist resistance during the Second World War, today only public institution of the memorial area Jasenovac is open for public.

It would be useful to, before the start of the advocacy, set aside some time for preparation, consulting with colleagues and experts who can help you with data. In case you do not need to urgently react to an

unacceptable situation, take some time for all of the mentioned steps in order to go through all aspects of the initiative or campaign which you are starting. Do not miss a chance to:

1. talk about values,
2. determine your short and long-term goals,
3. define simple and detectable messages,
4. define the manner of data collection and to implement the necessary analyses and research,
5. choose partners and determine the form of cooperation,
6. together with partners, create work plan,
7. find a way to include the citizens,
8. make a strategy how to attract the media and communicate with them regularly,
9. suggest ways to get information and to open dialogue with those who do not think the same,
10. determine when and how often to contact the authorized government institutions,
11. foresee sporadic critical discussions, evaluation and correction of initial plans.

As in the described example of the action for the return of the name to Victims of Fascism Square, in every initiative you undertake it will be very important to re-think the values which you represent, because you will build your public appearance on them, keeping

in mind that every individual is important. Without the respect for others, without respecting the dignity of every person and respecting other people's rights, there is no building of trust. At the beginning of anti-war, peace actions in Croatia in July 1991, we wrote

⁴⁵ Destruction of monuments is documented in detail in the book *Destruction of Anti-Fascist Monuments in Croatia 1991 – 2000*, edited by Juraj Hrženjak

in the *Anti-War Campaign Charter*: “Everybody for themselves and all together, at the local, regional or global level, we will stand up against those who call for a war and will advocate for freedom, justice and welfare for all.” (Janković; 138). These values are still the core of our work.

When you decide to take action, next to a short-term **goal**, do not lose sight of a long-term purpose. Your suggestions for a change and requests will be directed towards the public and government institutions. Regardless of whether you are addressing a local city council, the prime minister or every individual listener of a radio station, or whether you are seeking support from the ministry of culture for the preparation of an exhibition, you always need to clearly explain what you want and why this is important. Next to the goal of an action, always mention its purpose, because working through a society’s violent heritage, at the same time, always includes the acknowledgement of suffering of survivors, as well as the next generations’ right to learn about the past. Instead of a transgenerational transfer of a trauma, we want an informing and supporting dialogue among different generations. Before making the final decision about the goal of your advocacy attempt, you should think about the answers to the following questions: Is the goal achievable? Is it worth the effort? Can different groups gather around the same goal? What are the odds that the media will take interest in the action?

Will the goal contribute to higher enthusiasm and gaining experience and credibility and will it enable achievement of long-term, more ambitious goals? What could you achieve long-term by advocating for the values important to you? Would the return of a street’s or a square’s name be achievable with your initiative? Can you set more ambitious goals, such as contributing to raising the effectiveness of war crimes trials?

For gathering a massive support, it is very important to define a recognizable **message** which is easy to relate to and which clearly communicates your main requests. You will benefit from finding the answers to the following question: “In what way will this, for many disturbing initiative, contribute to peace and reconciliation building?” If possible, connect the past, present and future in your answer to the question: “How will memory help current and future generations in building inclusive relations without violence?” None of the initiatives is related to past sufferings only, but creates preconditions for a world with less exclusion and xenophobia, by enabling one to take a negative stand towards violence. In public disputes over first investigations of war crimes committed by members of the Croatian army forces, the first message that became clear was “Crime is a crime”, which was immediately put on posters, and later we came up with the message “My voice for a state ruled by law”.

EXAMPLE 2:

Processing war crimes entered the new phase in the fall of 2000, after the coalition of six left-wing parties came to power. In September 2000, twelve Croatian army officers sent to the public a protest against criminalization of the Homeland War, i.e. against the government’s attempts to start processing war crimes committed by Croatian army forces. The then Croatian president Stjepan Mesić forcibly sent to retirement all of the twelve army officers, arguing that army officers tried to influence the politics without permission. Mirko Norac was also among them.

Speculations started that International War Crimes Tribunal for the Former Yugoslavia (ICTY) planned to request Norac’s extradition in order to try him for crimes committed in Gospić. On February 8, 2001 an arrest warrant against Norac was issued. Norac asked the Zagreb police to allow him to surrender in Rijeka in order to avoid the media. After they fulfilled his request, he escaped. Soon after that, in Sinj and other Dalmatian hinterland towns, protests for support to Mirko Norac started, as well as protests against ‘traitor’ governance of Stjepan Mesić and Ivica Račan. These protests culminated with a gathering on the Split waterfront, where some 100.000 people gathered and where the then HDZ president Ivo Sanader also participated, asking the government to end prosecution of Mirko Norac and other Croatian army generals and to prevent their extradition to The Hague. The protests deeply divided the Croatian public – for a part of the public, Norac was a hero and

a martyr, and for the other part the protests presented part of a wider plan of the extreme right to bring down the democratically elected government. An ad-hoc coalition of organizations decided to organize a gathering in Zagreb.

The initiative MY VOICE FOR THE RULE OF LAW LAW was a one-time action of support to judicial institutions in the time when Mirko Norac, who was under investigation for crimes committed against Serbian civilians in Gospić, escaped. The initiative consisted of signing a STATEMENT FOR THE RULE OF LAW at the Petar Preradović Square and Ban Josip Jelačić Square in Zagreb and of the organization of a gathering on February 19, 2001. The action was organized in order to send a clear message to the judiciary after the protests held on February 11, 2001 on the Split waterfront.

<p>Pravna država neće opstati bez tvog odlučnog angažmana.</p> <p>Daj svoj glas nenasilju i toleranciji.</p> <p>Pošalji ovu razglednicu na jednu od sljedećih adresa :</p> <p>Jutarnji List Slavonska avenija 4 10000 Zagreb Večernji List Slavonska avenija 4 10000 Zagreb Novi List Zvonimirova 20 a 51000 Rijeka Feral Tribune Šetalište Bačvice 10 21000 Split Globus pp900 10001 Zagreb Nacional Vlačka 40 10000 Zagreb</p> <p>"Moj glas za pravnu državu"</p>	<p>Moj glas za pravnu državu</p> <p>http://www.mojglas.org/</p>	
<p>Pravna država neće opstati bez tvog odlučnog angažmana.</p> <p>Daj svoj glas nenasilju i toleranciji.</p> <p>"Moj glas za pravnu državu"</p>	<p>Moj glas za pravnu državu</p> <p>http://www.mojglas.org/</p> <p>Sabor Republike Hrvatske Markov trg 6 10000 Zagreb Hrvatska</p>	
<p>ŠTO ČINITE KAD SE ZBIVA NEŠTO OZBILJNO ŠTO U VAMA BUDI STRAH?</p> <p>a) čekate da se situacija smiri sama od sebe b) iskrnjate se, ali vam ne pada na pamet što treba činiti c) gledate odmah što možete učiniti</p> <p>HTTP://WWW.ZAMIRNET.HR/</p> <p>Ako ste odgovorili s b) ili c), zanimat će vas vijest da se u ponedjeljak, 19. veljače 2001., na TRGU BANA JELAČIĆA, u 16,30 u Zagrebu, održava skup</p> <p>Moj glas za pravnu državu, Moj glas za demokraciju, Moj glas za normalan život.</p> <p>DODITE s prijateljima/ca (JEDINO DOZVOLJENO ORUŽJE JE DOBRA VOLJA) INICIJATIVA «MOJ GLAS ZA PRAVNU DRŽAVU»</p>	<p>Ponedjeljak, 19. veljače 2001.</p> <p>TRG BANA JELAČIĆA</p> <p>16:30</p> <p>Zagreb</p>	<p>Ponedjeljak, 19. veljače 2001.</p> <p>«Moj glas za pravnu državu»</p> <p>Akciju organizira grupa nevladinih organizacija iz cijele Hrvatske. Javni skup građana i građanki će se održati u ponedjeljak 19. veljače od 16.30 do 17.30 sati.</p> <p>To nije skup političara nego predstavnika civilne scene, građana i građanki.</p> <p>U subotu i nedjelju na Cvjetnom trgu aktivisti NGO-a će od 10 do 14 sati razgovarati s građanima o akciji, a štand će biti postavljen i u ponedjeljak od 10 do 16 sati.</p> <p>Ziro račun za pomoć u organizaciji (za plakate, bedžove, razglednice je 30102-678-119045 pri ZAP-u. Organizatori se obavezuju objaviti financijski izvještaj nekoliko dana po završetku akcije u tiskanim medijima.</p> <p>Peticija se može potpisati i sve informacije dobiti na adresi:</p>

Organizations gathered in an informal, ad-hoc initiative called all citizens to come and give their voice for non-violence and tolerance, to sign the statement and attend:

ONE HOUR FOR THE RULE OF LAW
 ONE HOUR FOR A STATE IN WHICH I AM NOT BEING THREATENED BY ANYONE
 ONE HOUR FOR UNBLOCKED ROADS
 ONE HOUR FOR SQUARES AT WHICH IT IS PLEASANT TO HAVE COFFEE
 ONE HOUR FOR A TOURIST SEASON
 ONE HOUR FOR A STATE IN WHICH SOME ARE NOT MORE EQUAL THAN OTHERS

Some 10.000 people gathered. All this happened within six days. On Tuesday night, we announced the first press conference. On Wednesday morning, we distributed flyers with our statement in front of the Croatian Parliament. In preparation of the program, a bridge between us and the media was formed, without which the gathering would not have succeeded.

An important part of the action was communication with people who came to sign and support the statement or to protest against it. Some young men in black shirts only spat at the papers on a stand. In front of the stands, people of different views argued. Volunteers explained, discussed and listened. By the end of the gathering, some 16.000 citizens signed the statement.

At the stands, one could also buy pins with the message MY VOICE FOR THE RULE OF LAW. When a woman who came all the way from Sisak heard there were no more pins, she said “How will I go back home without a pin? Nobody will believe me I was here. And I want my neighbours to know I attended the gathering.” A volunteer at a stand took off her pin and gave it to her.

A couple of days after the gathering was held, Mirko Norac surrendered to the police on February 22, 2001, after he received a guarantee that he would be tried in Croatia, and not in The Hague where the highest sentence is life imprisonment, whereas in Croatia he could have been given the highest sentence of twenty years in prison. In March 2001, the county court in Rijeka raised an indictment against Mirko Norac, Tihomir Orešković, Ivica Rožić, Stjepan Grandić and Milan Čanić. The five were accused of ordering, on the territory of Gospić between October 14 and 25, 1991, murders of civilians, while some of them participated in the murders themselves. At least 24 persons were murdered, whose identity was determined, as well as a certain number of people whose identity was still being determined, which meant they had committed a criminal act against humanity and international law – a war crime against civilian population. The trial was held before the county court in Rijeka, presided by judge Ika Šarić, and on March 24, 2003 Norac was found guilty in a first-instance judgement and sentenced to 12 years in prison, as the first former Croatian army general pronounced guilty for war crimes in Croatia. On June 2, 2004, the Supreme Court confirmed the first-instance judgement and sentenced the indictees to prison sentences: Tihomir Orešković to 15 years in prison, Stjepan Grandić to ten years in prison and Mirko Norac Keva to 12 years in prison.

For long-term advocacy, you need to **define the manner in which data are being collected and conduct necessary analyses and research.** The highest number of data will relate to the (lack of) work of government institutions. Civil society organizations have developed several forms of periodic or problem reports on the state of human

rights. Among different ways of collecting data on the work of government institutions regarding war suffering, human rights organizations often decide to monitor war crimes trials. After the judgement for crimes against civilians in Gospić, it became clear that the judiciary had the capacity to hold very demanding trials, so three human rights organizations

– Centre for Peace, Non-Violence and Human Rights Osijek, *Documenta* – Centre for Dealing with the Past, and Civic Committee for Human Rights – which up to that moment monitored only certain, selected trials, decided to monitor all proceedings for criminal acts of war crimes. The goals of monitoring war crimes trials were defined in the following way: to increase the efficiency of war crimes prosecution, to improve the legal framework for their prosecution, to improve the position of victims in criminal proceedings, to intensify regional cooperation, to give compensation to all war victims and to strengthen independence of the judiciary. More about war crimes trials monitoring can be found in texts written on this topic in the handbook below.

In order to gain a wider insight into attitudes of social actors, *Documenta* – Centre for Dealing with the Past started a research about the relation of the Croatian public to dealing with the past and perceptions of war victims, because, at the very beginning of our work, we came to a conclusion that an analysis of attitudes and opinions about the war, victims, survivors, war crimes and their processing is needed. In cooperation with Puls agency, a multidimensional research about public opinion in Croatia was conducted in 2006. The research consisted of three parts: qualitative research of public opinion conducted with the use of focus group method, qualitative research of public opinion-makers attitudes conducted with the use of in-depth interviews and quantitative research of citizens' attitudes conducted with the use of a poll⁴⁶. In order to properly monitor a change in opinions and attitudes, a longitudinal research of public opinion on dealing with the past is needed. For this reason, we will conduct again a similar research in 2016.

In order to make more demanding advocacy efforts, it is needed to **choose partners and set up the forms of cooperation and to jointly build a plan and think about the ways to include the citizens.** The tradition of building coalitions in Croatia started with the development of *Anti-War Campaign Croatia* into a network of more than 20 organizations, most of which worked on various aspects relevant for peace-building, which also included dealing with the past⁴⁷. In advocating for the rights of women war victims very valuable experiences are also those of Women's Network of Croatia. In order to achieve more visible and effective results, finding various forms of cooperation is very important.

Be sure to agree on the strategy how to attract the media and communicate with them as soon as possible, as well as strategies on how to inform and open dialogue with those who do not think alike. Make personal contacts with reporters/journalists and editors and explain to them the importance of the initiative. The media are, as a rule, interested in the destiny of victims and open for making public information about victims.

Can you, in the partnerships that you are building, try to include current opponents? Ideally, you should have conversations with as many of those of different opinion as possible, who might not strongly react after you give them a quality explanation, at least not in a measure in which they would react if they learned about the initiative from the media. Conversation and, if possible, constant dialogue with all interested sides, especially those of different opinion, contributes to the society's dealing with the past.

Example 3:

Coalition for REKOM

More than a decade after the end of armed conflicts on the territory of former Yugoslavia, in none of the successor states a list of all those who were killed and went missing during the war has been made public, and more than 15,000 persons

⁴⁶ Research results were published in: Kardov, Kruno, Lalić, Dražen, Teršelič, Vesna (2010), *Suočavanje s prošlošću u Hrvatskoj* [Dealing with the Past in Croatia], *Documenta*

⁴⁷ The first report on human rights within Anti-War Campaign Croatia was prepared by Centre for Peace, Non-Violence and Human Rights Osijek at the beginning of 1993. It was sent to the then President of Croatia, government, Parliament, county and domestic and international organizations. It is available at http://www.centar-za-mir.hr/uploads/dokumenti/izvjesca/godisnji_izvjestaj1992.pdf The report is important for advocating for the rights of forcibly expelled civilians. In the period 1991-1994, during the war in Croatia, more than 5.000 persons of non-Croatian, mostly Serbian, nationality were forcibly expelled from their homes, from army or communal apartments. The majority of expelled families did not manage to return to their homes and some of them are still today filing law suits in order to realize their rights.

are still listed as missing. Human rights organizations estimate that some 130.00 people were either killed or went missing. Victims are marginalized, their voices are rarely heard in public, and numbers of those killed are often manipulated in political purposes. For this reason, Humanitarian Law Fund from Belgrade, Documenta from Zagreb, and Research and Documentation Centre from Sarajevo started an initiative for establishing facts about all victims of the 1991-1999 wars. In the discussions which followed, Coalition for REKOM was formed, as a network of organizations and individuals whose mission is to advocate for the establishment of the Regional Commission for establishing facts about war crimes and other severe human rights violations on the territory of former Yugoslavia, which should be formed on the basis of an agreement among successor states of former Yugoslavia. Coalition for REKOM gathered more than 1800 civil society organizations and individuals from all post-Yugoslav countries. Among them are also associations of parents and family members of missing persons, war veterans, journalists, representatives of minority ethnic communities, the youth, human rights organizations, etc. After a three-year long consultation process, Coalition for REKOM adopted a Statute proposal at the assembly held in Belgrade on March 26, 2011.

REKOM provides a unique chance to present all relevant facts about war-related suffering. REKOM is considerably different from court proceedings, both those held before the ICTY and those held before domestic courts, which unavoidably focus on the indictment and those accused in a court case. It could prevent further manipulations of the number of victims, done by all warring sides, but which also caused equal damage to all, and could help states in the region to jointly solve issues of the difficult legacy of the past, which still burdens their mutual relations on their joint path towards the European Union.

Coalition for REKOM sent in 2011 the REKOM Statute Proposal to government institutions in post-Yugoslav countries. Although there is still no political will to establish REKOM, the interest expressed by presidents of Montenegro, Croatia, Macedonia and Slovenia is encouraging. A meeting of the presidents' representatives, at which REKOM Statute Proposal will be discussed, is expected in the second half of 2013.

It is important to determine when and how often you will contact the relevant government institutions. Do not forget that you will be able to contribute to the solving of a problem, of which you are warning, only if you convince the public and local and national government institutions that the problem can no longer be ignored. For this reason, it is particularly important to inform the government institutions in a written way, at formal meetings and through informal communication during all advocacy phases: from the data collection phase, to public presentation of your observations, reports and recommendations, in order to increase the chances for realizing your requests. Your job is to criticize the actions of executive, legislative and judicial power, which unwillingly deals with the legacy of the past. But even when you warn of the destinies of victims, you should not lose sight of your joint goal: acknowledging the suffering of all victims and peace-building. A possible approach in a democracy is critical support to institutions, and in a dictatorship or transition towards more democracy,

civic disobedience and refusal of cooperation with all who have blood on their hands and have allowed for crimes to happen is your right. Choose your partners in a dialogue, with whom you wish to have long-term communication, as soon as possible, and dedicate your efforts to years-long trust-building. If possible, include them as speakers at round table discussions, seminars and conferences which you organize, in order to exchange opinions and create opportunities for making joint recommendations. Nurture a dialogue in order to increase chances for a joint solution to problems which have been neglected for a long time.

Bigger coalitions, which act together in public and towards government institutions, will make negotiations with ministries easier and increase visibility. It will enable you to spend your time more rationally, because you will be able to divide contacting relevant institutions of the executive, legislative and judicial power among several organizations.

Example 4:

Platform 112

In the final part of negotiations on Croatia's integration into the European Union, civil society organizations have linked their observations into a joint report, which was, in 2011, for the first time presented to the public and international institutions. In order to ensure irreversibility of reforms started during the negotiations on EU accession, through joint public advocacy, the organizations were connected in a coalition.

Platform 112 gathers sixty civil society organizations which have, for a number of years, been working on human rights protection, democratization, peace-building, dealing with the past, fighting corruption and protection of public resources, particularly environment, and which sent 112 requests to all political options on the eve of parliamentary elections, defining priorities and concrete measures for Croatia, in which the rule of law is the stronghold for actions of individuals, institutions and political elites. Platform 112 asks and expects consistency and political responsibility from the new government, but also from all other political actors and institutions, for real and permanent improvements in five priority, inter-linked areas:

- (1) stable, responsible and democratic government institutions and equal access to justice,
- (2) quality of democracy,
- (3) fight against corruption and public interests,
- (4) equality and dignity of all people,
- (5) legacy of war, dealing with the past and peace-building.

Platform 112 presents its observations and requests at round tables and joint public actions and prepares periodic reports on the government institutions' fulfilment of tasks. The topic of war legacy has become one of the joint advocacy topics.

Regardless of whether your advocacy attempt will last one or several years, leave some time for periodic **critical discussions, evaluation and correction of initial plans**, with participation of different actors. Invite also friendly reporters and opponents.

Try not to burden yourself with the question on whether your initiative will succeed or not, in the form of a concrete change, and keep in mind that your words on the need to acknowledge suffering of all victims have left a trace on all those you have spoken to.

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MONITORING WAR CRIMES TRIALS

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The importance of war crimes trials

The biggest expectations, concerning an expected response from the state institutions to crimes and political violence, are related to trials. Since the trials, from the very moment when crimes were committed, have been recognized as the only adequate response of the state legal institutions, they have been followed in public with interest and tension. We are all aware of the fact that ending investigations and then raising indictments and holding trials are complicated by the fact that proceedings are being brought against direct perpetrators and commanders who were in power not only at the time when crimes were committed, but have remained powerful even today.

After more than six decades since the first trials against defendants for war crimes and crimes against humanity were held before tribunals in Nuremberg and Tokyo, it has become clear that judgements,

even when they were perceived as just by the legal professionals as well as by survivors and the public, have not always brought the expected satisfaction.

Social expectations related to the work of the International Criminal Tribunal for War Crimes Committed in Former Yugoslavia, established by the UN Security Council in 1993, which is getting closer to the end of its most intensive part of work and starting of a residual mechanism, as well as expectations related to processing war crimes in post-Yugoslav countries, have been realized only partially. Public opinion polls, conducted in 2006, showed that the highest number of citizens preferred war crimes trials, as sanctions for committed crimes, but the courts' work ranked relatively low. On the scale 1 to 5, the Hague tribunal ranked on average 2.3, while domestic courts ranked 2.5 (Kardov: 119).

Court proceedings - examples from Germany, Poland and Croatia

Although they were expected all around the world, in many countries after wars and dictatorships, trials were not possible due to laws on impunity and lack of political will. In order to illustrate the accomplishments of trials, we quote data from three countries in which prosecution of perpetrators is still ongoing.

After the Second World War, for the first time in history, a relatively large number of persons was held accountable for the Holocaust and other crimes against humanity and war crimes. According to a German historian's, Norbert Frei, estimations "a minimum of some 100.000 Germans and Austrians, which were held accountable for crimes after 1944/1945, in all parts of Europe, is impressive, not only compared to two dozens of those accused before the International Military Tribunal in Nuremberg". The number reveals Europe's wish to punish perpetrators, which stems from the dimensions of crimes of the national-socialist occupation and genocide. Finally, we should remember that the final,

high number of the accused does not say anything about the scruple in passing the final verdicts. We would probably not be very wrong if we estimated that the number of Germans and Austrians who were at least temporarily suspected of war crimes amounted to as much as 400.000. In the town of Ludwigsburg in Germany, a special prosecutor's office *Zentrale Stelle der Landesjustizverwaltungen zur Aufklärung nationalsozialistischer Verbrechen*, which was founded in 1958, still works today and still runs investigations against suspects for Nazi crimes against humanity, keeping a record of some 800.000 files with names of persons connected to crimes. The office has finished pre-investigations in 7.485 cases. 7.472 cases have been transferred to relevant prosecutor's offices in Germany or other states⁴⁸.

Of the overall number of those accused of Nazi crimes, some 16.000 persons were tried in Poland. The Polish judiciary can also claim a relative efficiency in investigating crimes committed by

⁴⁸ The data was taken from the web site <http://www.zentrale-stelle.de/servlet/PB/menu/1199407/index.html?ROOT=1193201>, last accessed on February 2, 2013

members of security services and their collaborators during the communist rule. According to the data of the Polish institute *Instytut Pamięci Narodowej*, which collects documentation about crimes committed during WWII and in the after-war period and as part of which also works a special prosecutor's office, 295 indictments have been raised against 458 persons since the beginning of the 1990s. 151 persons have been found guilty, and 31 persons have been cleared of all charges. Prosecution of 91 persons ended, due to the implementation of the Impunity Law⁴⁹.

According to the State's Attorney's Office of the Republic of Croatia, in the period between 1991 and

September 30, 2012, in Croatia, criminal proceedings against 3.495 persons have started, out of which 87 percent were tried *in absentia* of the accused. The proceedings were mostly started against members of the Yugoslav National Army (JNA) and members of the so-called SAO Krajina formations.

By September 30, 2012, investigations against 299 persons have started, 658 have been accused, but proceedings were still pending, while 576 persons were found guilty in non-appealable verdicts. Proceedings after investigation and after raising an indictment were suspended or defendants were cleared of all charges in 1962 cases.

Dealing with the legacy of the past - Responsibility of the judiciary

Taking on the responsibility for committed violations of human rights and criminal acts against values protected by international law, breaking with the values system which enabled violations of human rights, systematic acknowledgement of all victims through establishing the truth, material reparations as an expression of social solidarity and bearing equal burden within a society, strengthening the trust in basic vehicles of governance, developing critical public opinion, and political context expressed through political will are the key components needed for dealing with negative legacy of the past through war crimes trials.

War crimes trials were held and are still being partially held in conditions in which there is no consensus in the society about the fact that killings, torture, inhuman actions and expulsions of civilians constitute criminal actions of war crimes, regardless of who committed the crime, even if it is done in defence from an aggressor.

Judicial power should contribute to the strengthening of this kind of values system, through the establishment of facts on the committed crimes, circumstances and criminal responsibility of those accused of war crimes at all levels and sides of an armed conflict.

Monitoring war crimes trials

Human rights organizations monitor trials in order to assess in what measure are court proceedings in line with international standards of a just trial and to initiate a more efficient processing of crimes. Through their reports about trials, they are trying to influence the judiciary reform and, at the same time, support victims' families and survivor communities, which have the entire time, since the crimes were committed, been facing complete invisibility of their suffering, and if they decide to speak publicly about details of the crimes, they often face long-term threats.

The majority of domestic and international organizations monitor only selected trials, but when organizations assess that systematic monitoring could influence the improvement of judiciary's work, they can decide to systematically monitor trials. While, until recently, systematic monitoring was linked only

to big international organizations which have the capacity and the means, such as the Organizations for Security and Cooperation in Europe (OSCE), domestic civil society organizations in certain countries also increasingly implement systematic monitoring of war crimes trials.

If possible, it is also important to monitor, next to criminal, reparations and administrative proceedings for war crimes, in order to obtain a complete insight into the problem of late processing of war crimes. Only with better understanding of the work of judiciary and other government institutions will you be able to form concrete improvement proposals to be presented at public events and during specialized campaigns such as *Victims have been waiting for too long*, which is described in one of the texts below.

⁴⁹ The data were retrieved from a talk given by prosecutor Robert Kopydłowski in Warsaw on November 6, 2012.

Monitoring war crimes trials in Croatia

Human rights organizations, Centre for Peace, Non-Violence and Human Rights Osijek, *Documenta* – Centre for Dealing with the Past, Civic Committee for Human Rights, and Croatian Helsinki Committee (which cancelled its cooperation in 2007), decided to systematically monitor trials in order to gain valuable information on the proceedings in progress, but also on the methods of work on (non)processing war crimes. Since the beginning of systematic monitoring of trials in 2005, the project team, in its annual and periodic reports, records trends and gives recommendations for the improvement of the conditions for processing war crimes, emphasizes the importance of efficient and just judiciary in criminal cases, which would respect the rights of defendants, as well as the rights of victims and witnesses, and monitors the work of judicial system in general with respect to the right to a fair trial. Civil society organizations committed themselves to monitor trials while showing full respect for court and judiciary employees, as well as other persons involved in the functioning of judiciary, and to respect the Croatia legal and court system.

The general aim of monitoring war crimes trials is to strengthen the rule of law in processing war crimes, through the increase of efficiency of war crimes prosecution; to improve the legal framework for the prosecution of war crimes; to improve the position of victims in criminal proceedings; to intensify regional cooperation; to open public discussion on reparations to all war victims; to open public dialogue about inter-sectoral cooperation, influence on the local/national/regional level and on capacity/partnership/human resources building.

We have witnessed to the fact that, at the beginning of transition, all branches of power were ready only for cosmetic improvements. In the 1990s, crimes were covered up and legal prosecution of crimes obstructed, but due to internal and external pressures, from families and human rights organizations, as well as from international organizations, the situation changed. In the 2012 report on monitoring war crimes trials, we stated that:

Croatia has made progress in its efforts to try members of own army formations. This points to an improvement in dealing with (unpleasant) war events of numerous relevant factors, as well as to maturing of the entire judicial system. However, an entire decade had to pass before processing of crimes committed by the Croatian side started, while problems exist still today.

During the 1990s, members of Serbian army formations were, almost exclusively, prosecuted. Respecting the fact that trials were held in difficult conditions of war and post-war period, in a situation in which implementation of war law in practice represented a momentum novum for judicial actors, trials were often held in an unprofessional and ethically biased manner, mostly in absentia of the accused. Some 80 percent of the accused persons were tried in absentia⁵⁰. On the basis of imprecise indictments, which often included dozens of defendants and without sufficient evidence or adequate defence, convictions were passed. The judgements were often not explained in many details and the sentences given were high. Since the prevailing position of political and judicial elites at the time was that no war crimes could be committed in a defensive war, processing of crimes committed by members of Croatian army forces was absent.

The second decade (2000-2010) was marked with an attempt to correct the mistakes of previous work. Investigations and prosecutions of crimes committed by members of Croatian army forces started. Cooperation among judicial bodies in the region was established and developed, the quality of indictments and trials has gradually risen, and services for the support to victims and witnesses at certain county courts was established. Adoption of the new Law on Criminal Proceedings in 2008 enabled renewal of previous proceedings with final judgements at the State Attorney's request. In this way, trials were renewed and convictions brought against some 90 defendants annulled. Proceedings for crimes committed in Medački

⁵⁰ According to the data published by the State Attorney's Office of the Republic of Croatia in 2004, in the period from 1991 to 2004, 602 persons were convicted of war crimes, out of which 464 were convicted in absentia.

džep, Gospić and Osijek revealed the full social sensitivity and complexity of criminal trials to members of own army formations, but convictions of perpetrators pointed to the fact that the Croatian judiciary was capable of holding such trials.

In the current period (from 2010 onwards) the legal framework, within which war crimes prosecutions are held, has been improved. Amendments to the Law on the Implementation of the Statute of the International Criminal Court and the Prosecution of Crimes against International Law of War and Humanitarian Law stipulated exclusive jurisdiction of county courts in Osijek, Rijeka, Split and Zagreb, as well as a possibility to use evidence collected by the ICTY in criminal proceedings in Croatia.

Contents and methodology of trials monitoring

From April 2005 to December 2011, monitors of the Centre for Peace, Non-Violence and Human Rights Osijek, together with monitors from *Documenta* and Civic Committee for Human Rights, followed at county courts in Croatia main hearings in 99 criminal cases of war crimes.

They followed all proceedings for war crimes before courts in Croatia, including revisions of proceedings which were previously held in the absence of the accused. Within their capabilities, through direct work with victims and available information, they followed and supported processing of war crimes cases against unknown perpetrators, which are still in pre-investigation phases.

They also monitored selected proceedings/trials for war crimes which were held before courts in the neighbouring countries, particularly when crimes committed on the territory of the Republic of Croatia were in question, as well as trials before the ICTY.

The number of trials for war crimes before county courts in the Republic of Croatia is, in continuity, relatively high (23-24 trials per year, which includes some 100 defendants). Statistical data for 2011 best reflect activities related to processing of war crimes: indictments were raised against 29 persons, we monitored 28 trials against 65 defendants. It is to be expected that in the following years monitoring of war crimes trials will remain of the same intensity and extremely important for accomplishing the set goals.

The methods we use when monitoring war crimes trials are direct following of all main and other hearings or examinations, when this is allowed, following

Supreme Court sessions and reporting from them. In order to do a comprehensive analysis, we collect relevant court documentation, follow media reporting on a particular case and collect documentation related to reparations files of the injured party in a trial. We try to collect other, additional information, necessary for a better understanding of a problem, in direct communication with the justice ministry, courts and state attorney's offices.

We provide an overview of the monitored trials in published periodic reports (bi-monthly, half-year, annual) with findings, recommendations and opinions about individual cases, as well as warn of certain trends in the judiciary and society in general. All reports, be they periodic or reports from trials, are available at the organizations' web sites⁵⁰. Public statements, press conferences and public discussions are prepared and organized in cases when it is important to react and warn the expert and general public about certain findings or situations.

The purpose of monitoring rests in a critical support to the judiciary, i.e. systematic improvement of the judicial practice; strengthening the trust in independence of the judiciary in accordance with international standards of professional and just trials; ensuring transparency of criminal proceedings, especially of the main hearing (for an investigation process, the principle of confidentiality applies); enabling monitoring of the judiciary; detailed informing of the public about war crimes trials, committed crimes and their circumstances; opening discussions about attitudes, prejudice and stereotypes which are an obstacle to criminal prosecution; strengthening the trust in judiciary and expertise of the judges.

⁵⁰ www.documenta.hr, www.centar-za-mir.hr

Work procedure of war crimes trials monitors

In accordance with the Statement on moral obligations of practitioners on human rights protection⁵¹, the monitoring team, as human rights professionals, should share dedication to human rights stipulated in the General Declaration on human rights and other international instruments and to comply with the values of human dignity, equality and non-discrimination, fairness, the rule of law, international solidarity, mutual understanding, tolerance and

respect for other people's abilities and values. As human rights professionals, regardless of their belonging to a certain human rights organization or their geographic location, they should aspire to a world in which each man, woman, and child would live in dignity and freedom and to contribute to the realization of this vision with strong personal dedication and highest level of professional integrity.

Monitoring team

There are seven people in the monitoring team, and among them a respectable number of persons who have passed the bar exam. These are mostly young,

dedicated and ambitious professionals. In the team are also persons who have practiced law at the Hague tribunal.

Focus and scope of monitoring

In the focus of monitoring are **international standards of a legal proceeding**, as well as **principles of a criminal proceeding** incorporated into the Law on criminal proceedings. On the basis of these standards, monitors can assess whether a monitored proceeding met the accepted norms of legal proceeding fairness. In the annexed attachment, relevant standards of a legal proceeding are emphasized, as well as basic principles of a legal proceeding that monitors should be aware of when assessing the efficiency of monitoring implementation.

Criminal proceeding is a system of actions regulated by law and a complex of mutual relations among subjects in a proceeding (the court, plaintiff, defendant) and other participants. The purpose of a criminal proceeding is to determine (1) whether a

criminal act has been committed, (2) who committed the criminal act, (3) whether the suspect is guilty, and (4) whether there are conditions to implement criminal sanctions.

The law is the prime source of a criminal proceeding. Except for the main case of a criminal proceeding, we also monitor the so-called related cases (for example, an epilogue to a property claim, as a case related to a criminal proceeding), as well as complementary proceedings, for example reparations for damages incurred by an unjustified decision.

On the basis of statistical data of the State Attorney's Office of the Republic of Croatia and county attorney offices and courts and the data collected by the monitors, we also follow statistical trends regarding:

- the number of criminal charges, investigations and judgements
- ethnical composition of defendants
- the number of trials *in absentia*
- length of time spent in custody
- number and reasons of renewed trials

⁵¹ <http://www.hrfoguidingprinciples.org/English/documents/SoECEN.pdf>~~HEAD=pobj

Monitoring trials before ad-hoc tribunals (ICTY, ICTR, SCSL, STL) and the International Criminal Court

Basic information

The concept of international courts lies in general on substantial limiting of national states' sovereignty. Moreover, their establishment points to the readiness of states to limit their own sovereignty on the level of criminal jurisprudence, in order to protect basic values reflected in the idea of human rights.

International Criminal Tribunal for Former Yugoslavia (ICTY) and International Criminal Tribunal for Rwanda (ICTR) are courts with clearly defined attributes of *ad hoc* tribunals, which are about to end the most intensive part of their work⁵². They were established by a Security Council decision in accordance with chapter VII of the U.N. Charter. Parallel to the work of *ad hoc* tribunals started activities on the establishment of mixed courts, special bodies for the prosecution of international criminal acts, and these activities were often marked with political compromise. Governments of Cambodia and Sierra Leone rejected the idea of an international criminal court such as ICTY and ICTR, so that so-called internationalized domestic courts were established. The Cambodian government only accepted the idea of a special national court with participation of foreign judges and legal experts, but they were in a minority. Furthermore, Special Court Council in Cambodia, as well as Special Court for Sierra Leone, were established with bilateral agreements between the U.N. and the two countries' governments, which in consequence significantly weakened the international community's influence and made a distinction between these courts and *ad hoc* tribunals as courts with limited duration existing exclusively as U.N. bodies.

These courts are often called hybrid courts. The hybrid model was for the first time established in East Timor,

and was later, with certain differences, proposed for Cambodia and, in the end, for Sierra Leone.

Special court for Sierra Leone was established with a joint decision between the Sierra Leone government and the U.N., as well as the Hague Tribunal. This was the first international court completely financed from voluntary contributions of governments from all around the world. The court Statute explicitly directs the Special Court to follow the ICTY and ICTR practice. In Article 20, paragraph 3 of the Statute, Appeals Council is instructed to follow the practice of ICTY and ICTR appeals councils. The court has the power to prosecute persons who committed or order committing of criminal acts against the values protected by the international humanitarian law.⁵³ Special tribunal for Lebanon is a court instance of international character. It was inaugurated on March 1, 2009, as a court with four bodies: court councils, office of the prosecutor, office of the defence and the court secretary.

Headquarters of the court is located in the Netherlands' capital, The Hague, but the court, through its office, also acts in Beirut and Lebanon.

Its primary mandate is to try defendants for bombing attacks on the then prime minister Rafiq Hariri on February 14, 2005, when 23 persons were killed, including the prime minister. Special tribunal for Lebanon is the only *ad hoc* tribunal which has jurisdiction for terrorist criminal acts, which are categorized as such a group of criminal acts in international sources. They are treated as a kind of "war crimes" in times of peace committed by a non-state structure. Those allegedly responsible are currently being tried in absentia.⁵⁴

⁵² In accordance with Security Council Resolution 1966 (2010), residual mechanisms will commence tier work on July 1, 2012, with the opening of a mechanism branch in Arusha, for the ICTR, while The Hague Branch of the United Nations Mechanism for International Criminal Tribunals – MICT will start working on July 1, 2013 and exist paralelly to ICTY by the end of 2014.

⁵³ On May 30, 2012, the Special Court for Sierra Leone (this *ad hoc* tribunal was first placed at the International Criminal Court, while today it uses the premises of the Special Tribunal for Lebanon, also in The Hague) sentenced Charles Ghankay Taylor to 50 years in prison. The decision of the court council, presided by a judge from Samoa, with council members from Northern Ireland and Uganda, was unanimous. Earlier, on April 26, 2012, Taylor was found guilty on all 11 counts of the indictment on the basis of individual criminal responsibility. The prosecution did not manage to prove his responsibility for a joint criminal enterprise. He is the first president of a state who has been accused, and then, after an evidence hearing, found guilty before the Special Court for Sierra Leone.

⁵⁴ An institute which recognizes our criminal-legal system was, during early 1990s, abused in criminal proceedings for war crimes in the Republic of Croatia, which were held in the absence of the accused, members of the Serbian ethnicity. Defence lawyers ex officio did not appeal to first-instance verdicts, which pronounced the defendants guilty and convicted them to maximum prison sentences of 20 years.

Permanent International Criminal Court

As opposed to *ad hoc* tribunals for former Yugoslavia and Rwanda, established by the U.N. on the basis of a Security Council decision and in accordance with Chapter VII of the U.N. Charter, the International Criminal Court was established on July 17, 1998 on the basis of an agreement among individual states and it is not part of the U.N. system. Acceptance of the Rome Statute by 120 states created a legal basis for the establishment of this very important institution. The Rome Statute came into force in 2002, after the process of ratification was implemented in 60 member states. This independent court has jurisdiction to try persons accused of having committed criminal acts of genocide, crime against humanity and war crimes.⁵⁵

The Rome Agreement also created, next to the International Criminal Court, Trust Fund for victims. It is an extraordinary practice that a trust fund for victims, under the court's jurisdiction, works independently from the existence of the court's conviction, while ICTY and ICTR Statutes do not recognize it at all.

Documenta organized, in 2010, study visits to The Hague, as part of the project *Study visits to international*

permanent and ad hoc judicial institutions in The Hague, with the aim of informing the public, creating public policies/recommendations and strengthening the awareness on the work of the International Criminal Tribunal for War Crimes in the Former Yugoslavia, as well as other *ad hoc* tribunals and the Permanent Criminal Court and International Court of Justice. The study visits were attended by journalists and monitors of war crimes trials, and supported by the Kingdom of the Netherlands Embassy in the Republic of Croatia.⁵⁶

From that moment, the legal team, in parallel to criminal proceedings for war crimes held before national courts, systematically follows events before the mentioned court institutions, particularly criminal proceedings relevant for the Republic of Croatia which are held before the International Criminal Tribunal for the Former Yugoslavia.⁵⁷

Despite declarative public acceptance of basic values of legal order, in practice, political elites and judicial institutions show only partial readiness. For this reason, an objective media coverage of war crimes trials represents an important contribution to the affirmation of the rule of law.

⁵⁵ The Rome Statute, applicable to the International Criminal Court since 2010, i.e. since the conference in Kampala, Uganda, in Article 8 bis, stipulates its authority in the case of a crime of aggression (this criminal act is not mentioned neither in the ICTY, nor in the ICTR statutes).

⁵⁶ During study visits to the court capital, as The Hague is often referred to, we have visited all *ad hoc* tribunals, which are currently active, in The Hague, as well as two permanent court instances, International Criminal Court and International Court of Justice, established back in 1945. One of the study visits to the International Criminal Court was organized while awaiting the first judgement, which was announced on March 14, 2012. Thomas Lubanga Dylo was found guilty of war crimes committed by forcible mobilization and abuse of children younger than 15, during conflicts in the Democratic Republic of Congo. During one of the study visits, we also followed the main hearing in the criminal case against former military commander of the Congo Liberation Movement, Bemba Gombo, accused of war crimes and crimes against humanity. In the focus of our visit was also the criminal case against Charles Taylor at the Special Tribunal for Lebanon. The project also included representatives of the academic community and senior year students of journalism. War crimes trials monitors sharpened and enriched their competencies while following trials before international *ad hoc* tribunals and International Criminal Court, particularly before the ICTY.

⁵⁷ At The Hague tribunal, we followed the office of the prosecutor's closing statements in the Šešelj case, who, among other things, is charged with individual responsibility for crimes committed in Croatia, on Ovčara and in Grabovo. The first indictment charged Šešelj, in 14 counts, with crimes committed against civilians in Voćin, but the indictment was reduced to 9 counts and the prosecution presented evidence about crimes in Voćin in an effort to point to the goals and methods of a joint criminal enterprise, as well as to the elements of the crime of prosecution in Croatia and Bosnia and Herzegovina. We also followed closing remarks of the prosecution and partially of the defense in a case against leaders of Herceg Bosna, i.e. Jadranko Prlić, Bruno Stojić, Valentin Ćorić, Slobodan Praljak, Milivoj Petković and Berislav Pušić. The indictment charged them with personal criminal responsibility through the concept of a joint criminal enterprise headed by the then President of the Republic of Croatia, Franjo Tuđman. At the trials to Croatian generals Gotovina, Čerkez and Markač, we followed direct hearing of the court council witnesses about crimes against civilians in the Grubori hamlet. The mentioned journalists reported during the study visits about everything we had seen, and made special features about it.

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PROTECTING ONESELF WHILE WORKING ON DEALING WITH THE PAST

Trauma and its consequences - Mental health care of
civil society activists in dealing with the past

Zdenka Pantić

This text will discuss psychological consequences of work with traumatized people on those persons who provide them with help. These can be experts from

different professions, activists, volunteers, family members and others who are in direct contact with a traumatized person. Here we will pay special attention

to activists and volunteers of civil society organizations, who work on human rights and consequences of war trauma, provide direct support to traumatized people in the field, collect facts and document war experiences, advocate for the rights of different groups of victims or monitor war crimes trials, etc.

They all encounter psychological traumas caused by people's actions. Traumas which were caused by actions of people (such as war trauma, torture, genocide, prosecutions based on religious, ethnic or political grounds) are considered to be more difficult to recover from, since in these cases an intention is present, and not an accident as with natural disasters (Van der Kolk, 1996:142). Civil society activists and volunteers, who work with war victims and human rights violations, include a lot of (young) people with firm beliefs in the meaning of what they are doing and ready to correct the wrongs and improve the society.

What are they dealing with? There are a lot of problems without satisfying solutions, and a large number of people who need constant and intense help, because they are in permanent distress. Emotional exhaustion is permanent due to constant awareness of clients' great needs. The monotony of populations' problems makes the work more difficult. In some situations, there is a danger of physical threat. Similarity in

traumatic experiences of helpers and clients can initiate helpers' traumatic reactions. Next to general difficulties in working with traumatized persons, activists and volunteers in civil society organizations work on problems which are often the subject of denying and conspiracy of silence in a society, and most often have no public support, but the point of their work is exactly to warn of injustice and the need to its remedy (Pantić, 2012:289-305)⁵⁸.

On the other hand, activists are usually not trained to work with traumas and are not aware of their consequences, and their organizations do not include mental health care as regular measures in their work. On the contrary, motivation and values in which activists believe result in their making maximal efforts, which can increase the risk for their mental health and welfare. Thus, for example, the idea to seek help in understanding one's own reactions to traumas they are exposed to can even be considered as a weakness! However, helping others will affect helpers, and this can go in a positive as well as in a negative direction. These are natural reactions to the exposure of traumatic experiences. **This is seldom talked about, and while working with a severely traumatized person, it is important to know how traumas have a transformative effect on persons providing help.**

Trauma and its consequences

Psychological trauma is an experience (personal experience, presence or facing) of direct or potential death danger, injury or threat to one's own or other's physical integrity, which is why an intense fear, feeling of helplessness or terror appears (DSM-IV: 209). Consequences can appear on a psychological, psychosocial or family plan (collectivities and trauma will be discussed on some other occasion). One of the most frequent consequences is PTSD, a state when a person feels fear, helplessness, anger, or hatred, suffers from a sleeping disorder, memory changes,

enhanced arousal, difficulties in concentration, repeated experiencing of traumatic events, avoiding remembrance of the trauma, withdrawal. However, there are also a number of other psychological and psychiatric consequences, such as depression, anxiety, substance abuse, etc. Moreover, the usual perception and understanding of oneself and the surrounding changes. Trauma (which is always a loss) includes different losses, such as a loss of feeling of oneself, loss of sense, hope and trust in others.

Psychological reactions of helpers

Working with people falls into a group of stressful occupations, and this is especially present when working with persons who have psychological

traumas (with war traumas, this means the experience of fighting, prosecutions, torture, different losses, awaiting for the missing, lack of justice, while the

⁵⁸ Experiences of Stress and trauma rehabilitation centre, Zagreb, in which the author is engaged.

clients usually also fall into vulnerable groups such as the elderly, marginalized, women, minorities, poor, etc.) Helping psycho-traumatized persons (including research on human losses and monitoring war crimes trials) provokes strong emotional reactions. The helpers themselves can also be victims of traumas, prosecution, etc. or come from families with such experiences.

Focusing on others through close, personal contact and sympathy, with the aim of offering help during difficult times, treatment and fighting for their rights, affects those who help others. Thus, Lansen (1994) specifies the following feelings and types of behaviour during a contact between a professional and a victim (in the context of clinical work): too spontaneous, impulsive reactions which lead to inappropriate actions, avoiding asking certain questions, not noticing the importance of a client's statements and making negative comments.

Not long after meeting a victim, the following feelings are possible: researcher/helper can have difficulties in leaving a story behind, he/she might not be able to concentrate on other things for a while, has a feeling of being temporarily unable to make social contact, there is a pronounced need to share the story with someone else, feelings of confusion, tiredness, and insecurity are possible, as well as nightmares and memories of the story about violence and there is a possible reaction of fear. Furthermore, as long-term consequences, a professional (activist, volunteer) is tempted to become indolent, does not write reports, has prejudice towards certain categories of clients (why he/she did not leave a dangerous situation earlier...), keeps a client with serious problems at bay, feels unable to help, does not succeed in helping, does not consult colleagues (distances him/herself), changes his/her relations to others.

To this, we should add our own observations from work with activists/volunteers who work on serious human right violations, which affects their welfare, work and identity:

- despite their good intentions, a conflict of loyalties is possible; for example, an activist and a person he/she is trying to help have different beliefs, belong to a different ethnic group,
- both sides can be victims,
- one of the two persons belongs to the aggressor, and the other to the victim group,
- we struggle to understand different layers of a conflict,
- the experience of encountering a trauma, the other/different, influences the development of a helper's identity,
- a question arises on how to make sense when encountering a long-term lack of justice, denial, conspiracy of silence and impunity.

EXAMPLE:

A young, emphatic and very motivated person works in the field, is interested in legal aspects of gross human rights violations during war, helps persons who suffered great losses, as well as those who have for a long time been looking for missing persons. After some time, he/she notices different physical dysfunctions, feels depressed and anxious, has nightmares and suicidal thoughts, so he/she seeks professional help. A talk with a professional reveals that the person was exposed to war danger during childhood, due to war events in his/her home-town, while his/her family was, at the same time, threatened and isolated by co-citizens due to their ethnic belonging. The person's parents, preoccupied with the danger and everyday worries, could not provide adequate support. A short, focused psychotherapy soon shows that a client's trauma mobilized one's own unprocessed traumas and a reduction of sympathology is achieved.

What are the most usual, unfavourable outcomes of working with heavy traumas?

Burn-out is a reaction when a person loses a feeling for work and people he/she should work with (clients, beneficiaries, respondents), does not have feelings for anyone or commitment needed for work with others, which is the basis of his/her work. The key feeling

when experiencing burn-out is lacking meaning in one's work, and not the level of work-load. If the process is not recognized on time, it can result in serious damage of mental and physical health.

It is possible to assess the risk of burn-out, considering conditions and organization of work, through the following steps (Sjolund, 2007: 306):

- investigate the amount of contacts, work-load and number of cases,
- detect unclear goals in one's work,
- detect unclear roles and expectations from the society,
- assess contamination, due to the connection with a case,
- assess the possibilities of a personal development,
- raise the awareness on how a negative spiral of exhaustion would cause a feeling of loss at work,
- typical psychosomatic symptoms are: headache, loss of sleep and appetite, fatigue, digestion problems, high blood pressure,
- emotional symptoms (depression, irritability, anxiety, feeling of guilt, helplessness...).

A change in the relation towards clients happens during burn-out, so the following symptoms can be observed: distance and dislike/disgust, suspicion, cynicism. Possible changes in one's work that can be observed are: increased non-flexibility, resistance to changes and lack of creativity, feeling of reduced work capacity, a burden caused by a feeling of incompetence and anxiety that colleagues will discover "the fact that I am useless".

Preventive measures which we can and need to undertake are: getting familiar with the signs of burn-out and identifying the causes; visiting the doctor in case physical problems occur; sleeping and proper nutrition; in cases of mental health problems – adopting skills to cope with stress (muscle relaxation, imagination, positive attitude towards oneself, understanding one's weaknesses and strengths, monitoring depression, good time-management,

setting realistic goals, monitoring dissatisfaction with work and respect of confidentiality). In burn-out prevention, it is necessary to pay attention to work resources, conditions and organization.

Secondary traumatization is a professional difficulty and unavoidable consequence of a close relationship (professional or family) with a traumatized person. Work with traumatized persons affects the identity of a therapist/helper/researcher, leaves short-term and/or long-term consequences on their private life and work, affects their world-views, psychological needs, attitudes and memory. The term secondary traumatization is used to point to the fact that other people, who are in close contact with trauma victims, can experience a significant emotional distress and can, in time, become themselves indirect victims of trauma (Sjolund, 2007: 305).

PTSD or other similar symptoms may occur:

- sleep and concentration disorder, depression symptoms, withdrawal tendencies, anxiety, nightmares and imposed memories,
- influence on how one perceives him/herself and others, shaken and changed world-view,
- everyday life problems become less interesting; decreased feeling of connection with family members,
- feeling of guilt because one has better living conditions than a client,
- helpers feel shame as indirect witnesses of torture,
- (see also the above-mentioned burn-out symptoms).

In this way, thoughts, feelings and behaviour of helpers can be identical to those of a traumatized person they work with, provoked by client's experiences, or can be transferred from a traumatized person onto a helper and affect his/her private and professional life. This does not mean that clients "do something" to a helper, but the symptoms similar to primary traumatization can occur in helpers as a human consequence of facing and discovering the reality of trauma.

Persons that researchers working on dealing with the past come in contact with often have drastic traumatic experiences which are even difficult to listen to. These are usually persons who have not previously spoken about their experiences, because they were afraid to reveal their experience, nobody wanted to listen to them, they have lived through multiple traumas and suffered long-term lack of justice, did not have access to rehabilitation, etc. (Pantić, 2011). Facing the evil that people can do to each other (as well as the cumulative effect from a series of individual cases) can be a degrading and overwhelming experience for a helper/researcher, which brings into question the feeling of control over one's own life.

Sympathy, openness and empathy, needed when working with traumatized, miserable and disempowered people in order to help them (to gain their trust, offer support, help them realize their rights, etc.), change helpers/researchers and make them vulnerable. Due to all this, secondary traumatization is considered to be an unavoidable response to massive exposure of traumatic material.

In psychotherapy, the processes of treating primary and secondary victims are interlinked and, in many ways, these are parallel processes: a helper provides resources for a primary traumatized person and recovery of the primary traumatized person, at the same time, positively affects the helper's secondary trauma. The occurrence of secondary traumatization (overwhelming trauma material) in dealing with the past should be prevented through organization of work, care about co-workers and nurturing of an atmosphere of trust. If/when it occurs, the symptoms can be reduced with a feeling that something is being done for endangered groups and in cases when improvement in their status is made in a society (however small or slow it may be), as well as through measures of professional support.

Counter-measures: helpers' mental health care

How to take care of mental health and welfare of helpers/researchers in order not to leave them alone with their suffering, as primary victims are left? The most important in mental health problems prevention are good organization of work and good atmosphere in an organization, control over work tasks and access to information, team work, support among co-workers and support from the management. Furthermore, also needed are:

- **psycho-education** (on consequences of trauma and preventive measures)
- **relaxation techniques**
- **debriefing** (the purpose is to reduce possible psychological damage through informing and enabling a person to talk about lived stressful/trauma experience; Van der Kolk, 1996: 425- 475)
- **supervision** (supervision of work guided by an expert as a means of support and prevention; Ajduković, Cajvert, 2001: 15)
- **professional help** for mental health (when this is needed).

Conclusion

It is not our intention to turn the work with trauma into a pathology: just like there exists a potential for the development of psychological and physical difficulties as a response to trauma, people also have their own potential to cope well with difficult experiences or the so-called “resilience”. This does not mean that they feel no discomfort, difficulties or suffering when encountering a trauma and injustice (Pantić, 2009).

It has already been mentioned that what is needed, above all, are good organization of work, experienced team leadership and a feeling of support. Furthermore, we have seen how stress at work, which is caused by exposure to traumatic material, affects the mind and body (prolonged stress causes bodily damages and obstructs work), and our behaviour affects the increase or decrease of stress, so that measures should be planned accordingly. Helpers (as

well as their clients) have problems relaxing and if difficulties occur, it is much easier for them to talk about their physical problems than stress itself. For this reason, learning relaxation techniques should be included into initial measures (Sjolund, B., 2007: 367). Moreover, it is also clear that when introducing preventive measures, a particular organization's methods of work should be taken into account, as well as the organization's needs and its specific culture and values.

Well-educated and supported researcher/helper will be sensitive enough to his/her interviewees, capable of building trust, will take care not to hurt them and will take care of his/her own mental health. Care about activists' mental health is necessary and is also an ethical obligation towards *beneficiaries*. It is needed for it to become a working standard and not a sporadic activity.

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PROTECTING ONESELF WHEN WORKING ON DEALING WITH THE PAST – RETREAT

Goran Božičević, Ana Bitoljanu

This work is demanding and exhausting on many levels. Next to a strong emotional component of feelings which we are not even aware of, but suppress and bury them, there is also a series of other, psychological challenges. We listen to victims' stories and stories of perpetrators, we are under pressure of those close to us, but also the society as a whole, to forget, not to re-open old wounds, not to touch 'our side', to watch the causes and consequences, to mind the balance, to fight windmills, to fight denial, to fight the corrupt (or at least unprofessional) justice system, inefficient police, hypocritical politicians, to fight the lack of understanding of those around us for that which we do.

Actually, there are few human activities which cause so much exhaustion without guaranteed changes and results. Constant questioning of meaning of our work exhausts our capacities and causes frustration and anxiety. It is important to be aware of all of the mentioned, to know how to protect oneself from secondary trauma and burn-out, to know exactly why we do that which we do, to be aware of the fact that satisfaction will be rare and overdue, to know from where and whom we get our strength and inspiration. There is also an additional reason. This work is new, complicated and demanding. To do it, we need competent and qualified persons, who have knowledge, skills, and other interests, and not only people with their own personal reasons.

EXPERIENCES FROM RETREAT IN GROŽNJAN

Since June 2004, in Grožnjan, Istria, a several-days-long RETREAT is held in the summer for tired activists who work on dealing with the past. There have been six retreats so far, with a break from 2009 to 2011, in overall duration of 34 days and with some 100 persons participating (the exact number is not easy to calculate, because some participants came more than once, and there were also family members, volunteers, and experts involved, as well as organizers, who all, except for their jobs, also worked on their own retreats from stress and burn-out).

RETREAT is the result of a support program for dealing with the past, financed so far only by British Quakers, Quaker Peace & Social Witness. Over time, RETREAT concept took distinctive shape.

Participants are active in dealing with the past or peace-building, come from one of post-Yugoslav countries, are older than 20 or 21 years of age, and show a need for RETREAT through, for example, their motivation, the number of years they have spent in an organization, the amount of their engagement, feeling of helplessness and lack of energy.

RETREAT is not a place for work or talking about work. Although these topics cannot be avoided, because 'work' is actually the common denominator to all participants, it took us years to teach people not to bring flyers, books and other materials which their organizations produce to RETREAT, not to come with unfinished work that they would be working on, not to plan projects during RETREAT days. There is still space for improvement of this concept. Activists are workaholics and their work (particularly the difficult and undervalued work on dealing with the past) is often an excuse to escape from themselves, which is a wrong and unhealthy approach to work and oneself in many ways.

We start every day by doing yoga. Turnout varies from group to group, but 45 minutes to one hour at the beginning of a day, around 8 am., outdoors, is a clear message we want to send. Time for oneself and one's body, undisturbed, guided, in a group, and still everyone for him/herself. Yoga classes are lead by professional trainers who adjust exercises to the participants' needs.

MASSAGES are an important part of RETREAT. Most often we could only afford one half-hour massage per participant. And an additional one to those who needed it, if masseurs suggested so. Ideally, everyone should get 2-3 massages, but finances did not allow us to do this. In every group there is always someone who pays an extra massage for him/herself. Masseurs are trained and experienced professionals. Care about one's body is promoted through massages, and the effect is quick and beneficial.

CONVERSATIONS WITH PSYCHOTHERAPISTS – An important partner during most of the RETREATs was Centre for War Trauma⁵⁹ from Novi Sad. A combination of their expertise and experience with a relaxed approach, and close activists, is in

our opinion ideal. Conversations are, as all other activities, not obligatory, but as such used by most of the participants. It is necessary that conversations are a willing choice, which then comes down to an active wish of participants to talk to experts about their mental health. Moreover, those who are not ready to do this are not under pressure to finish.

Conversations lasted for an hour and a half, and were held at places in Grožnjan selected by participants themselves, in peace and quite in the office or over coffee in café bars. Centre for War Trauma therapists were usually seen as 'our own', considering this is a non-governmental organization and people who work on peace-building themselves. The most important outcomes of these conversations are:

- unburdening a person from pressures he/she is exposed to;
- professional, but friendly advice on how to deal with pressures, often through questions or adequate examples, and not as a 'prescribed therapy';
- providing context in which mental pressures are normal for this sort of work, but ignoring them is not healthy;
- receiving professional feedback on what would be desirable next steps for the improvement of one's own mental health.

The gain is not only in 'restoring conditions' or prevention of damage, but also in, for example, work on one's own assertiveness and further personal development. There is a dilemma about how much activists should be encouraged to have conversations and up to now, as with participation in all workshops, our approach has been the following – we encourage participants to use opportunities to talk, but this is not mandatory.

MEALS are, so to say, the only mandatory joint activity. Since the very concept of RETREAT is still developing, we have to admit there exists certain non-verbal pressure that joint meals should be attended, if for nothing else than at least because they have already been ordered and paid for. Breakfast is a particularly 'sensitive' meal, because it is relatively early in the morning so it does not give one a possibility to sleep longer, and it has been noticed that buffet has been a good choice. If possible, this choice should also be applied to other meals.

JOINT DECISIONS are also still in the process of developing. They usually take place after breakfasts and this is when joint excursions are being planned,

transport by cars arranged, agreements made about time and destinations of trips. Although transport of participants provided by organizers, usually to a near-by beach (20 km) has been well—accepted, in terms of sending a message about care for people, this presents a great strain for the organizers. Using volunteers (these were usually students who attended Peace Studies) helped, but the issue of responsibility and security during such rides is still present, in cases when unprofessional drivers are in question. Decisions are not easy, because there are different wishes, and participants are on some kind of recovery. Especially with larger groups and with time, we have learned that it is useful to narrow down the scope of options. In any case, these decisions within the current concept of RETREATS contribute to bringing a group closer together, to the exchange of information, to joint planning and are a good insight into the mood of individuals and the entire group.

FIELD TRIPS constitute potentially the most interesting part of RETREATS. Although Grožnjan itself is in the summer, more precisely in pre-season, interesting and inspiring, as well as soothing, field trips still offer the possibility to swim in the sea

⁵⁹ www.wartrauma.org

(which is to many participants otherwise hardly accessible), to investigate new destinations and have fun, but also to have an adventure. However, we are aware that joint field trips sublimate the essence of the RETREAT concept, and that is togetherness of people who work on difficult topics of dealing with the past. Certainly some activists would more enjoy a recovery among a completely different population or just being by themselves, so that they are turned off by such a concept from the start.

In the six RETREATS we have organized so far, a series of other activities were also offered. Art workshops have yielded partial success. Grožnjan is a city of artists, so this kind of activity was seen as 'natural'. The possibility to express artistically and creatively and to relax proved welcome. On the other hand, frustration occurred when bigger canvases were offered (80x80), because there was not enough time to finish the paintings and because there was a lack of stronger, artistic guidance which would result in outcomes that would satisfy the participants. Reference library functioned best with groups which have already been to Grožnjan (Documenta), and

on offer were exclusively comic books and crime novels. Choosing quality and more adequate books, in cooperation with the city library, will continue, because reactions proved positive, but interest was not that big. However, a good feeling that one has books at his/her disposal should not be neglected either, and everyone will decide for themselves whether or not they will read them. AMSAT diagnostics was offered once, with a contribution in covering 50 per cent of the costs. Although questionable for some, this unpretentious method confirmed a high level of stress with most of the participants of that group and sent a message that health should be better taken care of.

RETREAT is a unique program because it takes care of its participants, but does not treat them as patients. It will continue in the summer of 2013 and hopefully after that as well. The magic of the city of artists – Grožnjan – largely contributes to relaxation and gaining of strength, which are so much needed by all participants. But there are many more magic places around us, right?

Documenta – Center for Dealing with the Past

Centre for Peace, Non-Violence and Human Rights Osijek, Centre for Peace Studies, Civic Committee for Human Rights and Croatian Helsinki Committee decided to found Documenta – Centre for Dealing with the Past in an attempt to encourage the process of dealing with the past and establish facts-based truth about the war, as well as to make a contribution to shifting the discussion from the level of dispute over facts (for example, the number of killed people) towards a dialogue about interpretations.

The key reason for making this attempt was the silence about and falsification of war crimes and other war-related events, happening in the period from 1941 to 2000, which has influenced the recent past of Yugoslavia, as well as post-Yugoslav societies.

Since its establishment, Documenta has been contributing to the development of individual and social process of dealing with the past, in order to build a sustainable peace in Croatia and the region by deepening the dialogue and initiating a public debate on public policies which encourage dealing with the past, collecting data, publishing research on war events, war crimes and other violations of human rights, and monitoring war crimes trials at the local and regional level, as a contribution to the improvement of legal standards and practices in war crimes trials.

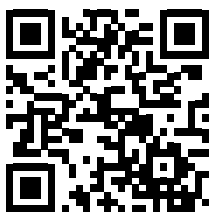
Documenta's mission is to encourage the process of dealing with the past in Croatia, to document and investigate pre-war, wartime and post-war events and to cooperate with civil society organizations, government institutions, and similar centres abroad.

Documenta's vision: Working on dealing with past in order to achieve sustainable peace

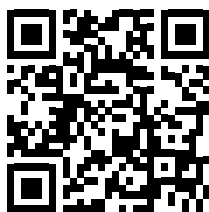
In order to achieve its goals, Documenta cooperates with its founding organizations, associations of families of the missing persons, other civic initiatives, governmental institutions, international institutions and organizations, institutions of state and local government, academic institutions, religious groups, the media and other interested individuals.

www.documenta.hr
www.civilneztvje.hr
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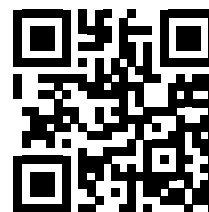




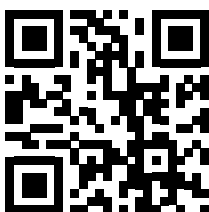
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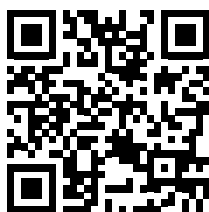
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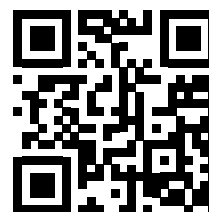
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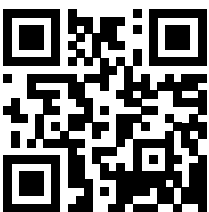
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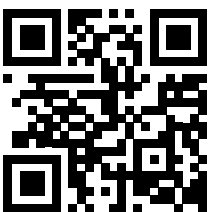
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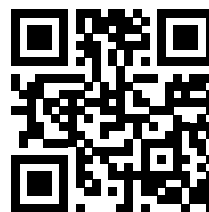
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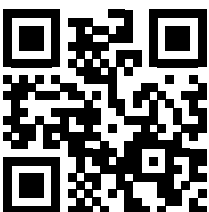
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