

of establishment of the commission must be very well conceived.

Young people believe that it is necessary to conduct a campaign to create a positive climate in the societies on the territory of the former Yugoslavia and that the campaign must include various target groups with an approach adjusted for each particular group. The campaign must be a gradual process and it must include victims, their families, and it should stress the need to discover the truth.

The campaign should include public personalities from different areas.

Education has a very important role in creating a positive climate, and so does regional cooperation and youth exchange programmes. It is necessary to set up a generation link between victims and young people so that they can develop empathy for victims. It is also important to organize visits to memorials and locations where war crimes were committed.

Young people believe that together with the victims, it is their responsibility to bring a change to their societies in everyday life.

It is necessary to include religious communities, too, together with the victims – church officials must monitor public hearings of victims and they have to be fully included in the entire process.

Members of the commission should not be those who were members of governments or had any ties with governments at the time of armed conflicts on the territory of the former Yugoslavia.

Young people encourage victims and their families to testify publicly and they believe that the entire process of a hearing, including its preparation and the manner in which is conducted must be executed meticulously so that the dignity of victims is preserved and their wishes respected.

Young people believe that in addition to victims and their family members, public personalities and intellectuals should be members of the commission.

RECOM must have a clearly defined authorization to investigate. State institutions, including security services must cooperate with RECOM.

17. National consultation with associations of victims in Kosovo on the Initiative for RECOM

Prishtinë/Priština, Kosovo,
October 4th 2008

The consultation was organized by the Humanitarian Law Center Kosovo. The consultation was attended by 22 participants, mostly members of associations of families of victims and missing persons, as well as six observers representing various international organizations. Nataša Kandić (Humanitarian Law Center, Serbia), Vesna Teršelić (Documenta, Croatia), and Bekim Blakaj (Humanitarian Law Center, Kosovo) opened the debate which was moderated by Veldete Idrizi (Community Building Mitrovica, Kosovo).

There is a need to develop a regional approach for the entire region about what happened in our recent past.

We need to have a body which will very methodically use the documentation obtained by the ICTY, which will be able to organize additional investigations in numerous cases not processed by the ICTY or domestic courts, which will create a war crime map, show an exact picture of what happened thereby helping offices of war crimes prosecutors, but what is more important, it will be able to create a complete picture of war crimes and help create a climate of compassion and solidarity with victims in each society, along with a public platform where the victims can speak about their suffering.

Statement: Nataša Kandić, Humanitarian Law Center, Serbia, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

I think that it is extremely important both because of the responsibility we have with respect to victims and to every member of our society, it is very important to establish the facts and the facts are so complex that they can only be considered in a regional context. We in Croatia simply cannot know the truth about the Serbs who fled after the Storm military operation in August 1995 if they no longer live in Croatia and we know that many of them live either in Bosnia and Herzegovina or in Serbia.

Statement: Vesna Teršelić, Documenta, Croatia, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

Initiative for the creation of RECOM is in the

best interest of Kosovo victims.

It is estimated that over the years 13,000 people have been killed in Kosovo that 800,000 people were dislocated, and that 127,000 commercial and residential buildings have been demolished. Today, we don't have a single institution in Kosovo that can offer relevant information about when and where exactly these crimes happened, who committed them, and within what time period (...) Therefore, I believe in the creation of this commission, as I see it (...) I support the idea to form such a commission.

Statement: Teki Bokshi, attorney at law from Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

I just want to say that you have convinced me that this commission should be formed although basically nothing is in our hands. But the commission should be formed.

Statement: Bajram Qerkini, Kujtimi Association, Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

The creation of this commission may be, uncle Bajram, a way to improve or complement the insufficient work of all the governments in the region and a way to exert direct pressure on them.

Statement: Arsim Gërxhaliu, UNMIK/OMPF Office of the Missing Persons, Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

My opinion is that every initiative based on the principles of humanity, aiming to clarify reality and everything that happened in Kosovo, is directly compatible with our goals, our work, our Council, [of the associations of the families of the missing], our associations, and in particular in the interest of each and every victims' family member (...) therefore, I support this initiative in general and I think it is in our best interest.

Statement: Haki Kasumi, Coordinating Council of the association of the families of the missing in Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

I would like to take this opportunity to salute this initiative to form this regional body, the commission, which will help the entire process, not only in terms of clarifying the destiny of those still missing, but also in the presentation of truth, and in making the public more sensitive to this issue.

Statement: Prënk Gjetaj, Missing Persons Commission of the government of Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

We should carefully consider this issue and realize that we do need an initiative for form a truth commission like this and I think that it should exist without any debate and that in Belgrade, in Sarajevo, or in Zagreb we should be united the way we are here today. Criminals must be told that the crime exists, that they committed a crime and that they are responsible for committing genocide. And this commission should exist, I think, and I think that all of you should present your opinions and that we should have time to think about it.

Statement: Ahmet Graiçevci, Shpresa dhe Kujtimi Association, Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

We come and we go, we live with the pain in our souls, trying to figure out what happened, what the truth is, who knows what the truth is, and how to find it. I identified the bodies of two brothers and an uncle from Batajnica 05 mass grave, and now I want more than anything to know who killed them. So, having their mortal remains and marked graves is not enough, I now more than ever need to find the truth. We need to do that for them, we owe it to them who spent the last moments of their lives not thinking about themselves but praying for us to escape the cruel destiny they faced.

Statement: Lush Krasniqi from Korenicë/Korenica, Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

We want the truth to come out, we want to know who committed the crimes and how. Without an initiative like this, I don't believe we can (...) As families of the killed and missing and as residents of Kosovo, together with the non-governmental organizations which have joined us and those which will join us in the future, we are the only ones able to help this process move forward and we are the only ones who can discover the truth. I know that courts will never reveal the truth, but we should not give up.

Statement: Hysni Berisha, Shpresimi Association, Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

I think that all of us together should accept and respect each hand offering cooperation, because that is the only way to achieve a better coordination. If we cooperate better, if we are better informed, that is the only way to fill a void left in our lives after all these years.

Statement: Valdete Idrizi, Community Building Mitrovica, Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

Some representatives of associations of the families of the missing questions the possibility to create a regional commission with Serbia until Serbia is able to apologize and recognize Albanian victims.

I am sorry, the initiative is good but the timing is bad (...) I don't see how you want to form a regional commission with Serbia when they do not recognize us, who do not talk to us, and who open the door to war every day!

Statement: Bajram Qerkini, Kujtimi Association, Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

How can you form that commission when they, when the Serbs do not recognize Kosovo and when they never apologized to us? Serbia is still not a democratic country and I don't know of any Serbian politician coming to Kosovo to pay respect to our grave, and we know that there are 900 disclosed mass graves in Kosovo. Not a single one ever came to Kosovo to visit these mass graves. They are also connected to their church and not a single clergyman ever came to visit a mass grave in Kosovo and seek forgiveness. That opens up the issue of us being very far away from them. What they need to do first is come to their senses, to ask for our forgiveness, but at the same time, they need to be held responsible for the crimes they committed. We know all too well that the same people from the military, police, and command structures which organized and committed the crimes in Kosovo are still in power in Serbia.

Statement: Ymer Merlaku, Association of the families of the missing from Klinë/Klina Municipality, Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

Each family member, whatever this commission is able to do, wants to know the truth. Serbia should ask the Albanians for forgiveness, it should name all those who committed war crimes in Kosovo, and it should provide compensation for the damages resulting from the war.

Statement: Xhafer Veliu, Pengu i lirise Association, Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

Most representatives of victims association do not trust Serbian courts. Some, however, believe that trials are significant regardless of the venue.

We do not agree with the judgements handed down

by Serbian courts, for example the judgement in the case of the Bogujevci family from Podujevë. We do not approve of that. Nataša knows well how seriously such crimes and genocide are sentenced by on the international level, not at the internal level in Serbia. Those judges took their oaths before the Constitution of Serbia which is still in power.

Statement: Artan Selimi, Loti dhe kujtimi Association, Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

I, for one, believe, that it is useful, for example, in the case of Saša Cvjetan, who was sentenced to a maximum prison sentence for the crimes he committed in Podujevë, to be tried in Belgrade because under these circumstances here in the Balkans there is absolutely no way to conduct such a trial in Kosovo. Since there is no possibility to do it in Kosovo, there is no way Kosovo can ask Serbia to extradite one of its citizens.

Statement: Teki Bokshi, an attorney from Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

Therefore, in my opinion, and the opinion of an absolute majority of Albanians, the impact of the trials held in Belgrade for crimes committed in Kosovo is non-existent. That is a farce and that is totally unacceptable. On behalf of most Albanians and victims' families, and also on behalf of activists and associations, I ask Ms. Nataša Kandić and other activists to include in the program of the Commission the establishment of a special court which will be able to organize fair trials.

Statement: Haki Kasumi, Coordinating Council of the association of the families of the missing in Kosovo, National consultation with associations of victims, Prishtinë/Priština, Kosovo, October 4th 2008.

18. National consultation with human rights organizations on the Initiative for RECOM

Fruška Gora, Serbia,
October, 10th 2008

The consultation was organized by Impunity Watch (Serbia) and the Humanitarian Law Center (Serbia) and was attended by 21 human rights activists. Nataša Kandić (Humanitarian Law Center, Serbia), Ljiljana Hellman (Impunity Watch, Serbia) and Marijana Toma (Impunity Watch, Serbia) opened the gathering.